Challenges to the Middle East North Africa Inclusionary State

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The challenges to inclusionary states in the MENA region are daunting indeed. Fiercely authoritarian states prioritize retaining power over building a more legitimate, durable or inclusive order. The reality or threat of political violence hangs over fragmented arenas, with states themselves up for grabs and in some cases deeply interpenetrated with armed militias and transnational actors. Protest movements repeatedly attempt to force meaningful reforms on to recalcitrant political elites, to little avail. In September 2019, POMEPS and the Lebanese American University (LAU) brought together a diverse, interdisciplinary group of scholars to discuss the challenges to building more inclusive orders under these conditions. The discussions revolved around several key issues.

First, how should we revise our theoretical understanding of the state when it is so thoroughly penetrated by clientalist networks, armed groups, financial predators, or sectarian actors? Which 'state' are we talking about when we examine post-uprising dynamics in societies divided along sectarian, ethnic, or tribal and regional lines? How is this state imbricated in society, and when does it matter for the organization of political life? Against the Weberian ideal of the autonomous state possessing a monopoly over the use of legitimate violence, several authors drew on the sociological theories of Pierre Bourdieu to encourage thinking in terms of a contest over political fields which incorporated state and non-state actors engaged in a common political endeavor. On this view, then, the state is perceived as a field in which both national and transnational actors compete. In Iraq, for instance, Toby Dodge shows how Shi'a militias of various denominations exist both within and outside of the state. In Lebanon, Jeroen Gunning and Dima Smaira show that "militias" can at times provide greater security than the official agents of the state, throwing into question basic assumptions of the advantages of state orders. This means, they suggest, that "we need a framework that does not presuppose a Weberian state and can accommodate varying hybrid security assemblages involving state and nonstate actors, including linkages with transnational (non)state actors."

Deploying such a field-based conception of the state allows for a coherent incorporation of non-state and transnational actors into the political-institutional field. It also underscores the agency of these actors against simplistic accounts that caricature them as mere proxies of external regional patrons. As Toby Dodge puts it in his contribution to this volume, "the outcome of this national and transnational struggle in Iraq is a political field whose boundaries have been broken and stretched well beyond the territory and population of the country itself." Jeroen Gunning and Dima Smaira broaden this perspective to show how "state actors may have to compete or cooperate in complex hybrid assemblages with ANSAs (Armed Non-State Actors) who may be regarded as equally or more legitimate and more effective." Or, as Stacey Philbrick Yadav puts it, "The nature and function of non-state actors was not constructed by these actors as conceptually autonomous from the state but rather as intimately tied to its past and future performance of key functions." Thus, non-state actors which look functionally similar on the surface in fact have very different relations with the state and make very different demands through their political action. These dynamics link state and non-state actors in different but recursive ways.

This reconceptualization helps to explain the perverse consequences of many well-intentioned policy proposals. In the area of security sector reform, for instance, Dodge notes that "policy prescriptions that have been shaped by this Weberian model, in an attempt to secure security sector reform or post-conflict demobilization, disarmament and reintegration, have found their approach at odds with empirical reality and have hence failed to realise their goals." Postwar Lebanon was an early example of dynamics now underway in Iraq. Morten Valbjorn shows in his essay how "a shared ambition of challenging sectarianism can translate into very different kinds of top-down and bottom-up strategies, some of which are burdened with their own problems or dilemmas, raising the question whether the cure is always better than the disease." There are important practical lessons in his essay

to groups in Lebanon and Iraq challenging sectarianism, and the inevitable limits of these challenges. Mariam Salehi, in her essay, shows how the pursuit of transitional justice can produce unintended negative consequences even as the goals are widely embraced. Even reconciliation, a process now assumed standard in post-transition or postwar contexts, is deployed differently in different political contexts.

The interaction of state and non-state actors can be seen well beyond the most obvious area of armed militias. As Makram Ouaiss argues, the process of armed conflict can shape the very nature of civil society and its ability to effect change. Reflecting on Lebanon's civil war, he observes that "where the violence drives a mass exodus of moderate educated elites, who used to or could play a tempering role in a post-conflict environment, their departure leaves the landscape to the more militant or embattled as well as powerless members of society further delaying the ability of civil society to recruit active and influential members of society." Civil society, then, cannot be considered separately from the state, when they are in fact both constituent parts of a political field not defined by the exclusive authority of state actors. Nor can these be separated from the political economy within which both are embedded. As Alaa Shehabi demonstrates in Lebanon, the rentier and clientalist patterns of economic policy both depend upon and reinforce the sectarian status quo in ways which make purely political solutions difficult to succeed, let alone those that emerge from civil society.

These interactions across the political field crossing state and society have a particular resonance in the domain of sectarianism and attempts at de-sectarianization. Deploying the political philosophy of Giorgio Agamben, Simon Mabon conceputalizes this dynamic in terms of biopolitics, using the case of Bahrain to show how "biopolitical machinery designed to regulate life and prevent the emergence of cross-sectarian unity.. targets Shi'a groups using all aspects of sovereign power." De-sectarianization is unlikely where the cultivation of sect-based difference is a key component of sovereign power, given that cross sectarian co-operation is typically seen as "the biggest internal threat to regime survival." Valbjorn similarly warns that calls to reduce the salience of sectarianism must account for how that might threaten the power and interests which sectarianism reinforces, and produce destructive effects far from the intentions of its advocates.

Taken together, then, this collection of essays points towards novel ways of reconceptualizing state and non-state actors in today's Middle East, across different fields and levels. "Thinking with Bourdieu's toolbox," as Dodge puts it, opens up an approach to the political field in which state militaries and non-state militias compete for similar modes of legitimation, and in which civil society, sectarian actors and the state evolve together but recursively. Such an approach might offer better prospects for overcoming the repeated failures of policy proposals for postwar state-building, security sector reform, disarmament of militias, transitional justice, reconciliation, economic reforms, and desectarianization.

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Understanding the role of *al-Hashd al-Shaabi* in Iraq's national and transnational political field

By Toby Dodge

Introduction

The US assassination, on the night of 2-3 January 2020, of Qasim Sulimani, the Commander of the Quds Force of the Iranian Islamic Revolutionary Guard Corps and Abu Mahdi al-Muhandis, the senior commander of the Iraqi *Al-Hashd Al-Sha'abi* and the founder of the militia *Kata'ib Hezbollah*, has thrown Iraqi and wider regional politics into turmoil. The murders were certainly the outcome of a struggle for regional dominance between Iran and the United States. However, they were also indicative of the highly fractured, contested but also transnational nature of Iraq's own political field.

International and regional players, primarily the US and Iran, have since 2003 continually deployed coercive power in pursuit of interests well beyond Iraq's geographical borders. A number of Iraqi domestic actors have aligned themselves with external players in an attempt to bolster their own power in the competition to dominate and direct national politics. It seemed clear that Iran had succeeded in becoming the dominant power in this transnational struggle to control Iraq. However, in October 2019, a vibrant mass protest movement erupted in Baghdad and across the south of the country. This indigenous movement was avowedly secular, nationalist and anti-Iranian.

The US drone strikes on 3 January have allowed the Iranian aligned militias and politicians to shape Iraqi public opinion against American interference and have used this to marginalize the protestors and their demands. Overall, the outcome of this national and transnational struggle in Iraq is a political field whose boundaries have been broken and stretched well beyond the territory and population of the country itself. The long suffering population of Iraq are caught in the middle of an international struggle whose main protagonists care little for their wellbeing and nothing for their long term future.

Understanding Iraq's Political Field

Traditional approaches to security forces and their reform have tended to be based on Weberian and Westphalian abstractions, treating the territory and coherent institutions of the state as unambiguously delineated from neighbouring states and from indigenous societies. Under this model, a legal rational and institutionalized military chain of command is augmented by a collective identity and agency, the nationalist esprit de corps of its armed forces separate from but representative of and supported by a homogenous population. All those wielding coercion beyond the authority of state are then classified as illegal and illegitimate. However, this ideal type has little analytical resonance in post-conflict states where central authority and national legitimacy face sustained challenge. Policy prescriptions that have been shaped by this Weberian model, in an attempt to secure security sector reform or post-conflict demobilization, disarmament and reintegration, have found their approach at odds with empirical reality and have hence failed to realise their goals.

Recent studies of states in the Middle East and Africa have critiqued this Weberian and Westphalian approach to security. Yezid Sayigh, focusing on Iraq, Lebanon, Libya, Syria and Yemen in the twenty-first century, has developed the notion of "the hybridization of security governance." This, he argues, creates three novel outcomes, those struggling to control the state create "unfamiliar military-security coalitions" containing both government officials and non-state actors. These coalitions, however, remain highly fluid with non-state actors footloose in their alliance building. Finally, competing external powers pursue their rivalries in weak states by aligning with various players, making the hybridization of security a permanent feature.[1] Alice Hills, using case studies from Africa, advances a comparable argument, developing the notion of a 'security

arena' where "the personalized or neo-patrimonial relationships and inter-agency rivalries conducted amongst and between political elites and security actors" shape realities on the ground.[2]

In developing this approach, Hills deploys Pierre Bourdieu's notion of the 'political field.' It is Bourdieu's 'thinking tools' that can help understand the hybrid, fractured and highly transnational nature in the contest to coercively dominate Iraq's political field. Two of Bourdieu's concepts, field and capital, and his understanding of the state, offer especially powerful insights into Iraq and the role of the *Al-Hashd Al-Sha'abi* or Popular Mobilization Forces (PMF). For Bourdieu, competition within any society takes place in comparatively autonomous fields. Each field is united by the shared logic of the players active in it.[3] These could be the economic field, the field of education, art or politics. "Each field has its 'fundamental law,' its *nomos*: 'principle of vision and division.'"[4] These 'principles of vision and division' dictate the terms under which competition takes place and what is being fought over. The players within each field are trying to amass different forms of capital to use in their struggle for dominance, such as the economic, coercive and social capital that comes from the ability to organize and benefit from networks or group action.[5] People and groups compete over symbolic capital, the power to determine the analytical units used within any field to construct shared meaning.[6] Bourdieu sees competition over symbolic capital by politicians, religious figures, civil servants and, in Iraq's case, militia leaders, in the political field as having the greatest influence over a given society as they struggle over how society should be organized and who can be a member of it.[7]

More recent work inspired by Bourdieu has sought to take his insights about fields and apply them to the transnational realm. Under this rubric the state is itself "embedded in an ensemble of transnational fields."[8] The coherence and autonomy of a state's political field will be dependent upon the extent to which it has become embedded in and dominated by other overlapping national and transnational fields.[9] If a country's political

field becomes heavily influenced by centrifugal forces emanating from other national and transnational fields, actors in a national political field may become hybridized, effectively double or triple agents, being influenced by the logic of their own national political field but also by differing logics that have originated in other fields.[10]

Bourdieu's conceptualization of the modern state is especially useful for understanding Iraq. The state, for Bourdieu, is not and cannot be a coherent actor in and of itself. Instead, it is a field where different actors compete against each other to dominate the state's institutions and to utilize its capital.[11] The state is therefore disaggregated and pulled apart by those competing to utilize its power. Iraq, after the 2003 invasion and regime change, saw its state institutions deliberately disaggregated. The US-led occupation, fearful of renewed authoritarianism, divided power within coercive ministries, especially the Ministry of Interior, amongst competing political parties in order to decentralise control.[12] Iraq's political field was also coercively transnationalized by an invading American army and its allies. In the first years of the US presence, decisions taken on the basis of knowledge acquired in America's own political field dominated Iraq and shaped the evolution of its politics.[13] Coercive and economic power that originated in and was controlled from the US recreated Iraq's political field. Actors from regional states, especially Iran but also Syria, Turkey and the Gulf, seeing either a threat or an opportunity in regime change, moved into Iraq, deploying covert coercive, economic and symbolic capital to gain purchase in the political field. A large number, if not the majority, of the new Iraqi competitors in the country's post-Ba'athist political field owed their power and position to external players.[14] Iraq, after 2003, had become highly transnationalized, integrated into the political fields of a number of other states. The coherence of its institutions and boundaries were undermined by these sustained exogenous centrifugal forces.

The empowerment of *al-Hashd al-Shaabi* is a direct result of the disaggregation and transnationalization of Iraq's state and political field. The Iraqi state's inability to concentrate coercive capital in its own institutions

after 2003 created a space within the country's political field for a myriad of non-state military actors to flourish. The transnationalization of Iraq's political field allowed Iran to empower the militias aligned to it. It deployed economic, social, coercive and symbolic capital across its own borders into Iraq, further weakening the Iraqi state while empowering the militias who, after 2014, came to dominate the *Hashd*.

The rise to dominance of *al-Hashd al-Shaabi* in Iraq's political field

The three main militias that dominate *al-Hashd al-Shaabi*, Badr, *Asaib ahl al-Haq* (AAH) and *Kata'ib Hezbollah* (KH), were either formed (AAH and KH) or secured national prominence (Badr) in the period between regime change and the formation of the *Hashd* in 2014. They initially relied on Iran for economic, coercive and symbolic capital. For the majority of the period after 2003, the US should have had the predominant coercive capital in Iraq, with its troops numbers ranging from 150,000 during the invasion to 171,000 at the height of its military engagement in 2007.[15] However, the collapse of the Ba'athist state's military forces was compounded by the American decision to quickly disband the Iraqi army at the start of its occupation. This allowed numerous players within Iraq's political field to deploy coercive capital in the struggle for domination. It was in the midst of this spiral of competitive violence that AAH and KH were formed.

All three of these groups, Badr, AAH and KH, have received extensive support from the Iranian government and as such have been labelled the *Hashd al-Wala'i*, members of the *Hashd* who are loyal to Iran's spiritual leader, Ayatollah Ali Khamenei.[16] The senior Badr leader, Hadi al-Amiri and the founder and leader of KH, Abu Mahdi al-Muhandis, have long and well-documented relationships with Tehran. The leader of AAH, Qais al-Khazali, has also developed a close relationship with Iran and has spent time in exile there. However, simply understanding these three groups and their leaders as 'Iranian clients' does damage to their own hybrid position within a specifically Iraqi political field, albeit one greatly

influenced by Iran.[17] Erwin van Veen's research suggests that as Badr and AAH have successfully sought to expand their own role in Iraq's political field, attempting to use symbolic and social capital to gain greater public support, they have also attempted to distance themselves from Iran.[18] KH, on the other hand, refuses to take an overt role in the political field, instead focusing on developing its covert coercive capital. This has allowed it to remain much closer to Iran in terms of its symbolic, economic and coercive capital.

To simply see the power of these three groups as a direct result of Iran's influence in Iraq's political field is to underestimate the powerful indigenous dynamics at work. *Al-Hashd al-Shaabi*'s origins lie in the policies of Iraq's Prime Minister from 2006 to 2014, Nuri al-Maliki. In his attempt to outflank his rivals and dominate the political field, Maliki set out to break the Iraqi army's chain of command, binding senior military commanders to him personally through favouritism and promotion.[19] This, combined with corruption and the wider politicization of the office crops, gravely weakened Iraq's security services. By early 2014, Maliki acknowledged the lack of coercive capital possessed by the formal institutions of the Iraqi state. However, instead of reversing his previous policies and embarking on security sector reform, he set about empowering and utilizing the more informal coercive capital of those Shi'a Islamist militias, including Badr, KH and AAH, allied with him within the National Alliance.[20] These militias, whose ability to mobilize and operate had been greatly curtailed from 2007 onwards, began to overtly redeploy their forces in Baghdad and across the south.[21] As the Islamic State's capacity to seize territory and deploy violence increased, this reliance on Shi'a Islamist militias was formalized with the creation of the 'Popular Defence Brigades.'[22]

It was in the aftermath of the fall of Mosul and the collapse of Iraq's army in the face of the Islamic State's advance that *al-Hashd al-Shaabi* rapidly increased its coercive, social and symbolic capital. As soon as Mosul fell to Islamic State, Maliki announced on national television plans to "provide weapons and equipment to citizens who volunteer to fight

against militants."[23] Three days later this process was rapidly accelerated by Grand Ayatollah Ali al-Sistani's call for:

> "People who are capable of carrying arms and fighting the terrorists in defence of their country … should volunteer to join the security forces to achieve this sacred goal."[24]

The statement was carefully worded to deliver new recruits to the state's own security forces, as was a clarification issued four days later.[25] However, the state's institutions, lacking coherence, had neither the social or symbolic capital needed to channel the recruits into government-controlled organizations. Instead, the already established, Iranian-aligned Shi'a Islamist militias, predominately Badr, AAH and KH, used their social and economic capital to co-opt the vast majority of the tens of thousands who volunteered to fight.[26]

The policies of both Nuri al-Maliki and the main militias further accentuated this dynamic. Maliki quickly set up a formal organization, the Commission for the Popular Mobilization Forces (*Hay'at al-Hashd al-Shaabi*), to give government legitimacy to the militias, while the militias themselves seized upon Sistani's statement, utilizing his symbolic capital for their own ends.[27] In the months and years that followed the fall of Mosul, these militias have used the economic, social, symbolic and coercive capital given to them by their role in the fight against the Islamic State to increase their size but also their dominant role in Iraq's political field. Michael Knights estimates that KH have increased its membership from 400 in 2011 to 10,000 today. AAH, with under 3,000 members in 2011 now has 10,000 troops. Finally, Badr's 18,000-22,000 forces are "threaded throughout" the rest of the PMF, giving them the dominant leadership role.[28]

Attempts at state control of *al-Hashd al-Shaabi*

Since their formation in 2014, three prime ministers, Nuri al-Maliki, Haider al-Abadi and now Adel Abdul-Mahdi have attempted to control the *Hashd*, placing them under the command of the Prime Minister's Office (PMO).

However, all of these initiatives have failed because, within Iraq's political field, the dominant groups within the *Hashd*, Badr, KH and AAH, have more social and symbolic capital than the Prime Minister. At the height of his power, before the fall of Mosul, Prime Minister Maliki had intended to control the *Hashd* through the PMO. During his two terms in office, Maliki had expanded the PMO to be the most powerful and coherent institution within the weak and fractured Iraqi state. Maliki had built the PMO's social capital by creating the '*Malikiyoun*', a network of senior civil servants and generals loyal to him, spread across the Iraqi state.[29] He created the *Hay'at al-Hashd al-Shaabi*, inside the PMO as a way of managing the *Hashd* in a similar way. However, once he was ousted as prime minister in the summer of 2014, he set about using his still considerable power to defend the autonomy of those militias within the *Hashd* who remained close to him. Against this background, the militias that dominated the *Hay'at al-Hashd al-Shaabi*, used the coercive and symbolic power they had amassed fighting the Islamic State, to both defend and increase their autonomy from state control.

Maliki's replacement as prime minister, Haider al-Abadi, tried on at least two occasions to secure control over the *Hashd*. In February 2016, he passed Executive Order 61, which formally incorporated the *Hashd*, as an "independent military formation of the Iraqi armed forces" "linked to the general commander of the armed forces."[30] It was an indication of the fraught negotiations between Abadi and the leading militias leaders that the text of the order was not made public for five months and then did not mention what the size of the *Hashd* forces would be.[31] In November 2016, Order 61 was surpassed by the Law of the Popular Mobilization Authority, passed by the Iraqi parliament. In theory this placed the *Hashd* under the authority of the National Security Council.[32]

Abadi failed in his intention of bringing the *Hashd* under the control of the PMO. He managed to appoint the long serving National Security Adviser, Faleh al-Fayyadh, as the formal head of the *Hay'at al-Hashd al-Shaabi* but the *Hashd*'s symbolic and social capital was such that Fayyadh failed in asserting any formal authority over it. Instead,

the recognition of the *Hashd* as a formal arm of the state's military forces allowed the deputy head of the *Hay'at al-Hashd al-Shaabi* and the leader of KH, Abu Mahdi al-Muhandis, to amass greater economic and social capital. This was demonstrated by his continued and successful public lobbying, from 2015 onwards, for the *Hay'at al-Hashd al-Shaabi* to get a greater share of the Iraqi state budget.[33] These demands on the state treasury were couched in terms of the myriad sacrifices that the *Hashd* had made in the fight against the Islamic State and their demand for pay parity with the formal armed services. Both these arguments stressed the *Hashd*'s symbolic role as protector of a very specific understanding of the nation. In addition, the money allocated was delivered in the form of a block grant given directly to Muhandis, which allowed him to direct resources to those groups within the Hashd who were aligned with him, heavily constraining the ability of those groups not aligned to him to function, let alone expand.

It is against this background that on 1st July, 2019, Iraq's third prime minister since 2014, Adel Abdul-Mahdi, announced another attempt to impose central state control on the *Hashd*. This had the appearance of a classic quasi-Weberian security sector reform initiative, subjecting the *Hashd* to the institutionalized authority of the PMO. It set out a series of rules that, if applied, were meant to force the militias within the *Hashd* to abandon their names and adopt "military nomenclatures."[34] They would have to cut any political affiliation with the parties and organizations that created them and close all their political and economic offices. In return the decree further extended state recognition, funding and legitimacy to the *Hashd*, awarding their forces military ranks comparable to Iraq's own security forces. All those groups who fail to comply with the edict were to be deemed "outlaws" and "prosecuted accordingly."[35]

However, the July 2019 initiative raised the question about where power lies in Iraq's political field and who would benefit from this new push towards consolidation. The Prime Minister's edict looks very different if Bourdieu's analytical insights are deployed. If the state is conceived of as a centralized unitary actor, then the edict could be seen as a victory for the institutionalization of coercive power in the PMO. However, if the state is seen as a field, with both national and transnational actors competing within it for power, then the outcome may not be so positive. The edict certainly gave greater symbolic capital to favoured militias inside the *Hashd*. However, it did not cement central control over them. Instead, it further empowered a set of transnationally aligned players in Iraq's political field and by implication, at the same time, weakened other coercive actors, those in the Iraqi army and Counter Terrorism Service, who were also attempting to assert their influence. This was for two reasons.

First, the *Hashd* itself has been undergoing an internal process of consolidation, driven forward by the key leaders of the Iranian aligned militias. This process empowered Abu Mahdi al-Muhandis, not the state or the PMO. Muhandis used the block cash transfers he got for the *Hashd* from the PMO to side-line the *Hashd al-Marji'i*, those groups aligned and funded by the Shi'a religious authorities in Najaf, in favour of the *Hashd al-Wala'i*, those who are aligned with Tehran. In effect, Iraqi state money, strategically deployed by Muhandis, was used to fund and expand those militias who aligned themselves with Iran, as opposed to those aligned with Iraqi religious institutions or other national actors in the field.[36]

Secondly, Muhandis and his allies oversaw the centralization of coercive capital in the Central Security Directorate of the *Hay'at al-Hashd al-Shaabi*.[37] This organization, staffed by members of KH and loyal to Muhandis, started to police the actions of all the militias claiming membership of the *Hashd*. Individuals and groups that Muhandis labelled as illegitimate were raided, disarmed and locked up. Muhandis argued that,

> "We will sacrifice a lot of friends when we cleanse our ranks and will face several obstacles. We have a long way to go and we need to be patient."[38]

An example of this dynamic took place in February 2019, when four bases of the militia, the Abu al-Fadl al-Abbas

Forces, were raided and its leader, Aws al-Khafaji, arrested. The *Hay'at al-Hashd al-Shaabi* claimed this was a part of the process of cracking down on "fake bases claiming to be affiliated with the *Hashd*."[39] However, Khafaji had been a long-term critic of Iranian influence in Iraq. Just before his arrest he had asserted on local television that Iraqis should oppose Iranian interference in Iraq, along with Turkish and American meddling. He had been particularly critical of what he saw as Iranian complicity in the assassination of his cousin, the secular writer Alaa Mushthoub, in Najaf in February 2019. Mushthoub was rumoured to have been murdered because of his own criticism of Ayatollah Ali Khamenei.[40]

The use of state resources and the centralization of the *Hashd* leads to another interpretation of the July 1st edict; it represented the concentration of coercive capital around a new network of power, comparable to the role that the '*Malikiyoun*' played between 2006 and 2014. The aim of this centralization was to empower the '*Muhandiseen*,' those through whom Muhandis exercised and increased his own social, symbolic, coercive and economic capital. The plans announced by the Prime Minister represented the next stage in this process, an attempt at merging the different *Hashd* groups into one coherent force that was to be directly controlled by Muhandis. In spite of the assassination of Muhandis, this force may well grow to be a much more coherent actor in Iraq's political field but it will also be much more unambiguously aligned with Iran. It will also be more ruthless in its use of violence and much less tolerant of dissent.

Conclusions

In the aftermath of the fall of Mosul to the Islamic State, coercive capital in Iraq's political field was held by both centralized state forces and decentralized militias. The militias, personified by Badr, *Asa'ib Ahl al Haq* and *Kata'ib Hezbollah*, are certainly influenced by dynamics within Iraq's political field but have increased their power by taking economic capital, in the form of funding and symbolic capital, in the form of Shi'a Islamist ideology, from Iran's political field.

As the protest movement began to spread across Baghdad and southern Iraq in October 2019, the role of these militias in policing Iraq's political field became clear. Covert coercive capital was continually deployed to enforce the symbolic violence associated with the *Hashd al-Wala'i*, brutally disciplining society in the name of an Iranian aligned radical Shi'a Islamism.[41] The Prime Minister's *Hashd* reforms of July 2019 accelerate the concentration of power in the *Muhandiseen*'s hands, with the coercive capital of the *Hashd al-Wala'i* becoming a central tool in the struggle to dominate Iraq's political field, used to suppress any opposition.

The assassination of Abu Mahdi al-Muhandis on 2 December 2019, the central Iraqi figure involved in the process of *Hashd* centralization, may well slow this process down. However, his speedy replacement by Hadi al-Amiri as the dominant figure in the *Hashd* chain of command indicates the extent to which this centralization and institutionalization has been a success, escaping the power and personality of any one individual. In addition, Iranian aligned politicians within Iraq's political field have successfully used the violation of Iraq's sovereignty to mobilize against the US, American allies in Iraq's political field and the studiously non-aligned protest movement. Against this background, the assassination of Muhandis and Qasim Sulimani has successfully been used to strengthen the power of Iranian-aligned actors in Iraq.

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Everyday security in Beirut's southern suburbs:
mapping the capacity and legitimacy of state and non-state actors

By Jeroen Gunning and Dima Smaira

The concept of armed non-state actors (ANSAs) is rooted in a Weberian understanding of the state, according to which states should have the monopoly on the legitimate use of force. However, in (post)conflict situations, especially in post-colonial contexts, this framework has little analytical value as both the legitimacy and the reach of state actors remain contested. State actors may have to compete or cooperate in complex hybrid assemblages with ANSAs who may be regarded as equally or more legitimate and more effective (Fregonese 2012; Hazbun 2016). Transnational relationships complicate these dynamics, for both state and non-state actors (cf. Sidaway 2003, 171 on "sovereign excess" in postcolonial states).

To better conceptualise the relationship between state actors, ANSAs and populations in the security field, we need a framework that does not presuppose a Weberian state and can accommodate varying hybrid security assemblages involving state and nonstate actors, including linkages with transnational (non)state actors. We ground our analysis in a Bourdieusian framework which can help to conceptualise the fluctuating roles the various actors play in shaping everyday security. A Bourdieusian framework, grounded in time, place and space, allows us to map the relative capacity and authority that different actors possess in different locations and in relation to the local population.

We focus on the southern suburbs of Beirut, known as Dahiyeh, but the questions raised and the conceptual framework proposed are relevant anywhere where there are multiple security actors in hybrid assemblages. Dahiyeh is a predominantly Shi'a area south of Beirut, densely populated, a mixture of poor, informal and some more affluent neighbourhoods, and best known for being Hizballah's headquarters. However, although Hizballah is the dominant security actor, numerous state actors, Amal, Hizballah's Shi'a rival/partner, armed clan factions, clan and family heads, and ordinary people are involved in everyday security practices as well.

Bourdieu's conceptual framework

Bourdieu's key concepts are capital, *habitus* and field, although in this short brief we will focus on capital. Fields are delineated spheres of social activity with their own stakes and rules, e.g. the security or political field. Actors come to fields with different amounts of capital: economic (money, investments), social (networks, social standing), cultural (tastes, rank), informational, and coercive (Bourdieu 1986, 1994, 4–5). When capital is no longer recognised as such but comes to be seen as legitimate authority, it becomes symbolic capital. How capital is valued depends on field, *habitus* and beliefs. Different fields value capital differently; coercive capital has higher value in the security than in the bureaucratic field, for instance. *Habitus* – dispositions into which we have been socialised – and taken-for-granted beliefs (*doxa*) also influence how capital is valued. Someone brought up in an environment where security has been routinely and effectively provided by local clans while state actors have been absent is likely to value the capital of clan elders over that of state actors.

Statist capital emerges out of the accumulation of the different forms of capital across multiple fields, enabling an actor to set the rules and how capital is valued within those fields (Bourdieu 1994, 4–5). State actors can draw on this type of meta-capital where the state's hegemony (*orthodoxa*) is accepted; but so can ANSAs if they have accumulated sufficient amount of different types of capital across multiple fields and have established a level of counter-hegemony (*heterodoxa*) – though, crucially, not necessarily a claim to statehood. How statist capital (or capital more broadly) is valued can vary across space, depending on whether the dominant *habitus* and *doxa* are orthodox or heterodox.

Local capacity and legitimacy

For a forthcoming article (2020 forthcoming) we conducted over 70 interviews and 'street chats' with residents of Dahiyeh and with senior security, judicial and municipal personnel. The research underpinning this brief was carried out before the '17 October revolution' of 2019, however, which may have long-term effects on people's valuation of the various actors' capital.

Although Dahiyeh has an (external) reputation for being dangerous, our respondents overwhelmingly said that they felt safe in Dahiyeh, crediting this to its strong sense of community, the presence of Hizballah, or the coordination between the various security actors. The exception were those living in or near 'unregulated' areas such as Laylaki or Ouzai.

'Everyday security' conceptualises security as relational, embodied, routine practices across space by ordinary people and more or less institutionalised groups; it refers to mundane, non-spectacular security incidents such as theft, drugs dealing, family disputes, celebratory shootings, not war, terrorist attacks or political contestation (cf. Higate and Henry 2010; Crawford and Hutchinson 2016). Focusing on the field of 'everyday security' in Dahiyeh, there are multiple actors operating alongside each other. We will focus on the Internal Security Forces (ISF), the Lebanese Armed Forces (LAF), Hizballah, clan elders and armed clan factions. The ISF has less social, cultural and symbolic capital in the area than the LAF – or indeed Hizballah. Its police stations are positioned around Dahiyeh's rim, rather than throughout its interior. It has only around 100-125 local officers covering 1 million inhabitants, and relies heavily on departments outside Dahiyeh, lessening its local informational capital. It is regarded by many within Dahiyeh as ineffective, resulting in low symbolic capital – although recent improvements have made residents of some areas more positive in their evaluation of the ISF's utility. The combination of low social and symbolic capital means that the ISF is associated with the state's historic neglect of the area, limiting its ability to draw on statist capital.

Although the LAF has no permanent bases in the area, it has more social capital than the ISF in the form of better organisational efficacy and higher-level networks. Superior arms give it higher coercive capital. Better training, socially more highly valued ranks and more soldier 'martyrs' enhance its cultural capital. It has more informational capital through its own and Military Intelligence's working relationship with Hizballah. The LAF has high symbolic capital, both locally and nationally, through its reputation for neutrality, professionalism, and effectiveness. As a result, it is associated with the Lebanese state ideal (rather than its presumed absence), allowing the LAF to draw more readily on statist capital. Because it can draw more easily on statist capital than the ISF and has superior social and coercive capital, it is typically called upon to arrest high-risk crime suspects – particularly in 'informal' or unregulated areas such as Laylaki, where both the ISF and Hizballah have less localised capital.

Among the ANSAs, Hizballah has the highest amounts of social, cultural and symbolic capital. It has more personnel to draw on within Dahiyeh than Amal, and many more than the ISF – it has over 100 members per 'faction' covering 4-5 neighbourhoods, with multiple factions making up each of Dahiyeh's six municipalities (Daher 2019, 128; Harb 2010, 79); a much smaller number than this are dedicated security personnel, but Hizballah is able to draw on this wider membership for surveillance, mediation and influence. Its members typically have high local social capital, enhancing both the party's capacity to act/control and its ability to be the first to hear about crime. It has a better organisational structure than Amal. Its reputation for effectiveness, including in the face of external threats (e.g. Israeli or militant jihadi attacks, US sanctions) and as a champion of Shi'a interests, whether in government or through welfare organisations, give it high symbolic capital, further enhanced by the party's many 'martyrs' and the veneration accorded to its Secretary-General, Hassan Nasrallah. More fundamentally, because of the accumulation of social, cultural, economic, informational and coercive capital, Hizballah has been able to build up meta-capital, enabling it to influence the rules and value of capital in multiple fields, including the security field. As this capital is more

highly concentrated within Dahiyeh than that of the state actors, Hizballah is in a position to shape what happens. Consequently, state operations in Dahiyeh are usually cleared and coordinated with Hizballah.

However, statist-like meta-capital notwithstanding, Hizballah's capital is limited, both in spatial coverage and in its capacity/willingness to deal with everyday crime. Spatially, Hizballah's capital is less dense in some of the more informal/unregulated areas of Dahiyeh, such as Laylaki, Rouwaiss and Ouzai. Here, clans and armed clan factions play a larger role, with highly localised concentrations of social, cultural and symbolic capital. Because Hizballah needs the support of the clans in elections and as fighters, it cannot afford to alienate them. When dealing with clan disputes, Hizballah customarily leaves these to clan elders to mediate or works alongside them, constituting a security assemblage with complementary capitals. Clan loyalty, moreover, can trump party loyalty, making a direct confrontation costly. Faced with clan drug lords, Hizballah usually turns to the LAF, both to avoid unnecessarily losing valuable capital and in recognition of the LAF's superior statist capital. In this, their capitals complement each other, with Hizballah providing informational and local social capital, the LAF statist and coercive capital.

Regarding its capacity/willingness to deal with everyday crime, Hizballah's focus on reconstruction after the 2006 war with Israel, its increased role in government since 2008, its involvement in Syria and diminishing support from Iran have led Hizballah to ask the state to play a larger role in Dahiyeh's everyday security (cf. Harb and Deeb 2012). As Hizballah's capital was committed elsewhere, crime and drug trafficking have grown over the past decade, increasing the capital of some clan factions in parts of Dahiyeh, while undermining Hizballah's symbolic capital. The ISF and the LAF are more active now, regularly arresting or subduing fighting parties, instantiating shifting hybrid security arrangements between the different actors.

The '17 October Revolution' brings to the fore the question of whether, and if so, how the capital of the various security

actors has been affected. As people first took to the streets, many residents from Dahiyeh joined, protesting socio-economic conditions and the way the government had failed to improve them, suggesting that the symbolic capital of both state actors including the LAF and the ISF and that of governing political parties, including Hizballah, was under pressure. However, contestation in the political field does not necessarily affect the symbolic capital of an actor in the field of everyday security. Further, as the protests evolved, Hizballah supporters became increasingly less involved and there were reports of some supporters participating in attacks against protesters, deepening existing cleavages. For those already opposed to Hizballah, its symbolic capital would have devalued further; for those generally supporting the party, its symbolic capital does not seem to have been significantly affected in the everyday security field in Dahiyeh, as evidenced by the fact that most stopped participating in the protests when Nasrallah asked them to stop. It is too soon to tell how events will affect the capital of the various actors or indeed the dominant habitus and rules governing the everyday security field in the long-term. But a Bourdieusian framework provides the flexibility to analyse fluctuations in capital, capital valuation and habitus in different fields, allowing us to better understand relational dynamics.

Transnational linkages

Transnational linkages affect both state actors and ANSAs in Dahiyeh, but in different ways. Iranian financial and material support and Nasrallah's role as Iran's Supreme Leader's formal representative in Lebanon, enhance Hizballah's social, cultural, economic, coercive, informational and symbolic capital among that part of the population who subscribe to Hizballah's *orthodoxa*. For those at the heterodox end of the political field – those in Dahiyeh who see Hizballah's relationship with Iran as compromising Lebanon's independence and/or who are sympathetic to the pro-US/Saudi camp – this transnational relationship lessens Hizballah's capital (particularly its symbolic capital), underlining how capital's value also depends on the *habitus* and beliefs of the audience. Hizballah's relationship with the Syrian

regime, and especially its role in the Syrian war, has had a more ambiguous effect on the party's capital. Some have come to resent the high death tolls in Syria while many link the lack of socio-economic development at home to Hizballah's investment in Syria; at the same time, the ability to project its capital regionally has enhanced Hizballah's symbolic and statist capital among those who subscribe to Hizballah's *orthodoxa.*

The capital of state actors has also been affected by transnational relationships. The LAF and ISF have received significant funding and training from the US, EU and European states, serving international interests. US and EU assistance to the LAF, for example, has been shaped by concerns over the spill-over of the Syrian conflict, the growing influence of Hizballah within Lebanon, while upholding Israel's military dominance, shaping the kind of aid and weapons offered (cf. Tholens 2017). This affects their relative capital vis-à-vis ANSAs, and not just in terms of the limits on coercive capital these restrictions impose. Among those supporting Hizballah's *orthodoxa*, the ISF's symbolic capital is considerably reduced by the perception that its leadership is in the pro-US/Saudi camp, which in turn affects its access to informational capital in Dahiyeh. Although the LAF also receives funding and training from the US and the EU, its reputation for domestic neutrality and its working relationship with Hizballah appears to outweigh this, illustrating how the effect of transnational linkages is entangled in domestic politics.

Clans can also derive capital from transnational linkages. The recent growth in capital among some of Dahiyeh's clan factions is in many instances related to the transnational linkages they have through being part of the large clans in the Biqa Valley along Lebanon's eastern border and the increase in cross-border drugs trade and smuggling since the outbreak of war in Syria (cf. Global Initiative 2017).

Dahiyeh's position next to Beirut's international airport and close to Beirut's harbour, coupled to the large presence in Dahiyeh of clan members whose families' origins are in the Biqa, makes it an attractive conduit for the drugs and smuggling networks straddling the Lebanese-Syrian border – particularly while Hizballah's locally available capital was diminished by its role in Syria and the LAF's capital was overstretched. Local actors are thus enmeshed in both local and transnational security fields and the flows of capital between them, giving shape and complexity to the capital of each of the actors discussed.

Some final thoughts

A Bourdieusian framework provides the 'thinking tools' to look past rigid dichotomies (state/non-state, local/transnational) and map the relative capacity/legitimacy of hybrid security actors embedded in local and transnational networks. State actors and ANSAs alike are impacted by transnational linkages, especially in post-colonial situations, and their relationship with local populations fluctuates depending on both how much capital they have and how this is valued by local populations. ANSAs can build up statist-like meta-capital; state actors can lack symbolic capital which can in turn limit their ability to access statist capital. Gaining better insight into these relationships will help answer questions about how ANSAs and state actors impact each other and how everyday security practices are negotiated.

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Non-State Actors and Approaches to the Yemeni State

By Stacey Philbrick Yadav

The organizing question toward which these essays are directed asks about the impact of non-state actors on post-uprising states in the Middle East and North Africa. Many responses interpret this with regard to armed non-state actors, largely positioned as exogenous to the state. Asking broadly about about the relationship of non-state and state actors alike to *people* – their lives and livelihoods, their security, and their sense of identity – can highlight the ways in which non-state actors are already closely imbricated with the role and robustness of the state and its ability to respond to the needs and desires of society. In the post-2011 context, citizens have remained mobilized and politically engaged throughout the region, even (or especially) alongside conflicts that bring with them significant violence and insecurity. In these contexts, non-state actors have taken a range of forms, but have not been exogenous to the (past) performance of the state; as they compete with state and other non-state actors to respond to the needs of communities, they similarly are not outside of its future.

Consider the relationship between state and non-state in Yemen. The literature on Yemen as a "failed state" and the assumed relationship between state-failure and insecurity was established well before the civil war, but how this was understood and experienced by different segments of Yemeni society varied, as did the perceived implications of the designation itself. I was in Sana'a, Yemen in 2005 when *Foreign Policy* ranked Yemen as "failed" in its first Failed States Index. Conversations with people active in a range of non-state initiatives and organizations focused on the perceived advantages and disadvantages of the listing, including how it might help those who sought to secure concessions from the state or encourage particular kinds of reforms in state institutions. The nature and function of non-state actors was not constructed by these actors as conceptually autonomous from the state but rather as intimately tied to its past and future performance of key functions. Despite methodological and theoretical

differences, much of the academic literature on Yemen has followed our Yemeni interlocutors in recognizing that what happens in the "non-state" realm is shaped by state performance and priorities.[1]

This is not to suggest that non-state actors emerge automatically in response to some common set of conditions or work to respond to community needs in precisely the same ways. Different types of non-state actors have different implications for the state, just as they each develop in relation to different conditions of state performance. At a minimum, we might differentiate between:

- Armed groups that aspire to sovereignty

- Armed groups that aspire to powersharing

- Armed groups that aspire to disruption

- Unarmed groups that are indifferent to state institutions

- Unarmed groups that seek to shape state institutions

There are non-state actors fitting each of these categories operative in the context of Yemen's highly internationalized civil war. The reasons for the formation of these groups differ, but definitionally, each of them has a distinct relationship to the state, as a set of institutions and as a discursive object, as well as diverse relationships to and understandings of Yemeni society. It is worth fleshing out these distinctions before considering how each might affect the future of the state.

Armed Groups Aspiring to Sovereignty: Southern Secessionists

Yemen's Southern secessionist movement is currently the only non-state armed faction in Yemen working toward the

goal of establishing state sovereignty in both its empirical and juridical forms.[2] While the whole of the Hirak, or Southern Movement, has not always been (and indeed is not today) secessionist, war dynamics have increased secessionist demands and the material and political support of the UAE has made an independent South an actual possibility. The Houthis' overextension into Aden in 2015 papered over substantial differences between supporters of secession and supporters of the Hadi government (who themselves range in their aspirations from supporting a unitary Yemen to supporting a federal state with a high degree of decentralization). After the Houthis' northern retreat, these differences became more pronounced. When the UAE recognized the newly-declared Southern Transitional Council in May 2017, it sedimented the cleavage between the Saudis and the Emiratis that erupted in open violence in August 2019. The Riyadh Agreement signed in October 2019 temporarily tabled this issue, but also featured the first internationally-brokered recognition of the STC leadership.[3] Secession is the deepest non-state threat to state power in Yemen insofar as it constitutes a rival sovereign project. As the STC's eventual withdrawal from the agreement in January shows, it is also the arena of conflict least likely to be resolved, if at all, by Yemeni actors themselves.

Armed Groups Aspiring to Powersharing: the Houthis

The primary example of this category of non-state actor would be the Houthi movement, or Ansar Allah. While Houthi militias and their allies seized power by force in 2015 (and arguably laid ground for this through earlier moves in late 2014), there is little to suggest that they actually believe that they can successfully govern the whole of Yemen or that they aspire to do so. Instead, efforts to entrench their position through governance within relatively stable battle lines in the North and the unilateral pledge to suspend drone strikes on Saudi Arabia in September 2019 suggests that the Houthis are aware that there will be no military solution to the war in Yemen and that some kind of powersharing agreement will be necessary to secure peace.[4]

Exclusion from transitional powersharing from 2012-2014 was a core Houthi grievance before the war, but it may be regarded as a shibboleth today. The brutality of Houthi rule in Sana'a and in some parts of Taiz, especially, suggests that there may be significant resistance to a powersharing agreement with the Houthis. While the movement coordinated with ideologically different allies before the war, including both the Hirak and Islah, the hardening of social boundaries during the war makes this less likely now. Even if elites are able to strike a deal, it is unclear whether broad segments of the population would agree to its terms.[5] At the same time, Houthi leaders have tasted more political power over the past five years than they had before the war, and may struggle to relinquish it. Any powersharing agreement that categorically excludes the Houthis or blocks their *de facto* governance in the areas of the far North that form their social base would replicate weaknesses of the "transitional" framework that fueled the movement's power grab in 2014-15 and initiated the war itself.

Armed Groups Aspiring to Disruption: AQAP

If some armed non-state actors use force to establish empirical sovereignty and seek recognition, others also use violence to disrupt the ability of Yemen's political factions to develop a lasting settlement on which state institutions can be rebuilt. For a portion of the war, Al Qaeda in the Arabian Peninsula did govern much of the province of Hadramawt directly (from spring 2015 to April 2016), but this approach was short-lived and coincided with the perceived threat to the organization by the expansion of the Islamic State elsewhere in the region.[6] Since the latter's relative decline, AQAP has resumed its more established role as a disruptive force in Yemen. Reportedly integrated into some Southern militias (including those aligned with the STC and with the Hadi government), the primary contribution of AQAP to Yemen's war has been to increase the conflict's sectarian character through symbolically targeted violence and anti-Shi'i rhetoric.[7] This has helped to ensure that political grievances between the Houthis, the Hadi government, Islah, and the STC are more difficult to broker or sustain. Moreover, the blurred boundary

between AQAP and *salafi* miltiants in the South will make the future policing of such militancy a politically fraught challenge to Yemeni state (re)builders.[8]

Unarmed Groups Indifferent to State Institutions: Civil Society and the Private Sector

Some of Yemen's wide array of civil society organizations and private sector actors fall into this category. In some cases, they are carrying out functions that have in the past been the work of the state, providing for the privatization of peace by restoring basic services and rebuilding infrastructure. In other instances, they are providing entirely new services. In either case, they operate according to a local self-help ethos in relation to specific communities and/or in pursuit of profit. These are not mutually exclusive. Though such actors do not explicitly call for political inclusion in state institutions, their provision of basic state functions will have implications for any version of a post-conflict Yemen, particularly where private sector actors have carved out profits through the provision of essential services.[9] Moreover, some private sector actors have close ties to foreign and domestic investors with clear political agendas, turning private sector-led reconstruction into an opportunity for partisan, sectarian, and/or foreign influence-brokering.

Unarmed Groups Seeking to Shape State Institutions: Activists and CSOs

Many of Yemen's wide array of civil society organizations, and organized and semi-organized "initiatives" fit into this category, offering services and contributing to reconstruction where possible but with the explicit aim of a more inclusive political future. This category includes many of the activists and organizations that participated

in the 2011 uprising, some of whom also were active in Yemen's transitional institutions from 2012-2014. Organized groups representing women, youth, specific localities, particular sectors of the economy, etc., have sought voice in formal diplomatic channels, hoping to contribute to a more inclusive peace process that factors in the needs and political claims of non-combatants. While UN processes have shown limited openness toward such groups, many have been able to amplify their positions through partnerships with international civil society and donor organizations; their medium-term goals extend beyond service provision, however, to political inclusion and the remaking of the Yemeni state.

Building Governance from Below/Outside the State

The diverse range of practices and goals expressed by non-state actors in Yemen raise serious questions for Yemeni state-(re)builders. Some of these practices and goals may be fundamentally incompatible with the restoration of a single territorial Yemen. Others may aim at reconfigurations of power that appear today unattainable (but may not remain so). But many practices by non-state actors are already building governance outside of the context of state planning or authority. Whether a nascent post-conflict state might be able to capture the benefits of this kind of bottom-up governance and transform it into meaningful state-building will depend on the extent to which powerbrokers who negotiate the parameters of peace in Yemen first recognize and then enable the promise of these groups, and whether they are willing to more widely share power themselves.

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Endnotes

1 This focus ranges from the critical theoretical emphasis on performativity and partiality in Wedeen's *Peripheral Visions* (University of Chicago Press, 2008), to more sensationalist policy analyses of state "underperformance" and insecurity in Ottoway and Boucek's *Yemen on the Brink* (Carnegie Endowment for International Peace, 2010) or more instrumental analyses of elite manipulation of the discourse of state failure, as in Sarah Phillips' *Yemen and the Politics of Permanent Chaos* (Routledge, 2011).

2 For a good recent overview of the Southern Movement's understanding of sovereignty and its relationship to the history of Southern sovereignty, see: Ariel Ahram, *Break All the Borders* (Oxford University Press, 2019), 95-120.

3 Maged al-Madhaji, "The Riyadh Agreement: Saudi Arabia Takes the Helm in South Yemen," Sana'a Center for Security Studies, 5 November 2019. https://sanaacenter.org/publications/analysis/8324

4 April Longley Alley and Peter Salisbury, "Peace is Possible in Yemen," *Foreign Affairs,* 11 November 2019. https://www.foreignaffairs.com/articles/iran/2019-11-11/peace-possible-yemen

5 Public opinion polling on living conditions and drivers of insecurity paint a portrait of considerable fragmentation, but in contested areas like Taiz, the Houthis are identified as a core driver of deteriorating conditions and personal and gender-based insecurity for a plurality of respondents. Yemen Polling Center, "Perceptions of the Yemeni Public on Living Conditions and Security-Related Issues," May 2017. http://www.yemenpolling.org/advocacy/upfiles/YPCPublications_YPC-Data---Perceptions-of-the-Yemeni-public-on-living-conditions-and-security-related-issues---May-2017.pdf

6 International Crisis Group, "Al Qaeda in Yemen: Expanding the Base," 2 February 2017. https://www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/yemen/174-yemen-s-al-qaeda-expanding-base

7 Elisabeth Kendall, "Impact of the Yemen War on Militant Jihad," in *Politics, Governance, and Reconstruction in Yemen's War,* POMEPS Studies 29, 27-30. https://pomeps.org/wp-content/uploads/2018/02/POMEPS_Studies_29_Yemen_Web-REV.pdf

8 Laurent Bonnefoy, "Sunni Islamist Dynamics in the Context of War," in *Politics, Governance, and Reconstruction in Yemen's War,* POMEPS Studies 29, 23-26. https://pomeps.org/wp-content/uploads/2018/02/POMEPS_Studies_29_Yemen_Web-REV.pdf

9 CARPO is currently funding a five-team research project exploring the role of many different kinds of unarmed non-state actors. For an overview of the project, which addresses the role of the private sector, media, youth organizations, women's organizations, and civil society broadly, see: Mareike Transfeld and Marie-Christine Heinze, "Understanding Peace Requirements in Yemen," Center for Applied Research in Partnership with the Orient, 5 March 2019, 20. https://carpo-bonn.org/wp-content/uploads/2019/05/carpo_policy_report_06_2019.pdf

Be careful what you wish for –
The Multiple Strategies of De-Sectarianization

By Morten Valbjørn

Does a shared agreement about the importance of challenging sectarianism necessarily translate into much consensus as for how to go about it and do some of these efforts carry their own potential pitfalls, which deserve attention in discussions about how to promote inclusion and reconciliation in deeply divided societies? These questions have become increasingly important to reflect upon as news stories about Lebanon and Iraq in recent months have carried headlines about how these two countries are 'breaking the sectarian chains' and experiencing 'a revolution against sectarianism' led by 'a nationalist movement against sectarian politics' which will lead to 'the end of sectarianism.' The dramatic events in Lebanon and Iraq might be the most outspoken and dramatic attempt at challenging the kind of sectarianism that has held such a prominent position in (debates on) Middle East politics in recent years. At the same time, they can be seen as part of a broader regional trend marked by a growing interest in challenging or getting beyond sectarianism. Expressions of this trend can be observed among elite and grassroots actors in different parts of the region as well as in scholarly debates. Thus, recent years have seen the emergence of research projects on 'de-sectarianization' (SEPAD), conferences and reports on 'Countering Sectarianism in the Middle East' (Martini et al., 2019) or 'Sectarian De-Escalation' (Mohseni, 2019) as well as the proliferation of references to 'anti/counter/post/trans/non/multi-sectarianism.'

This interest in how sectarianism can be challenged or overcome can be seen both as a reaction to and part of the last decade's debates. Thus, sectarianism has become 'a catchphrase in politics, media and academia' (Matthiesen, 2015: 16) to an extent that Western as well as Arab commentators, policymakers, analysts and academics sometimes have been described as 'almost fixated on sectarianism' (Wehrey, 2013: x). Little consensus emerged from this debate, when it comes to the question about the nature, causes and consequences of the recent 'sectarianization' of Middle East politics (Hashemi and Postel, 2017; for an overview Valbjørn and Hinnebusch, 2019). However, in general sectarianism was 'mired in negativity' (Haddad, 2017), and most observers appeared to agree that sectarianism was something to avoid, refute, oppose, eliminate or exceed. As a consequence, recent years' debate on 'anti-sectarianism,' 'counter-sectarianism,' 'post-sectarianism,' 'trans-sectarianism' and 'de-sectarianization' has been wrapped in positive connotations just as 'non-sectarian,' 'multi-sectarian' or 'cross-sectarian' movements and initiatives generally have been viewed in very positive terms.

In view of the well-known negative outcomes of (some kinds of) sectarianism, including discrimination, political instability, violence, repression, nepotism, corruption, paralysis, exclusion etc., this almost unambiguous positive view of anti/counter/multi/post/trans-sectarianism is hardly surprising. Yet, when you as an academic meet such a consensus about how something is unequivocal good it is tempting to reach for your revolver – or at least to challenge the consensus by making things more complicated and full of dilemmas. Based on an examination of some of the current and past debates on and examples of how sectarianism can be and has been challenged by various kinds of actors in the Middle East, I will in the balance of this paper take on this ungrateful task. In the following, I will show how a shared ambition of challenging sectarianism can translate into very different kinds of top-down and bottom-up strategies, some of which are burdened with their own problems or dilemmas, raising the question whether the cure is always better than the disease.

Strategy #1 All that we share: unity, community and homogeneity

The basic aim of the first strategy is to make people aware of what unite rather than divide them and unity, commonality and community are therefore center stage. This strategy, which has not only been very prominent in the current but also in past debates, exists in various versions some of which have a top-down direction and others are more bottom-up.

One version is the 'ecumenical unity discourse in Islam,' which focuses on how Shia-and Sunni-Muslims are all Muslims. This emphasis on how Muslims of different sects share the same basic beliefs is far from new and is closely connected to the debate on *taqrib* and pan-Islamic visions represented by figures as al-Afghani or Khomeini (Brunner, 2004). More recently, it can be identified in the Jordanian 'Amman Message' initiative, where more than 200 Islamic scholars from various strands of Islam not only called on tolerance and unity, but also declared *takfir* as prohibited. In her study of debates on Islamic unity among Shiites Corboz (2019) has similarly identified a position that emphasized commonalities between Shia and Sunni Islam and how the early Shiite imams were working for unity among Muslims.

Another version focuses on a different kind of uniting community: the national. During Middle Eastern modern history, the idea that different groups in a society are united by being member of the same nation has been present in different versions. While the Arab nationalist idea about how Arab Christians, Shia and Sunni Muslims were all part of the same Arab nation today plays a far less significant role than in the past, a number of observers have pointed to how some of the regimes in the Gulf-countries, for instance, recently have started replacing a sectarian rhetoric in favor of a what has been labeled as new hyper or ultra-nationalism (Alhussein, 2019, Ardemagni 2019). Such attempts at strengthening a distinct national identity, reflected in curricula in schools, museums displaying national history and heritage,

National Day celebrations, and heritage festivals, can - in principle - enable inclusion of previously excluded groups. In Saudi Arabia, a traditional anti-Shia rhetoric has not only been toned down in favor of a Saudi nationalist one. A smiling King Salman has been shaking hands with Shia clerics and businessmen and the King Abdulaziz Center for National Dialogue has launched a program in the Eastern province to promote communal coexistence and enhance national cohesion (Diwan, 2018).

In addition to such elitist top-down initiatives, this first strategy can also be identified among various grassroots initiatives. During the 2011 uprisings in Bahrain, protesters at the Pearl Roundabout shouted that they were 'neither Shia, nor Sunni, but Bahrainis' and during the Lebanese 2018 elections the coalition 'Kulna Watanti' emphasized how 'we are all patriots.' Most recently, the national anthem 'Kulluna li-l-Watan' ('All of us, for our country!') has resounded at the large demonstration across Lebanon, where protesters in all kinds of creative ways emphasize national unity, such as when flashlights represented the various sects merged into the Lebanese flag.

Strategy #2 'Good vs Bad Muslims,' 'people vs regime' and other alternative cleavages

While the first strategy might be the most prominent, it is not the only one. Rather than emphasizing how we are all alike, another strategy does instead try to counter sectarianism by emphasizing other kinds of cleavages that go across the Shia/Sunni divide.

This strategy also comes in more versions. Some of these draw on the classic 'Good vs Bad Muslim' distinction (cf. Mamdani, 2004). In her aforementioned study on Shiite unity discourses, Corboz (2019) also identifies a discourse, which tries to counter the Shia/Sunni distinction by introducing another one that distinguishes between a minority strand in Islam represented by Wahhabi-Salafism and the majority strand of 'mainstream Islam,' which includes both Shia and Sunni Muslims. Another version of this strategy, currently promoted by the Egyptian,

Saudi and Bahraini regimes, makes a distinction between (their own) 'moderate official Islam' vs. what is labeled as 'radical Islam,' which includes a rather diverse group of actors, including al-Qaida, Islamic State, Iran and Muslim Brothers. When the Shia cleric Nimr al-Nimr, who was a prominent opposition figure in Saudi Arabia, was executed in 2016, the Saudi regime did for instance not only label him as a 'radical terrorist.' They did so as part of a mass execution together with Sunni Muslims accused of being part of al-Qaida. The regime in Bahrain seems in a similar way to have replaced the strategy of mobilizing Sunnis as a way of countering the Shia-dominated opposition with a strategy that aims at countering all kinds of critical political activism and in particular Islamist mobilization – Shia or Sunni (Valeri 2018).

Like the previous one, this second strategy does also come in 'bottom-up' version. Here the purpose is to challenge rather than supporting those in power by stressing a divide between the elite/regime and the people. This was, for instance, the case in the early days of the 2011 uprisings in places like Syria, Yemen and Bahrain. By shouting that 'the people want the downfall of the regime' ('*ash-shab yurid isqat an-nizam*'), protesters emphasized how their grievances were directed at the regime rather another sect. During the Lebanese protests in 2015 'You stink' did likewise not only refer to the rotting garbage in the streets, but also to what was considered a corrupt sectarian elite serving only their own narrow interests rather than those of the people (Salloukh, 2015; Yahya, 2017). A similar critique can be identified in the current protests in Lebanon, where the protesters' slogan that 'all of them, mean all of them' (*Kellon Ya'ni Kellon)* refers to a demand that the whole corrupt sectarian elite must leave, regardless of sectarian affiliation (Cham and Salem, 2019).

Strategy #3 Cooperating between and across sects

Contrary to the previous strategies, the final one does not deny the existence or importance of sect-centric identities. Instead, it aims at promoting a more 'banal' – rather than 'radical doctrinaire'- form of sectarianism (cf. Valbjørn and

Hinnebusch, 2019). Besides enabling co-existence, this is supposed to promote cooperation across sectarian divides. Like the other ones, this version also comes in various and quite different forms.

The first and probably most controversial version is represented by the Lebanese political system. By other strands in this debate, the Lebanese form of consociationalism usually is considered as representing everything that is wrong about sectarianism. However, some observers have suggested that in a sectarianized Middle East, where sect-centric identities have become prominent, Lebanon represents a kind 'proto-model' for promoting co-existence and cooperation (Salamey, 2016).

Some of the groups that have been highly critical of the Lebanese political system can also be perceived as an example of this third strategy. A case in point is Beirut Madinati, which at the local elections in 2016 tried to challenge the sect-centric political elite. The movement has been described as 'multi-sectarian' (Yahya, 2017), which makes some sense. Thus, instead of denying the role of sect-centric identities, they were very attentive to ensure an equal representation of members from all sects in the movement.

The so-called 'Project on Shi'ism and Global Affairs' and their work on 'sectarian de-escalation' can be seen as yet another version of this third strategy (Mohseni, 2019). Here, sectarianism is perceived as an 'intrinsic part of any religious tradition and reflects the plurality of interpretations.' Instead of viewing sectarianism solely in negative terms and as something to be countered as such, it is therefore argued that the 'goal should not necessarily be to encourage Muslims to eliminate or resolve different sectarian points of view but rather to eliminate or resolve the destructive and harmful aspects of sectarianism.' From this perspective, sectarian de-escalation is about 'acknowledgment and respect for diverse interpretations of Islam' and the expansion of pluralistic spaces in which different strands of Islam can 'co-exist and grow alongside one another.'

Be careful what you wish for...

By now, it should be clear that an agreement in principle about the importance of challenging sectarianism does not have to translate into much consensus as for how to go about it. Moreover, an in many ways sympathetic ambition does not mean that it is without its own challenges. Sometimes, the cure may almost be as bad as the disease raising the question about what has been gained. This issue does also deserve attention in the present context.

The *first* strategy with its focus on what we all share may sound as something nobody can be against. However, on closer inspection a number of issues emerges. Thus, this strategy has a very homogenizing ambition and in its more excessive versions, it does not leave much space for diversity, pluralism and difference. This raises the question about whether a denial or maybe even suppression of sect-centric identities is realistic or will it rather trigger a backlash as similar homogenizing strategies have produced in the past. Another issue concerns the question about who are supposed to define what unites us and to what extent that will also entail exclusions; in other words, who have the right of speaking on behalf of 'Islam,' 'the nation,' 'humanity,' 'the people'? Thus, the 'standard' story about Islam has often been the Sunni version leaving little space for Shias and what about those who are not Muslim or religious at all. If the Iraqi nation post-2003 has become Shia-centric where does this leave the Sunni population? And even if a new Saudi nationalism becomes less Sunni-centric and more inclusive, it is hard to imagine that the Saudi regime will accept a form of nationalism where the Saud family is not center stage.

As for the *second* strategy, it should be obvious that some of the alternative cleavages supposed to replace the Shia/Sunni divide can be used in a just as excluding and potentially repressive way as when various authoritarian regimes in recent years have played the 'sectarian card' (Valbjørn and Hinnebusch 2018). Thus, the recent rise of hyper-nationalism in the Gulf has been accompanied with distinctions between those loyal to (the regime's vision

about) the nation and the 'traitors' (England and Omran 2019), and the 'Good/Bad Muslims' distinction has likewise been used to repress various forms of critics (across the Shia/Sunni divide).

When it comes to the *third* strategy, it may leave more space for pluralism and diversity. At the same time, the strong attentiveness to existing sect-centric identities entails the risk of unintentionally reproducing the many well-known problems of sectarianism, which it is supposed to challenge. Moreover, multi-sectarian movements are by nature very heterogeneous. This does not only pose a challenge when it comes to formulating a shared vision, but does also leave them vulnerable to internal fragmentation and infiltration from political forces representing the existing sectarian system.

Where do we go from here...

If a growing consensus about the need for challenging (some forms of) sectarianism does not have to produce agreement as for how to go about this and if some versions of the identified strategies carry their own problems, where does all this leave us? The current protests in Lebanon and Iraq should serve as a reminder of how these challenges do not mean that the growing interest in anti/counter/multi/post/trans-sectarianism should be dismissed as a futile endeavor. On the contrary, it may have become even more important. At the same time, it also seems to be time for a deeper and not at least more critical engagement in what it means to challenge sectarianism. This requires a recognition of some of the potential pitfalls and dilemmas associated to this endeavor and serious discussions about how they can be addressed in a way where the cure does not end up being almost as bad as the disease.

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Sovereignty, Biopolitics and De-Sectarianization in Divided Societies

By Simon Mabon

Politics, for Ibn Khaldun, is concerned with "the administration of home or city in accordance with ethical and philosophical requirements, for the purpose of directing the mass toward a behaviour that will result in the preservation and permanence of the (human) species."[1]

The quest for survival is a fundamental part of the sovereign's remit, resulting in governance strategies designed to regulate life, ensuring security and stability. Yet in the contemporary Middle East, the prevalence of conflict and politically charged processes of sectarianization have posed serious challenges to governance strategies aimed at the preservation and permanence of particular communities. The struggle to regulate life posed serious challenges to political organisation, particularly so amidst the emergence of the modern state, referred to by Ghassam Salame as the "original sin."[2]

Within states, regimes and political elites seek to ensure their survival through the regulation of life in accordance with carefully constructed biopolitical machineries of sovereign power. In contemporary debates on states, sovereignty and the regulation of life, biopolitics is a prominent feature, given that the machineries of power are designed to regulate all aspects of life; as Michel Foucault famously argues, biopolitics constitutes a "power to foster life or disallow it to the point of death."[3]

The regulation of political projects and manifestation of sovereign power does not occur in a vacuum. *Biopolitical processes* that regulate life draw on local contexts and contingencies, embedded within social, normative and economic structures and capitalizing on the rhythms of everyday life in pursuit of regime survival. For instance, efforts to regulate life across Lebanon are embedded onto what Bassel Salloukh terms the "political economy of sectarianism," with devastating repercussions for the regulation of life. As a consequence, they also can aggravate grievances that exacerbate conflict, particularly as these factors are complicated by the conflagration of religion, ethnicity, geopolitics and socio-economic forces.[4] This is quickly seen in the contestation of political life after the Arab Uprisings, which led to an increasingly draconian form of authoritarianism, underpinned by exclusionary forms of identity politics that make post-conflict transformation and peace building problematic.[5] As Steven Heydemann suggests, in such precarious instability, the "future of Arab authoritarianism will be darker, more repressive, more sectarian and even more deeply resistant to democratization than in the past."[6] Working towards democratization and peace building broadly requires the untangling of these identities or, put another way, the de-sectarianization of political life.

In the case of Bahrain, the cultivation of sect-based difference is a key component of sovereign power given that cross sectarian co-operation is typically seen as "the biggest internal threat to regime survival."[7] Here, biopolitical machinery designed to regulate life and prevent the emergence of cross-sectarian unity – best documented in the Bandar Report[8] - targets Shi'a groups using all aspects of sovereign power and is supported by electoral gerrymandering, leaving 1 Sunni vote the equivalent of 21 Shi'a votes in one district.[9] Similar practices occur in Lebanon and Iraq, as sectarian elites seek to solidify their position within both political projects and communities.

Agamben's Biopolitics

The Italian political theorist Giorgio Agamben offers an especially useful theory here, where biopolitics and sovereign power operate through the regulation of abandonment and the distinction between *Zoe* and *bios*, the good life and *bare* life.[10] Agamben's work on sovereign

power gained traction after the events of 9/11, facilitating greater awareness of the ways in which regimes ensure their survival in what he terms a perpetual time of crisis. A key aspect of Agamben's work on sovereign power and the state is *the camp*, taken to be the "hidden matrix of modernity," a space that opens when the state of exception is provided with a permanent spatial grounding. This claim stems from efforts to regulate life through biopolitical processes, emerging from the constitutional capacity to suspend the law in an attempt to preserve the political project. In the camp, "as its inhabitants were stripped of every political status and wholly reduced to bare life."[11]

While traditionally applied to Western democratic tradition, in recent years a growing body of work has used Agamben's ideas in the Middle East. For Sari Hanafi, writing about Palestinian refugee camps in Lebanon, the camp is a "space of exception, a space out of place" where the sovereign exerts "disciplinary power, control and surveillance."[12] Yet *the camp* can also refer more broadly to territory controlled by the sovereign. In such conditions, as Jenny Edkins and Veronika Pin-Fat argue, "We have all become homines sacri or bare life in the face of a biopolitics that technologizes, administers, and depoliticizes and thereby renders the political and power relations irrelevant."[13]

While Agamben's work speaks to a number of states across the Middle East, in others it appears more problematic, struggling to explain the ways in which life is regulated amidst the fragmentation of political projects and the emergence of a range of competing biopolitical structures. In spite of these problems, Agamben's approach helps to raise questions about the ways in which sovereign power operates and the role of sectarian identities in biopolitics; moreover, this approach also prompts us to reflect on how sectarian identities are re-negotiated or resisted.

Biopolitics Across the Middle East

These ideas are particularly relevant in the context of conflict, territorial fragmentation, ideological contestation or geopolitical penetration, leading to an array of parabolic

pressures such as that seen in Yemen, Syria, Lebanon or Iraq at various times in their recent histories.

In a number of cases, amidst the fragmentation of political projects competing visions of sovereign power and organisational structures have emerged. In cases such as Lebanon and Yemen, where sovereign power has failed to regulate all aspects of life, Agamben's ideas appear problematic. Yet here we see the emergence of 'nestled' sovereignties, often running concurrently yet with their own visions of ordering, in a form of 'hybrid sovereignty'. Here, it is possible for competing biopolitical structures to emerge which can run concurrently, with potentially devastating implications for political projects and peace building efforts. Such processes make a range of different claims to legitimacy, whilst regulating the life of particular constituencies, drawing on a range of strategies, including the mobilization of sect-based identities and the political economy of sectarianism to secure and reproduce sectarian identities.

In these contexts, parallel biopolitical projects each seek to regulate life in respective communities, often overlapping across urban spaces, political contexts, often resulting in inter-communal tensions. These governance projects are re-enforced by the socio-economic organisation of life which serves to strengthen intra-communal relations while also more clearly articulating difference between communities. Amidst competing claims to legitimacy, space, access to political life, or resources, it is easy to see the descent into inter-communal violence, such as that witnessed in Lebanon or Iraq, particularly amidst the instrumentalization or mobilization of potentially fractious identities, reinforcing sectarian identities in the process.

In cases where sectarian identities have become (geo) politically charged, peace building also requires the de-sectarianization of political life. The concept of de-sectarianization shares characteristics with other concepts including post-sectarianism and anti-sectarianism yet brings together a range of other factors to look at the ways in which the politically charged sectarian difference can be addressed.[14] De-sectarianization is the re-imagining

or contestation of dominant sectarian identities which often play a prominent role in the biopolitical structures of the state.[15] As scholars such as John Nagle, Hiba Bou Akar and others have argued, the contestation of sectarian identities has typically occurred from people outside of these political structures who are addressing a range of grievances that often emerge from within the biopolitical machineries of sovereign power.[16]

Resisting sectarian identities maintained through governance strategies is a serious task, given the refinement of biopolitical processes, yet the manifestation of protest across the final months of 2019 demonstrates the capacity of agency to operate in the face of sovereign power. This perhaps stems from the creativity of agency[17] or the competing claims to sovereign power that has been so evident across Lebanese history. Negotiating or resisting the biopolitical technologies of sovereign power – a process of de-sectarianization - is central to processes of democratization, peace building, and good governance, given the prominence and resonance of sectarian identities across political projects.

Conflict transformation aimed at fostering more positive form of social cohesion requires addressing not only the seemingly intractable differences that drive conflict, but also the political and socio-economic structures that reproduce sectarian, political, social and economic grievances that operate within or alongside each other. Such efforts typically require both 'top down' and 'bottom up' efforts to achieve this goal. Yet the complexities of the way in which biopolitical power operates alongside socio-economic structures means that it incredibly difficult to assert agency and facilitate lasting change across divided societies.

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Civil society mobilization as a driving force in bridging the political divide and promoting reconciliation in postwar countries

By Makram Ouaiss

The study of civil society in the MENA region points to several key factors inhibiting the role of civil society in bridging the political divide and promoting reconciliation in postwar countries. Societal transformations that are a direct consequence of the conflict and violence, as well as factors that are more strictly related to civil society itself, prevent civil society from playing the role scholarship might otherwise expect.

Societal transformations, the result of structural injustices, a history of conflicts and unresolved claims, and the emergence of informal affiliations to warlords generate deep social distrust and divisions that take time to heal. Years of violence and the lack of governmental will or capacity to normalize people-to-people relations further complicate the situation (Pouligny 2005, 496). In cases where the violence drives a mass exodus of moderate educated elites, who used to or could play a tempering role in a post-conflict environment, their departure leaves the landscape to the more militant or embattled as well as powerless members of society further delaying the ability of civil society to recruit active and influential members of society (Stanksi, 2005, 208).

This paper argues that civil society's effectiveness in playing a constructive role in national reconciliation processes and in bridging political divides in post-conflict societies is directly related to four factors: 1) the space available for civil society to exist and to organize, 2) the accumulated experience and mobilization of civil society, 3) the level of power in the hands of former warlords and war-time leaders; and 4) the ability of warlords and war-time leaders to be essential actors in political institutions. (AbiYaghi; Yammine & Jagarnathsingh, 2019, 3-5)

Variation Across Cases

Across the MENA region, civil society organizations' existence and level of influence have varied considerably from country to country (Marchetti and Tocci, 2009, 201-217). Prior to the fall of authoritarian regimes in countries such as Libya, Iraq, and Syria, an independent civil society was not allowed to exist (Samad, 2006, 6-12). In semi-authoritarian systems, however, civil society organizations found space to grow even if regularly checked by rulers and regimes fearing their existence, increasing influence in society, and potential challenge to their power. Such a phenomenon was seen in Bahrain starting in the late 1990s, in Sudan during rule of President Omar Hassan Ahmad al-Bashir, and in Yemen during most of the rule of President Ali Abdullah Saleh (Hafidh and Fibiger, 2019, 114-117).

Where civil society exists in semi-authoritarian countries, despite its often intimate knowledge (Pouligny 2005, 495-501) of the political situation and readiness to act, it is faced with limited experience in the areas of political reform, transitional justice, and conflict resolution (Stanksi, 2005, 216-217). These challenges are compounded by meager resources and limited capacity to build effective alliances and coalitions across a deeply divided society (Kinninmont and Sirri, 2014, 16-19) reducing its effectiveness and success in post-war political reform and reconciliation.

Countries of the region that have experienced an active civil society role in recent years, especially following a period of intense political violence or conflict, can be grouped in three categories. The first category is one where the overwhelming role of civil society has been concentrated in advocating for the rights of the downtrodden even at the expense of civil peace and an inability to play a role in the political reform process. Bahrain can be considered such a case where a large number of civil society organizations were pulled into the renewed political conflict in recent years, greatly limiting their ability to contribute to reconciliation and to bridging the existing political divide (Wimmen 2014, 6-11).

As for the second category, namely countries such as Yemen in the mid-90s and Iraq in the late 2000s, we witness a mixed role for civil society (Lussier & Fakher, 2018, 920), with some groups playing an active and effective role in the area of political reform and reconciliation. This is especially the case for human rights organizations, election observation groups, women and youth rights groups, and development groups (Safa 2005; Marchetti and Tocci, 2009). In contrast, civil society groups in the first category tend to side with one of the parties of the conflict, leading to the intensification of political tensions; considerably reducing their ability to influence political reform and the reconciliation process (Wimmen 2014, 12-15).

The Case of Lebanon

The third category includes more open societies such as Lebanon. Here civil society existed and had a visible role, albeit in a limited form, during the civil war of 1975-1990, and was later able to grow and consolidate despite the repressive nature of Syrian and Israeli occupations during the 1990s and early 2000s. In countries where civil society has been able to peacefully influence political reforms, it can play a conflict-mitigating role following the conflict period. The ability to play such a role is tied to accumulated experience, a high degree of mobilization, and advanced levels of local and international networking.

The real contribution of civil society in Lebanon and similar cases can be summarized along two main axes: activities that have paved the way for institutional reforms and, alternatively, those that have helped heal the wounds of war and build the infrastructure for sustainable peace.

Among the activities that fall under institutional reforms, one can include election law reform, human rights protection, women's rights legislation, legislation for better governance and greater transparency, workers' rights promotion, creating and supporting dialogues between political leaders and refugees (chief among them the Palestinians), encouraging Lebanon to join certain conventions that help reduce the risk of war and encourage

greater accountability, and cooperation with international organizations to enhance governance overall.

As for the second axis, peace building, civil society has, and continues to, contribute to bridging the political sectarian divide and encourage people-to-people bottom-up reconciliation. Here one can note the work done in the Shouf between the Christian and Druze communities, or in Tripoli between the Sunni and Alawite communities, in the organization of camps for children and projects for youth from different regions to meet, discover and help the sectarian 'other,' and build an inclusive national identity. Such activities also include raising awareness about the fate of the missing and kidnapped (Khodr, Al Jazerra, 2018). Such efforts also include building coalitions for civil peace, as in the case of *Wahdatouna Khalasouna*, a coalition of organizations active in lobbying politicians and decision makers to adopt priorities supportive of reconciliation and transitional justice, lobbying and demanding politicians engage in dialogue such as during the Doha peace agreement, pressuring politicians from the street and through the media to resolve their differences peacefully such as following sectarian incidents in Beirut, the Bekaa, and Tripoli among other areas. Organizing war commemorations to push political elites to commit themselves publicly to peaceful ways of resolving their differences also fall under this umbrella, as does creating joint religious holidays and a new religious symbolism around Mary, mother of Jesus, (Grandchamps, *L'Orient Le Jour*, 2019) that political parties, religious leaders and other decision makers can rally around. Mobilizing professionals and opinion makers to take public stands against political violence, and using art, plays and dialogues to raise awareness among the new generations have also been successful at various times.

It has been possible for civil society to push forward its agenda and to pressure all political sides to agree on steps to keep the peace by maintaining an equidistant relationship from all sides and by not challenging their presence in power. Yet, such efforts have not yet been able to push former warlords from power or address thorny and pressing issues such as the fate of the 17,000 civil

war missing and kidnapped, the need to adopt a new and unified history curriculum, deal with the legacy of war crimes and assassinations, or address human rights abuses in war-time prisons (Baytiyeh, 2016, 552).

Conclusion

The findings of interviews with 10 Lebanese civil society activists who played a leading role in the post-war era about the contribution of civil society in bridging the political divide and promoting reconciliation in postwar countries is mixed. While the majority recognizes the impact civil society has had in pushing forward essential political reforms, they remain skeptical that the efforts made to rebuild people-to-people ties and to achieve reconciliation are effective in overcoming future threats. This is particularly salient in the absence of government buy-in, despite successful programs that civil society activists recognize as essential in helping re-open the channels of communication and avoiding renewed conflict in the short term. While civil society can be credited for keeping a spotlight and working on the issues needed for long-term reconciliation, such work will remain incomplete as long as those who fought the war maintain political control.

The growing economic and social discontent that lead to the October 17, 2019 revolution has highlighted the active role of this civil society in influencing the political discourse and political demands for reform. While the revolution is still far from achieving its main goals, significant strides have been made in reasserting a cross-sectarian and one could argue non-sectarian national identity among a large section of the population, while concurrently demanding the departure of war-time leaders and in-depth reform of the dysfunctional and corrupted political system they have left the country with.

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Inequality, Renteirism and the Roots of Lebanon's October 2019 Uprising

By Ala'a Shehabi

Lebanon's need for a revolution against sectarianism has been widely discussed in the months since its October 2019 uprising began. But such a revolution cannot succeed without understanding how the rentier economy precipitated the crisis and decimated state provision of public goods and services.

Much research has gone into the historical, political and economic analysis of Lebanon's post-independence and post-Taif sectarian order. This order produced one of the most unequal countries in the world in terms of income and wealth distribution (Alvaredo et al., 2017; Assouad, 2017). An extreme concentration of incomes where 1 and 10 percent of the adult population received approximately 25 and 55 percent of national income is even worse when we consider wealth , 1 and 10 percent receive almost 40 and 70 percent of total personal wealth (Assouad, 2017). Lebanon's public debt burden relative to GDP is among the highest globally. This entails high levels of debt servicing and interest payments, effectively lowering expenditure on investments, public infrastructure and social services. This extreme inequality sets it apart from other Arab states, where corruption was also rampant but less stark in terms of economic outcomes (higher income/wealth disparities, relative poverty and the lack of state provision of public goods and services.

How does this economic inequality intersect with the institutional challenge of unmaking sectarianism? Not only economists but scholars across disciplines have begun to engage this vital question. Ghassan Hage in his first response to the uprising blogged "Lebanese capitalism remains extreme and reactionary in its complete obliviousness to anything that can be called a 'public good'. It is also completely oblivious to the social and environmental consequences of the pathology of obsessive wealth accumulation by the Lebanese ruling class. The whole political system of sectarian patronage is articulated to this pathological economy. If anything trickled down in this system it is that pathological obsession with accumulation" (Hage, 2019). Bassel Salloukh similarly noted years ago that "instead of thinking of alternatives to the time-honoured but failed economic model upon which Lebanon is built, the sectarian elite sustain it while putting the whole country on life support" (Salloukh, 2016).

These arguments came together in the 2019 banking crisis that preceded the October uprising. And since then, lectures, protests, debates and back to back television coverage across channels are addressing the banking crisis. It became the apex where the sectarian, the financial and the political economic converged. With one foot in the state and another in the economy, the political economic elite play the double role of government lenders and bond issuers and debt interest payers and collectors, a veritable rentier lope.

Rentierism, Inequality and Sectarianism

The twin problems of inequality and sectarianism cannot be separated from the economic foundations of rentierism. Rent is typically defined as any income derived "from ownership, possession or control of assets that are scarce or artificially made scarce." As Salti (2019) point out this process of rentierization began immediately after the end of the civil war in 1990 as Beirut transformed into a financial centre and embarked on a rapid expansion of public debt, with post-war reconstruction serving as a primary tool for political elite enrichment, "This debt has exacerbated widening socioeconomic inequalities, creating a situation that now threatens the country's stability." ((Salti, 2019). Debt isn't necessarily a bad thing if it is invested and leads to a greater rate of productive economic growth, but that was not the case and instead Lebanon saw the regressive redistribution of wealth.

Others argue that in the post-2005 Hariri state, as the country stumbled from one debt crisis to another, the process of accelerated 'financialization' was also tantamount to accelerated rentierization and predatory practices capturing land, wealth and power. The product of rentierism appears across modern life; from the physical/urban, such as in downtown Beirut as a swathe of real estate was forcibly purchased to be replaced by luxury apartments, a port for yachts and shopping malls; to the social; the social divisions, and the dreaded 'rentier contract', the idea that loyalty is given in exchange for protection and services within the sect. This rentier paradigm was traditionally applied to the oil rich gulf states, but Lebanese rentierism is no different if we see that Lebanese oligarchs are as rich if not richer than some Gulf princes. The problem with rentierism is that it is unsustainable; rent generation based on a scarce resource eventually stops; Lebanon today is only one of 2% of countries that faces the tripartite crisis; a currency, a debt and a banking crisis. A currency peg that is valued too low to sustain current levels of imports; a very high risk of sovereign debt default due to lack of foreign currency reserves and the non-viability of several big banks facing an imminent run on deposits if capital controls are removed.

A social contract under rentierism?

What does it even mean to be talking about citizen/state relations or a social contract when an oligarchic state is an instrument for wealth production and concentration at the expense of the overwhelming majority of the population? The intersection of sectarianism, rentierism, inequality, popular mobilisation and the role of public goods is under-theorised, and here we lay an outline of how this intersection can be empirically understood.

Offering artificially higher and higher interest rates on (dollar dominated) deposits reaching 18%, those in possession of cash, from wages or diasporic remittances poured their scarce assets (cash) into the financial sectors. Bank assets exploded – size of total deposits reached USD 249.48 billion by December 2018 (443% of GDP). It is

normal for banks to then lend out most of these deposits to borrowers in need of credit e.g. for residential mortgages, business investments etc, but instead, commercial banks. lent approximately $137 billion to the central bank (BdL) through the purchase of sovereign bonds from BdL. BdL continued to offer commercial banks higher returns through 'financial engineering' – the details of this was undisclosed in BdL's reporting.

The difference in income derived from interest rates that commercial banks were paying to depositors and receiving from BdL would essentially be a profit. In the period 1993 to 2018, the net profits of the banks increased from $63 million in 1993 to $22.1 billion, increasing to $21 billion in 2018 (The Monthly, 2019). This rapid accumulation was akin to a windfall of rents, in the hands of just a few banks meant that little to none of that wealth trickled down to other sectors.

If we look further into the ownership of the main commercial banks, Chaaban (2016) suggests that "individuals closely linked to political elites control 43% of assets in Lebanon's commercial banking sector. 18 out of 20 banks have major shareholders linked to political elite. Moreover, four out of the top ten banks in the country have more than 70% of their shares attributed to crony capital." Only eight families control 29 percent of the banking sector's total assets, owning together more than $7.3 billion in equity. For example, one of the controlling shareholders (over 5% of shares) of Bank Audi is a company wholly owned by Fahad Al-Hariri, brother of the recent former prime minister, Saad Al-Hariri. Bank Audi's net profit was $559 million in 2017.

This interest rate then becomes the key power lever for rent extraction – in increasing interest rates, more deposits poured into Lebanese banks which were then used to buy sovereign bonds. The currency peg was necessary to remove any other sense of financial risk from currency fluctuation which can reflect international confidence in the economic and political system. After 2011, the Lebanese economy began to stall, as the Lebanese lira

began to lose value, BdL needed more dollars to maintain the currency peg, and so it issued more and more debt until debt reached 150% of GDP – one of the highest debt ratios in the world. But more debt, meant more interest being paid to the lenders (the commercial banks). The political control of these banks, i.e. the 'rentiers', is significant as it directly connects the growth of public debt, and hence rents, with the sectarian system.

BdL and hence the state are now beholden to commercial banks (the rentiers) and the interest payments they are owed on the one hand and the thousands of ordinary depositors on the other. A catastrophic loss of confidence in the banking sector has forced banks to impose capital controls – limits on how much ordinary depositors can withdraw (if anything). As we saw in the 2006 global financial crisis - a banking crisis very quickly translates into a crisis in the real economy – it affects livelihoods and peoples' quality of life relatively quickly. Unemployment could reach 50% as companies shut down or reduce operations.

The Lebanese state and sectarianism under rentierism

Lebanon's neoliberal capitalism centred on this type of interest/usury – unearned rent on (an also extracted) capital base (real estate and diasporic remittances), combined with sectarianism had a two-pronged effect. Firstly, it reduced the state to a mere shadow of the market, a clientelist instrument to reproduce sectarian identities (Salloukh et al 2015). Even at the level of the municipality, the state barely has any responsibilities at all especially in the provision of essential basic services; clean water, 24/7 energy, waste management, good basic education, public transport and healthcare. Thus, quality of life deteriorated rapidly in the absence of the provision of these 'public goods'.
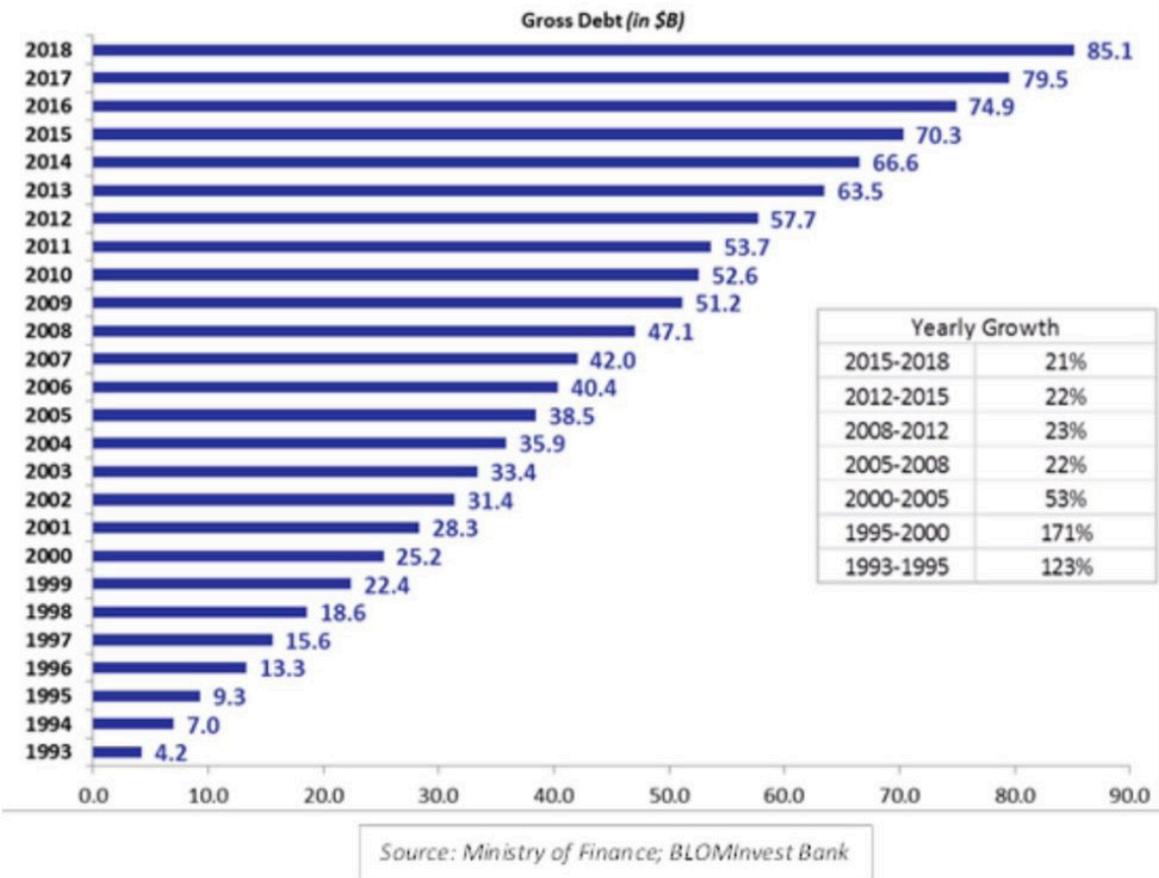
Secondly, rentierism precipitated the monopolisation of markets, of ownership and control, especially in terms of the limited bank lending, which lead to low levels of innovation and high levels of worker exploitation. The very type of financial rent extracted from the banking sector depended on the monopoly if not large shares of ownership of banks by the political class in the first place.

This elite capture has meant Lebanese banks owned by the political class hold more government bonds and provide more loans through political favouritism (Chaaban, 2019).

In terms of the real economy, none of this financialization incentivised public or private investment. Monopoly in the private sector reduced competition between firms, and where there is little competition between firms, Lebanese and Syrian labour lacks leverage. Around 4 in 10 workers lack formal work contracts. Pension and health service coverage among Lebanese older than 65years of age was very low with only 2 in 10 people covered (Jihyun, 2019). Instead of understanding this dynamic and the reasons for the race to the bottom on wages and worker conditions, Lebanese blamed Syrian workers rather than employers and politicians (often one and the same). The supply of cheap and precarious labour also aligned the interests of rentiers (banker/politicians) to continue the viscous cycle driven by power, control and monopoly.

At the macro level, crony capitalism was dressed up in a GDP-focused growth models of economic output driven by an international community of donors that congregated to offer loans through Paris I, Paris II, CEDAR. In 2017, the much-anticipated 1,200 page report by the international consultancy firm, "Lebanon Economic Vision" Self-described as 'top-down', this report was intended to inform the then newly formed government at the time of an economic plan to focus on key growth sectors in Lebanon's economy in agriculture, construction, tourism etc. "The Vision would aim to grow GDP and create jobs through selecting productive sectors that could become competitive and understand the government's role in that regard." It was a vision to further expand market opportunities for rentiers to invest and exploit, a continuation of an extractive model that would have enriched them even further.

Gross Debt (in $B)

Year	Gross Debt
2018	85.1
2017	79.5
2016	74.9
2015	70.3
2014	66.6
2013	63.5
2012	57.7
2011	53.7
2010	52.6
2009	51.2
2008	47.1
2007	42.0
2006	40.4
2005	38.5
2004	35.9
2003	33.4
2002	31.4
2001	28.3
2000	25.2
1999	22.4
1998	18.6
1997	15.6
1996	13.3
1995	9.3
1994	7.0
1993	4.2

Yearly Growth	
2015-2018	21%
2012-2015	22%
2008-2012	23%
2005-2008	22%
2000-2005	53%
1995-2000	171%
1993-1995	123%

Source: Ministry of Finance; BLOMInvest Bank

The Uprising

The buck stopped when the uprising eventually erupted. The stakes had always been considered too high; too many weapons in the hands of militia men with war fantasies, too much besiegement from Syria and Israel, too many entrenched geopolitical proxies to contend with, too many unhealed wounds and trauma from a civil war rendered the prospect of domestic conflict debilitating to imagine. But Lebanon had been bleeding for a long time: "The everyday sufferings of the general population, the catastrophic environmental consequences expected from the country's shameful garbage crisis, chronic power cuts and the hazardous effects of diesel generators on the air Lebanese breathe, in addition to the cancerous impact of polluted river waters on agricultural products, has prompted the elite to do absolutely nothing" (Salloukh, 2016).

Rentierism through its monopoly power over different economic sectors, weakened unions as industrial sectors declined, increased freelance working and self-employment and slowly individualised and atomised society tethered to consumerism satisfied through imports. In explaining the banking Ponzi scheme, Lina Mounzer describes "the isolating sense of feeling personally responsible for my inability to improve my financial situation, regardless of how hard I work, is being replaced with a sense of collective responsibility to expose and change he inequalities of the system we allow to regulate our lives" (Mounzer, 2019). In essence, this is the protestors search for civic solidarity and forms and levels of collective consumption – an attempt to rectify the tragedy of the commons.

The key contextual feature of rentierism in Lebanon, unlike in the Gulf states was the early privatization

of government functions. The very idea of "Public goods" a term used to describe collective consumption goods that are universally enjoyed by everyone and are provided by the state such as clean water, national defense, was slowly removed in the sectarian state. (Kohn, 2020) argues that 'solidarism' is a key rationale for public goods, "public goods could be seen as a way of correcting or compensating for the negative externalities of modern society while also fostering the sense of we-ness necessary for joint political action." The sectarian state stopped being an agent of collective aspirations over if/how resources are shared and distributed, the minimal basic needs for a 'good life' (shelter, food, health, education), and inequality therefore increased significantly.

Protestors quickly reclaimed both privatized spaces of luxury, Martyrs Square, Zeitouneh bay for example as well as abandoned ruin buildings like the Egg, invaded privatized spaces like Zeitouneh Bay, turning them into public squares for central gathering, debate and discussion – an attempt at decomodifying public space and create conviviality through it. The mini service-economies that were quickly set up were remarkable in their performative attempt to show the state what it could not achieve; waste management (volunteer clean-ups), renewable energy (solar panels on tents), clean drinking water, food supplies using leftover and unwanted food produce and, even internet routers were set up. These were infrastructural interventions crowd-sourced, crowd-funded, crowd-built restoring public goods.

If the sectarian form of rentierism produced unbearable experiences of inequality through coercive power and exploitation of workers- the crisis was not in the awareness of these inequalities, but in the collective inability to imagine alternatives; in politics, governance, and economics. The uprising, through myriad

articulations in protest slogans, in art, in poetry and song we see rendered new radical visions of the 'alternative' - the new ideas, shifting priorities (to social collective value), leadership (frontline women and youth) driven by the need and desire to change the conditions which produce inequality. Myriad articles are beginning to explore local imaginaries and spaces for action, how to expand them; how communities, the collectivist, construe radical visions of prosperity that sustain, renew and aspire for a good life. It will take a while to disentangle from the sectarian form of neoliberal politics but Lebanon's future prosperity is about centering social value in economic growth systems that prioritised wealth accumulation and profit over basic needs. Can the sectarian state, rebuild a post-rentier economy so that it provides public goods as a means of compensatory justice and civic solidarity or does the state itself need to be reconstituted in order to do so?

Prosperity is a lived experience and an imaginary defined by specific vision of self and other. It is clear it exists when people come together and build the world they would like to live in as they are doing across the squares of various cities. It is also an affect, and it is also a policy practice. Prosperity is not a fixed end point - it is a qualitative condition that locates social value over physical assets and intersects and will resist the ravages of rentierism to avoid inevitable inequality. Prosperity expressed through revolutionary thought is about the ethic of belonging, of sharing, of giving. It is about shared futures with those with different identities and different opinions. It will require the redistribution of social property that has been unjustly appropriated. As Lebanon contends with building a post-sectarian state, shared prosperity has to be at its core.

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Designing transitional justice:
Problems of planning political & institutional change in volatile political contexts

By Mariam Salehi

What role can political and institutional engineering play in promoting reconciliation and inclusion? Drawing on the Tunisian experience with transitional justice, I argue that there are two interrelated pathways. First, transitional justice processes offer a framework for initiating political and institutional change, often having these official goals. Second, they rarely have the competencies to actually do so, meaning that the implementation of political and institutional reforms geared at fundamental change depends on other political and institutional actors. Thus, transitional justice processes and their potential for contributing to political and social change are also subject to changing political environments, preferences and power structures. This may make it harder to actually achieve what was initially planned (and therefore, 'political engineering' to be successful). Transitional justice processes have both 'top down' and 'bottom up' elements to them. While transitional justice efforts aim to challenge those (previously) in power (cf. Valbjørn this volume), their initiation and implementation is subject to the political will of the powerful. In line with Valbjørn's invitation to reconsider the unequivocally positive connotation of de-sectarianization, this contribution challenges the notion that 'reconciliation' is always good and desirable. 'Reconciliation' can be purposefully misconceptualized and therefore discursively instrumentalize transitional justice terminology to fix a certain order of 'political life' (cf. Mabon this volume).

This contribution mainly draws on the Tunisian example, where there has been a very ambitious transitional justice process, introduced with much support by international transitional justice professionals and aimed at initiating political and institutional change. Transitional justice in Tunisia has been strongly anchored in the constitution, and legislation allowed for the establishment of institutions that were quite powerful on paper, but which still did not have the competencies to execute these changes on their own. Despite this main focus on a post-authoritarian context,

the difficulties of planning and performing political and institutional change in a volatile political environment would also be applicable to a postwar context, in which political order is re-negotiated and in which sectarianism presents a major challenge. There is a tension between challenging political and socio-economic structures, a certain dependency on these structures to achieve change, as well as the potential of exacerbating conflict (cf. Mabon this volume and Leebaw 2008).

Transitional justice, fostering change, and 'reconciliation'

The term 'transitional justice' is "associated with periods of political change" (Teitel 2003, 69; see also Arthur 2009). It captures both a societal process for achieving justice and accountability after conflict or violent rule, and a set of measures that is employed in order to facilitate this societal process. These measures commonly include trials, truth commissions, reparation or compensation measures, vetting/lustration, and sometimes also memorialization efforts and public apologies (see e.g. International Center for Transitional Justice 2009). Transitional justice should be both backward and forward looking. Transitional justice processes, and the corresponding institutions, aim not only at rectifying past wrongs and establishing a historical record of past atrocities and other violations (such as socio-economic marginalization), but also at changing societal standards of what is acceptable and fostering political, institutional and sometimes structural change.[1]

One goal of transitional justice that is often mentioned, but which remains rather elusive, is 'reconciliation' (cf. Subotić 2015, 366). In general, in divided society it is hoped that transitional justice measures help to ease tensions and thereby foster peaceful living together of those previously involved in conflict. However, there are mixed findings on whether transitional justice can be considered successful in this regard. The various types of measures are assessed

differently in the academic literature and there is no agreement about whether a particular type of measures, such as trials or truth commissions, contributes better to sustainable peace than others.[2] Moreover, I posit that one should use the term 'reconciliation' with caution. On the one hand, 'reconciliation' is sometimes discursively used by political actors in order to suppress quests for change or to legitimize repressive politics. On the other hand, I do not want to take it for granted that 'reconciliation' is always a desirable goal: the relative reduction of power differentials in favor of the weaker group may increase the intensity of conflict and friction rather than bringing about agreement and friendly relations (Elias 1977, 130).

Temporal and functional dependencies of initiating political and institutional change through transitional justice

The Tunisian transitional justice law[3] aims at institutional reforms in various spheres, with the goal of "dismantling and rectifying the system of corruption, oppression and tyranny so as to guarantee the non-repetition of the violations, the respect of human rights as well as the establishment of a State of Law."[4] It also explicitly should "encourage national reconciliation."[5] The law provided the transitional justice institutions, and especially the Truth and Dignity Commission, with a mandate to pursue these goals. What it does not do, however, is provide them with clear pathways or competencies on actually initiating, designing, and implementing these kinds of reforms. However, in general the introduction and implementation of transitional justice measures, and especially of measures that are not only backward looking but also have influence on current and future power structures, requires political will. As Philippe Schmitter remarks, it matters when and how "decisions about meta-rules are made, debated, ratified and implemented" (Schmitter 2001, 132).

In Tunisia we can see very well how a 'window of opportunity' and the "revolutionary spirit"[6] was used to introduce a very comprehensive and far-reaching transitional justice project, and to anchor it in the constitution. However, the political situation and power relations in Tunisia significantly changed after the

development and adoption of the transitional justice law, which was passed by the National Constituent Assembly at the end of 2013. The political situation has been volatile and those who had a strong interest in fostering change (or political engineering) in the way foreseen in the transitional justice law lost power in the 2014 elections. According to a senior Ennahda politician, former President Essebsi, who was elected in 2014 and died in office in 2019, rather had a "We must leave the dead alone" attitude towards transitional justice.[7] Thus, since "old clientelistic networks [were] rejuvenated" (Boukhars 2017, 263) those who gained power in the government and the presidency were not interested anymore in dealing with past crimes and in dismantling oppressive structures, since this was bearing the danger of undermining their power basis. They did not support the transitional justice institutions or even provided challenges to their work.

In Tunisia, but probably also in other transitional contexts, institutional reforms (and thereby political engineering) depend on different political bodies – and not only just the transitional justice institutions. They have to fit the government's agenda and/or find support in parliament. In research interviews with members of the Tunisian Truth and Dignity Commission, they lamented about their dependency on other political bodies if they actually wanted to fulfill their mandate. As one truth commissioner gave as an example, if they should propose institutional reforms and vetting of those responsible,[8] they should know which understanding of the responsibility these should be based on. They felt that they needed more guidance by parliament for these decisions.[9] A parliamentarian, whom I asked about parliament's plans in this regard, however did not see it as their task to provide this kind of guidance to the truth commission, since they would be occupied enough with pursuing their own law-making projects. They did not see transitional justice as a viable avenue for institutional change and reforms.[10] Similarly, a representative of the Tunisian General Labour Union (UGTT) stated that they found other avenues for exerting influence on political processes in order to push for change more promising than the transitional justice process and the corresponding institutions.[11]

In this vein, a civil society representative found that transitional justice could not deliver with regard to institutional reforms:

> Unfortunately, so far, what we have noticed is... we have noticed that there are problems with transitional justice for us, essentially with regard to reforms. [...] The two important institutions [that were] responsible for human rights violations are the security institution and the judicial institution. Unfortunately, what we have noticed so far is that there has not been much change in the legislation of these institutions and there has been no change in the structures of these institutions.[12]

Therefore, while transitional justice in Tunisia had the ambition and the mandate to engineer political and institutional change, the corresponding institutions did not have the actual competencies to do so and have been dependent on other political bodies. Due to shifts in power over time, the interests of these bodies did not necessarily align with those of the transitional justice institutions, which hampers implementation.

Instrumentalizing 'reconciliation'

In Tunisia, one of the most obvious attempts by the President to undermine the work of the Truth and Dignity Commission was through the proposal of a so-called reconciliation law that in its original form would have granted amnesty to corrupt businesspeople and administrative staff (but which only passed in a less comprehensive version).[13] In this context 'reconciliation' in Tunisia has been discursively instrumentalized in order to delegitimize quests for justice and accountability and market the acceptance of impunity as the reconciliatory stance. An extreme manifestation of the discursive instrumentalization of 'reconciliation', with extreme consequences, can be observed in Syria. 'Reconciliation' has been discursively appropriated by the Syrian regime for legitimizing local truces called "reconciliation agreements" that are in fact "strangle contracts" and "tools of subjugation and control" (Sosnowski 2019, 2). Sosnowski (2019) shows for the example of Daraya how 'reconciliation agreements' are a means used by the Syrian regime to

govern property and citizenship rights, and to mask a "brutal sorting procedure" (2019, 7) that stripped people off these rights. I could also observe a group conversation among potentially affected individuals, in which it became clear that for them 'reconciliation' has been discursively linked with this very specific piece of paper that should be signed. The term therefore has a negative connotation for victims and those opposed to the regime.[14] In both examples, not pushing for change (or bowing down to the authorities) is presented as a reconciliatory stance. By using transitional justice language, those not following this logic and continuing to push for substantial, structural and institutional change are marked as trouble-makers working against 'reconciliation'. As mentioned above, in Tunisia, the 'reconciliation' initiatives were pushed by those who did not want to further work towards dismantling structures of nepotism and repression. Thus, 'reconciliation' had the aim of fixing a certain political and societal order. This ties in with Valbjørn's argument that certain strategies of de-sectarianization have a "homogenizing ambition [that] does not leave much space for diversity, pluralism and difference" (this volume). In Lebanon, the National Reconciliation Accord (also known as the Ta'if Agreement) fixed the post-civil war sectarian order. It has ordered 'political life' along sectarian lines and conflictive structures (cf. Mabon). Top-down 'reconciliation' therefore has not left much space for political participation and access to power of those who oppose a sectarian order and want to push for farther-reaching structural change. This notion of 'reconciliation' is currently challenged by protesters who demand the resignation of the political elite entrenched in and profiting from the sectarian system, as well as the abolition of this system.

Concluding remarks

This contribution takes a critical look at transitional justice processes as an opportunity to initiate political engineering aimed at achieving justice and sustainable societal peace. It argues that there is an inherent tension between the goals of transitional justice and reconciliation as societal processes and as planned processes of political change that are geared in a particular direction and at achieving a particular version of change.

Even if they are rendered technical, as Mabon has observed for other political projects, these processes are deeply political since they aim at challenging existing power structures, and potentially fix new ones. Drawing on the Tunisian example, the contribution shows that transitional justice institutions usually do not have the competencies to actually do so and are depending on other powerful actors that may have competing interests. . In volatile political contexts, these initiatives are subject to changing power constellations and even when the impulse for political engineering in a certain direction and the institutional anchoring is strong at the beginning, as in Tunisia, they may not take effect eventually.

Additionally, as Valbjörn does for de-sectarianization, this contribution argues for challenging an unequivocally positive connotation of 'reconciliation'. While reconciliation is often presented as an essential goal of transitional justice, it may also signify that a certain order should not be challenged. In these contexts, transitional justice language bears the danger of being discursively instrumentalized 'top-down' in order to label those pushing for change 'bottom up' as troublemakers. How this plays out in practice varies in different contexts. While in a post-authoritarian context, such as Tunisia, this was geared at averting further dismantling of old structures of nepotism and corruption, 'reconciliation' may also serve as a discursive justification to fixing a particular post-war political order, as with the sectarian system in Lebanon. Here, we currently see a 'bottom up' challenge to this discursive instrumentalization and a re-claiming of the notion that goes against the official interpretation. However, we can also see that as power structures are challenged and power differentials are reduced, conflict and friction intensifies.

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Endnotes

[1] There has been an academic debate ongoing for over a decade that transitional justice is not dealing enough with structural change (see e.g. Miller 2008). Tunisia is a good example for where we see an attempt to accommodate these concerns in practice.

[2] Assessment even differs with regard to research methods. For an overview of the literature that considers transitional justice measures as successful in contributing to peace or not see (Salehi and Williams 2016).

[3] Organic Law on Establishing and Organizing Transitional Justice

[4] Ibid. Art. 14, unofficial translation by the International Center for Transitional Justice

[5] Ibid. Art. 43.

[6] Personal interview with the former minister for Human Rights and Transitional Justice, Tunis, October 2015.

[7] Personal interview with the former minister for Human Rights and Transitional Justice, Tunis, October 2015.

[8] He particularly took issue with the French expression "personne occupant une des hautes fonctions de l'Etat"

[9] Personal interview with truth commissioner, Tunis, March 2015.

[10] Personal interview with member of parliament, Tunis, March 2015.

[11] Personal interview with UGTT representative, Tunis, October 2015. See also Ottendörfer et al. (2017).

[12] Personal interview with civil society representative, Tunis, March 2015.

[13] For an overview of mobilization against the law see Lincoln (2017).

[14] Personal observation of discussion among potentially concerned population, Lebanon, December 2018.

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