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Civil society in conflict

A case study on the role of Syrian civil society in the ongoing conflict in Syria, seen in the light of Syrian non-profit organisations' bottom-up approach to transitional justice



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Abstract

This paper aims to explore the role of the Syrian civil society in the ongoing conflict from the concept of transitional justice. Broadening the civil society understanding provides a tool to approach the overlooked social capital in the Syrian society. Exploring the approach from non-profit groups to victims, I aim to understand a possible approach to transitional justice in Syria. I argue for the importance of an open approach when addressing civil mechanisms and social capital in Syria. Especially groups considered “uncivil” have to be included in the civil society. Focusing on civil society provides knowledge about resources in the Syrian society, both in the present time of conflict, but also for a possible transition towards peace. This thesis elaborates that a Syrian bottom-up approach supports the idea of an “Arab” transitional justice clinching with liberal democracy, especially when the state-frame is debated. Regional differences regarding rule is part of the problem. When aiming for liberal democracy other forms of democracy and rule in general are excluded beforehand and thereby determining new groups –and some of the same, as “uncivil”.

Key words: transitional justice, Syria, civil society, bottom-up, conflict transformation, victim, conflict society, intractable conflict, al-Assad

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Content

Civil society in conflict	1
1 Introduction	2
1.1.1 Purpose of study and research questions	3
2 Theoretical framework.....	4
2.1 Previous research.....	4
2.1.1 Transitional Justice	5
2.1.1 Understanding peace.....	6
2.1.2 Civil Society	7
3 Methodology.....	10
3.1.1 Material.....	11
3.1.1 Interview	11
3.1 Reflections	13
4 Case study.....	14
4.1.1 Background.....	14
4.1.2 Security disparity	15
4.1.3 Displaced civil society and difficulties.....	16
4.1.4 Defining victims for restoration	16
4.1.5 Planet Syria and a voice of the people.....	18
5 Analysis.....	19
5.1 Civil Society in conflict	19
5.1.1 State, civil society and revolution as identity maker	21
5.1.1 Peacebuilding resources in the traditional society.....	23
5.1.2 Whos democracy?.....	23
6 Conclusion	26
7 References.....	28

1 Introduction

“What exactly is meant by “better” or “justice” is up to us, the Syrian people, to define and that is why it is so important for as many people as possible to involve themselves in and influence this process”¹ –Centre for Civil Society in Syria (CCSDS)

When approaching the conflict in Syria the focus is often on wide range of actors or the effect of the civil war on the civil society, which has lead to mass migration. Over the past five years of the conflict, the focus has changed. For the first year sympathy was with the Syrian people’s fight against the al-Assad regime. The Syrians express a narrative of being forgotten in the large-scale conflict. In the West the focus has, for the past year, been fixated on the Islamic State and the foreign fighters travelling to join the conflict. They have become known for their brutality – a term which has become synonymous for Islamic State in the west. Daesh, as they are also called² is known for its proto-state in a self-declared caliphate located on both sides of the Syrian-Iraqi border.³

It is now generally understood that the Syrian conflict is snowballing into an intractable conflict. It seems that the road to peace has been forgotten.

The inspiration to write this paper came from when I met the Syrian non-profit organisation, Dawlaty (Arabic for ‘my state’), in Lebanon. The group works with transitional justice.

Transitional justice is now the common approach to post-conflict society according to Clara Sandoval.⁴ Transitional justice as a term covers both a theory and a practice and is about incorporating reconciliation and justice in post conflict societies. It is linked with the aim of liberal peacebuilding and democracy. Sandoval states that transitional justice has become the language of social change.⁵

Centre for Civil Society in Syria (CCSDS) provided material reflecting the same methodology. It triggered a curiosity about bottom-up approaches to peace in a society in conflict. Civil society is emphasised with great importance in transitional societies working towards peace.

The CCSDS was founded on December 1st 2011 by Syrian activists located in Turkey and

¹ Alabdallah et al, 2014, 15

² Arabic akronym: ad-Dawlah al-Islāmiyah fil-Irāq qash-Shām aka The Islamic State of Iraq and the Levant

³ Barret, 2014 pp1, Andersen, 2014, 5

⁴ Sandoval, 2014, pp181

inside Syria, and defines itself as an “*independent and non-profit Syrian Center*”.⁶ It is unclear how big the organisation is, but their report “Transitional Justice in Syria: Report” refers to it being conducted through training of personnel from their three offices inside Syria, in Qameshli, Aleppo and Idlib.⁷

Dawlaty started by focusing on art and non-violent resistance in 2012.⁸ As funding came, the project grew and started focusing on spreading awareness on transitional justice and democracy.⁹ They are established as a non-profit organisation in Lebanon with headquarters in Beirut. The office occupies around seven people, who collaborate with their team of ten people in the north of Syria.¹⁰

The other part of the group is inside Syria. The project of recruiting started in the north in Aleppo and Idlib, focusing on how to do focus groups, questionnaires and provide information. What they define as phase one was aimed at focus groups and questionnaires, and the information archived was analysed and shared among other groups with a similar focus.¹¹ Transitional justice focuses on the need for an active civil society. Understanding who this is in a Syrian context, characterised by the ongoing conflict, can provide information on times to come. But a further strength is that it goes beyond the scope of the international top-down approach¹² and elaborates on the *Syrian* social resources.

1.1.1 Purpose of study and research questions

The conflict in Syria goes beyond the scope of classic realist paradigm of conflict, and instead fits the patterns presented with the post Cold War era defined by new threats such as transnational terrorism, border-crossing criminal networks, and shadow economies¹³. A lot of attention has been put towards the element of transnational terrorism.¹⁴ But somewhere along the way it seems that the road to peace was forgotten.

The aim of this paper is to contribute to research on civil society working in conflict, by looking at the use of the concept of transitional justice in a Syrian context. Further, the study has the purpose of contributing to a bottom-up understanding of transitional justice and the challenges of having liberal democracy as an end goal. Thus I intend to answer the following question:

- Why is the civil society’s role in the ongoing Syrian conflict important and what can we learn from it, using the concept of transitional justice?

⁵ ibid

⁶ <http://ccdsyria.org/category/our-team>

⁷ Alabdallah et al, 2014, 39

⁸ Jara

⁹ ibid

¹⁰ Jara

¹¹ Ava

¹² Sandoval, 2014, pp.180

¹³ Kaldor 2012, pp105

¹⁴ Kumelovs, 2015, Soufan, 2014, Andersen 2014

2 Theoretical framework

The theoretical framework is built around transitional justice, the peace understanding and civil society presented in the following sections. I have chosen these elements because I find them relevant as a frame for the analysis. Civil Society will serve as a gathering theme for the theory and analysis.

2.1 Previous research

Transitional justice is increasingly becoming the response to term in post conflict settings despite this still being a relative new field dating only a few decades back.¹⁵

The term covers both the study and practice of establishing justice after atrocity.

The theory of transitional justice is somewhat like a toolbox, ranging from rule of law, criminal justice, truth commission, amnesty, international courts, local-level trials, victim compensation and reconciliation¹⁶. There is little writing on what this means in an ongoing conflict. In the case of Afghanistan, transitional justice has represented a new model of implementation while in war and affected by insecurity and violence.¹⁷ The implementation was an effort from external actors. Author Elham Atashi concludes that transitional justice is “*interconnected to perceptions of security and stability*”.¹⁸ It echoes two of the major debates: who to reconcile and who the justice is for. A debate among scholars is “truth versus justice” originating from the paradigm of reconciliation and retributive justice.¹⁹ The frame for this debate stems from the almost simultaneous creation of the South African Truth and Reconciliation Committees and the establishment of International Criminal Tribunal for the former Yugoslavia (ICTY).²⁰

In her Master Thesis Ida Harriet Rump refers to a tradition of European academia, which in her view belongs to the Orientalist tradition when approaching Syria.²¹ Hereby is also

¹⁵ Sandoval 2014, 182

¹⁶ Kersten 2012

¹⁷ Atashi, 2013, pp1060

¹⁸ *ibid*, 1060

¹⁹ Thomson 2013, Sandoval, 2014, Kersten 2012, Atashi, 2013

²⁰ Fischer, 2007, 401

²¹ Rump, 2014, 1

understood a stagnant understanding of the region, where the bottom-up approach has been ignored in a Middle Eastern context.²²

This paper seeks to contribute to an understanding of bottom-up and the potential of civil society in the region. Kirsten Fisher started elaborating on an “Arab” transitional justice and states, that even though it might be too early “*to make any definitive claims about the effect Arab Spring transitions will have on the field of transitional justice. However, it is not necessarily too early to expose some of the unique features and challenges of this regional transition and perhaps even to speculate about, what some of the implications might be.*”²³

2.1.1 Transitional Justice

Transitional justice has become the key respond to post-conflict societies and the field “*emerged out of attempts to give theoretical meaning to ad-hoc accountability policies adopted as part of a broader process of political democratisation in Latin America and Eastern Europe.*”²⁴ The meaning of reconciliation is under-theorized and is mostly practice oriented.²⁵

Transitional justice is interlinked with liberal peace and democracy practice.²⁶ According to author Oliver Richmond, “[*t*]he liberal peace’s attempt to connect security, institutions, justice, development and civil society has been challenged as insufficient, inconsistent and weak, particular by its subjects”²⁷. The failure of implementing liberal peace has often led to blaming locals for the lack of success.²⁸ The liberal peace seeks to connect with civil society.²⁹ Richmond also states, that the increased connection between peacebuilding and state-building with neoliberalism and liberal institutions overlooks aspects such as reconciliation.³⁰

The peacebuilding communities value the importance of dynamic and stable civil societies to obtain peace in post-conflict societies.³¹

Part of the explanation can perhaps be found in Richmonds claim that the cry of “international” in peacebuilding also reflects a lack of understanding of local-level dynamics and a fear of essentializing. Here, international intellectual tensions, material and methodological limitations, and a theoretical narrowness along with a “universal”

²² ibid

²³ Kersten, 2012 referencing Fisher

²⁴ Engstrom, 2011, 1

²⁵ Aggestam, Björkdahl, 2013, 4

²⁶ ibid, 39

²⁷ Richmond in Aggestam, Björkdahl, 2013, 66

²⁸ ibid, pp66

²⁹ ibid

³⁰ ibid

³¹ ibid

understanding rooted in a limited Western experience, is the cause of this lack of understanding.³²

Here Fisher highlights, “*Transitions in Arab Spring countries might also invite new thinking about the goals of transitional justice processes: Addressing legacies of past human rights abuses and ushering in liberal democracy.*”³³ Fisher states that the Arab transitional justice can clinch with the ultimate goal of liberal democracy. Fisher’s work evolves around mostly post-conflict societies and implementation from top-down approaches. Exploring a society in conflict and a bottom-up approach can help to address the generalness.

Often, when focusing transitional justice, there is a talk of restoration versus retribution.

Retribution is linked to rule of law and reflects the moral need of prosecuting perpetrators.³⁴

Restorative justice focuses on reconciliation and rebuilding trust. ““*reparations are best conceptualized as rights-based political projects aimed at giving victims due recognition and at enhancing civic trust both among citizens and between citizens and state institutions*””³⁵

The driving mechanisms are the assumption of empowering victims and perpetrators, and both are seen as stakeholders and key to truth.³⁶ It covers a wide spectrum, and due to limited space this paper will focus on the reconciliation aspect. I have chosen this because of its interconnectedness with the civil society. I believe a study of Syrian civil society groups provides an understanding of social resources.

2.1.1 Understanding peace

Despite peace being on everybody’s lips it is unclear what is meant. For this section I elaborate on some of the dilemmas. Homi Bhabha states: “[...] *peace itself is radically reconceptualised, not necessarily as an objective but as a method and process, and never a final end state*”³⁷ The latter relates to the difficulties of measuring when a peace process has ended. At the same time, peace is the goal for post-conflict societies, but often it is not specified, what is meant by peace. The aspiration of peace is often described through war and violence and peace is often defined by negative peace, meaning the absence of direct violence.³⁸ A positive peace demands overcoming structural and cultural violence and includes an economic, social and political justice.³⁹ Due to the subject of working towards transitional justice the connection between justice and peace is important. Yet very little research has been done concerning this.⁴⁰ Debating the connection between justice and peace has led to a lively debate about trade-off between the two in contemporary peace process.

³² ibid

³³ Kersten, 2012 referencing Fisher

³⁴ Aggestam,, Björkdahl, 2013

³⁵ Björkdahl, Selimovic 2013, 8, quoting Rubio-Marín, de Greiff

³⁶ Aggestam,, Björkdahl, 2013, 4

³⁷ Ramsbotham et al, 2011, 407

³⁸ Aggestam, Björkdahl, 2013, 1-2

³⁹ ibid

The understanding of just peace is depending on ontology and epistemological standpoints. One approach to determining just peace as an outcome has on a large scale been dependent on determining the underlying major causes, and addressing the underlying causes is by some perceived as an attempt to resolve injustice.⁴¹ The international society is criticised for a generalised or “universalist” approach to peace and peacebuilding and by post-structuralist critiqued for “universalising” assumptions of reality and truth.⁴² The critique has lead to attempts to redefinition. One attempt is Homi Bhabha’s hybridity, that attempts to leave the universal peace and incorporating “*diversified and fragmented peaces*”.⁴³

2.1.2 Civil Society

What is a civil society? Even in coherent strong democracies “*civil society is a vague and general concept [...]*”⁴⁴ Despite “civil society” being widely debated, there is no agreed definition of the term. Yet the concept of civil society has always been linked with minimising violence.

Civil society has a long tradition. According to author Mary Kaldor, Kant, Marx and Hegel developed the foundation for some the most generally accepted understandings of civil society.⁴⁵ A theoretical differential understanding is between Immanuel Kants understanding of the civil society as universal seeking a cosmopolitan rule, where Marx and Hegel connected to civil society as the ethical arena between state and family.⁴⁶ The latter understanding was the first that saw the civil society as opposition to the state and linked it to a historically produced phenomenon interlinking with capitalisms emergence. Hegels definition saw the civil society as a part of a middleclass sphere. Civil society represented the achievement of the modern world “[...] *the territory of mediation where there is free play for every idiosyncrasy, every talent, every accident of birth and fortune, and where the waves of passion gush forth, regulated only by reason, glinting through them*”.⁴⁷ The contemporary usage tends to refer to association, NGO, social movements and the general non-profit sector.⁴⁸ The search for a definition in classical text has provided a legitimized body of understanding, but also weakened the process of reinventing the term.⁴⁹

⁴⁰ ibid

⁴¹ ibid 2013, 2

⁴² Ramsbotham et al, 2011, 407

⁴³ ibid

⁴⁴ Belloni in Jastad, Sisk 2008, 186

⁴⁵ Kaldor , 2003 pp.6

⁴⁶ Kaldor , 2003 pp.6

⁴⁷ Kaldor quoting Hegel, 2003, 19

⁴⁸ ibid, 21

⁴⁹ Kaldor, 2003, 1-30

I have chosen to focus on Kaldors “Global Civil Society: An Answer to War” to conceptualise civil society. In my opinion it provides a tool to elaborate on the term both in and out of conflict and as a transnational operator.

The argument is that Civil society was re-invented and the “new” civil society since 1989 was globalized and is no longer bound by borders. Contemporary definitions of civil society all have a normative aspect in terms of goals. Kaldor states that the civil society understanding is so wide, that it allows for selectivity. The reinterpretation of civil society means globalized. It is in contrast to the previous national management of society with emancipatory goals.⁵⁰

Kaldor explores five definitions of civil society. For this paper I have chosen to focus on four: The activist, the neo-liberal, the post-modern, and Kaldors “new” civil society. I will only elaborate on key elements.

The activist

The activist understanding presupposes a state, demands active citizenship and a redistribution of power. The understanding allows for the transnational level to be understood as a global space for non-instrumental communication. The activist version is about empowerment of individuals and extending democracy.⁵¹

The neoliberal

This understanding emerges in the post-cold war with a neoliberal population of the term as a voluntary “third sector” between state and market. The function is to regulate the state, but it also substitutes state functions. The understanding relates to a western perception, but it also overlaps to the world of NGOs as providing the services states cannot.⁵²

The postmodern

The definition deviates from the universalist understanding, except for the need for tolerance. Here the emphasis is on pluralism and the possibility of dispute, creating an arena that is a source for “civility” as well as “uncivility.” It is here debated if the concept of civil society is Euro-centric and a product of specific Western culture that is imposed on the rest of the world or if a reinterpretation is necessary to broaden in a more communitarian understanding, that incorporates for example Islamic society. The postmodern version is thereby a more nationalist perception while also incorporating a plurality.⁵³

When it comes to war and the civil society, this is understood as a condition of civil society. The “new wars” have emphasised the key role of the diaspora groups. Violence is aimed at civil society, and human rights violations are a methodology of war. War itself is a form of political mobilisation.⁵⁴ Roberto Belloni points to the fact that even the most war-torn and

⁵⁰ ibid

⁵¹ ibid

⁵² ibid

⁵³ ibid, 9

⁵⁴ ibid, 31,120

divided societies maintain pluralistic civic constituencies that recognize the importance of respecting human rights.⁵⁵

⁵⁵Jastad, Sisk, 2008, 183

3 Methodology

To answer the question “Why is the civil society’s role in the ongoing Syrian conflict important and what can we learn from it, using the concept of transitional justice?”, this paper is theory consuming. Meeting Dawlaty influences the ground for this paper but interviews are not a primary source. They are included along with other material.

The key role of civil societies in conflict transformation societies makes an analysis of them in the Syrian conflict highly relevant. Transitional justice is often debated from a point of justice versus truth. For this paper I have chosen to focus on reconciliation operationalized through examining the non-profit groups of Dawlaty and CCSDS approached with a focus on determining victims. It will reflect the truth versus justice dilemma.

The choice of case study is due to its strength of explaining a contemporary issue. I understand the case study as “*an empirical enquiry that investigates a contemporary phenomenon in depth and within its real-life context; when the boundaries between phenomenon and context are not clearly evident; and in which multiple sources of evidence is used*”⁵⁶ It allows for a “*thorough analysis of the complex and particularistic nature of a distinct phenomena*”⁵⁷. The case study has led to a mix of material including interviews and statistical data provided by the groups. The interviews were conducted through qualitative research aiming to provide an in-depth understanding⁵⁸ and are elaborated further below. The qualitative method is reflected in the paper and I believe that the combination is a strength in explaining why⁵⁹ the civil society is important to understand.

I have kept in mind the knowledge-claims of research and science since anthropology, ethnography and the field of Middle Eastern studies all have roots in colonialism.⁶⁰ This is highly relevant when working with transitional justice in a Middle Eastern country like Syria. Instead of focusing on all that was left out, this paper will hopefully serve as a small contribution to exploring the civil society in times of conflict.

⁵⁶ Soy, 1997, referencing Robert Yin

⁵⁷ *ibid*

⁵⁸ Teorell, Svensson, 2013, 10

⁵⁹ *ibid*, pp 265

⁶⁰ Rump, 2014

3.1.1 Material

The data collection consists of two parts; one will focus on secondary literature and is collected of academic and journalistic literature providing the frame for the historical background for the conflict and for the civil society. It will also provide the theoretical material for an analytical framework around the main concept of civil society, peace and transitional justice.

The other data collection contains reports, interviews and journalistic material, providing the material for analysing the ongoing phenomenon.

Due to the limited space the main focus of this paper will be on CCSDS and Dawlaty. It is unknown whether these groups collaborate. Where Dawlaty's approach and survey material is not accessible due to language barrier, CCSDS material was available in English.

The material of CCSDS's report is based on a large survey conducted in Syria 2012-2013 and an introduction to transitional justice. It is unclear what language the CCSDS survey is conducted. The framing of the questions are closed, but again these questionnaires were filled out after hour-long meetings with the triple role of collecting information, educating and discussing transitional justice and practising "democracy on the ground"⁶¹. Both groups have the triple approach of providing information, conducting surveys and analysing information.

Dawlaty's material is published in 2013, it is unclear if the translation is published the same year. There are no official names and I will refer to the written material as Dawlaty, 2013. The main problem with CCSDS and Dawlaty's material is that it is a few years old and strictly focusing on the regime. It doesn't address the highly complicated conflict of present time Syria. A source of error on my part could be assuming that it would be different now.

3.1.1 Interview

For this section I will elaborate on the conducted interviews. The narrow focus on the subject made interviewing a chosen methodology. The aim was to reflect realities and challenges and avoid a shallow understanding. The interview with Dawlaty provided a background-knowledge and will be referred in the paper. It was agreed prior to the meeting, that the interview was not to be published. This influences the intersubjectivity of the paper, although it is common practice not to include. This paper focuses on bottom-up and reflects a micro-level process and therefore the voices of the people, who work with this need to be heard.⁶² Four interviews with different people were conducted in Lebanon in week 16, April 2015. Contact was established through a gatekeeper⁶³ or my own private contacts. The interview was conducted in English, not the first language for any of us. When the interview with Dawlaty was conducted, the primary focus was on Lebanon and not Syria. Due to the

⁶¹ Alabdallah et al, 2014, 39-41

⁶² Brounéus in Höglund, Oberg, 2011, pp131

⁶³ ibid

interview now serving another aim, I have chosen not to include the name of the interviewed, despite having agreed on this in a previous phase. The group has been informed of the changes. I will refer to the interviewed from Dawlaty as Ava and Jara. Yar refers to another interview with a former volunteer for Red Crescent Syria now living in Lebanon.

I am aware of their name and identity and the odd ethical decision to anonymise when permission was obtained. The reason for not including their names relates to this having been a wish in other interviews like the one with Yar. Either because of fear of the Lebanese state or because the interviewed still had relatives inside Syria.⁶⁴

The meeting took place in their Lebanese office with their operation manager and administrator.⁶⁵ The questions were sent beforehand on their request and consisted of open-ended questions providing a frame for a semi-structured interview.⁶⁶ The questions were influenced by informal conversations upon arrival. The aim was to keep the interview as open as possible, gaining detailed answers and their input.⁶⁷ At the same time the overall frame was to divide the interview in two. The first part was structured around conditions for a Syrian NGO working in Lebanon, and the second part about their work, approach and understanding of transitional justice and thereby a mix of facts and subjective perception⁶⁸. The structure and the fact that the original purpose of the interview being mainly on the conditions in Lebanon has highly influenced the information achieved and especially what was not. Interviewing does obtain a strong relationship to power-balance. The power dynamic in interviewing reflects the power-knowledge and has to be elaborated to avoid a positivistic understanding of knowledge as immune to the workings of power.⁶⁹ The fact that the interviewed were motivated to tell their story contributed to a constructive conversation. But it also creates a difficulty in becoming the “voice” of a small non-profit group with its own interests.

There is a power dynamic when approaching conflict issues and interviewing with people displaced by conflict. Often one can be a representative of European heritage and thereby not fully capable of grasping the situation they are in.⁷⁰ When talking to Ava and Jara they made an effort to make the situation comfortable.

For this paper I have chosen to mainly use the Arabic acronym Daesh⁷¹ and not Islamic State because this was the terminology used during interviews.

⁶⁴ Yar

⁶⁵ Jara

⁶⁶ Teorell, Svensson, 2007, pp.89

⁶⁷ ibid

⁶⁸ ibid

⁶⁹ Baylis, Smith, 2005, 285

⁷⁰ Rump, 2014, 22

⁷¹ Andersen, 2014, 1

3.1 Reflections

When I started approaching the field of bottom-up to transitional justice from non-profit Syrian groups, I found a gap between the academic field and practice. Where this was unrepresented in academia, there was a blossom of groups working within the frame of transitional justice.⁷² This clearly reflects the norm that transitional justice now represents in peacebuilding. Why transitional justice is so well represented could also reflect the fact that Syrian NGO's have been struggling for resources⁷³, and transitional justice is a way to get funding. It is unclear whom Dawlaty collaborates with internationally, and receives their funding from, besides No Peace Without Justice and Heinrich Böll Stiftung: Middle East. I did not ask about this during the interview, and the fact that most of their material is in Arabic makes this a possible source of error on my part. The CCSDS report on transitional justice, thanks contributors and supporters who include United States Agency for International Development (USAID), Netherlands Ministry of Foreign Affairs, Democracy Council, The US-Middle East Partnership Initiative (MEPI).⁷⁴ In a lecture in Copenhagen University, professor Reinoud Leenders presented his working paper on "the Politics of Humanitarianism and the War in Syria", where he talked about the role of humanitarianism and aid, making humanitarian actors sovereign in the fragile Lebanese state.⁷⁵ This states that aid is not neutral, it is rather highly complicated as also debated in Michael Barnett "a History of Humanitarianism: A History of Humanitarianism"⁷⁶ It can therefore serve as a question if the attention to the subject reflects a genuine belief or transitional justice as a "buzzword" for aid. This merely reflects my concerns.

⁷² planetsyria.org has a public list of supporters, Dawlaty has six pages about civil society groups.

⁷³ Malek 2014

⁷⁴ Alabdallah et al, 2014, 3

⁷⁵ Leenders, Lecture in Copenhagen University, 4 may 2015

⁷⁶ Barnett, 2011

4 Case study

Having elaborated on theory and methodology this section introduces Dawlaty's and CCSDS's work with transitional justice. Firstly follows a background on the context for the present time Syrian conflict society. Thereafter follows a section defining the Syrian civil society.

To address the transnational aspect of the civil groups I will use Dawlaty and Lebanon to elaborate on the conditions of working away from home. I have chosen to elaborate reconciliation in a Syrian context through an analysis of CCSDS's survey material. Here I focus on victim as a key variable in determining a transitional approach.

4.1.1 Background

Syria is a Middle Eastern country located in the Levant, a historical geographical term referring to a large area in the eastern Mediterranean. The area includes Syria, Jordan, Lebanon, Israel and Palestine. It is often understood as the same area as "Greater-Syria".⁷⁷ Before 2011, most people probably couldn't pin point Syria on a map. Due to the regimes repression of peaceful protesters, Syria has been on everybody's lips. Now people even know the Levant by name. Daesh, or Islamic State in the Iraq and the Levant has put it back on the map.

The modern nation-state of Syria was created as a part of the Sykes-Picot agreement following WW I. The Ottoman kingdom had sided with the losing side, and was divided between a French and an English rule.⁷⁸

As a freshly decolonialised state, Syria underwent four state coups, 1949-1966. 1970 marked the last coup when defence minister Hafiz al-Assad took power. This was the beginning of the "Assad-dynasty": a minority regime with members of the Alawit sect in key positions of power. The Assad rule has been through the officially socialist Baath party, creating a strong bond to the poorer rural or peripheral areas.⁷⁹ How much Hafiz al-Assad and his son Bashars rule is comparable has been discussed. Since 2000 Bashar al-Assad has been in power. The change in leadership created a way for an urban middle-class and abandoning the periphery with the result that Human Rights Watch referred to the first ten years as a wasted decade.⁸⁰ Author Lisa Weeden states that the authoritarian rule in Syria lead the citizens to acting "as if", understood as the state not incorporating its citizens and seeking legitimacy but instead

⁷⁷ Rogan, 2009, pp149

⁷⁸ *ibid*

⁷⁹ Pakzād in Kjersgaard, Andersen, 2013, 9-20

generating compliance.⁸¹ Understanding why this was “accepted” has to do with the stability the regime produced. The neighbouring Lebanese Civil War served as a reminder of the consequences of not living in a strong state.⁸²

Where the revolution started has been a point of debate,⁸³ but on the 15th of March 2011 the regime arrested and tortured young boys in the age 10-15 for spray-painting “the people want the regime to fall”[my translation] at their school.⁸⁴ The regimes brutal reaction led to mass mobilisation.

4.1.2 Security disparity

Having accounted for pre-revolutionary Syria, this section focuses on the security factor in cross-border work and the affect of the severe security situation inside Syria. CCSDS points that the hardship of the situation contributed to difficulties because the need for relief made the immediate situation a priority over meetings. They claim the strength of their survey is that despite the critical situation 1000 respondents have been reached and participated.⁸⁵

CCSDS states that meetings were held in cities and in the countryside as well as in both regime- controlled and opposition-controlled areas. Here they point to regime-controlled areas as “very” difficult for security reasons, and that Islamist militants in FSA-controlled area also provided a “problem”.⁸⁶

Dawlaty elaborates that sometimes working underground has been a strict necessity, but also on their need for the “liberated ” areas to work. A part of their work now is approaching community leaders and determining the need in the civic society in regard to the subject, also in the areas where they “cant even mention democracy.”⁸⁷ Therefore there is a need to find a way to inform these citizens. Targeting key local actors was an approach the international community implemented in Bosnia in the transition period to build democracy, though with little success.⁸⁸ The idea of leaking information reflects an understanding of these areas as being ruled from a top-down approach and assumes an interest among at least part of the citizens. It also reflects a geographical challenge later on in the process because of early stage implementation being uneven. That the implementation is missing in the areas where democracy is an off topic reinforces this disparity.

⁸⁰ ibid

⁸¹ Wedeen, 2003, 6-36

⁸² Ibid

⁸³ Leenders, Hydemann, 2012, 139-159

⁸⁴ Pakzād in Kjersgaard, Andersen, 2013, 12

⁸⁵ Alabdallah et al, 2014, 33,39,40

⁸⁶ ibid, FSA: Free Syrian Army

⁸⁷ Ava

⁸⁸ Candler, 2000, 150

4.1.3 Displaced civil society and difficulties

Having elaborated on security, this section focuses on the displaced part of the group and their working conditions.

A difficulty is that funders often look to fund large-scale initiatives, which international organisations provide better guarantee for.⁸⁹ An informal conversation with a member of one of the biggest international NGO's working with Syrians within Lebanon also confirmed, that in Lebanon, local partnerships were considered to be Lebanese⁹⁰. Both of these tendencies point towards a possible knowledge-loss from Syrian organisations in Lebanon. Instead of being considered a knowledge resource, they are overlooked. A further complication is that Lebanese restrictions prohibit Syrians from volunteering in large scale NGO work. This is because NGOs cannot provide health insurance for Syrian workers. Even when working pro-bono.⁹¹

The Lebanese-Syrian boarder is now closed for the first time and residency permits have been stopped.⁹² In recent time Dawlaty has lost employees, who cannot renew their residency.⁹³ This leaves Syrians in Lebanon with a choice, staying in Lebanon illegally or leaving the country.

Elaborating on the Lebanese aspect belongs in another time and place. But the relative stability that the exile communities do operate under, along with lack of resources makes Syrians rush to fill this void. “*Forged in war and facing many challenges, these fledgling groups see themselves as a bulwark against the further disintegration of Syrian society and vital to any post-conflict future.*”⁹⁴ The exile provides knowledge of Lebanese rights and could provide strength upon returning. This highlights the role of displaced civil society's capacity and important role upon return. The role here is double, because it is a capacity building while displaced.

4.1.4 Defining victims for restoration

Who is a victim in Syria? Dawlaty's surveys first focus on determining who identifies as a victim and if the victimizing is still going on.⁹⁵

The questioner from CCSDS asks about the timeframe of the investigations. Here the options are to investigate violations committed during the Syrian Revolution from 15th of March until today or to investigate violations perpetrated between 1960 until today.⁹⁶

⁸⁹ Malek 2014

⁹⁰ Yar

⁹¹ Ava

⁹² Shaheen, 2015

⁹³ Ava

⁹⁴ Malek, 2014

⁹⁵ Ava

⁹⁶ Alabdallah et al, 2014, 83

Determining the timeframe is also a part of determining victim. Expanding the timeframe to include the period of both al-Assad rules, would serve as a deeper reconciliation. Here 77% of the respondents preferred the long timeframe and 23% preferred the limited⁹⁷. In the analysed data it showed a regional divide. 91% of the respondents from Hasaka preferred an investigation into the past five decades of crime, where in Idlib, this number was a lower 52%.⁹⁸ CCSDS points to the former region being a Kurdish majority area, and the survey might reflect the oppression towards de Kurdish minority.⁹⁹ It also showed a slight majority of women, 80%, more than men, 76%, who preferred the long timeframe.¹⁰⁰ Focusing the timeframe throughout the Baath rule could help to elaborate on the civil society during this period and serves a point in creating broader frame for victims. Who is allowed to be a victim? Healing and reconsolidating time under post-authoritarian regime is a step towards addressing structural violence and thereby a step towards positive peace.

When it came to reconciliation 74% was pro establishing truth commissions.¹⁰¹ 79% saw dialogue as a method of reconciliation to overcome historically rooted problems, with no significant difference in age, gender, religion or occupation.¹⁰² Dialogue is a wide term and due to dialogue-meetings being part of the methodology for the survey, it could include something similar. The focus on historically rooted problems does give an impression of this being a larger scale than just local level.

Elaborating further on truth-commissions, 74% thought it was important, with a slight overweight of women, 81% to 70% men. Yet only 35% of both men and women considered amnesty an important issue -A slightly higher number in Kurdish provinces with 43%.¹⁰³ It is of great relevance because amnesty is considered a tool for truth. For truth commissions to be effective truth must be considered a value and amnesty can therefore provide space for truth telling. It reflects the big debate of truth versus justice. Amnesty secures participants against prosecution.

The paper also elaborates on a minority of 20% that does not wish any investigation.¹⁰⁴ This minority group is important to keep in mind. Only focusing on reconciliation in periods with experience of direct regime violence might produce fast results. But it might also open the door for negotiating a negative peace, commonly negotiated in post conflict and often the common understanding of peace.

The numbers presented by CCSDS does provide a base for speculating in the role of women in a Syrian peace context. If it follows the trend that Fisher points to in “arab” traditional justice, this could affect the process. Syria could include its existing resources as for instance to the Islamic and tribal law, the Sulha that “[...] is a known concept for reaching

⁹⁷ ibid 51

⁹⁸ ibid 52

⁹⁹ ibid

¹⁰⁰ ibid 51

¹⁰¹ ibid, 62

¹⁰² ibid 64

¹⁰³ ibid 63

¹⁰⁴ ibid 65

reconciliation and uncovering truth.”¹⁰⁵ The law schools have different understandings, approaches and interpretations, and the regions and tribes have different ways of implementing. But according to CCSDS, what they do have in common is the first and second step of the Sulha, to end conflict and find a mutual agreement.¹⁰⁶ I will elaborate further on recourses in the analysis.

4.1.5 Planet Syria and a voice of the people

Planet Syria is a campaign based on surveys conducted in Syria by a collaboration of groups asking the citizens how they thought the violence could be stopped. Dawlaty was a part of the early phase of the Planet Syria campaign. Here focus is on the international community’s responsibility in stopping the violence. It resulted in a two-headed approach, stopping the al-Assad regimes barrel bombs and real peace talks.¹⁰⁷ I will not elaborate on the relatively modest first wish, or debate the truth versus justice aspect of negotiation.

Instead I will point to the fact that Planet Syria serves another purpose, spreading and reaching the international community. “*Through campaigns we aim to reach the decision makers throughout the word*”¹⁰⁸. The idea is, that “one thing will lead to another”, and “*they will hear of what we do, and then they will look after, what we do...*”¹⁰⁹ There the aim of the bottom-up approach through social media and the internet, is to reach decision makers. At the same time it serves as community building aspect of uniting in a cause and creating a voice of the Syrian people. This methodology has a long way to climb to reach the ears of those in power. But for the community building aspect it might strengthen bond for the future.

¹⁰⁵ ibid

¹⁰⁶ ibid

¹⁰⁷ <https://www.planetsyria.org/en>

¹⁰⁸ Ava

¹⁰⁹ ibid

5 Analysis

“The will is a wilful will if one is not meant to have a will”

-Sarah Ahmed¹¹⁰

In the last section I introduced the aspect of a displaced civil society and working transnationally. I will now focus my analysis on civil society. This will be approached through Kaldor's normative definition along with Reinoud Leenders and Steven Hydemann's work on social mobilisation in the early risings. Leenders, Hydemann argues that a broad understanding of network and mobilisation is a strength. My argument follows theirs but aiming at this also including a broad and inclusive approach to civil society for the same reasons.

Focusing on victims showed regional differences and in the analysis I will further elaborate on this debating the challenges of the end goal of liberal democracy. I will also apply civil society to enlighten the importance of an inclusive approach in this regard.

5.1 Civil Society in conflict

When defining civil society CCSDS states “[c]ivil society is a “third” sector, different from business or government.”¹¹¹ Here it includes labour units, religious groups and media, where they are understood to “[...] serve to broaden the debate in a democratic society [...]”.¹¹² The definition is pluralistic but using Kaldor's definition, the understanding as the civil society as a “third sector” is a liberal understanding. As elaborated earlier I am not sure that this reflects the groups as liberal or rather that the liberal understanding has gained a normative role. CCSDS definition frames a need for organisation of some sort of inclusion in the definition. It echoes an understanding of civil society as something different from times of war. But these groups not only provide a space for articulating citizens participating in the public life. An important point is that these civil society groups also can engage in illegal and/or violent actions. When broadening the understanding, it is possible to see other dynamics in the society. A lot of the definition has to do with the eye of the beholder, the point being that civil society groups can be seen as “uncivil”.¹¹³ Defining civil and uncivil reflects rule of law.

¹¹⁰ ATGENDER conference, Gothenburg 28 April 2013

¹¹¹ Alabdallah et al, 2014, 13

¹¹² ibid

¹¹³ Kaldor, 2003, pp9

Following this line of thinking, exploring the “uncivil” in a broader context provides an understanding for mechanisms on the edge of “civil” society. Leenders and Hydemann credit the social structures of Dar’á in relation to the 2011 uprisings.

*“[...] strong clan-based or tribal social structures, circular labour migration, cross-border linkages and proliferating practices denoted as “criminal” variable played a key role in cementing these social networks.”*¹¹⁴ They claim, that the fact that these networks were misperceived was a key factor in the early uprising, giving them a strong structure but little attention, because they were delegitimized.¹¹⁵ Here, it is the combination of social organisation in Dar’á along with socio-geographical circumstances in the Middle East and North Africa, MENA-region, that affected the citizens, that created opportunity for an effective uprising.¹¹⁶ The mechanisms seem to be a mix of different civil society definitions. Kaldors main point of the globalised reality for the “new” civil society seems of great importance due to cross-border activity. But the rural or peripheral aspect is also relevant because this area was presumed loyal to the regime, and perceived as “marginal”, “backwards” or “isolated”.¹¹⁷ The regime therefore focused its attention on the urban areas. The background for the mass mobilisation was build on social networks. Here Leenders, Hydemann clarifies that the Dar’á clan structure is on extended family ties of kinship aggregated into larger confederation, and by that definition Dar’á has about seven major clans. *“At a level of daily life and social organization, the clans provide a major source of solidarity, identity and socio-economic coping or survival.”*¹¹⁸ The clans had a central role in mobilising and share an interconnectedness and overlap with labour migration networks, cross-border networks and criminal networks. *“This type of social organization can also be argued to have thrived in direct response to and to some degree independently from centralized, authoritarian rule and its low tolerance for formal, collective action”*¹¹⁹ Besides the cross-boarder activity, this echoes the post-modern definition of pluralism and the need to include the “uncivil” in the in the civil society understanding. The narrow normative understanding seems to have served as a great advantage, providing opportunity for social mobilisation. The social network aspect of the civil society is not a focus for Kaldor’s definitions and point towards the postmodern critique and need for reinterpreting other sorts of groups.

*“Common prejudice against “tribal” forms of social organization shared by some secular anti-regime intellectuals and activist found echoes in conceptualizations of what “modern” or democratic politics is about and, even more importantly, what it excludes.”*¹²⁰

This quote by Leenders, Hydemann elaborates on what could be a problem for a broad inclusion of civil society from within the Syrian civil society.

¹¹⁴ Leenders, Hydemann, 2012, 140

¹¹⁵ *ibid*, 140-159

¹¹⁶ *ibid*

¹¹⁷ *ibid*

¹¹⁸ *ibid*

¹¹⁹ *ibid* 146

¹²⁰ Leenders, Hydemann, 2012, 142

This paper opens with a quote from CCSDS that unifies the role of the people on the ground and the civil society groups. This definition is more an activist understanding insinuating bottom up and thereby also an influence on democracy. Here there is a focus on the active citizenship.

As elaborated civil society groups are considered to be of utmost importance in conflict transformation. *”The main focus of civil society-building has often been local non-governmental organisations (NGO’s) seen as capable of articulating needs of independently of vested political interests and involving grass-roots community ”voices ””*¹²¹

-Groups like Dawlaty and CCSDS might well be recognised in a transitional society by international actors seeking to strengthen the civil society.

But despite the desire for social capacity these are often misused or neglected in times of peacebuilding. The case of peacebuilding in post-war Bosnia showed that association with international affiliations created an asymmetrical influence. Further a top-down focus on civil society created a misconception on who was a capacity to rebuild.¹²²

5.1.1 State, civil society and revolution as identity maker

Much of the literature and reports on Syria now focuses on the revolution as a key. It goes without saying that for understanding the present Syrian context, the revolution is a key and it is not surprising that the revolution conform a historical marker. But there is, in my opinion, also a tendency to neglect what was there before.

Dawlaty states that after the revolution there has been a *“tremendous growth(..)”*¹²³ for civil society.

The traditions of non-governmental actors and volunteers in Syria can be traced back to the Ottoman Empire.¹²⁴ In revolutionary times this understanding could also have revived in a search to a pre-regime time.

Often the reports pay little attention to the history of the civil society or like Dawlaty making it only with three lines referencing the Baath regimes restriction, keeping civil society *“[...] weak and under the control of the state’s security forces”*.¹²⁵

Since the Baath coup in the 1960s state-funded associations for the biggest groups restricting and defining a civil society have influenced the civil society. As Bassam Haddad, director of the Middle East Studies Program at George Mason University says about the regime:

*“It did [allow civil society], but one to its liking, led by networks that worked directly or indirectly under the president [...] Beyond that, the space for completely independent civil society continued to be limited”*¹²⁶

¹²¹ Chandler, 2000, 135

¹²² ibid

¹²³ Dawlaty, 2013, 67

¹²⁴ Khalaf et al 2014

¹²⁵ Dawlaty, 2013, 67

¹²⁶ Malek, 2014

The restriction under the regime might serve a great point, to why this is not a bigger focus. As civil society activist and political researcher Hassan Abbas points out, due to the regime being build on force, there was not the same popular base. “*The regime doesn’t believe in civil society*”¹²⁷, he states. Syria can be understood as a state-nation, a top down approach to state building often presents in post-colonial societies.¹²⁸ A top-down understanding of the state as opposed to a bottom-up nation does account for the role of the civil society. It reflects why a state would focus on acting “as if” a nation-state. If we are to focus out of state-perspective there are other mechanisms to account for. Wedeen focus on the role of compliance in what was a stable authoritarian regime in Syria prior to march 2011. The role of the Lebanese civil war, also served as a “[...] *chilling reminder of the consequences of not living under a strong state.*”¹²⁹ The Assad regime did provide stability for the region. Syria was a regional power of great importance. Not focusing on civil society during the Assad period serves to delegitimize this restricted civil society, but it also serves to distance one selves from the role of compliance.

Wedeen’s statement reflect Kaldor’s notion of the new cross-border civil society at the same time as it is clearly nation-bound. When talking to Dawlaty, the role of history is a subject. Ava talk about the role of history as a base for knowledge in Middle Eastern countries. “*They depend on their history*”¹³⁰ and therefor history serves as a reminder to do things differently. It reflects a resource. An often slightly static understanding of conflict identity does not focus on history as a tool for not making the same mistakes twice.

If we are to focus on the idea of depending on their own history, it becomes even more interesting that groups like Dawlaty do not provide a historical reference. I believe that one explanation could be in the power of the revolution as an identity maker.

*“We keep remembering our beautiful memories about the first, when we started our revolution. It was amazing. For almost one year. It was the best years in our lives. Suddenly it is a disaster all around you. You are without country, you can’t go back. You see your friends going, dying, traveling [...] But we still have hope.”*¹³¹

Understanding the revolution as something almost out of time serves as a unifier. It unites the groups active in the time of the revolution. And it also serves to cut off the time of the regime. It is part of redefining who is now considered “uncivil”. The social movement creates a space for a new norm. But it is not necessarily a pluralistic understanding.

Reading Dawlaty’s material they have six pages dedicated to elaborate on post revolutionary civil society of relevance to transitional justice. Civil society documentation groups documenting alleged crimes, civil society groups working with need relief and building trust

¹²⁷ ibid

¹²⁸ Buzan, 1991, 76

¹²⁹ Wedeen, 1999, 7

¹³⁰ Ava

¹³¹ Ava

to engage with vulnerable and marginalized groups, and policy seeking groups.¹³² Space keeps me from elaborating on all of this. It is highly interesting that there is this broad support for transitional justice at this stage in the conflict. I would argue for stretching Kaldors focus on displaced groups' role in conflict and stressing the relevance of groups within the nation and the cross-national aspect of the civil groups.

5.1.1 Peacebuilding resources in the traditional society

Understanding the possibilities of reconciling Syria greatly relates to how we understand the Syrian civil society. A broad and inclusive approach to civil society could benefit from already existing conflict resolution mechanisms present outside the state structures. CCSDS refers, that it is important that "local" not only is a space for intervention, but also one of knowledge.¹³³ Transitional reconciliation tools, as the Sulha is an example.

When it comes to the cultural aspect of peacebuilding, Charles Taylor focuses on a hermeneutic encounter as the foundation to expand the conceptual space they are in.¹³⁴ This approach is a potential tool, but the fact that democracy is about the individual rights, and Shari'a law can be interpreted to protect from human interference.¹³⁵ It can often lead to a discussion of secular versus religious freedom, where the maxim of secular freedom can be used as an exclusive mechanism and vice versa.¹³⁶

Further there is a gap between interest and resources. The fact that Islamic and clan Sulha tradition provides a local level capacity for resolution does not mean that this is a desirable solution. Elaborating on CCSDS civil societies definition close link to the liberal understanding of civil society was questioned as a possible source of error due to the normative role of the liberal definition. But no matter what, transitional justice is interconnected with a liberal peace. If liberal democracy is desired it could quite well include a will to take a step away from traditional measures. On a more general note it is a challenge that is presumed that the people on the ground has a shared and equal interest in reconciliation in general.¹³⁷

5.1.2 Whos democracy?

Having focused on civil society as a Syrian phenomenon the approach has been mostly national. I have argued for a more inclusive understanding of the civil society. This section elaborates further on the difficulties on the end goal of liberal democracy regional challenges to the democratic understanding. Throughout the examination of Dawlaty's and CCSDS's

¹³² Dawlaty, 2013, 66-71

¹³³ Alabdallah et al, 2014:23

¹³⁴ Ramsbotham et al, 2011, 410-411

¹³⁵ ibid

¹³⁶ Dalsheim, 2011, 159

¹³⁷ Atashi in Dayton, Kriesberg, 2009, 55

material, the regime has been the primary focus with possible source of error being that their material was conducted before the rise of Daesh. The Syrian context is beyond complex. Elaborating on the victim aspect showed demographic differences where Kurdish areas were marked both on a higher willingness to amnesty and a long time-frame. The willingness to amnesty shows a focus on truth. It is interesting due to the truth versus justice. Especially considered that the Kurdish has been stripped of their Syrian nationality.¹³⁸ It could reflect a will to reconcile a Syrian nation. But now the Kurdish “cause” is echoing in the West and this affirms a focus on minority rights.¹³⁹

Rump approaches the Kurdish search for autonomy from a point of anarchist-inspired bottom-up approaches within the Kurdish regions and interacting with the top-down approaches of the PYD.¹⁴⁰ Here the aim is to constitute radical democracy and includes an implicit critique of capitalism and state structures.¹⁴¹ The aim is far from the aim of transitional justice.

A group rarely reaching western focus is the Druse minority of Syria, where I was told of blossoming Druse areas. It was said that some areas were closed off, the Druse religious leaders now refused to send any more men to war and have barricaded the area.¹⁴² It has not been possible to confirm, but I have chosen to include the story because it possibly reflects a misconception of minority support for the al-Assad regime. It points to a possible social capacity building within the Syrian border of the conflict. But lastly it reflects yet another alternative solution that could possibly interfere with the concept of transitional justice.

Daesh’s cross-border operation is a severe problem for a future nation-building. It was estimated that six million people were living under their rule in October 2014.¹⁴³ Besides the obvious security threat and lack of territorial control, the understanding of the terror-group might be off. Loretta Napoleoni highly contests the normative understanding of Islamic State as strictly a terror-regime, and focuses instead on the state-building aspect, providing an understanding of the group as a socially inclusive project. The aim is a modern version of the Caliphate but the biggest achievement of Daesh has been to fulfil the obligations of a modern nation-state in terms. Napoleoni states that a social contract between the people and the state is important, along with legitimacy, stability and rule of law/legal rights.¹⁴⁴ Understanding Daesh as a state-building apparatus is far more difficult in terms of transitional justice because it is mutually exclusive and far more difficult to defeat. If Daesh is to be understood as a social inclusion it greatly influences the perception of victims. Though it is important to remember that social project and “terror-regime” is not mutually exclusive. Presumably these are some of the regions where democracy can’t be mentioned. If we understand Daesh as (also) social inclusion it also changes the top-down perception.

¹³⁸ Alabdallah et al, 2014, 2014, 33

¹³⁹ Chandler, 2000, 133

¹⁴⁰ PYD; Kurdish: Partiya Yekîtiya Demokrat aka The Democratic Union party

¹⁴¹ Rump, 2014, 39

¹⁴² Yar

¹⁴³ Barret, 2014, pp1

¹⁴⁴ Jönsson referencing Napoleoni, 2015

But it greatly reflects the notion of alternative societies in Syria. A trend emerging just after the “Arab risings” among scholars focusing on the region was that the Middle East was “deconstructing” itself.¹⁴⁵ Looking at mechanisms in Syria this could be true. But it is also quite a quick-fix perception. What is really interesting is if transitional justice contains a possible self-determination for regions? Transitional justice is indefinitely linked to the nation-state and liberal democracy, how will it interact with alternative rules within the frame of a nation? It could quite well point toward Fishers statement of an “Arab” transitional justice clinching with the ultimate goal of liberal democracy from both lack of territorial sovereignty, rejection of democracy in general and rejection of the liberal democracy specifically.

Without these bigger regional challenges, liberal democracy provides another challenge for the civil society. Liberal democracy would create a new group as ”uncivil”. The major challenge in Syria is to keep the broad and inclusive approach, and I think most importantly, also include the ”uncivil” in the civil society. Sara Ahmeds quote introducing the analytical section provides a connection between wilful and repression and serves to sum up the need for inclusion and the subjective understanding of actions. It reflects a notion of great importance for understanding civil societies and has served as an inspiration for writing this paper. When foreclosing on an inclusive broad approach, an outer group is created and thereby perceived as wilful.

When moving towards a liberal peacebuilding process in a conflict society the key is not to rephrase the definition of “civil” and “uncivil”. A major problem for the liberal democracy is that it would still exclude a search for radical democracy in Kurdish areas and it would presumably still exclude networks like in Dar’as that provided mobilising in the early risings.

¹⁴⁵ Andersen in Kjersgaard, Andersen, 2013 pp.224

6 Conclusion

Setting out to answer, “Why is the civil society’s role in the ongoing Syrian conflict important and what can we learn from it, using the concept of transitional justice?,” I found that civil society has multiple functions relating to transitional justice.

Keeping a broad approach to civil society elaborates on the many aspects and resources of the Syrian civil society in this ongoing conflict. The transnational aspect is strength. The case of Lebanon shows that a civil society is filling a gap in humanitarian relief and developing on a civil society in exile despite challenges from the state-apparatus. Dawlaty’s and CCSDS’s work each has an aspect of developing democratic resources and strengthening the civil society by having awareness and a democratic practise. Part of their methodology is similar to the post conflict methodology by the international community in Bosnia. It is unclear if this again reflects a norm in peacebuilding approaches.

Addressing the findings of this paper it shows a capacity in groups working towards a transitional justice in times of conflict. It shows strength in a broad approach to civil society. Many of the dynamics reflects Kaldors definition of the “new” civil society and the transnational aspect. This is an important factor in both the early stages of the revolution as well as for the displaced groups working towards transitional justice.

But it also reflects that the self-determination might echo the norm of neoliberalism. This I argue might reflect norm more than reality. The idea of empowerment and redistribution of power reflects the activist approach and makes sense considering Dawlaty’s focus on the post revolution civil society. But I argue that it is important to include the postmodern definition as well to reinterpret “civil” and “uncivil” to understand mechanisms on the “edge” or far from the normative western interpretation.

I have chosen to explore from an understanding of “civil society” but as this paper reflects, “civil societies” had been equally relevant. The choice of singular reflects the common understanding along with Kaldors terminology. It also serves to highlight the complexity of the Syrian context and the need for inclusion.

When looking at capacity for reconciliation it has to be remembered that this might not be in the interest of the groups who seeks a liberal democracy to reconcile through Islamic Sulha tradition. Further CCSDS material showed a minority not seeking an investigation to reconcile.

The relevance of civil society and the ongoing conflict is enhanced due to a narrative of the civil society blossoming for the revolution. Therefore there is an understanding of the civil society connected to the ongoing conflict. This is interesting because it clinches with the normative understanding of civil society that CCSDS reflects with their definition of civil society. Understanding the civil society now is key for times to come.

Civil society in a Syrian context reflects the notion of the new civil society as a contrast to the managed civil society. The foundation for this movement is an activist approach, which could clinch later on with the idea of liberal peace, if a more active citizenship is wanted. The survey shows a need to reconcile in a long timeframe with regional differences. This is highly challenging for the liberal democracy and the nationalistic aspect of the transitional justice. Rump reflects that some Kurdish areas seek a more direct approach to democracy. Again this interacts with the activist citizenship. Further, it reflect that civil society might also have big regional differences. Dawlaty's notion on civil society as repressed before the revolution is right on most ways, but it might not be mutually exclusive with an active civil society. It rather reflects the difference between "civil" and "uncivil". The regional differences of safety and security affect how well developed the perception of civil society is. A non-inclusive approach could ruin the national aspect and lead to a split.

None of Kaldors definitions incorporates the importance of social network and gives strength to the postmodern critique of a need for interpretation. The Syrian transitional justice might challenge the goal of liberal democracy and the nationalistic aspect. It might be more of a challenge because it forecloses on alternative forms of rule and therefore creates an outer group of wilful.

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