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Report

Bahrain's National Dialogue faces a Stalemate

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Thousands of Bahrainis wave national flags and posters of jailed opposition figures [AP]

Introduction

Two years from the launch of Bahrain's national dialogue, representatives from government and opposition factions have failed to arrive at a settlement over the future direction of the country. The withdrawal of Bahrain's largest opposition group Al Wefaq from the talks - first in July 2011 and again on September 2013 following the arrest of their deputy leader - reflects growing tensions between the two sides. A coalition of opposition groups state that the ongoing arrests of political leaders and activists are proof that the government is not serious about reform. Government representatives, on the other hand, accuse the opposition of supporting street violence by the February 14th coalition, a radical opposition group that it labels a terrorist movement. Newly-energized loyalist groups also accuse the government of adopting a stance that is "too soft" against the opposition. Bahrain's international allies - including the United States and United Kingdom - continue to criticize the absence of sufficient reform by the government, but have failed to broker any political settlement. As the schism between social and political groups hardens, prospects for a political solution appear increasingly dim.

The Run up to Dialogue

The most recent chapter in Bahrain's political history began alongside the advent of the Arab uprisings, when a coalition of anonymous online activists calling themselves the "February 14 Youth" issued a call for protests to take place on February 14 2011. The

date marked the tenth anniversary of the National Action Charter, a document promulgated by King Hamad which promised the re-introduction of constitutional life in Bahrain following twenty-five years under a state of national emergency. Instead of re-introducing Bahrain's suspended 1973 constitution, King Hamad promulgated a new constitution behind closed doors that diluted the powers of Bahrain's elected chamber of parliament, by forcing it to share power with an upper, appointed Shura chamber. Gerrymandering of electoral districts also diluted the electoral power of Bahrain's Shia population, leading to dissatisfaction amongst civil society organizations towards the direction of the reform project. Incidents of appropriation of public lands by high-level government officials and evidence of corruption fuelled calls for change in the decade between 2001-2011. The advent of the Arab uprisings further energized government critics, providing fertile condition for the rise of an opposition street movement.

In response to the online call for protests, groups of dozens gathered in villages across Bahrain on February 14 2011, calling for greater reforms. The killing of a protester that day by security forces prompted a turnout of thousands at his funeral, marking the beginning of a month-long sit in at a traffic junction, the Pearl Roundabout. On February 17, security forces cleared the roundabout of all demonstrators, killing three civilians. In response, a coalition of seven Islamist and leftist opposition political societies, including the largest Shia Islamist society al-Wefaq, announced their withdrawal from parliament. The following day, Bahrain's Crown Prince invited representatives of opposition groups to enter into dialogue over the future direction of the country. Opposition groups responded by insisting on the implementation of demands, including the election of a popular committee to redraft the constitution, as preconditions to the talks. Groups aligned with the February 14 youth rejected any dialogue with the government, insisting that their aim was to bring about its downfall. During this period, loyalist groups also organized several large counter-demonstrations in support of the government.

On March 14 2011, following a general deterioration in the country's security, troops from GCC Peninsula Shield forces entered into Bahrain. Troops from the Bahrain Defense Force cleared the roundabout of protesters, while King Hamad declared a three-month state of national safety. During this period, over 4500 workers were fired from their jobs for their suspected participation in protests, and hundreds of civilians were sentenced to prison by military courts for activism. An independent commission of inquiry (the "BICI") appointed by King Hamad to investigate the events of February and March found evidence of a "culture of impunity" in the security forces, that led to widespread abuse and the death of five detainees from torture. It also detailed the destruction of several Shia mosques by security forces. The commission also confirmed the deaths of three members of the security forces by protesters. A special round of parliamentary by-

elections held in September 2011 was boycotted by opposition groups, resulting in a parliament dominated by loyalist and independent candidates. The February 14th coalition continued to reaffirm its aim to bring down the monarchy, marking a growing rift with opposition groups such as Al Wefaq that insisted on non-violent methods to pressurize the regime to reform. Groups of youths associated with the February 14th youth began adopting increasingly violent strategies including the use of molotov cocktails in confrontations with security forces and detonating small, explosive devices.

The First Dialogue - The National Dialogue

Following the lifting of the state of national emergency, King Hamad announced that a national dialogue would take place beginning July 2, 2011 between segments of Bahraini society, to discuss demands for further reform in the country. The dialogue brought together over 300 representatives from Bahrain's civil society. These included 70 "public figures", all 40 members of the country's Shura council, representatives of 5 newspapers and 8 unions, and 31 representatives of professional societies including for example the Pharmacy Owners and Importers Society. The dialogue also included representatives of 19 political societies. Opposition groups were awarded a total of 35 seats out of over 300 seats, prompting criticism among these groups that they were widely under-represented in it. Al-Wefaq in particular complained that its award of 5 seats did not represent the fact that it had held 40% of the seats in the elected chamber of parliament prior to its withdrawal.

On July 17 2011, just two weeks from the start of dialogue, Al Wefaq announced its withdrawal, stating that the society was vastly underrepresented and marginalized in the dialogue. The society stated that it had "tried but without success to make it a serious dialogue" and that such a process "would not read a radical political solution to the crisis but instead complicate the political crisis." (1) Al Wefaq also complained about the absence of any representatives from the executive branch in the dialogue, stating that a dialogue between various segments of society would not lead to the required reforms.

Following the conclusion of the talks on July 25 2011, the government announced that the parties to the dialogue had made progress in five areas including political, economic, social, and human rights reforms, in addition to expatriate rights. The government subsequently announced the formation of a commission made up of nine government officials to implement the dialogue recommendations. On May 3rd 2012, King Hamad announced changes to Bahrain's constitution in line with the recommendations. The new changes required the King to consult with the heads of both parliamentary chambers before dissolving the legislature. The new changes also granted the lower house of parliament the right to vote to withhold its cooperation from the Prime Minister, and then

refer its decision to the King, who would act as the final arbiter on whether to dismiss the Prime Minister or keep him in his post. In response to the changes, a member of Al Wefaq stated: “the amendments fall short of the demands of the opposition, which has been pushing for an elected government and scrapping of the appointed upper chamber in accordance with the 1973 Constitution.” (2)

Take Two: The Second Round of Dialogue

The first round of dialogue proved unsuccessful in generating the reforms demanded by Bahrain’s political opposition societies. They continued to call for non-violent demonstrations against the regime, many of which attracted tens of thousands of demonstrators. In parallel, violent confrontations continued between security forces and supporters of a coalition aligned with the February 14th movement. Bahrain’s international allies and primarily the United States continued to exert pressure on the regime to instate further reforms. On June 14 2012, the Assistant Secretary of State for Democracy, Human Rights, and Labour, Michael Posner, stated: “the government of Bahrain needs to take action on the full range of BICI recommendations including prosecuting officials responsible for the violations identified in the report, dropping charges against all persons accused of offenses involving political expression. Above all, we call on all parties in Bahrain to help each other move towards a comprehensive political dialogue.”

King Hamad announced a second round of dialogue in early 2013. The second round was chaired by the Minister of Justice Sheikh Khalid bin Ali Al Khalifa and followed an 8-8-8 format that saw the inclusion of 8 representatives from a coalition of loyalist “national” societies, 8 representatives from both chambers of parliament, and 8 representatives of opposition political societies. The dialogue also included 3 Ministers from the government, including the Minister of Electricity and Works, the Minister of Education, and the Minister of Justice. (3) Pro-government expatriate groups lobbied extensively for their inclusion in the dialogue but were not granted any seats.

Prior to the commencement of the dialogue, representatives of the opposition groups addressed a letter to the Minister of Justice requesting the inclusion of representatives of the King in the dialogue. According to them, this demand stemmed from their view that the current government held responsibility for ongoing rights violations and arrests, and could not therefore be seen as an independent arbiter in the dialogue. The Minister of Justice did not grant this concession.

Over the course of seven months, the dialogue participants met over twenty four sessions and did not move beyond discussing the mechanism of the dialogue. Opposition

groups insisted that any recommendations agreed to by the parties should be put to a popular referendum, and submitted to parliament for implementation. The other parties to the dialogue did not agree to this, causing a stalemate between the factions. During this period, the government also passed a number of laws restricting opposition activities. These included a ban on all protests in the capital city of Manama after a group calling itself “tamarrod” announced a day of national rebellion, and the introduction of a new anti-terrorism law that allowed the government to strip nationality from those calling for “terrorist crimes”, including two former parliamentarians from al-Wefaq. The Minister of Justice also announced that political groups were prohibited from holding meetings with foreign governments, or overseas organizations without official approval. The new regulations also require a representative from the government to be present at such meetings. Opposition groups protested the new rules by boycotting a session of the dialogue. In May, opposition groups also suspended their participation in the dialogue following raids by security forces on the home of the spiritual leader of Al Wefaq, Sheikh Isa Qassim.

On September 17 2013, the head of the Public Prosecution announced that the deputy of Al Wefaq had been detained and charged under the new terrorism law. The charges against him include “inciting and advocating terrorism, and using his leadership position in a legally organized political society to incite crimes.” (4) The following day, all representatives of the opposition societies announced the suspension of their participation in the dialogue, stating that “for over seven months, the opposition parties have made efforts to turn the dialogue into a meaningful negotiation, without success.” (5) The opposition also announced that it would subject its decision to review, in light of future political and human rights developments. Following this announcement, the United States urged all parties to return to the negotiating table. Government representatives insist that dialogue will continue without the opposition.

As negotiations in Bahrain stall, and as trust between the various parties weakens, prospects for a political resolution to the country’s protracted divide appear increasingly dim. As Bahrain’s allies insist on the need for the government to implement deeper reforms, the country’s future rests on whether negotiations can indeed lead to the depth of reforms required to steer the country away from its current path.

Endnotes

- (1) Agence France Press, Bahrain Shiite opposition pulls out of talks, 07 Jul 2011, <http://www.google.com/hostednews/afp/article/ALeqM5jgn5jpXwWLYmaWs9CTxHId3tRjiO?docId=CNG.eed8c928c224c4fcae23d47f8879aab6.7a1>

- (2) 2 AlJazeera, Bahrain King Enacts Parliamentary Reforms, 03 May 2012
<http://www.aljazeera.com/news/middleeast/2012/05/201253171926431856.html>
- (3) 3 Website of the Bahrain National Dialogue, <http://www.nd.bh/en/>
- (4) 4 Reuters, Opposition suspends role in Bahrain talks after deputy leader held, 18 Sept. 2013,
<http://www.reuters.com/article/2013/09/18/us-bahrain-opposition-wefaq-idUSBRE98H14B20130918>
- (5) Al Wasat News, "Quwa al-Muaritha ta'lan ta'leeq musharakatha fil hewar", 18 Sept 2013,
<http://www.alwasatnews.com/4029/news/read/811305/1.html>

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