



National Assembly



THE PARLIAMENT'S ROLE IN THE SUCCESS OF THE NATIONAL DIALOGUE

REPORT ON THE PARLIAMENTARY SEMINAR
HELD AT THE LEBANESE PARLIAMENT
BEIRUT, FEBRUARY 6-7, 2006

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PRESENTATION

Under the patronage and in the presence of His Excellency Mr. Nabih Berry, President of the Lebanese Parliament, a parliamentary seminar on “the Parliaments role in the success of the national dialogue” was held in Beirut on February 6-7, 2006 at the invitation of the Lebanese Parliament and in cooperation with the UNDP Project at the National Assembly.

President Berry opened the seminar in the presence of more than fifty members of the National Assembly and several members of the diplomatic corps at the forefront of which was UN Resident Coordinator and UNDP Resident Representative in Lebanon Dr. Mona Hammam, in addition to representatives of public administrations, universities and civil society. The seminar began with remarks addressed by the director of the UNDP Project at the National Assembly, Mr. Elie Khoury. Mr. Khoury, who welcomed the guests, noted that this seminar falls within the context of the call for a national dialogue at a time when Lebanon is facing “an acute political and multi-faceted crisis of the need to reach a consensus and comply with the initiatives for dialogue in accordance with the Taef Agreement.⁽¹⁾” He added: “The Lebanese expect all political forces to comply with this parliamentary initiative because experience has taught them that whenever the National Assembly’s role is marginalized or infringed upon, the Lebanese resort to the street and weapons, which means the complete destruction and suicide of their country.”

The President of the Parliament opened the session highlighting in his remarks the National Assembly’s role in launching the initiatives over contentious issues and initiating the dialogue on all the issues, starting with the most pressing ones. He asserted that the National Assembly, which represents all components of society, is a national forum for exchanging views freely and publicly. He also noted that the acknowledgement of conflicts and diverging opinions, positions and options are meaningless if they are not followed by a dialogue.

The President’s remarks were followed by two speeches given by international experts in the context of the national conflict resolution. The first was given by Belgian Member of the National Assembly, former Finance Minister Mr. Jean-Jacques Viseur, and the second by Lord John Alderdice, former President of the House of Lords in Northern Ireland.

(1) Named after the Saudi city of Taef where Lebanese members of the National Assembly met in 1989 and adopted an agreement that was later known as the Taef agreement.

In his speech, Mr. Jean-Jacques Viseur focused on the role of trust in building national unity and social cohesion. In his opinion, one cannot build a healthy country if one does not recognize mutual differences and divisions. Viseur recounted the Belgian experience, which witnessed a series of divisions, concluding that conflict resolution is achieved by establishing a state that takes into account all its existing divisions and through a national dialogue in which the National Assembly plays a fundamental role.

Lord John Alderdice's speech covered the participatory role of the National Assembly in a divided society, drawing lessons from the Northern Ireland experience. In his opinion, ending deeply rooted conflicts in societies that witness serious and long-term inter-sectarian violence requires the introduction of major changes in the political institutions, security agencies and the judicial system. These changes entail a series of protection measures that ought to take into account minorities when implementing any of these steps.

The seminar was held over two days. The first day was devoted to the opening remarks and the experts' speeches, while the second day was devoted to the bilateral meetings between the experts and the representatives of the parliamentary blocs. At the end of these meetings, the two experts submitted to the President of the Parliament their conclusions which are attached to the present report.

SEMINAR BACKGROUND

THE PARLIAMENT'S ROLE IN THE NATIONAL DIALOGUE'S LAUNCHING AND SUCCESS

FIRST. THE NATIONAL ASSEMBLIES' ROLE WORLDWIDE

A primary role of the Parliament in any country is of course to enact legislation. Parliaments also serve as a check on the executive branch. Moreover, the institution and functioning of Parliament itself has a special importance in a reconciliation process since it is the national debating chamber where different views, interests and concerns can find expression and be steered towards solutions for the common good. As part of this interaction, parliamentarians fulfil a role as opinion leaders who can initiate and steer a public debate on pressing issues and can play an effective role in the promotion of tolerance and reconciliation. If the Parliament's membership is truly reflective of society, the parliamentary debate and its outcome will stand the best chance of being endorsed by the people, since the Parliament enacts legislation in the aftermath of conflict and wars and protects the national reconciliation.

Experiences in countries that witnessed conflicts and internal wars (such as Sierra Leone, Argentina, Chile, Rwanda, Kosovo, Northern Ireland...) indicate that National Assemblies have played a major role in enacting laws related to compensation, reconciliation, truth disclosure and Human rights abuses. Such experiences show that the national reconciliation process starts by eliminating fear and empathizing with others.

SECOND. THE LEBANESE PARLIAMENT'S ROLE

Lebanon has known its first representative national assembly in its current form in 1922, twenty-one years before Lebanon's declaration of independence. Prior to that, representative administrative councils were formed in Mount Lebanon, which enjoyed an autonomous structure under the Ottoman empire. Since 1922, the Lebanese National Assembly has been a forum for the representatives of the various Lebanese communities, confessions and the various political and ideological currents. Given its plural representation, the National Assembly is by nature a space for national dialogue and a place where ideas and opinions can be exchanged.

Although the 2005 parliamentary elections were held based on an electoral law criticized by most Lebanese political groups and civil society members, they produced a more representative Parliament than the ones that emerged from previous elections in 1992, 1996 and 2000. The 2005 elections were held following the withdrawal of the Syrian troops from Lebanon, the assassination of former Prime Minister Rafiq Hariri and the subsequent popular demonstrations. These elections brought a lot of hope for the Lebanese which had high expectations about the Lebanese Parliament restoring its role in the national dialogue and regulating the

work of the constitutional institutions. It was urgent for the National Assembly to regain this role, particularly since many of the provisions of the Taef Agreement, which was supposed to be implemented in 1992⁽¹⁾, have not been enforced so far. There is little doubt that the Assembly can regain this role through the ‘de facto’ implementation of the Taef Agreement, which is called for by all Lebanese.

THE TAEF AGREEMENT

In addition to its political provisions, the Taef Agreement entails a series of national reforms that were supposed to be debated and turned into laws. These reforms cover the electoral system, administrative decentralization, political parties, citizenship, the media, the judiciary, education, and developmental plans...

When President Berry was re-elected President of the National Assembly in 2005, he emphasized in his speech the commitment to the implementation of the Taef Accord. President Berry also asserted the launching of the national dialogue process and the role of parliamentary committees with drafting the necessary laws to turn the Taef provisions into legislation. Members of the National Assembly and civil society welcomed and supported this initiative. As of this date, several parliamentary committees dedicated themselves to this task and a series of workshops were organized in the fields of administrative decentralization, political parties, electoral law, education and Human rights.

In support to the reinforcement of the national dialogue and to fulfill the wishes of the vast majority of the Lebanese citizens, the Lebanese Parliament, in cooperation with the UNDP Project, organized a seminar on “the National Assembly’s role in the success of the national dialogue and national reconciliation.”

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THE NATIONAL ASSEMBLY, A PERMANENT PLACE FOR DIALOGUE

The Lebanese Parliament is not the only Assembly in the world that fulfills the role of a mediator in the national dialogue. Several national assemblies have completed this mission, particularly in times of crises and post-crisis. This mission is concomitant to the National Assembly's role given the latter's structure, and the Assembly is continuously called upon to support it.

The setup of the Lebanese National Assembly as such, it embodies the country's various communities, confessions and political forces. This Assembly (since the days of the Administrative Council in the second half of the nineteenth century) used to represent the various religious groups and political forces in Lebanon. Consequently, it acts as a national platform for a free and public exchange of views, which is in itself an important sign that the dialogue and reconciliation process is moving forward.

Moreover, since the early nineties of the previous century, calls for national dialogue and national reconciliation have prevailed in the political discourse. However, these calls did not trigger positive reactions as was expected. The current stage is marked by political, social and economic crises that deeply threaten the Lebanese system and entity. These are to be discussed all at once. This is the reason why President Berry called for holding the national dialogue in an appropriate place, which is the National Assembly, while emphasizing two basic principles:

- Recognizing the existence of conflicts and differences in opinions, positions and options that cannot be ignored.
- The wish of the Lebanese to solve their conflicts peacefully without resorting to weapons and wars and to set up legal and constitutional mechanisms that secure what they agreed upon within the Lebanese principles embodied in the Taef Agreement.

The objective of the seminar was to inform the Lebanese Parliament of international experiences regarding the in achieving dialogue and national reconciliation and overcoming the obstacles impeding the exercise of this role. This is in addition to suggestions and recommendations that could be taken into consideration to reinforce the National Assembly's role as a platform for dialogue and exchange of ideas and for the success of the national reconciliation. Two international experts in conflict resolution were invited to share their experiences: Lord John Alderdice from Northern Ireland, who was the former President of the House of Lords and the current President of the Liberal International, and former Minister and Member of the Belgian National Assembly Mr. Jean-Jacques Visieur.

This seminar falls under the series of activities conducted by the National Assembly in collaboration with the UNDP Joint Project at the Lebanese Parliament, which aim at enacting the new laws embodied in the Taef Agreement, such as the electoral law, the law on political parties, decentralization, education and other laws which, if implemented, would reinforce the national reconciliation.

The organizers of the seminar would like to seize the opportunity to renew their thanks and appreciation to the President of the Parliament, Mr. Nabih Berry, who encouraged the organization of this seminar, opened its sessions and listened to the experts' remarks. They also would like to thank all those who contributed to its success and those who published the related reports, namely the parliamentary administrative staff and the UNDP Project staff at the Lebanese Parliament.

PART I

OPENING SPEECHS AND EXPERTS' REMARKS

OPENING SPEECH BY MR. ELIE KHOURY, DIRECTOR OF THE UNDP PROJECT AT THE LEBANESE PARLIAMENT

Your Excellency Mr. Nabih Berry, President of the National Assembly,
Your Excellencies Members of the National Assembly and Chiefs of Mission,
Your Excellency Dr Mona Hammam, UN Resident Coordinator and UNDP Resident
Representative in Lebanon,
Ladies and Gentlemen,

The seminar on “the National Assembly’s role in the succes of national dialogue” comes at a time when Lebanon is facing an acute and multi-faceted crisis that requires a full acknowledgment from all the political forces in order to reach a consensus and accept the initiatives of dialogue.

Your Excellency,

You called for this dialogue based on the provisions of the Taef Agreement the day you were re-elected President of the National Assembly at the outset of the current legislative session. In the past few weeks, you renewed this call, that was termed “President Berry’s initiative for national dialogue”, with insistence. The Lebanese are still expecting all political forces to comply with this parliamentary initiative because experience has taught them that whenever the National Assembly’s role is marginalized or infringed upon, the Lebanese resort to the street and to weapons, which ends in the destruction and suicide of their country. Therefore, in the absence of a true national dialogue between the various political forces, there is no way out from the dark tunnel. Dialogue is a continuous process that leads to continuous and evolving compromises, only if it is successful, sustainable, balanced and fair.

Your Excellency,

Two senior international experts in national conflict resolution are participating in this seminar. One comes from Belgium and the other from Northern Ireland, two countries characterized by deeply rooted confessional conflicts and differences. The first was able to find required national settlement, while the second is still seeking to consolidate it. These experts will share with your Excellency and with the audience, a glimpse of their international experiences, lessons learned, and the solutions adopted.

Your Excellency,

We hope this seminar will help facilitate the launching of the Lebanese national dialogue which you kept on calling and urging for and we thank you for your support and confidence in the UNDP’s activities at the Lebanese Parliament.

SPEECH BY HIS EXCELLENCY MR. NABIH BERRY, PRESIDENT OF THE LEBANESE NATIONAL ASSEMBLY

My remarks have definitely changed due to yesterday's events. Let me first assert, out of trust in the Lebanese people, that Lebanon is in good shape.

Lebanon is in very good shape.

No one will be able to turn back the clock.

No one will be able to threaten the civil peace.

I say this on behalf of the National Assembly, its parliamentary blocs and what they represent in the society and the State's life.

I say this on behalf of the parties, unions, syndicates and civil society institutions.

I say this on behalf of the resistance.

I say this on behalf of George Hawi (Abu Anis), Jibran Tueni, the colleague and the journalist, Samir Kassir and all those who suffered injuries and murders,

I say this also on behalf of the young boy Ibrahim Rahil who died as a martyr in the Shebaa farms.

I say this particularly on behalf of the late President Rafiq Hariri.

I say this and let the people hear:

Lebanon will move forward toward the building of a State and building confidence in its role and no one will be able to stand in its way. The Lebanese landscape will not look dark, distorted, crippled, defeated, anxious, and chaotic as it looked yesterday.

A Muslim cannot be a Muslim if he is not also a tolerant and loving Christian who carries God in his heart.

A Christian cannot be a Christian if he is not also a tolerant and loving Muslim who has the ability to forgive.

The Lebanese Parliament and all the Lebanese will fight every attempt to distort the image of the Prophet and every attempt to offend religions, tarnish or use their symbols, or wage wars in their name.

I praise the prompt, courageous and responsible action taken by his Excellency Prime Minister Siniora yesterday. I express my support to the statement adopted by the Cabinet's extraordinary session, which lasted until dawn. However, I retain the Assembly's right to hold the Government accountable for what happened and for living up to its statement.

Any diverging view or any word on the differences between us only trigger attacks that lead, in one way or another, to the understanding that security in any country, particularly Lebanon, is a political matter rather than a security one. When we use the media to exchange accusations, this leads us to what happened in Achrafieh on Sunday. When we go back to the natural place of dialogue, Achrafieh then represents all of Lebanon.

On behalf of the National Assembly, I extend my thanks to the Islamic Chareh Council for the wise position it took towards what happened and for taking legal action as a plaintiff against those behind the violence. I also extend my thanks to His Eminence Archbishop Audi and Archbishop Matar and the priests who run places of worship that were under attack, for their wisdom in containing the ensuing reactions. I also extend my thanks to the Achrafieh and Tabaris residents, in particular, and to the political authorities in these areas for enduring these aggressions without being driven to react violently.

Dear colleagues,
Ladies and Gentlemen,

Allow me now to go back to the seminar that is being held on “the National Assembly’s role in the success of the national dialogue and the national reconciliation” and in which two senior international experts are participating: Lord John Alderdice and Mr. Jean-Jacques Viseur.

Lord Alderdice is the President of the International Liberal Organization, which embraces over 90 “liberal” parties worldwide and contributes to conflict resolution in the Middle East by building good relations with several countries, groups and organizations involved in conflicts. Lord Alderdice gained varied experiences by taking part in negotiations over a number of international issues and contributed to the ratification of the Belfast agreement. He has several publications and studies and has been the recipient of several international awards.

Mr. Jean-Jacques Viseur is a Member of the National Assembly and a former Minister of Finance in Belgium. He is also member of the committee in charge of studying and reviewing the Constitution, and the Higher Committee for Science and Technology and other parliamentary committees. In addition, he is the President of the Louvin University in Belgium, which has a partnership with La Sagesse University in Lebanon. He is a honorary lawyer and the winner of several medals. Mr. Viseur visited the Lebanese Parliament several times as a lecturer on the budget and the oversight on the executive power.

I would like to highlight first that this seminar complements the one that was held on January 31, 2005, almost a year ago, on “the best electoral system for Lebanon” in the pres-

ence of several international experts. This seminar fulfills the pledge I made in the remarks given at the National Assembly, following the elections of the President of the National Assembly. At that time, I vowed to turn the Assembly into an intensive unit which works with all civil society groups, including parties, institutions, the public and unions, in order to initiate a broad dialogue for drafting laws on all the issues embodied in the Taef Agreement. This seminar mainly answers the following question: is the National Assembly's role limited to drafting legislation and overseeing the government's work? Or, as a representative body elected by the people, does its role also consist of conducting a national dialogue and national reconciliation?

In my opinion, since national assemblies worldwide mainly act as an arena for national dialogue by addressing the various views and concerns and gearing them towards any solutions serving the common good; and since parliamentarians act as opinion leaders who can initiate public debates and direct them towards pressing issues and then play an effective role in the process of forgiveness and reconciliation; and since national assemblies enact legislation which addresses the aftermath of conflicts and wars and protects national interests based on the experiences of several countries which went through much more painful conflicts than Lebanon, such as Sierra Leone, Argentina, Chile, Rwanda, Kosovo, Northern Ireland, and others, and where they played a major role in enacting legislation related to compensation, reconciliation, truth disclosure and dealing with Human rights abuses; and based on the international experiences, hence the process of national reconciliation should undergo three stages in any national agreement:

- 1- Overcoming fear
- 2- Rebuilding trust
- 3- Building empathy

While asserting that Lebanese from all walks of life support the national dialogue and underline the need to accept each other and work as partners; while we are all aware that educating people on democracy and dialogue and moving from the stage of power to the stage of a State, and the trust in the State and its mission is, believe me, less costly than moving in the other direction, which is training on the use of weapons, waving violence, or using these weapons; and since the Lebanese Parliament embodies in its structure all communities, confessions and political forces, and has since its inception represented all of Lebanon's communities, confessions and political forces, it is therefore a national forum where free and public ideas can be exchanged.

For all the above-mentioned reasons, I wanted the dialogue to fall outside the framework of Taef and to be limited to the Parliament and the major parliamentary blocs. I am hereby

opening this seminar, which will move the National Assembly's role forward in debating national issues. It is worth noting in this regard that the National Assembly's administration, in cooperation with the UNDP, conducted a series of workshops and seminars, which opened the door for debating draft laws pertaining to parties, administrative decentralization, fostering Human rights, education for all and other laws. This is what the Assembly pledged and planned to achieve, in addition of course to the most important law that is the electoral law. We left it to the government to gather various opinions on the law as a prelude to preparing a draft legislation, which will be submitted to the National Assembly after being debated in the Council of Ministers of course.

Dear colleagues, Ladies and Gentlemen,

As we acknowledge that the existence of differences and diverging views, positions and options is meaningless if they are not followed by a dialogue, we believe that any diverging view or any word on the differences between us only trigger attacks that lead, one way or another, to the understanding that security in any country, particularly Lebanon, is a political matter rather than a security one. An illustration of this is what happened yesterday; when we used the media to exchange accusations, and this is what lead us to the Achrafieh incidents.

CONTRIBUTIONS TO THE NATIONAL DIALOGUE

I. INTRODUCTION

The founding of nation-states is the outcome of various processes.

Before the 19th century, the concept of 'state' and 'nation' rarely converged.

Empire states were formed through military conquests - by assimilating heterogeneous populations of languages, history and culture but their objective was not to match between the belonging to the empire and the belonging to a unique nation. Therefore, the Roman Empire rallied under Rome's authority various populations whose language, way of living and culture were sometimes totally strange to the Roman culture. The Empire adopted an assimilation policy but did not attribute the title of Roman citizen to all residents. The same applied to the Byzantine and Ottoman Empires. In the 19th century, the Austro-Hungarian, Ottoman and Russian Empires were willing to subject various populations to a unique state entity without affecting the different linguistics and the national identities.

For its part, France has been a nation and a state since the early stages of its foundation and has always developed a centralized and unified language and culture. The convergence between state and nation appeared in Europe through a will to centralize and unify. The French Revolution reflected this will and, while spreading out the ideas of the French Revolution throughout the Empire, Napoleon did not change France's 'nation-state' rationale.

Germany and Italy were nations built on cultural and linguistic elements long before they became unified and constituted states.

In the 19th century, following Waterloo and Napoleon's fall, several nation-states emerged in Europe and were formed by coherent territories often showing a unity in language and culture.

This phenomenon developed in Europe, America and Russia.

The dismantling and weakening of the empires led to the creation of a number of nation-states. One example is the dismantling of the French Empire. In 1815 and later in 1830, nations such as Greece and Belgium were established. At the end of the 19th century, the Russian, Ottoman and Austrian Empires began dismantling slowly. This prompted some nations to call for their independence. By setting themselves free from the Empire domination, they would turn into states. One example is Poland versus the Russian Empire.

The 1914-1918 war was caused by Serbia's will to assert itself as a nation in the face of the Austrian-Hungarian Empire. By the end of the war, three empires collapsed and under the Wilson doctrine influence, the Versailles treaty and the following treaties led to the emergence of several nation-states formed by dismantled old empires.

The Austrian-Hungarian Empire was reduced to Austria. Turkey succeeded to the Ottoman Empire but on a much more limited territory.

The newly created states drew their national roots from historical references and visions which did not match territories attributed by treaties dating back to the early 20th century. This divergence between borders and national ambitions was inescapable; history had witnessed moving borders in several instances due to wars and other historical factors. Frustrations were intense as treaties led to artificial borders that took into little account historical or cultural realities and dreams of great nation which fed the populations of the newly founded states.

The objective was to prompt these new states to coexist but national questions related to borders have significantly affected relations between states during and even after the two-war period.

Nation-states can be classified in three categories:

■ 1. Countries which built their state in clearly defined territories because of their history (such as France, Spain, Poland and Hungary) and imposed or tried to impose a unique culture and a unique language (this did not happen without pain. One example is Spain versus Catalonia and the Basque countries). These countries expressed national unity by a strong culture and a history emphasizing confusing values of 'state' and 'nation'. No national dialogue exists in these countries because each citizen is at the same time attached to the nation and the state which he belongs to. Difficulties in these countries are more related to the integration of new nationals following the intensive immigration of the second half of the 20th century.

■ 2. Countries which were able to match states and nations while accepting a diversity combining centralization and decentralization (United Kingdom – Scotland and the Wales are not England -, Germany – Bavaria has a culture and way of living which is very different from Sax -, Italy – between Milan and Sicily there are only nuances -). This is because these states have a prevailing central core at the historical and cultural levels. These states are not trying to launch a national dialogue because they settled the differences between their constituents through their decentralized system. However, economic disparities and sometimes a strong regional identity (Scotland, Bavaria and Padania) justify a federal system or a heavily decentralized system. The unity of the nation-state is not however part of the political debate. There could be some exceptions related to religion (see Ulster).

■ 3. States which could only emerge with difficulty after the shattering of empires and after international decisions. These states had to build their nation within borders often dictated by the outside. The state is the result of a compromise between distinct minorities. The founding of these nations certainly stems from a history which existed before their formal recognition as a state. However, unlike countries in categories 1 and 2, these nations retained, throughout history, diversified languages, religions or cultures which impose a national dialogue. Besides, one should regularly look into the social compromise which is the basis of national unity. Differences could lead to the shattering of this national unity. At the same time, denying these differences disrupts the social and political compromise. Belgium and Lebanon belong to this category. Although the Belgian example can't be fully adapted to Lebanon, it sheds however a specific light on a country of minorities and splits which were more or less able to safeguard their existence without physical violence.

II. BELGIUM, COUNTRY OF MINORITIES AND SPLITS

Belgium was built and operated on the basis of three large splits which marked its history:

- Christian-secular split
- Rightist-leftist split (present in Western Europe but particularly in the pillars society)
- Flemish-Walloon split which carries a cultural and economic dimension.

Belgium is also a country of minorities. No split prevails in the various regions of the country. If, in light of our splits, a majority imposed decisions on the minority, this would have major impact on other splits and consequently, national unity would not stand. All the solutions that were found within the scope of the national dialogue rested on one evidence. There are only minorities in Belgium and this facilitates a permanent compromise which is known as the “Belgian way compromise”.

III. BELGIUM BOUND BY PERMANENT COMPROMISES

Belgium is the result of a compromise and survived only because of continuous repetitions of constitutional and quasi-constitutional solutions which prevented its shattering. This culture of compromise is strongly related to the three above-mentioned splits:

1. FIRST SPLIT: CHRISTIAN-SECULAR

In 1830, at the time of independence, Belgium was affected by splits between Catholics and anti-Christian liberals. Secular middle-class liberals whose ideas derived from the French Revolution were, in their majority, free thinkers and gathered in circles. Their wish was to free themselves from Dutch absolutism in order to provide Belgium with a liberal constitution. On the other hand, Catholics predominant in the campaigns feared the Protestant control of William of Orange and the Dutch. A historical compromise which lasted during the first eighteen years of Belgium's history led to an agreement between Catholics and liberals united against the Dutch. Its outcome was a liberal constitution and the protection of the Catholic Church and its social activities. However, following independence, each party started to reinforce itself and to develop what we call its pillar. The pillar is formed of social institutions mainly engaged in education, health and leisure (later on, employers and unions got together under the aegis of secularism or the Catholic world). The pillar extends through a political organization (Catholic, liberal and socialist parties until World War II). It was written that in Belgium, everyone was able to live inside his own pillar from the cradle to the grave; all of the activities took place under the aegis of the pillar, namely the school curriculum, leisure activities (football club for instance), public and professional life, and boarders' activities were dedicated to one pillar, along with elderly homes and health institutions. Each pillar organized its activities and the staffing of its members for a long period of time. The split faded at the end of the twentieth century as a more secular and tolerant society developed.

In two instances in the nineteenth and twentieth century, this split led to strong tensions called school wars. These tough confrontations divided the country and threatened its unity before solutions were found in compromises which are still implemented and were enshrined in the Constitution (art.24).

2. SECOND SPLIT: LEFT-RIGHT

The second split developed within the first.

For a long time, secular and leftist movements converged in a philosophical pillar which extended in social and political organizations.

Under this split, individuals were mainly divided up between secular socialists, on the one hand, and Christians, on the other. But the concept of leftist will also affect the free world,

prompting the formation of social organizations (unions and mutual benefit societies) which were all related to the first Christian-secular split. This is why an active liberal union took shape within a pillar which, in principle, is less sensitive to the social question. In addition, the Christian left-wing social action developed within a pillar which is rather a conservative one. The right-left split is therefore less simple than in neighboring countries. It culminated in the “royal case” which, following World War II, opposed a Catholic royalist bloc favorable to King Leopold III and a leftist bloc bringing together socialists and liberals opposed to the King regain of power. The case almost torn the country apart, particularly since a referendum related to the Royal case indicated that the third Flemish-Walloon split was part of the debate. Unlike Wallonia and Brussels, the Flanders was largely favorable to the King. This split faded at the end of the twentieth century. Socialist unions and Christians often acted together. Liberals and socialists opened up to Christians therefore reinforcing the traditional right-left split. However, the current liberal-socialist government -- Christians being part of the opposition -- goes against the classical left-right power division which is acceptable in Western Europe.

3. THIRD SPLIT: FLEMISH-WALLOON

This split was initially cultural and linguistic. It currently carries cultural and economic aspects.

In the nineteenth century, structures of the Belgian state were largely controlled by the French-speaking people (Francophones). Several political representatives elected in the Flanders through a voting system based on the poll tax didn't know the Flemish language spoken by their fellow citizens. For a long time, the executive, legislative and judicial powers used the French language only. It was not until the end of the nineteenth century that the Constitution and legislation were translated into Flemish. The cultural aspect prevailed in the nineteenth century. Liberals, Catholics and even francophone socialists did not take into account the birth of the Flemish movement which was led, in the first stage, by Flemish popular classes overseen by the Church or rather the main pillars of the Church.

The Flemish movement expanded in the twentieth century and several cultural conflicts came along with the assertion of this Flemish culture. National political parties shattered one after the other and were divided into Francophone or Dutch-speaking parties. An economic split also appeared in addition to the cultural and linguistic one. The Fleming who outnumbered Francophones enjoyed an exceptional growth after World War II at a time when Francophone economic strongholds based on coalmines and the iron and steel industry went through an important crisis.

As of the seventies, the growth gap between the two regions generated an economic support of Wallonia by the Flanders, support that progressively increased. The Flemish movement exerted pressure to obtain an economic and budgetary autonomy which would allow it to ben-

efit alone from its growth by limiting solidarity with Francophone regions. At this stage, the country was threatened to shatter but this shattering was avoided by the establishment and development of a cultural and partially economic federalism.

IV. CONSEQUENCES

The three splits, which characterize the Belgian society and were more or less intense throughout history but currently persist, constitute many reasons for the collapse of the country. Each time the problem rising from these splits was denied, it led to a deep crisis and a risk of division. So far, a compromise allowed to solve each crisis, partially fulfilling the desire of each pillar or group and allowing the peaceful pursuit of the national dialogue's role. It is this culture of compromise which allowed Belgium to remain as a state then as a nation.

What are the rules of this culture of compromise?

The culture of compromise is based on four permanent elements:

- 1. The belief that none of these groups will win by force.
- 2. The will to address the concerns of each minority and protect their positions.
- 3. Complex legal and constitutional solutions respected by all.
- 4. Permanent questioning over the future and role of Belgium in a larger framework that is Europe.

Based on these three elements, the protection mechanisms for minorities were set. These mechanisms are characterized by pragmatism, search for often rather complicated solutions and deep-seated oppositions to violence.

Therefore, a Belgian model based on consensus among all communities really exists. This consensus rests on four elements:

- 1. The state is accepted as conducting various kingly missions but its structure (civil service, magistracy, and army) is strongly influenced by the balance between the various splitting factors. One example is nominations in the civil service and, for a very long time, in the magistracy. Sharing of influence operates according to criteria related to the above-mentioned splits. Each civil servant is rather tied to the three criteria of Christian-Secular, Flemish-Walloon and left-right.
- 2. A special concept emerged, the concept of functional civil service. If some civil service missions remained entrusted to the state (which was subject to the influences mentioned in

item 1 above), several civil service missions were organized in a competitive manner by the state, on one side, and by organizations derived from the pillars, on the other. As an example, education was organized both by public authorities and religious schools. The latter were subsidized, authorized, and assisted by public authorities. The same applied to hospitals and mutual benefit societies. This was also partially true in the cultural sector. Therefore, over 75% of students in the Flanders and 50% in Wallonia received a religious education subsidized by the state. In the hospital sector, Christians looked after 65 to 70% of patients in the Flanders and up to 50% in Wallonia. Hence, pillar structures were maintained, along with the active participation of these structures in the defense and the building of the national concept.

■ 3. The confidence related to arbitration legal instruments in case of conflict. Legally, legislation and jurisprudence which globally establish the defense of minorities and allow each minority to impose the respect of its rights were developed. This was reflected in specific protection mechanisms (the council of ministers is equally formed by Francophones and Dutch-speaking nationals, except for the Prime Minister who is considered as “linguistically asexual”). The Constitution can only be revised by a two-third special majority in each assembly (National Assembly and Senate). On the legislative level, when a text affects inter-communal sharing of rights and obligations, it can only be endorsed by a special majority which includes two-thirds of parliament and half of each linguistic group. Emergency mechanisms allow linguistic groups or regional and community-based groups to obtain the suspension of an adopted law which is likely to affect another region or community. Cultural and school pacts as well as constitutional legislation protected school networks and cultural minorities. On the judicial plan, an arbitration court can invalidate legislation which violates constitutional principles. Languages are equally distributed in the Supreme Court, the Arbitration Court and the Conseil d’Etat.

■ 4. None of Belgium neighbors has been interventionist or has shown specific support to a minority. On the linguistic level, neither France nor Belgium encouraged any form of unity nor have they financed separatist parties or groups. Since 1960 and the second Vatican Council, the Catholic church was very discreet and did not fuel elements likely to lead to Christian-secular confrontation.

Belgium is in a fragile situation, continuously marked by the above-mentioned splits. It permanently wonders about its fate but no political majority currently exists in the Flanders or in Wallonia to cause the country to shatter. Moreover, it will be difficult to divide Belgium because, while the Flanders and Wallonia represent rather homogeneous territories, Brussels’ specificity complicates the situation. The capital, Brussels, is made up of a predominantly francophone population (80%) but is separated from Wallonia by a land predomi-

nantly inhabited by Dutch-speaking nationals. As a European capital, it achieves missions for the whole of Europe. Belgium's split would generate a particularly difficult situation for Brussels which can't be united to the Flanders and is not part of Wallonia, and which economic and political activities are strange to Wallonia. However, none of the communities seeks violent confrontations and they have so far been able to avoid tensions which could lead to permanent violence on their territory.

V. IS THE 'BELGIAN WAY' COMPROMISE ADAPTABLE TO LEBANON?

The Belgium situation is very different from Lebanon's. Belgium is a consensual democracy which feeds consensus. Society is opposed to violence as a means to solving conflicts.

As mentioned above, no neighboring country intervenes to emphasize divisions or support unionist or separatist movements. The Christian-secular split, while lateral to society, is no longer subject to Vatican interventionism. When legislations on ethics and bioethics were endorsed (abortion, homosexual marriage, euthanasia, stem cells, etc.), churches and bishops took a stand but never called for civil disobedience.

However, some principles seem adaptable:

■ The acknowledgment of cultural, religious, linguistic and political communities

Belgium recognizes itself as plural but in a non-exclusive manner. Not everything is limited to the belonging to a region, a community, a religion or a leftist or rightist organization. However, this mosaic is experienced by each one and integrated in each one's life. This is difficult but necessary. For example, a citizen who is only Catholic-Flemish would not fully participate in the social and political life. The others' values and cultural background enable the existence of a social and political life.

■ Mechanisms of constitutional protection

The Belgian state is a complex federal state made up of institutional bodies. These bodies overlap and intersect. The Constitution and legislation adopted by a special majority help in achieving the balance between political groups, some of which (the regions) are territorial and others (communities) are only partially territorial. Other political groups (communities) converge in some territories (Brussels region, Wallonia region). As some groups' territories are not clearly defined, communal life needs to be organized. Clear legal mechanisms prevent a majority from imposing a solution to community problems without the minority's agreement. The protection of individual rights targets not only religious freedom but also

freedom of education. The fact that the constitution can only be modified by the majority of two-thirds of those elected in the House of Representatives and the Senate ensures the continuity and protection of these rights by tribunals and by the Arbitration Court. On the community level, the main legislation, namely the one on financing, can only be adopted if it secures majorities in each of the linguistic groups within the federal parliament. In the coalition government, parity protects the linguistic minority. The state's main bodies do not solely reflect one factor of these splits. Consultation exists between social forces representing the two communities.

■ Places of dialogue and state-building

In Belgium, one can't build everything based on communalism. Dialogue and consultation are necessary and places exist to this end (Senate, consultation committees between federal governments, regions and communities, and inter-government cooperation agreements. In case of emergency, consultations between parliament representatives of different levels).

■ A federal system of social protection and collective negotiation

The state "raison d'être" rests on a strong inter-personal solidarity. Therefore, social protection mechanisms (unemployment, healthcare, pension plans) are organized on a national basis. In addition, salaries, social negotiation and collective conventions are first negotiated at a federal level under inter-professional agreements and sectional agreements.

■ The will not to limit everything to communalism

As much as denying the Belgian mosaic formed by the various splits of our society would be unrealistic and would stir up tensions, as much as exclusively referring to these splits makes communal life impossible. Belgium is certainly advantaged by the fact that its divisions are not limited to the only Flemish-Walloon split or the Christian-secular one.

However, the pronounced splits or the narrowing of social, economic or political life to one split is an illusion. Society is complex by nature and national identity is the link that ensures that communal life increases economic prosperity and social progress.

In this respect, integration in a larger territory which is Europe helped Belgium realize that its splits are relative and understand the contribution of a complex, difficult but varied society to the construction of Europe, which is not a simple common market of goods and services but also a community of nations.

CREATING A SHARED PARLIAMENT IN A DIVIDED SOCIETY - LESSONS FROM THE NORTHERN IRELAND EXPERIENCE.

In any community which has been affected by serious and prolonged inter-communal violence as has been the case in South Africa, in my own community of Northern Ireland or here in Lebanon the process of bringing the conflict to an end almost always involves major changes to the political institutions and the justice and security agencies. Such changes not only symbolize the commitment to a new start, they also institutionalize real change and create the opportunity for that new start. We must not deceive ourselves of course. All the same people are around and many of the underlying tensions will remain, but there is at least a chance to change the rules of the game.

In Northern Ireland with our deep divisions between pro-British Protestants and pro-Irish Catholics we have tried a series of completely different forms of government over the years, everything from majority rule by a single party, through to radical power-sharing of an enforced grand coalition; from a first-past-the-post voting system for elections to the most strict and far reaching proportionality not only in voting and forming committees of elected members in the Assembly, but even in the allocation of ministerial portfolios in the highest reaches of the government. In our current arrangement (which is suspended at present because of some political difficulties) everything is proportional. If a party receives 10% of the vote it will have 10% of the Members of the Assembly, 10% of the Members on all Committees, 10% of all the Chairmanships and Deputy Chairmanships, and even 10% of the Ministers in the Government. In addition there are a series of complex and overlapping legal and political protections and veto arrangements so that nothing can be done which is unacceptable to a significant minority of the community. One example is that instead of having a Prime Minister we have a First Minister and a Deputy First Minister representing the two main sections of the community and who can only act jointly and by agreement. All this comes out of the Belfast Agreement of 1998 which was negotiated over many years by the

various political parties and the British and Irish Governments. Despite all these changes the underlying divisions in the community have changed relatively little. People are no less Protestant or Catholic, Unionist or Nationalist than they were before.

The point that I want to make is that the creation of new institutions, even quite radically new democratic institutions does not in itself resolve the underlying problems. Real change must be managed through a gradual but substantive change of the underlying purposes and aims of government and parliament, and then as a result the culture and relationships of the community.

To understand this question of underlying change we need first to give some thought to the purposes of government and parliament. I suppose there are two main approaches to government. For some people government is simply the acquisition and exercise of power in the interests of those who form and control the government and the purpose of parliament in this way of thinking is to facilitate the exercise of power and patronage. Those who have this view of the purpose of government will do everything possible to keep themselves in power, undermining and destroying any threat to their continuance in government. Constitutional limitations of terms of office will be changed, opposition parties will be seen as the enemy whose only possible purpose is to replace them, and critical individuals or sections of the media will be attacked with all legitimate and extra-legal powers available. All elements of political power are bent to this one end - staying in power. The Executive, the Army, the Police, the Judiciary and administration of Justice, Parliament, the Civil Service, all elements of public service are expected to serve the regime in power, and changes of regime are likely to be violent affairs.

In stable, peaceful parts of the world it is easy for people to forget that, at its best a parliament, where representatives of the community talk and also listen to each other, is more than just a 'talking shop'. It is in a very real sense the alternative to political violence. In Northern Ireland we lived through thirty years during which political differences were expressed through violent actions rather than words. Violence is an alternative to talking in any community, but this is most obvious in those places where there are deep divisions. There are important questions about why such deep divisions exist in a community like Northern Ireland or Lebanon, but this is not the place to explore that question. What is beyond doubt is that in your country and in mine there are deep divisions and they have led to serious and prolonged inter and intra-communal violence. Politics is not so much the way that we agree across the gulf of such divisions, but rather the way in which we can express our disagreements without killing each other. Parliamentary democracy is the way in which we can manage our communal life, and change our governments without resorting to violence.

At the other end of the scale from the view of government as the exercise of power on behalf only of a sectional interest, is the model of government and parliament as a system through which a community as a whole shares power and manages its affairs. In this way of thinking each element of the public service has a different role to play. An independent civil service is there to facilitate whichever party is in the executive, but to assist it in living within the law. The judiciary implements the decisions of the legislature, but does so in the interests of fairness, which may not necessarily be in the short-term interests of a particular government or section of the community. The defence forces are there to protect the community as a whole from external threat, not to impose on the community, and still less to protect the executive from the people. The police are there to maintain everyone's Human rights.

Perhaps most importantly for the purposes of this workshop, the opposition is there to hold the governing parties to account, and in a power-sharing arrangement the back benchers of all parties can work together across party lines to hold the power-sharing government to account. This is a purpose quite separate from the role of being a government in waiting. I have noticed a tendency for parliamentarians to see their role as being to discredit and tear down those in the administration purely in order to replace them. The result of this is almost inevitably that their claim to provide a better alternative is demonstrated to be bogus for once in government they do all the same things that they criticised in their predecessors, all the while feeling justified on the basis that 'It is our turn now'. The populace meanwhile feels cheated and let down for they did not vote to replace one set of corrupt oppressors with a different set of individuals who did the same thing. They voted for what they hoped was a different approach, and a better government. In short those in opposition have a different role to play than merely that of members of government-in-waiting. The role of the opposition parliamentarian is much under-rated and under-valued. Even in the donor community there is a tendency to train parties to win elections and take power, in the often vain hope that they will be better people, rather than train opposition parties to be more effective as opposition parties, which might also assist them to be more responsible in government once they did achieve power.

To put it another way, for some politicians the achievement and exercise of power in their own interests is the sum total of the purpose of politics. When they do this in a particularly corrupt and abusive way they are recognized to be 'bad people' and since the system has permitted such 'bad people' to take power it must be a 'bad system'. The wider community domestically, and more importantly internationally then seizes on the obvious alternative, that is to find 'good people' to put into a 'good system'. But the so-called 'good new people' end up doing much the same things as their 'old bad predecessors', because the problem was to be found in the view of what government was about.

If one takes the view that government is there to serve the whole community, then the purpose is not just to maintain power but rather to facilitate representation. Perhaps it might be useful to put some flesh on the bones of this argument by saying something about my experience in Northern Ireland

When in 1998 we completed the negotiation of the Belfast Agreement and the British and Irish Governments along with the overwhelming majority of the elected representatives of unionist, nationalist and non-aligned parties in Northern Ireland signed up for the new system, we took the proposition to the people and achieved a very high level of support in referendums in both Northern Ireland and in the Republic of Ireland. The issue then became one of implementation. After the election of the new Northern Ireland Assembly I decided that I would step down as the Leader of my party – the cross community bi-confessional Alliance Party – and was appointed Speaker of the new Assembly, with the responsibility for setting up the new body. We faced all sorts of problems since we had to address existing human resources, traditions and culture.

The nationalists believed the civil service to be a bastion of protestant unionism and so did not trust them to staff the Assembly. However there was no other obvious body of people with any kind of experience to whom we could turn. It was agreed to take in only a very small number to get started, and then through a process of negotiation amongst the representatives of all the parties it was agreed that in order to get the Assembly up and running quickly we would take on a number of these civil servants on a three year fixed term contract. During that period all posts would be advertised openly and Assembly employees taken on merit, but the proportions of protestants and catholics would be closely monitored to reassure Members and the wider community that the proportions were representative of the balance in the community as a whole. As the years went on and Assembly Members were closely involved with the recruitment exercise they became much less anxious about the issue of civil servants when they realized that in the new context these people had considerable skills and developed a surprising loyalty to the new structures and Members. As a result the issue was able to be dealt with much more flexibly and simply was not a major problem later on. In other words bringing in people from the old system was not a problem if there was a shared mechanism for taking them on, and monitoring the process, and if there was sufficient good quality leadership to inspire loyalty to the new system and to the whole community from civil servants of the old system.

On traditions we found something similar. The approach of the British Government tended to be that since nationalists were opposed to British ways of doing things and unionists were opposed to nationalist symbolism all culture and tradition should be removed and a clinical

sterility maintained. My own view was that the best alternative to monoculture was not sterility but multi-culturalism. Let me give you two examples.

The great symbol of unionist dominance was the Parliament Buildings at Stormont - an impressive neo-classical edifice in my own constituency. Instead of alienating unionists by refusing to go there and incurring absurd costs by trying to find or construct another building it became my purpose to make that building and especially the Assembly Chamber a place that could be shared by everyone. This took place through a process of many meetings to discuss furnishings, colour schemes, headed note paper, procedures and the use of the Irish language and Ulster-Scots in the chamber, visits by school children, concerts, musical and dance events in the building and so on. Before long no-one wanted to leave the building. Everyone felt at home in what had now become their own shared place.

More dramatically perhaps I took the same approach during the Jubilee visit of HM The Queen. During the Jubilee year she was of course visiting every part of the UK, and going to Westminster, the Scottish Parliament and the Welsh Assembly, but the British Government was fearful of what would happen if she were to come to Stormont because of the attitude of catholic republicans. Again I undertook a series of meetings with all the parties. The pro-monarchist unionists who were very exercised about the problem and wanted to protest vigorously about it, agreed to say nothing until the process of talks was completed, as did the other parties. Sinn Fein, the republican party considered the issue for some time, and through discussions came to realize that they could not expect me to try to arrange visits to Stormont for the President of Ireland, if HM The Queen was unable to come, so they undertook not to complain if she came, and to maintain what they described as 'a dignified detachment'. On the morning of her visit they went further and pointed out that it was in fact important that she came because it was important for unionists, and they could not expect their sensitivities to be observed if they did not cater for the sensitivities of unionists.

The question is not whether traditions may be maintained. Some of them must be incorporated if the new regime is to be accepted. The process by which it is determined how some elements can be carried on is a matter of dialogue and creativity. It is important to note that I was not often able to get people to publicly agree, even after prolonged discussion. What was possible was to get people to the point of accepting what was implemented, and then warming to it. Often they would accept it only as a provisional and temporary arrangement to get us through a current dilemma, but of course there are few things that last longer than the provisional because it soon becomes habitual, indeed becomes a tradition. In truth everything we do in politics is only and at best provisional anyway

The same applies to my experience of political structures and procedures. One needs to start with some kind of model of what is the purpose of these structures, and for me, especially working in a climate of long-standing communal conflict, it was about dealing with violence and aggression.

Aggression is a powerful instinct and the capacity of words to express and contain the violence depends on the robustness of the structures within which the talking takes place. It must be possible to release powerful feelings with sufficient passion to give convincing expression to them without slipping into violent behaviour or provoking a violent response from the other. This combination of containment and expression is the purpose of the conventions and Standing Orders of a parliament. The Speaker is there to make sure that these conventions and Standing Orders are protected and observed in such a way that their underlying purpose is fulfilled.

If the representatives of the people are unable to give vent to the emotions of their community, the people will lose faith in their representatives or the political process to address their needs. If those same elected officials act only as a valve for feelings of anger and envy, then a descent into acting violently on those feelings becomes increasingly likely. Elected Members have to fulfil a complex and subtle role between these two poles. In the same way the Speaker must enable Members to express concerns sufficiently strongly to have them heard, but provide a containing environment for the inevitability of conflicting expressions.

There are a number of elements to this work.

The first is the observance of the Standing Orders. Without some rules, chaos reigns, and violence breaks out. But those rules only have effect if they have the respect of the Members. The best way to ensure this is for Members to construct their own agreed rules. The Northern Ireland Assembly started with a very brief and inadequate set of Initial Standing Orders, but the Members moved fairly quickly to negotiate their own rather more substantial arrangements.

Agreed rules are a necessary but not a sufficient requirement of working together with differences. Some aspects of working together require a degree of subtlety and flexibility that is hard to encompass in written rules. These requirements can often be accommodated in conventions or mutual understandings. What sort of problem might require this flexibility? In the normal course of events the Speaker may call Members who represent each separate party, trying overall in any debate to maintain both the diversity of parties and the relative sizes of their groups. A circumstance however might arise where a terrible tragedy occurred

in a particular community or constituency, and the feelings generated might be such that some variation in this arrangement might be important, for example an over-representation of nationalist speakers might be appropriate where a nationalist constituency had suffered particularly. If speaking arrangements are covered by a clear rule, such flexibility is not possible. If it is covered by a convention, then the Speaker can negotiate (formally or informally) some flexibility to accommodate the emotional and therefore political, needs of the moment, going gently beyond the usual rules.

Even the flexibility of conventions needs to be enlarged, for the implementation of the rules requires a fluid appreciation of the emotional tone of the chamber at any moment – what we call the ‘sense of the House’. There are times of tension and high drama where an expression and experience of the anxiety of the community is essential if the Assembly is to perform its function. At other times, or even at other points in the same process of a Bill, a speech, or a debate on a motion, it is of service to the Assembly and the community to find ways to reduce the tension. For example on one occasion a careful use of humour may serve the purpose. At another time humour will be absolutely the wrong thing.

This facilitation of the life of the Assembly in plenary is also important in other aspects of its group expression including social occasions with constituents or other guests in the parliament building, the practical operations of its group life in the building, the processes of its committees, and its relations through the press with the community at large. The key is allowing the fundamental purposes of containment and expression of aggression and other feelings through a sensitive conduct of the parliamentary process.

In attending to the needs of the process we should never underestimate the importance of practical human needs. If Members or staff cannot eat or drink satisfactorily, if they are cold or uncomfortable, or if they cannot hear each other speak clearly, we should not be surprised if they become disgruntled. If they cannot send and receive messages from their constituents or the press they will be irritable. Their anxiety levels will rise when they are not reasonably clear about when they need to be in the building and when they can safely be elsewhere. They feel much better about themselves and their work when they can offer to constituents the patronage of visits to, or social events at, an impressive and attractive Parliament Building. Physical security may be too lax to be reassuring, or it may be too intrusive and obstructive of normal life and work. These may all seem pedestrian matters far from the high ground of constitutional settlements, peace agreements and political structures but they are the foundation for human interaction no less in a political assembly than in any other group of people.

The relationship between the Executive and the Legislature is perhaps the least understood element of governance – least understood by the populace and their principal informants in the press. The Government consists of those chosen to undertake ministerial roles and with their civil servants they have direct responsibility for delivering those goods and services which the community has decided ought to be a group task – hospitals, schools, roads, regulatory authorities, policing and the administration of justice and so on. The Legislature, made up of all the elected members but especially those who do not have positions as Ministers, have the job of sanctioning, criticizing, and holding the Ministers to account, and providing the Government with the funds and the laws which facilitate these provisions and circumscribe them. The Ministers must be able to get their proper business through the parliament otherwise the community will not have proper services, but it is essential that there is sufficient opportunity for debate and holding to account or the quality of the services and their fair provision will inevitably suffer. This balance is the underlying theme and task of every business committee meeting, and ultimately of every plenary and departmental scrutiny committee. The function of the Ministers in ‘doing things’ must be matched by the ‘reflecting’ function of the Legislators. Where the Ministers substitute talking for doing and Legislators obstruct rather than scrutinize, the parliament is not ‘working’, but rather sliding closer to the expression of division in the community. Where the Government business receives less than rigorous scrutiny, and slips through ‘on the nod’, the parliament is not doing its job of adding value and quality to the process of making laws and governing the community.

There is one further and ultimately essential element in the conduct of business in a parliament. Everyone likes to be treated with respect, and politicians may well be insatiable in this regard. Someone who is not treated with respect, but rather is dismissed or humiliated finds it difficult to forgive or forget and may well be provoked to a deeply angry response. It is essential in a parliament that people can disagree, but equally necessary that they find ways of doing so without a breakdown in the working of the institution. It is sometimes suggested that trust is a prerequisite for a successful peace process, but this is not so. Trust is an outcome of a successful process and a result of undertakings freely entered upon and honoured during the process. Similarly it is not reasonable to expect people who have been at war to feel respectful to each other. It is however possible to persuade Members of a parliament to behave with respect for the institution and its procedures. In this way they begin to construct a culture of respectful behaviour which can mitigate and contain all sorts of problems and make long term working relationships possible, even between traditional enemies. The language and conduct of a parliamentary chamber may sometimes appear a little stilted or false to the outsider but these are some of the tools through which respectful conduct is mediated, enabling those who do not even like each other to express their differences forcefully without crossing the line of disrespect and damaging the prospects for working relationships.

People often turn to violence when they feel humiliated and disrespected. Of course one must condemn the dangerous and terrible violence which took place in this beautiful city yesterday, but one must also acknowledge that freedom of expression is not only a fundamental right but also a profound responsibility and one which should be exercised with respect for others and their sensitivities. That is a lesson which those of us who have lived through violent communal conflict have come to understand through painful experience.

The whole question of political structures and procedures is how far they can accommodate all these complex requirements. Every community has already some traditional structures for dealing with violence and aggression or it would not have survived at all as a community. The skill is to identify these and either use or transform them gradually, creatively, including people from all elements of the community, with their history and traditions. Politics must not only find a way of including all the parties but also all the people, for just as the conflict is bigger than just the politicians, so its resolution requires the involvement not only of politicians but also of all elements of the divided community outside the parliamentary chamber.

Politics is a high and difficult calling, more complex and more essential in divided communities than in stable and peaceful places. Not only is managing conflict a question of practical political agreement, it is also a matter of finding shared symbols and building a new common culture. In Northern Ireland with our many divisive traditional symbols on each side, we had to create new symbols. As an emblem of the shared interest of the Northern Irish and Lebanese people in building peace and reconciliation, I should now like to present to the President of this Parliament, His Excellency Mr. Nabih Berri, a small gift of the shared symbol of the flax flowers from which Irish linen is made. While you have the strong symbol of the cedar tree, our symbol has the fragility of a flower, but at least it is after all our Troubles, a shared flower.

PART II

MEETINGS WITH THE PARLIAMENTARY BLOCS

I. REPORT ON MEETINGS

The second day of the seminar was devoted to hold working meetings between the experts and representatives of the parliamentary blocs. The meetings were as follows:

1. Meeting with representatives of the Development and Liberation Bloc, the Loyalty to the Resistance Bloc, the Syrian Socialist Nationalist Party (SSNP) and the Baath Party: MPs Mr. Mohammad Raad, Mr. Abdellatif Zein, Mr. Anwar Khalil, Mr. Nasser Nassrallah, Mr. Qassem Hachem, Mr. Marwan Fares, Mr. Antoine Houry, Mr. Ismail Sukkarieh, Mr. Amine Cherri, and Mr. Pierre Serhal.

The blocs and parties' representatives exposed their views on the remarks made by the two experts on the Belgian and the Northern Ireland experiences. They highlighted the following points:

- The role of the Resistance in confronting Israeli aggressions and viewing it as the only alternative model to confessional line up.
- The central role of the Arab-Israeli conflict, its implications on Lebanon, and the ensuing interferences on the Lebanese arena.
- The main role played by regional and international factors on the Lebanese arena, which lead either to political stability and security, as was the case since the Taef Agreement until 2005, or to stirring up conflicts as is the case currently.
- The absence of serious solutions provided for in the Taef Agreement led to further deterioration of the situation, exacerbated crises, and provided no accountability.

Participants also underlined their full commitment to the national dialogue and the need to agree on the principles, the main national options and a united political vision on the regional and international issues. Also, they viewed the implementation of the Taef Agreement, including the establishment of a Senate, as the right gateway to resolve the current crisis in Lebanon. Finally, they hailed President Berry's initiative for national dialogue, which aims at agreeing on the national and political principles.

2. Meeting with representatives of the Future Movement bloc: MPs Mr. Mohammad Qabbani, Mr. Ghazi Youssef, Mr. Atef Majdalani, Mr. Mustafa Hachem, Mr. Riad Rahhal, and Mr. Qassem Abdel Aziz.

Participants discussed the current cultural and sectarian differences and divisions in Lebanon. They highlighted the foreign factors, which always nurtures domestic disputes due to the alliances built by the various confessions with foreign countries. Participants emphasized the importance of the dialogue initiated by President Berry and the need to hold it at the National Assembly as it embodies all political and confessional groups in Lebanon. They also underlined the need to acknowledge the diverging views between the Lebanese people

on several domestic and regional issues. Members of the National Assembly wondered which electoral law is best for Lebanon and the benefit of moving the dialogue to the Lebanese regions instead of confining it to the capital Beirut. They also drew a comparison between the behavior of countries neighboring Belgium and that of countries neighboring Lebanon, acknowledging that the former does not seek to undermine Belgium's stability or propagate an instability there whereas the latter behaves completely different up to the extent of denying Lebanon's sovereignty, as the Lebanese differs from its Arab environment with respect to its liberal and democratic model, freedom of expression and the freedom of the media enjoys. They underlined the need to abolish the political sectarianism as the gateway to build a modern State, having national belonging prevail over sectarian belonging and strengthen the State's role in the face of foreign interference.

3. Meeting with representatives of the Reform and Change bloc: MPs Mr. Edgard Maalouf, Mr. Salim Salhab, Mr. Ghassan Moukhayber, Mrs. Gilberte Zouein, Mr. Nabil Nicolas, Mr. Hagop Pakradonian, and Mr. Walid Houry.

The participants underlined the need for the Lebanese to reach agreements without foreign interference, mentioning the agreement reached between the Free Patriotic Movement and Hizbollah. They inquired about the methods that Belgium and Northern Ireland used, which led to an agreement by all conflicting parties to sit on the national dialogue conference table. They emphasized the need to produce a modern electoral law that allows for a fair representation for all the sects, parties and political orientations. They mentioned regional interference in the Lebanese domestic affairs and finally stressed the importance of the national dialogue and the reinforcement of the National Assembly's role in this regard. Some members of the National Assembly inquired about the federal system and the healthcare system in Belgium.

4. Meeting with representatives of the Democratic Gathering bloc: MPs Mr. Antoine Ghanem, Mr. Ayman Shuqayr, Mr. Mohammad al-Hajjar, Mr. Abdallah Farhat, Mr. Antoine Andraos, and Mr. Henri Helou.

Representatives of the Democratic Gathering bloc focused on the following points:

- Syria's responsibility in Prime Minister Hariri's murder and other assassinations in Lebanon during 2005.
- The need to delineate the borders between Lebanon and Syria, starting from the Shebaa farms, and to solve the issue of the Lebanese detainees in the Syrian prisons.
- Call on the international community to exert pressure on Syria to implement international resolutions and cooperate to disclose the truth behind Hariri's assassination.
- The need to solve the economic and social situation.
- Stressing the importance of the national dialogue within the National Assembly.
- The concordance between political and sectarian belonging in Lebanon, which leads to a rigid democracy.

- Seeking continuous assistance from foreign countries to have one community prevail over another and the impossibility to find solutions as long as foreign interference in the Lebanese matters persists.
- The need to implement the Taef Agreement as a gateway to solve the Lebanese crisis.

5. Meeting with representatives of the Kataeb party and independent members of the National Assembly: MPs Mr Butros Harb, Mr. Antoine Ghanem, Mr. Jawad Boulos.

Participants gave a short historical account of the situation in Lebanon from 1920 until the Taef Agreement which was supposed to lead Lebanon to civil peace. They underlined the need to:

- Implement the Taef Agreement soundly and comprehensively before introducing amendments because the Agreement has not yet been enforced.
- Produce a modern and fair electoral law.
- Solve the issue of Hizbollah's weapons.
- Normalize Lebanese-Syrian relations while preserving both countries' interests.
- Invalidate the extension of the President's mandate because this extension is a constitutional breach.
- Initiate a debate among parliamentary blocs within the National Assembly over all controversial issues.

At the end of the working session, the two international experts openly commented on the opinions, questions and suggestions raised by the members of the National Assembly.

Following is a summary of their answers:

A. RESPONSE BY LORD ALDERDICE *

Despite some analogy between the Belgian case and the Lebanese case, countries neighboring Belgium don't wish to support minorities there, as opposed to Lebanon, which is affected by the international and regional context. Besides, there are no conflicts between the countries neighboring Belgium, which ensures internal stability. He said the solution consists of:

- 1. Unifying the Lebanese views over foreign relations, whether international or regional.
- 2. Finding a main goal over which the Lebanese can unite. For example, Beirut would be for the Middle East what Brussels is for Europe. In other words, it would act as a financial and economic link between all Arab and regional firms.
- 3. It is not easy for Lebanon alone to find a solution to the Arab-Israeli conflict. It is there-

* Section A and B are excerpts of the report drafted by the General Directorate for Studies and Information regarding the Seminar's works.

fore advisable not to postpone dialogue until the settlement of regional issues, which can take a long time.

- 4. Lebanon should be an arena for debate instead of a war arena. For the national dialogue to be successful the Lebanese should focus on solving internal disputes among all parties beginning from a better standard of living, and a better economic and social situation, to more complicated issues.
- 5. The disarmament cannot be resolved overnight. These are issues that should be debated at length before they are permanently settled. In Northern Ireland, for instance, the issue of disarmament was debated for more than ten years before it was solved.
- 6. The controversial issues exceed by far the issues agreed upon. It is therefore necessary to find common ground upon which everybody agrees, such as social and economic development, through promoting investment to develop the economy.
- 7. Lebanon should try to take advantage of foreign experiences to reach solutions.

B. RESPONSE BY MR. JEAN-JACQUES VISEUR *

- 1. It is extremely important to normalize Lebanese-Syrian relations and Lebanese-Iranian relations in order to reach internal solutions later on.
 - 2. Producing a fair electoral law that represents all of the components of society.
 - 3. Focusing on domestic issues and taking advantage of the others' experiences.
 - 4. In light of the sectarian diversity in Lebanon, it is necessary to inquire about ways of building a nation and to determine the mechanisms that ensure its protection. Establishing a Senate therefore becomes a necessity as it offers a system that does not allow a specific community to prevail over the other.
 - 5. One cannot disregard disagreements because they exist and divisions are bitter. Nonetheless, the national dialogue should seek to establish a system that will eliminate the destructive consequences of divisions. The dialogue puts the state at the core of political action that leads to consolidating state building by attempting to overcome sensitivities and engaging into a deep dialogue.
 - 6. The government's action should aim at building the state structure, irrespective of any confessional context.
 - 7. The need to establish a Senate, which will ensure that the rights of all confessions are respected, and a National Assembly elected outside the confessional context and that watches over the State's interests. This division allows the government to fulfill its mission and express itself politically regardless of any confessional belonging.
- No change occurs overnight. We should take into account the necessary period of time for solving thorny issues.

II. CONCLUSIONS FOLLOWING THE MEETINGS WITH THE POLITICAL GROUPS BY MR. JEAN-JACQUES VISEUR

1. I would like first to highlight the high quality of the meetings. All the political groups showed an exceptional straightforwardness as well as the desire to move forward in the context of the national dialogue.
2. All the groups without any exception welcomed the initiative of the President of the Lebanese Parliament. They all supported the idea that the National Assembly is the essential place for launching the national dialogue. Moreover, since all the Lebanese political forces are represented in the National Assembly, the dialogue can take place between parliamentarians, and assisted by specialists and collaborators.
3. All the political groups stressed on the fact that Lebanon is more than the mere sum of communities and that the future should witness the strengthening of the state and its missions as well as the progressive reduction of the communities interests. The majority of the MPs did not mention the coexistence between Christians and Muslims but rather the pre-eminence of national belonging as the nation's foundation.
4. All MPs considered the Taef agreement as a solid foundation for a national compromise but declared that there is a possibility for a post-Taef agreement. They considered that it was necessary to build a new national compromise that would be in line with the Taef agreement and would respect its main guidelines but would be more consistent with reality. Some groups called for the effective implementation of the Taef agreement but didn't consider it as an indispensable condition for the dialogue.
5. UN Resolution 1559 was not radically challenged but it is up to the Lebanese people to find a solution for their problems among themselves. Some considered the full implementation of the Resolution as a precondition while others thought that its spirit should be implemented according to a precise schedule in line with the national consensus.
6. One of the issues to be dealt with during the national dialogue is undoubtedly the regional situation, resistance to Israel, and relationships with Syria. We however understood that, while the political groups have different views of these issues in terms of understanding them and finding solutions to them, no group considers that these problems should be immediately dealt with so that the dialogue can proceed.
7. All the groups expressed the will to reconcile the reduction of the weight of the different

communities with the protection of their interests. The strengthening of the state and the abolition of the political sectarianism should be the main focus of the national dialogue. All MPs recognized however that community conflicts can be resolved but that the solutions necessitate reducing the foreign interference and strengthening an internally and externally weak state.

8. Some groups highlighted the fact that it is necessary for the national dialogue to look into Lebanon's socio-economic problems and to make sure that each and every Lebanese citizen can live better in a consolidated state.

9. In the heart of debates, there is a common will to adopt an election law that would take better into consideration reality and would promote democracy even if pure and simple majority vote seems impossible to implement and not desirable because of the need to protect sectarian minorities. The election law should thus be fair.

Accordingly, the proposals that Lord Alderdice and myself elaborated are the following:

1. President Berry's initiative should be carried on and transformed into a structural dialogue that has to be held at the National Assembly with the participation of all political groups.

2. The national dialogue can be developed by using the 'basket' technique, i.e. to set a general agenda and to entrust different working groups with specific topics. Even if the adopted formula states that everything is linked and that no agreement can be achieved on a specific matter if there is no agreement on everything, it seems that the national dialogue can move forward very fast on some topics while, regarding others, major difficulties can require in-depth conversations. The success of some of the working groups can play a positive role by promoting the national feeling and allowing to build on positive results in order to find solutions for more delicate issues.

The working groups that can lead to positive results are the following:

■ a. A fair election law and the possible establishment of a Senate representing the different communities. There is a general feeling that neither the pure proportional representation nor the current electoral system based on the constituencies is an adequate solution. There is an array of election models ranging from voting for a single member per constituency and pure proportional representation. For example, the German ballot that reconciles the uninominal system by constituency with proportional representation may be an example to follow. On the other hand, Taef suggested the establishment of a Senate for the communities. Directly linked to this Senate, a mechanism for protecting the latter can be the result of a compromise in line with Taef so that everyone would be at ease.

■ b. Relationships between the State, denominations, and communities. There is a general consensus according to which sectarianism should be reduced while the communities are protected. Moreover, relationships between denominations can find an innovative solution. Beyond religious freedom that no one challenges, there is the social and educational role of denominations. It would be therefore necessary to determine what is to be entrusted to the denominations. Furthermore, the “functional public service” notion adopted in Belgium can be thought of. There is also another delicate topic that deserves being tackled, that is the issue of the personal status. The current situation is confining the people within their denomination and communities. The secularization of the personal status would be a tool to strengthen each Lebanese’s belonging to his nation. Regarding communities, the question is to know what are the topics that justify the protection of the communities and consequently the constitutional and extra-constitutional mechanisms that can make them at ease. Setting up an Arbitration Court and its venue in case of a conflict accepted and recognized by all should be discussed.

■ c. The economic development and the social progress were some of the topics mentioned by some groups. National dialogue can only yield results if progress is achieved in this regard. In this context, the budget and the economic tools cannot be overlooked.

■ d. The functioning of the state, the independence of the judiciary, the public service, the police, the army, and the intelligence apparatus should all work towards strengthening the national unity. In this regard, many groups have proposals that can help in establishing a modern democratic state.

■ e. The international context and its repercussions at the national level. In this field, there are different positions but also opportunities to bring people closer as well as a context favorable to dialogue. Five main points were tackled: the international investigations following the assassination of Rafic Hariri, UN Resolution 1559, the role of the resistance to Israel, the national territory’s integrity, and the Lebanese-Syrian relationships. In all these fields, compromise can be reached and used in the national dialogue.

In light of the results reached by these different working groups, technical solutions can be elaborated and translated into constitutional and legislative steps.

My own opinion is that the will to promote national unity and strengthen the Lebanese nation is a powerful lever that can lead to lasting solutions.

In any case, dialogue during general meetings between political blocs is an opportunity to seize in the current situation. Establishing these different working groups can occur rapidly to benefit from the current national momentum.

III. REPORT ON THE QUESTION OF A NATIONAL DIALOGUE FOR LEBANON

BY LORD JOHN ALDERDICE

These thoughts on the question of a National Dialogue for Lebanon come out of a series of meetings with the different party groups at the Lebanese Parliament in Beirut on 6/7 February 2006. The invitation to meet came from the Speaker, Mr Nabih Berri and the United Nations Development Programme.

The Context

The people of Lebanon are deeply divided and these divisions are represented politically by some 17 political parties. The problems stem less from cultural problems than from historic experiences based on confessional differences and relationships with external powers. These divisions cannot be resolved by simply being ignored. Nor are they easily addressed in the absence of a resolution of the Israel/Palestinian problem. The violent expression of these problems has resulted in profound suffering for the people of Lebanon, as well as deep fears and the current dilemma of how to address weapons and the concerns of those who have the weapons. Must the people of Lebanon wait for the Israelis and Palestinians to resolve all their problems before their can be progress for Lebanon? We must hope not.

Is it possible to develop a way of living and working together in Lebanon even while holding to the things which are precious to those whose different views, histories and beliefs are represented in the parliament? The Taif Accord was an attempt to find such a mechanism but to date it has not fulfilled that promise. Can it be built upon, developed or changed so as to enable the people of Lebanon to work together better?

A Dialogue of Respect

The call for a National Dialogue recognizes that there are differences of perspective and that none of these can be ignored or dismissed. They must all be heard and treated with respect. The differences will remain, but this diversity can become a source of enrichment rather than a cause of violent division. The people have elected their representatives to parliament and so parliamentarians have a responsibility to take the lead in this National Dialogue, though the people as a whole must also find a way of engaging in the process.

The dialogue cannot be successful unless there is agreement on how it is to be conducted. Everyone must feel that they have an opportunity to present their views and to be heard. If this is to happen everyone will need to do others the courtesy of listening to their views even, and perhaps especially, when they do not agree with them. The Lebanese representatives will have to decide how to meet together; what format will enable them to hear each other and be heard by each other, and whether outside help is useful in reaching agreement on the format and in facilitating the dialogue.

A Shared Economic Interest

On one issue there seems to be agreement. Everyone wants to see social and economic benefit for their people. Even before reaching agreement on more complex political issues there may be initiatives which can be taken jointly by the political groups to persuade the outside world to give economic assistance to the people of Lebanon. A joint approach by the different party groups on this issue would be an encouragement to the people of Lebanon and a sign of hope for those outsiders who wish Lebanon well. Business also prospers best when a country is free of corruption and people can depend on the rule of law being applied freely and fairly.

Outside Interests

The involvement of outside powers has been one of the enduring problems for Lebanon, not only because of external power interests, but also because groups within the country are tempted to look outside the country for support in their struggles with others inside the country. Is it possible for this external involvement to become something less conflictual and more positive? Could Beirut become the Brussels of the Middle East? - not a site for a Middle East parliament, but a place where people come together to do business on the many matters of political, social and economic concern for the region, and of course to enjoy themselves. Whatever the historic divisions, no-one in Europe now wants to exploit the differences among the people of Belgium. After World War II the divided people of Europe started to cooperate first of all on economic matters, and from that base built a lasting peace. Brussels is now the place where we do much of this business, and so the whole of Europe wants the Belgians to stay together, not split apart. Such a consensus among the external actors in respect of Lebanon would be most helpful, but even limited agreement would be an improvement.

Internal Political Structures

It is necessary through the National Dialogue not only to discuss shared economic interests, but also to find ways to represent the different identities in the country. The Taif Accord was an attempt to achieve such a compromise. While there are many differing ideas on what changes may be made, there seems to be a widely shared view that Taif is not an adequate basis for stable political development and that it needs to be built upon, developed, amended or changed in some significant ways. Attention has been drawn for example to the electoral law, issues of proportionality, the need for legal and political protections for minorities, the possibility of a Senate, and the question of weighted votes. In the discussion of these and other such technical, structural and legal questions, there will be matters of political sensitivity which must be addressed by the political representatives, but there may also be value in receiving expert advice from outside on the technical aspects of these complex issues.

A Weapons Process

One further matter of great importance is that of the weapons. Dealing with this question will be difficult and contentious and will take some time. It will not be an event. It will be a process that could be conducted in parallel with the other discussions on the economy, the political structures and external relations. It can only be resolved by agreement and as a result of everyone feeling a greater sense of security in their own place.

While much more detail could be added to this report it may be best at this point to focus on these principles which can be the foundations for a National Dialogue rather than become buried in the detail which must come later.

IV. GENERAL CONCLUSION

All the parliamentary blocs expressed the wish to engage in a broad and frank national dialogue and they all clearly expressed their position, which is something unprecedented. In addition, everyone called for the implementation of the Taef Agreement and viewed it as a pillar for national unity. The parliamentary blocs expressed the need to reinforce the State in order to reduce sectarianism and to agree on an electoral law fair to all and on the need to achieve economic growth and social development as essential means for reducing the prevailing tension in the country.

Adopting a fair policy in the distribution of wealth, which stems from economic growth and social development, is likely to instill in all Lebanese the needed trust in a modern and wealthy state, which would consequently lead to lesser tension among the different components of society.