MENA’s Frozen Conflicts

November 2020
# Contents

MENA's Frozen Conflicts  
Marc Lynch, Project on Middle East Political Science, George Washington University  

Syria, Crisis Ecologies, and Enduring Insecurities in the MENA  
Samer Abboud, Villanova University  

Hybrid Security, Frozen Conflicts, and Peace in MENA  
Ariel I. Ahram, Virginia Tech  

Yemen's Mental Health Crisis and Its Implications for Security  
Raiman al-Hamdani; Yemen Policy Center, ARK Group, The European Council for Foreign Relations  

Patterns of Mobilization and Repression in Iraq's Tishreen Uprising  
Chantal Berman, Georgetown University; Killian Clarke, Harvard University; and Rima Majed, American University of Beirut  

From R2P to Reticence: U.S. Policy and the Libyan Conflict  
Mieczysław P. Boduszyński, Pomona College  

Wars, Capital and the MENA region  
Matteo Capasso, European University Institute, Italy  

The consolidation of a (post-jihadi) technocratic state-let in Idlib  
Jerome Drevon, Graduate Institute of International and Development Studies; and Patrick Haenni, European University Institute  

Heartbreak, Still Time, and Pressing Forward: On Lebanon and the Future  
Sami Hermez, Northwestern University in Qatar  

Failure to Launch: The Inability of Catalysts to Alter Political Arrangements in Lebanon and Syria  
Sara Kayyali, Human Rights Watch  

The Great Thaw: The Resumption of Political Development in the Middle East  
David Siddhartha Patel, Brandeis University  

This Critical Juncture: Elite Competition in a Receding Civil War  
Ammar Shamaileh, Doha Institute for Graduate Studies  

Citizenship Constellations in Syria  
Marika Sosnowski, German Institute for Global and Area Studies  

Prospects for Ending External Intervention in Yemen's War  
Alexandra Stark, New America  

Pursuing Peace by Engaging Justice in Yemen  
Stacey Philbrick Yadav, Hobart and William Smith Colleges
The Project on Middle East Political Science

The Project on Middle East Political Science (POMEPS) is a collaborative network that aims to increase the impact of political scientists specializing in the study of the Middle East in the public sphere and in the academic community. POMEPS, directed by Marc Lynch, is based at the Institute for Middle East Studies at the George Washington University and is supported by Carnegie Corporation of New York and the Henry Luce Foundation. For more information, see http://www.pomeps.org.
MENA’s Frozen Conflicts

Marc Lynch, Project on Middle East Political Science, George Washington University

Over the last year, the MENA region’s simmering conflicts have seemed frozen in place. The internationally-fueled civil wars in Syria, Yemen and Libya have long since settled into an equilibrium in which no side can either truly win or truly lose. Those conflicts have been held in place in part by local ecologies and war economies and in part by the competitive interventions by regional and international powers on behalf of their proxies and clients. But are these conflicts truly frozen? What does viewing them through such a lens gain, and what are the theoretical and analytical costs? To explore these questions, POMEPS convened a virtual research workshop on September 29, 2020, with scholars from diverse empirical and theoretical backgrounds. We are delighted to now publish their papers in this issue of POMEPS STUDIES.

Those conflicts, frozen or otherwise, come at great cost. The humanitarian consequences of the wars continue to mount. The devastation in Syria, Iraq and Yemen is too easily reduced to nigh-incomprehensible numbers: the hundreds of thousands of dead, the millions of refugees and internally displaced, the hundreds of billions of dollars of value destroyed, the disease and famine unleashed. Beyond those numbers, as Raiman al-Hamdani reminds us in his essay for this collection, lies a devastating landscape of psychological trauma and collective memory, intangible human costs which will endure for generations. People living through these frozen conflicts find themselves always caught in between, observes Sami Hermez, waiting on the next eruption of conflict even if it never arrives.

The contributors to this volume agree on viewing these conflicts as deeply entrenched, stalemated and unlikely to produce victory in any significant sense. But they disagree about whether it makes sense to conceptualize them as “frozen.” Samer Abboud argues that these conflicts rather continue to metastasize, as what he calls “conflict ecologies” constantly evolve in ways which drive deep change beneath the seemingly frozen surface. Sami Hermez similarly views them as “continual war, but not a frozen conflict. The war continues to flow in time, undergoing transformations and mutations.” This calls for careful attention to those mutations and metastasizing conflict ecologies, beyond the binaries of war and peace or the false reassurance of viewing conflicts as frozen.

What keeps these conflicts frozen is not simply military quagmire. Long running conflicts create new institutional realities which create new elites, new economies, and new incentives. Frozen conflicts, then, are generative of new realities on the ground, warscapes characterized by fragmented authority, mixed governance, and deep social transformation. Their longevity allows time for these new social, political and economic realities to take deep root. As Samer Abboud describes it, “These overlapping and entangled insecurities constitute what I think of as crises ecologies, assembling at the intersections of civil conflict, mass human displacement, proxy wars, environmental and epidemiological crisis, state militarization, external intervention, and economic collapse.” Such conflict ecologies, supported by regional circuits of power and exchange, are far more robust than international efforts at conflict mediation assume. Once locked into place, they generate a wide range of actors and institutions incentivized to sustain them no matter the human costs.

The contributors to this collection document and theorize these evolving institutional realities of governance and conflict across a range of cases and domains. Across the regional warscapes, Ariel Ahram argues, new forms of hybrid governance have become entrenched: “militias and warlords are steadily embedding in governance and security provisions across wide swaths of territory. States are receding to mostly symbolic placeholders, with limited practical role in governing.” The urge to recentralize authority in a post-conflict future is a quixotic one. Instead, he argues, external actors and should accept that “hybrid security governance yields a pockmarked political
landscape, with stark variations in who bears arms in different locations and under whose authority."

This involves significant institutional evolution both within and outside the state. Mariika Sosnowski traces the mutations of hybrid governance through the issuing of personal documents: "In the Syrian civil war, where different territorial areas have, at different times, been outside of the control of the state, registering life-cycle events, such as births, deaths and marriages, has become a necessary service other actors have had to fulfill. In times of armed conflict, life does not pause — children continue to be born, people die, marry and divorce — and these life events need to be documented. The gap left by the state in providing life-cycle event registration during the civil war has been filled by a range of other actors in different territorial areas." Jerome Drevon and Peter Haenni show governance has evolved under the control of the jihadist Harakat Tahrir al-Sham in Idlib, where "local governance consisted of a combination of local councils, independent organisations, and armed groups' infrastructures (including courts and prison facilities)." These mutations also occur inside the remaining state. Ammar Shamaileh shows how the long war has reshaped the power and influence of Syrian economic elites. "As the intensity of the war in Syria has decreased, the intensity of conflict between the Assad regime's elites has gained momentum." These changes are likely to endure. "Syria's future economic landscape is unlikely to return to its pre-war order. The regime has diversified its cadre of political and economic beneficiaries, creating a more competitive elite landscape that has incorporated many of the elements who organized and funded pro-regime militias throughout Syria." New political realities emerge through these easily missed, incremental changes taking place beneath a seemingly frozen surface.

How long might such mutations persist? The experience of MENA states which emerged from conflict suggests that they can continue for a long time. Lebanon's political system has remained impervious to change, as Sara Kayyali and Sami Hermez note: "despite experiencing some of the most profound system shocks in the region, including... mass protests, economic crisis, and the COVID-19 pandemic, citizens demanding change have been unable to achieve a transition to a new political arrangement." Post-occupation Iraq, too, has proven highly resistant to change despite massive failures of governance and security, the bloody war against the Islamic State and a large scale protest movement. Chantal Berman, Killian Clarke and Rima Majed argue that "since the end of the post-invasion civil war, Iraq has experienced multiple waves of mobilization — in 2011, in 2015, and in 2018 — all of which aired a similar constellation of demands. In this sense, the Tishreen uprising was the culmination of a decade of mobilization in which Iraqis denounced, with increasing forcefulness, the dysfunctional political system that was set up following the 2003 invasion." While security and governance has become ever more hybrid with the integration and penetration of Shi'a Popular Mobilization Units, the political system remains impervious to change. In Algeria, the inscrutable system of military control has resisted meaningful change despite the demands of the unprecedented Hirak movement which took to the streets in 2019 against the re-election of a long-incapacitated president. In the West Bank, the Palestinian Authority continues to govern despite having lost its raison d'être.

The contributors to this collection disagree about whether international intervention, particularly by the United States, could unfreeze these conflicts in productive ways. Intriguingly, scholars primarily focused on U.S. foreign policy are more optimistic than are the scholars primarily focused on the institutional transformations of hybrid governance. Mieczysław P. Boduszyński argues that "Washington had the leverage and tools—and perhaps uniquely for the Libyan case—credibility and neutrality—to help push the conflict from the level of low-intensity war and de facto partition toward a permanent settlement." And Alexandra Stark argues that since "third party military intervention plays a critical role in sustaining Yemen’s war... ending external intervention and getting regional actors on board with negotiating a political solution will be a critical step in ending Yemen's frozen conflict." But others view the U.S. and other outside actors as generative of the conflicts rather than as the source of their potential
resolution. Matteo Capasso argues that “war sustains war through securitization, border surveillance, arms sales, private military companies and the creation of logistics spaces.” Samer Abboud argues that “fragmented regional visions are generative of conflict, not paralysis or inertia,” as external actors intersect with local realities in ways which create robust “regional circuits of warfare, humanitarianism, and displacement.” And Ariel Ahram warns that interventions or mediation oriented towards rebuilding central state authority rather than recognizing the new hybrid realities are doomed to fail.

Beyond the conflict ecologies and regional power politics, several contributors urge us to consider the effects on individuals and communities of conflicts remaining frozen in these particular ways. Stacey Philbrick Yadav thus proposes that transitional justice “might be seen as a means of unfreezing frozen conflicts like the war in Yemen.” She suggests that transitional justice, properly applied, “may help to promote a cessation of hostilities and break the stalemate of this frozen conflict; but unless peace-brokers recognize and draw more genuinely on some of the everyday peacebuilding done by Yemenis in their local communities, it is unlikely to produce a more durable transformation of the conflict and could even jeopardize such work by hardening lines that can be more fluid on the ground.” Hamdani similarly warns that “in Yemen—whenever this war ends—the collective memory of violence will endure well into the post-conflict future. For Yemeni society to truly heal from the brutality there must be a collective mechanism for processing trauma that acknowledges, rather than attempts to bury, the reality of the violence as a lived experience.”

The essays in this collection point towards hybrid and fragmented governance within robust conflict ecologies remaining long-term features of the regional landscape. Abboud observes, “Regional crisis ecologies must thus be understood as neither aberrations of an otherwise stable regional order or as stalemates that remain stagnant, generational, and in need of external intervention to resolve.” They constitute a new reality, one David Patel describes as “a new normal.” The essays in this collection help us to understand the nature of that “new normal,” what sustains these conflicts and what would need to be done to unfreeze them in a constructive rather than destructive way.

Marc Lynch, 27 October 2020
If there were an archetypal subject in the MENA region today, who would that be and who would guarantee their security? The questions of ‘who protects?’, ‘who/what is a threat?’ and ‘what is being protected?’ have no immediate answers in the context of a fragmentation of securitizing actors and proliferating security referents. People within the region are subject to overlapping insecurities, from the slow, gradual decimation of livelihoods through climate change to the immediate upending of life by a pandemic or the onset of war. These overlapping and entangled insecurities constitute what I think of as crises ecologies, assembling at the intersections of civil conflict, mass human displacement, proxy wars, environmental and epidemiological crisis, state militarization, external intervention, and economic collapse. Crisis ecologies are robust, generated by and generative of differential notions of security and threat, promoting practices that contribute to enduring insecurities in the region.

The Syrian conflict sits at the epicenter of the region’s crisis ecologies and highlights the entanglements of individual and regional crises. The prospects for resolving the Syrian conflict remain contingent on the desecuritization and disentangling of internal and external threats that are fueled by regional circuits of power. As Rafeef Ziadeh argues, the perpetuation of conflict in the region occurs through various circuits of power that connect “stable” spaces to conflict zones through, for example, overlapping cartographies of militarization and humanitarianism. These circuits have become constitutive elements of the post-GWot regional order in which violence, militarism, and the suppression of political demands have become core pillars of state transformation. At the regional level, the question posed by Pinar Bilgin of “Whose Middle East?” is to be secured remains relevant. For Bilgin, this question has produced conflicting visions of what threat and security mean in the region that induce securitizing actors to adopt policies that produce insecurity for others. The absence of a common definition of internal security and external threat opens up the space for radically different security and insecurity referents. Fragmented regional visions are generative of conflict, not paralysis or inertia. In other words, I do not believe that the Syrian conflict and regional crises are frozen in the way that, for example, the Cypriot conflict is frozen. The Syrian conflict continues to metastasize precisely because of how it sits at the intersections of so many regional circuits that generate crises rather than contribute to resolving them.

Syria’s conflict ontology has been shaped by these regional circuits of power and through compounding crises external to the conflict itself, such as the COVID-19 pandemic, the imposition of international sanctions, climate change, and regional economic collapse. The principle international approach to reconciliation and conflict resolution in Syria has been through approaches that attempt to force deliberation between different constellations of power roughly organized around “opposition” or “regime” poles, with different international and domestic actors to the conflict represented in one pole. Attempts by the United Nations to facilitate peace in Syria have approached the problem in this way, from trying to impose an agenda for peace and political transition (Annan), to forging great power consensus (Brahimi), to building peace from the “bottom-up” (de Mistura) through ceasefires and local reconciliations. These attempts have failed spectacularly, not solely because they were unable to produce a way out of crises and to force concessions from different constellations of power, but because they advanced liberal norms that were incapable of addressing the regional circuits and crises ecologies that shaped Syria’s conflict ontology. Syria’s conflict ontology is illiberal, driven and shaped by the authoritarian management of war and peace that seeks a violent bifurcation of society into the loyal and disloyal and the consecration of authoritarian rule through new legal regimes of power and the continuation of state violence against recalcitrant populations.
The Syrian conflict ontology thus poses two principal problems for questions of peace and reconciliation. The first problem is how a regional order defined by persistent conflict can be reoriented to facilitate desecuritization and reconciliation. This is not only to ask who will desecuritize but how will desecuritization occur. The second problem is how a normative framework could emerge to facilitate such a transition away from persistent conflict to an untangling of crises. This is to ask how a common normative structure could emerge to foster dialogue and deliberation between different securitizing actors within the region. The United Nations approach to reconciliation in Syria was incapable of providing a sufficient response to these problems or an alternative political framework for reconciliation that could have extracted the Syrian conflict from the regional circuits that fueled it.

Crisis ecologies persist because of an emergent normative order that disincentivizes securitizing actors to engage in deliberation, negotiation, and the desecuritization of threats. In Syria we see the emergence of such an order reflected at both the domestic and regional levels where illiberal norms are advanced by the Syrian regime and the tripartite Astana powers—Russia, Turkey, and Iran—as approaches to conflict resolution. While framing reconciliation in terms and processes that mimic liberal peacebuilding, the Astana Process has actually sought to establish a post-conflict order that submits Syrian sovereignty to the negotiation and consensus of the tripartite powers. The Astana Process began as a mechanism for Russia and Turkey to monitor battlefield ceasefires but has since grown into a complex forum for regional dialogue over Syria’s future in which issues ranging from a new Syrian constitution to joint Russia-Turkish military patrols are deliberated and decided upon. Since its creation in 2017, the Astana Process has effectively supplanted the Geneva process as the mechanism for regional deliberation over how to resolve the Syrian conflict. In this way, illiberal norms and conflict management strategies have come to shape Syria’s trajectory.

The norms proffered by the Astana Process do not advance prospects for regional desecuritization but serve to strengthen regional circuits of power. This order is emerging through a negotiated vision that seeks the management of the Syrian battlefield through the perpetuation of external influence on armed groups as the core goal of deliberation. Astana thus reinforces Syria’s authoritarian conflict ontology. The ultimate aim of the Astana Process is not to eliminate violence but rather to manage it through creating battlefield conditions for the negotiation over who gets to exercise authority over what territory, who can influence what actors, and what counts as permissible violence. In this sense, the evolving policies of the tripartite powers are relational and dependent on the specific conditions of the battlefield at any moment. Major battlefield questions, such as policy towards the northeastern areas under Syrian Democratic Forces (SDF) control or areas in Idlib governorate dominated by Hayat Tahrir al-Sham (HTS), remain subject to tripartite negotiation and consensus. In this way, the tripartite powers have been successful in mostly transforming major armed groups into extensions of their own policies on the ground.

The tripartite management of the Syrian battlefield has paralleled efforts at imposing a post-conflict order that rejects the inclusion of former belligerents into the political process. The Syrian Constitutional Committee (SCC), while operating under the auspices of the United Nations, remains ineffectual because of an effective veto held by the representatives of the Syrian regime on the Committee. The Syrian Congress for National Dialogue (SCND) was created out of Astana as a way to manufacture an opposition movement that was willing to negotiate with the Syrian regime. Similarly, proposals for parliamentary reform, presidential term limits, and other legal reforms, have been advanced through the Astana process and serve to legitimate change in the name of post-conflict reconciliation. In all of these efforts, the normative basis of Astana’s political processes has centered on excluding the Syrian opposition from post-conflict order and concretizing regime power. The architecture
of post-conflict order emerging from Astana forecloses opportunities for widespread deliberation over Syria’s future. Such a vision emerging from Astana is both the outcome of waning liberal power and interveners’ inability to shape conflict outcomes and a permissive regional environment in which illiberal norms and practices form the constitutive basis of conflict management.

Astana’s mechanism for the management of the battlefield and major political issues in Syria has occurred while the Syrian regime has passed a series of laws aimed at disenfranchising Syrians and ensuring the exclusion of large segments of the population from post-conflict politics. The regime has envisioned a post-conflict order in which the wartime bifurcations of Syrian society into friends and enemies of the state (or, loyalists and oppositionists) are consecrated as pillars of politics. The exclusion of those deemed disloyal to the state is being realized through the creation of a legal architecture of citizenship and personhood that denies ‘disloyal’ Syrians various rights, including rights of residency, property ownership, bank accounts, and so on. The aim of these laws is to effectively cast out segments of the population that are constituted as real or potential threats. Drawing on a broad definition of terrorism newly enshrined in Syrian law—one that collapses all violent and non-violent acts against the state as terrorism—the Syrian regime has sought to render life in Syria impossible for hundreds of thousands of Syrians. These new laws leave hundreds of thousands of displaced Syrians with very little recourse to rights, redress, and repatriation.

Displaced Syrians are forced to ‘settle’ their status with the government before returning to their homes. The settlement processes require Syrians to not only prove that they have not engaged in any subversive activity against the state, but to also sign a pledge never to do so. The regime’s vision of post-conflict Syria is simply an extension of wartime order in which recalcitrant populations were acted on with the full violence of the state and its battlefield allies. The violent bifurcation of Syrian society is being extended through the law and new forms of state power that ensure that all Syrians deemed disloyal or “terrorist” are unable to live their lives inside of the country. The aim of these new legal regimes is not to effect reconciliation but to consolidate regime power and it is complimented by the politics of the Astana process. For those who fear or are unable to return, the prospect of life outside of Syria is no less grim. Syrians displaced throughout the region are often subject to a range of abuses, violence, and forms of exclusion at the hands of host states and humanitarian organizations that perpetuate rather than alleviate insecurity. There is simply no space for Syrians inside or outside of their country to collectively, safely, and securely escape the regional circuits of warfare, humanitarianism, and displacement.

The normative order in the region today is generative of political options such as Astana or the regime’s settlement and reconciliation processes. There is no normative framework for resolving the Syria conflict today that seriously addresses Syria’s conflict ontology as shaped by the region’s crisis ecologies. The liberal norms advanced in other cases through external intervention, especially in the late 20th century, produced varying sorts of post-conflict regimes in which liberal and illiberal norms constituted the basis of post-conflict order. This is not to express any nostalgia whatsoever for liberal hegemony, but instead to suggest that liberal norms and liberal interveners provided an alternative terrain for the negotiation of reconciliation and post-conflict order. No such countervailing force exists in the Syrian case. Liberal norms around reconciliation matter mimetically in the Syrian case as illiberal actors advance core goals of political transition, reconciliation, power-sharing, and so on, but through a narrow politics of exclusion. Liberal language has been appropriated towards illiberal ends.

Who, then, can provide protection and security for our archetypal subject introduced at the beginning of this essay? Or, what/who produces enduring insecurity for our archetypal subject? Any attempt to answer these questions requires an impossible forensics of Syria’s conflict ontology. Such a forensics requires that we situate the conflict within regional circuits that allow us to think relationally about the many external interventions into
Syria’s conflict, the cascading impact of war economies, the proliferation of armed groups, the absence of a deliberative political process, the regional politics of humanitarian protection and care, the shifting priorities of regional actors, the increasing traction of illiberal norms to solve conflict, the COVID-19 pandemic, economic calamity, the proliferation of xenophobia and anti-immigrant sentiment in the West, competing regional security visions and practices, demands for ‘loyalty’ by the Syrian regime, and on and on. The relational patterns of domestic and global politics that produce insecurity for our archetypal subject are the constitutive elements of a post-GWoT, post-uprisings regional order structured around crises ecologies. Individual and collective Syrian agency in this context is circumscribed to some extent by the conflict’s entanglement in these crisis ecologies.

The archetypal subject appears to me as one caught within the circuits of these crisis ecologies without the possibility for the articulation of their own narrative of insecurity. Who will provide vaccines when they are available? Who will ensure that the displaced have rights? How can people’s economic livelihoods be secured? Individuals, armed groups, social groups, and state actors will relate to these questions differentially because of the proliferation of competing security referents and actors in the region today. The region’s crisis ecologies reinforce this emergent order rather than provide the possibilities for its unravelling.

The Syrian conflict is neither frozen nor stuck in a stalemate that prevents its resolution. There is no grand bargain waiting to be negotiated or an international peace process that will reorient the trajectory of the conflict and extract Syria from the overlapping and intersecting crises that define the contemporary regional order. Instead, an illiberal post-conflict order is being crafted that fuels regional crisis ecologies and contributes to the perpetuation of human insecurity and regional instability. Regional crisis ecologies must thus be understood as neither aberrations of an otherwise stable regional order or as stalemates that remain stagnant, generational, and in need of external intervention to resolve. The regional crisis ecologies are being produced every day, from the Astana Process negotiations, to the movement of people throughout the region, to the continued violence being inflicted on populations, and through to the short- and long-term effects of the COVID-19 pandemic on daily life. The continued deepening of these crisis ecologies suggests that the regional order is more dynamic than a ‘frozen conflict’ lens affords.

Endnotes

The wars in Syria, Libya, Iraq, and Yemen—for all their devastation—have hastened regional transformations in international collaborations and domestic institutions. Wars in the twentieth century propelled many MENA states to build large standing armies and assume greater control over national economies. Contemporary conflicts reverse this trajectory. States do not claim, much less hold, a monopoly over the use of force. Instead, these wars generate new forms of hybrid security governance. Armed non-state actors, motivated by private economic interest and linked to foreign backers, both compete and collude with the diminished central government. State building—facilitating national reconciliation and enabling central governments to reassert their ambit by disarming militias and warlords—is the conventional approach for dealing with such internal disorder. But hybrid security thwarts this centralizing impetus. These wars are on a trajectory toward becoming frozen conflicts. Militias and warlords are steadily embedding in governance and security provisions across wide swaths of territory. States are receding to mostly symbolic placeholders, with limited practical role in governing. Outside interventions for peace must accept and steer this centrifugal momentum, not fight it. Instead of reflexively trying to reconsolidate states, they must seek to negotiate a devolution whereby non-state actors assume greater responsibilities for governance and stability.

Hybrid Security, Frozen Conflicts, and Peace in MENA

Ariel I. Ahram, Virginia Tech

The wars in Syria, Libya, Iraq, and Yemen—for all their devastation—have hastened regional transformations in international collaborations and domestic institutions. Wars in the twentieth century propelled many MENA states to build large standing armies and assume greater control over national economies. Contemporary conflicts reverse this trajectory. States do not claim, much less hold, a monopoly over the use of force. Instead, these wars generate new forms of hybrid security governance. Armed non-state actors, motivated by private economic interest and linked to foreign backers, both compete and collude with the diminished central government. State building—facilitating national reconciliation and enabling central governments to reassert their ambit by disarming militias and warlords—is the conventional approach for dealing with such internal disorder. But hybrid security thwarts this centralizing impetus. These wars are on a trajectory toward becoming frozen conflicts. Militias and warlords are steadily embedding in governance and security provisions across wide swaths of territory. States are receding to mostly symbolic placeholders, with limited practical role in governing. Outside interventions for peace must accept and steer this centrifugal momentum, not fight it. Instead of reflexively trying to reconsolidate states, they must seek to negotiate a devolution whereby non-state actors assume greater responsibilities for governance and stability.

Hybrid security governance yields a pockmarked political landscape, with stark variations in who bears arms in different locations and under whose authority. Capital cities may stay under state control, with overlapping security services charged with guarding key installations and preserving the state elite. Many armed groups pay largely symbolic homage to distant central authorities. The Popular Mobilization Units (PMU) in Iraq and National Defense Battalions in Syria, for example, operated as pro-government militias under the wing of Iran. Militias are cheap to raise and offer plausible deniability for flagrant abuses, but jeopardize effective central control. Some territories became redoubts of rebel control. Boundaries between zones of control are flexible and porous, with brokers facilitating the circulation of people and goods between ostensibly enemy territories. Population centers, oil and mineral depots, import/export terminals, and other usable spaces become focal points of competition. Less lucrative areas endure a potentially more benign neglect. Civilians tend to gravitate to whichever partisan offers a credible commitment of personal security.
The fractal nature of order in MENA is especially apparent when considering MENA’s conflicts from a peripheral perspective. Iraqi politics is typically seen as pitting a Shi’a-dominated central government against a Sunni minority, with Kurds backing the Shi’is in return for autonomy. But this national-level narrative elides complex provincial and local dynamics. In Mosul, following defeat of the Islamic State, the PMU worked with local Sunni Arab factions who had appealed to Baghdad to counter Kurdish encroachment. Shi’i militias in Basra concomitantly battled one another to capture the spoils of the oil industry and cross-border trade, both licit and illicit. “Factions within a given ethno-sectarian bloc,” Mac Skelton and Zmakan Ali Saleem conclude, “may violently compete over assets at the subnational level while colluding... at the national level.”

Libya’s Government of National Accord (GNA) in Tripoli and the eastern government, dominated by the Khalifa Haftar, are jealous mirrors of each other. Each has its own parliament, central bank, national oil company, and security services—all purporting to be the true embodiment of the Libyan state. But their military campaigns depend on tribal fighters, mercenaries, Islamist and Salafi factions, separatists, and organized crime syndicates. Consequently, the battle for supremacy in the Fezzan versus Sirte involves different sets of belligerents and disparate agendas.

In Yemen, “militias—and no longer the army—are currently at the center of Yemen’s hybrid military structure,” according to Eleonorea Ardemagni, Ahmed Nagi, and Mareike Tranfeld. Aden and the south are under the nominal control of the internationally recognized government of Yemen (GoY), yet subject to competition between various military factions, the southern separatist movements, tribal chiefs, and radical Islamists. In Marib, governors, tribal leaders, and officials from the central bank voice support for the GoY, but operate autonomously. Only the Houthi rebels, ironically, approach a monopoly over force in Sana’a and the northern region, overseeing a repressive security force that roots out opposition. As in Libya, the central bank has become a key focus of conflict, with both the Houthis and the GoY appointing rival bank directors and each issuing separate currencies. A survey conducted by the Yemen Polling Center (YPC) in 2019 illustrates the consequences of these differences in popular experience of political order. Among respondents in Sana’a, the most significant perceived threats were Saudi airstrikes (27%), the continuation of the war (22%), and poverty, disease, and lack of services (20%). Respondents in Aden, by contrast, listed militias and armed groups as the biggest threat (26%), followed by thefts and weak state authorities (20%) and then poverty, disease, and lack of services (14%).

War pushed coercive control into smaller segments while pulling the region into a new global hierarchy. Oil revenues financed massive arms imports. Both states and rebels have tried to use access to oil to punish rivals and entice strategic partners. These partners, though, seldom share the objectives of regional belligerents. For the US, the key concern is that radical actors will seize portions of “ungoverned” territories. Outside intervention linked MENA into a clandestine archipelago of forward operating bases, rendition hubs, and interrogation centers where the global war on terror could be mounted. Warlords and militias are the crucial interlocutor in these types of campaign, as John Allen and Giampiero Massolo observe, states secondary or superfluous. Armed drones and other new technology enable outside actors to circumvent state control and traverse international boundaries in ways that mock any claim to sovereignty. The old image of the MENA’s strategic map, with each country shaded a different hue indicating its geopolitical alignment within a global hierarchy, is anachronistic. The regional circuits of power, as Abboud describes, feature intersecting patron-proxy ties arcing across highly differentiated space.

Syria epitomizes such crosshatched circuitry. Syria’s war appears at the national level as a clash between the minority-backed Assad government and the Sunni majority, but looks very different at the local level. The competition in the northeast, containing the country’s largest oil fields and substantial agricultural lands, featured continual infighting between Sunni Arab tribes. The added...
element of Kurdish fighters added to the complexity of the situation. The Assad regime and the Islamic State both took advantage of these local rivalries to impose control over the area. The US, European powers, the Gulf states, and Turkey initially backed the fractious mix of Sunni Arab fighting groups. Islamists forces seemed to swamp the more secular oriented rebels. Russia and Iran, meanwhile, bolstered the Syrian government, which held on to Damascus and the coastal strip. Iran dispatched Lebanese Hezbollah, the Iraqi PMU, and other Shi’is militias from as far away as Afghanistan. Intense military pressure, competing sponsors, and incessant infighting splintered the opposition. The US shifted its attention to the Kurdish Democratic Union Party (PYD), which had previously aligned with Damascus and controlled self-proclaimed autonomous cantons in Hasakah. Turkey picked up the remnants of the Sunni Arab opposition, turning them against the PYD while propping up the last Islamist holdout. Saudi Arabia and the UAE are moving tentatively to rapprochement with Assad, even as they search for other levers to counter Iran.

Libya’s war transposes these circuits. The Russian private military contractors that bolster Haftar’s forces had fought previously in Ukraine and Syria. Saudi Arabia, Egypt, and the UAE provide money, weapons, and air support to Haftar. France supported Haftar’s campaign in the Fezzan in order to protect French assets in the Sahel. The GNA, in response, relies on the United Nations to maintain its status as the sole recognized government and depends militarily on Turkey. Ankara’s recently-dispatched expeditionary force included several thousand Syrian rebels, many enticed by the promise of better wages.

Yet even where states seem functionally moribund, statehood as a general model retains moral weight. Lebanese citizens use ethno-sectarian identification instrumentally to access welfare institutions and ensure personal security through sectarian militias like Hezbollah. Yet public opinion surveys show that they still overwhelmingly identify themselves as Lebanese. It is the state, not the sect, to which they most readily refer. Similarly, mass protests in Iraq in 2019-20 mobilized under the slogan “We want a homeland!” (nurid watan), articulating a sense of a post-sectarian national identity while demanding responsive and transparent governance. Public opinion surveys show low esteem for nearly every organ of the state. Amidst this cynicism, however, respondents still indicated a strong attachment to state-based identity as an abstract principle. Similar evidence comes from YPC polling. Nearly half (46%) opined that in general the Yemeni state alone should handle security provision and very few had positive opinions of militias. Again, this confidence in the state was more abstract than real. Only 36 percent wanted the state as sole security provider in their specific region.

The rebels themselves further affirm statehood’s normative gravity. Pro-government militias bolster their own legitimacy by claiming the mantle of the state. Rebels labor to duplicate the extensive bureaucracies they had grown up under, issuing birth certificates, irrigation licenses, and other documentation, collecting taxes, running schools, and providing security as Drevon and Haenni and Sosnowski highlight. The more ambitious and disciplined, as discussed above, go so far as to establish alternative fiscal institutions. Even the Islamic State exhibited remarkably state-like features at its zenith. If statehood did not exist in MENA, it would have to be invented.

But such idealized, even heroic, states are unlikely to arrive. Temporary ceasefires and tacit truces, as Stark notes here, have not staunched the hemorrhage of state power in Yemen or in Libya. The periodic pauses embolden armed non-state actors even further. Syria and Iraq struggle to reestablish administrative and security presence as they embarked on reconstruction while still mopping up areas of rebel rule. Despite proclamations about national unity and consolidation, schemes to reallocate abandoned properties and privatize states assets aim to appease erstwhile militia allies and further embed hybrid security governance into the social fabric. Rebels may be defeated, but states are far from reasserting their monopoly over violence. Violence abates, but conflicts remain as belligerents get steadily frozen into place.
Toward a Frozen Hybrid Peace?

Frozen conflicts often appear as uncomfortable purgatory between full-on hostilities and substantial conflict resolution. Even when fighting has ceased, William Zartman writes, “Frozen conflicts do not naturally sublimate into the air, but can explode with deep violence.” Conventional policy prescriptions derive from liberal ontologies that posit responsible and capable states as essential to a livable order. The aim, accordingly, is to gradually revive state power and reestablish national cohesion.

But the MENA’s interlinking crises are now so protracted and hybrid security governance so entrenched that it is worth looking beyond this orthodoxy. Intervening powers already engaging non-state actors, especially after efforts to work through enfeebled states prove remiss. In these routine improvisations, warlords are bribed to deliver humanitarian aid and militias recruited to patrol sensitive areas. Yet these measures are still framed as intermediate steps in the belated transition to a centralized, competent statehood. If states are unable to provide security directly, they should at least arbitrate and select who does. But these efforts are often fruitless, even farcical. Armed actors may take salaries and uniforms from the state, but the closer the central government gets to curbing their power, the more obstreperous they are likely to become. The sheer spatial dispersion of power in hybrid security governance ensures that multiple actors are able to stand in the state’s way.

The challenge of managing hybrid security in MENA is not to privilege states and prepare them for eventual supremacy but to negotiate the immediate devolution of functional responsibilities. Armed non-state actors are not spoilers, but partners in a host of local settings and a range of governance domains. It is the sidelined and exhausted state that is most liable to be obstructionist and renege on its commitment to retreat. Political initiatives must work top-down and bottom-up at once, engaging the fragile state, peripheral non-state actors and foreign interveners concurrently. No actor will be singularly determinative in setting policy. Stalemates and grand bargains are more likely than victories. Hybrid security order succeeds by freezing belligerents in place, entrenching them in slivers of territory beyond the practical reach of the state but still under its symbolic umbrella. Continued self-rule in places like Marib, the Green Mountains in Libya, or Hasakah in Syria, are objectives, not drawbacks. Transforming bastions of self-defense into island of relative prosperity and peace could set a salutary example to others. The aim is to find a co-constitutive mode where non-state actors assume more responsibility for governance from the state.

Hybrid security imposes significant ceiling on human flourishing. But MENA states, even at their best, were seldom up to the task of delivering meaningful representation or socio-economic inclusion. Moreover, the supposition that areas lost to state control are necessarily lawless and chaotic has proven badly unfounded. Indeed, innovation, improvisation, and linkages to global capital, ideas, and people continue, albeit unconventionally. Some envision hybrid security as portending rough and ready balances of power. But the fragility of hybrid security governance and the collective memory of devastating wars, the kind of stillness that Hermez describes, can also instill forbearance. It is this awareness, now painfully imprinted across the region, which offers the best hopes for freezing conflicts as a way toward peace.
Endnotes


Yemen’s Mental Health Crisis and Its Implications for Security

Raiman al-Hamdani; Yemen Policy Center, ARK Group, The European Council for Foreign Relations

After six years of war, Yemen experienced a diplomatic breakthrough on October 16, 2020; when the main parties to the conflict concluded a prisoner of war exchange under the auspices of the United Nations and the International Red Cross. Despite this positive development, militarily and politically, the situation remains basically unchanged since the conflict began in 2015. And despite promises to the contrary, none of the parties involved have taken significant steps toward actualizing peace. 80 percent of the country remains dependent on humanitarian aid, with more Yemeni children dying from hunger than from conflict-related causes. The situation today is characterized by widespread famine conditions, rampant preventable diseases, water shortages, acute lack of healthcare facilities, economic collapse, and now, COVID-19. Despite the UN Secretary-General’s call for a global ceasefire amid the outbreak, the conflict’s belligerents have so far failed to respond to this invitation.

While Yemen is in many ways embroiled in a frozen conflict—an enduring state of war in which little progress is made on either side—this characterization obscures the ongoing psychological trauma experienced by its victims. In Yemen—whenever this war ends—the collective memory of violence will endure well into the post-conflict future. For Yemeni society to truly heal from the brutality there must be a collective mechanism for processing trauma that acknowledges, rather than attempts to bury, the reality of the violence as a lived experience. The absence of this kind of process post-conflict foreshadows a grim cycle of soft peace and hard war. For those living in the shadow of a former war – especially children who are too young to have ever experienced peacetime – conflict is the norm. For a society to escape the memory of the violence that surrounded them, they must become normalized to peace.

If mental trauma and illness in Yemen is left untreated after the frozen conflict has thawed, the nation’s collective trauma accumulated from the conflict will endure into the post-war period. Therefore, it is imperative to examine some of the drivers of deteriorating psychological wellbeing in Yemen (including those which existed pre-conflict), establish the extant medical resources available in the country, and probe the link between mental health and security—the final, key element in convincing stakeholders to prioritize the issue post-conflict. Any attempt to conduct peacebuilding in Yemen that fails to address the country’s mental health crisis will likely fail to provide any meaningful security for the country and its citizens in the long-term.

Yemen’s mental health crisis

According to the World Health Organization (WHO), there is an ongoing global “mental health crisis” caused by stress and anxiety related to the worldwide lockdown and the secondary effects of COVID-19. But for Yemenis, COVID-19 and its attendant anxieties is just one mental health trigger in the country amid a mental health crisis. It has become something of a cliché at this point to say that Yemen is facing a crisis; almost every day we seem to read about how Yemen is “on the brink” of some sort of disaster. Much is written about how Yemen is facing a crisis; almost every day we seem to read about how Yemen is “on the brink” of some sort of disaster. Much is written about how and why Yemen is facing disaster from a logistical and practical perspective, how they are physically confronting the next big outbreak of violence and disease, what sort of precautions they are taking, etc. However, not enough is written about how Yemenis emotionally deal with the trauma inherent to living through war, or to the relationship between the psychological welfare of Yemen’s citizens and the country’s basic security.

There is an unprecedented mental health crisis in Yemen. While mental illness has always been a problem in the country, six years of conflict have taken an unprecedented psychological toll on the population. The government lacks the capacity to deal with an issue of this subtlety and
magnitude, and the current warring parties do not care about the physical well-being of the people (let alone their psychological wellbeing).

There is a cultural stigma surrounding mental health in Yemen in that experiencing poor mental health and seeking treatment for it are both viewed negatively by society. Despite the increasing prevalence of mental health issues, the disease itself remains in many cases a source of stigma and shame for the families of those affected. A significant number of children, women, and men who experience mental health issues are neglected by their families as a result, and sometimes even abandoned and disowned by them. People in Yemen generally live in large multigenerational homes where conflict often ensues but is rarely addressed outside the family household. Abuse, both verbal and physical, is often considered an acceptable way of dealing with such issues in the absence of mental health and domestic violence awareness.

In rural areas especially, mentally ill people who are afflicted with any kind of socially unacceptable disorder may be locked away in cages or chained up by family members who do not know how to deal with them. While certain Yemeni methods for managing mentally ill individuals can appear shockingly inhumane, they are often the only options available to most Yemenis, who simply lack the resources and understanding to manage complex illnesses. Alternatively, many Yemenis in rural areas spend all their savings on sending their loved ones to Qur’anic therapeutic centers, which offer hope to families desperate for a cure but do not offer medically sound treatments.

Yemen’s addiction to Qat, a mild narcotic leaf chewed by 90% of the male population, is reflective of Yemen’s mental health crisis. Qat, which produces the required neurotransmitters to induce serotonin, can be considered another form of self-therapy for those suffering from depression, anxiety, and other mental health issues. In my interviews, many doctors claim qat’s popularity is due to it being the only widely available psychoactive substance present in the country that is deemed socially acceptable. Women and men and children of all ages use the plant everyday as a form of self-medication.

Such self-medication reflects the structural barriers to mental health care in Yemen, starting with poor education about mental health and limited resources for those in need of therapy or medication. Chronic mental health illnesses in Yemen often require expensive medication and supervision, and based on my conversations, only 50 mental health specialists exist in the entire country. These specialists are mainly concentrated in cities, meaning that people outside urban areas are often unaware of their very existence and/or could never afford to travel to receive treatment. Those lucky enough to have access to professional psychiatric help can end up at the mercy of specialists who use outdated methods of diagnosis and treatment, such as electroconvulsive therapy, shock therapy, and lobectomy. Even Al-Amal hospital in Sanaa, considered to offer the best mental health care in the country, is compared to a prison by many doctors. These same medical professionals also note many organizations working in the field are present in Yemen, but they simply lack the resources to significantly help their patients. According to one doctor I spoke to, 80 percent of his patients relapse due to family pressure to end treatment for mental health illnesses.

I spoke to several Yemeni doctors to try to assess the current situation on the ground in terms of the country’s mental health and understand how the conflict has exacerbated the country’s mental health issues. They note that cases of mental illness, particularly depression and anxiety resulting from trauma related incidents, are in the hundreds of thousands, if not the millions, but society has yet to acknowledge this. They further observed that the situation on the ground for patients and practices is grim. Pre-war resources, which were never sufficient, are even less than they were at the beginning of the conflict because the war has decimated health care facilities. There are now more barriers to receiving care and fewer resources for people suffering—meaning there are more people suffering today than ever before. This is because the current war has created an unprecedented mental health crisis in the
country. Which means that on top of the people suffering from mental illness pre-war, the country now must deal with millions of people who are suffering from conflict related anxiety and depression and other more serious mental issues and disorders. While the conflict has taken a toll on everyone, children are increasingly vulnerable. An entire generation has, in effect, been desensitized to violence, which they view as normative. The country’s economic decline means that few people have the money to afford food and basic health care, let alone mental health treatment. When people can afford to see a doctor, they will generally prioritize their physical suffering over their mental health.

**Post-conflict, transitional period and the future of development and security in Yemen**

Despite widespread acknowledgment of the situation by mental health professionals, Yemen’s political leaders fail to understand the depth of the crisis. Because of this, they have failed to raise the issue of developing the mental health and psychotherapy sector in Yemen, either amongst themselves or with the donor countries. For example, it is unlikely that Yemen’s political leaders know that the WHO defines mental health as an essential and integral part of health. Psychologists feel abandoned by the government, which is offering zero solutions to the country’s myriad of mental health challenges. For example, one in five people living in a war region suffers from depression, anxiety, post-traumatic stress disorder, bipolar disorder or schizophrenia. These figures are significantly higher compared to the prevalence of these diseases in the general population. Indeed, outside conflict zones, they concern one in 14 people. Addressing this crisis, therefore, will likely fall disproportionally to the international and governmental organizations in Yemen, who, despite having a lot to take on from a humanitarian perspective, must prioritize mental health by committing resources to psychiatry and raising awareness about mental illnesses throughout the country.

From a security standpoint, poor mental health is a key driver of radicalization and violence. Individuals who have experienced trauma and have no way to processes it are susceptible to radicalization and violent extremism. Much of the recruitment for the war effort has preyed upon mentally ill people, who are already susceptible to delusions. Left unaddressed, Yemen's mental health crisis has the potential to negatively impact regional and international security. Even prior to the conflict, the absence of a functioning Yemeni state meant that individuals and bottom-up community approaches were truly in charge of security. Disregarding the emotional toll of cyclical conflict and trauma on Yemeni people—those who actually provide security in the Yemen—will have long-term effects on any attempts to rebuild the country. Yemeni human security, that is: environmental security, personal security, food security, economic security, and political security; all of these depend on the wellbeing of individuals in society. Yemen’s human capital provides the foundation for its social, economic, and political infrastructure. Even if these structures can be rebuilt, they will not stand for long on unstable ground.

While the Yemen conflict will eventually end, the feelings and beliefs generated by it will endure well into the future, affecting generations. Individuals and communities who survived the scourge of violent conflict (large-scale executions, dismemberment, torture, displacement, land theft, landmines, etc.) bear the scars of these experiences, which serve as an enduring reminder of what they have collectively been through. Whether these scars eventually fade for Yemenis, or whether they become more pronounced in the post-conflict narrative, engendering more conflict and violence, is due in large part to psychosocial interventions. In the absence of large-scale psychological intervention, the communal desire to avoid future victimization can be sublimated into the collective need for revenge against those perceived as responsible for their original suffering. Weaving a narrative of victimhood, victims of war may become agents of the same kind of violence they were once subject to. Often these targets can be soft targets, such as refugees, who lack the capacity to defend themselves.

So, what is to be done? As a first step, the Yemen’s mental
health system needs reform. This can start by increasing the capacity of doctors to obtain the knowledge and skills needed to practice in the field. This can only be achieved by expanding opportunities for Yemeni doctors and professionals to travel within the country and outside of it, to meet experts and develop their skills to meet the unprecedented challenge before them. Facilitating this should be on the agenda of any donor involved in funding the reconstruction phase. In the meantime, Muslim sheikhs will continue to capitalize on mental illness by spreading anachronistic beliefs (such as sorcery) and extremist groups will continue to target a generation traumatized by the devastation of war.

Donor funding must be secured to improve and provide treatment and rehabilitation both for those suffering from serious mental illness and those who are experiencing generalized conflict-related anxiety and depression. There is large economic incentive for investing in mental health care: a World Health Organization (WHO)-led study determined that there was a low cost-benefit for scaled-up depression and anxiety treatment across country income groups, including war-affected zones. We are nearing the end of a violent war full of hate speech and revenge. Both the civilians and the combatants returning from battle will need psychiatric care and counseling to process what they have experienced; ignoring the collective mental health of Yemenis risks turning individuals into threats against the state and society. From a security standpoint, the link between individuals who experience conflict-related trauma and go on to commit further acts of violence must not be ignored. It is therefore important to stress that addressing Yemen’s mental health crisis will also positively affect regional, and international security.

In addition to increasing mental health resources, a public conversation must be had about mental health in the country. This is perhaps the first step toward breaking the stigma of mental illness in Yemen. Yemeni health professionals and political leaders should lead this conversation. For this to happen, political leaders must be educated about mental health so that they can recognize the extent of the crisis and take steps to address the issue and demand resources to confront it.

While hunger and physical suffering are prioritized by aid organizations, Yemen’s mental health crises cannot continue to be ignored. This is particularly critical in the inevitable post-war period, to ensure the durability of a post-conflict reconstruction plan and prevent a total collapse in security. Yemen’s collective mental health will provide the foundation for any post-conflict reconciliation efforts, anti-sectarianism measures, and security provision. Going forward, any attempts to rebuild the country must therefore invest in Yemen’s human capital. If Yemen is going to have any kind of future stability, the country will need to psychologically rebuild. Serious efforts must be made to heal the collective trauma experienced by Yemenis living throughout six years of war, those who must confront, on a daily basis, the chronic and cyclical violence, disease, poverty, and general climate of despair which has characterized the country for over half a decade. This, coupled with a country-wide addiction to qat and the general ignorance of psychological tools and resources, paints a grim picture for the future of mental health in Yemen. Without addressing these issues collectively as a nation, we should not expect serious and meaningful human development to occur; or long-term gains in Yemen’s human security. For these reasons, reform at all levels and the engagement all actors, particularly religious authorities and medical staff, will pave the way for a more durable peace post-conflict.

The outbreak and identification of so-called frozen conflicts engenders a parallel responsibility (particularly for those in the realm of politics and global affairs) to reexamine this descriptive term. Paying attention to the language used to describe conflicts has real-world implications that may begin in academia, but reverberate well outside it, affecting how they are analyzed and ultimately (hopefully) resolved by policymakers and peacemakers alike. This is especially relevant because frozen conflicts have consistently proved resistant to the dominant conflict-resolution mechanisms and apparatuses. Conflict-related trauma in general and Yemen’s poor mental health in particular reveals the
limitations of the frozen-conflict paradigm as a descriptive term. A conflict cannot be “frozen” so long as the trauma generated by it endures. Post-war collective trauma is a protean thing—depending on how it is processed; it may be sublimated into understanding and acceptance, or morph into bitterness and recrimination. The course it follows will be a decisive factor in the durability of peace post conflict-in Yemen, and in “frozen” conflicts around the world.

Bibliography


Endnotes


9. Based on the author's interviews with doctors in Yemen (October, 2020)

10. Based on the author's interviews with doctors in Yemen (October, 2020)

11. Based on the author's interviews with doctors in Yemen (October, 2020)

12. Based on the author's interviews with doctors in Yemen (October, 2020)


Patterns of Mobilization and Repression in Iraq’s Tishreen Uprising

Chantal Berman, Georgetown University; Killian Clarke, Harvard University; and Rima Majed, American University of Beirut

In the months before the coronavirus pandemic forced the entire world into lockdown, Iraq was undergoing one of the most sustained periods of anti-government protest since the 2003 US-led invasion. This “Tishreen” uprising – named for the month in which it began (October/Tishreen al-Awl 2019) – gave expression to years of pent up frustrations among Iraqi citizens. The uprising was triggered by two events. On September 25th, 2019 a group of university graduates gathered in front of the Prime Minister’s office, protesting their inability to secure jobs, were met with heavy repression. Then, two days later, on October 27th, the Prime Minister demoted a popular general, Abdul-Wahab al-Saadi, who had helped to defeat the Islamic State. The move was broadly interpreted as a capitulation to corrupt politicians, possibly under pressure from Iran. Together, these two events sparked the Tishreen uprising, which was spearheaded primarily by young Iraqis and condemned the regime’s endemic corruption, sectarian polarization, and slavish obedience to foreign powers like Iran and the United States.

The Tishreen uprising was only the latest manifestation of popular unrest in Iraq. Since the end of the post-invasion civil war, Iraq has experienced multiple waves of mobilization – in 2011, in 2015, and in 2018 – all of which aired a similar constellation of demands. In this sense, the Tishreen uprising was the culmination of a decade of mobilization in which Iraqis denounced, with increasing forcefulness, the dysfunctional political system that was set up following the 2003 invasion.

In this brief memo, we explore the first ten weeks of this revolutionary uprising – from its outbreak on October 1, 2019 to the end of the first week of December. Using an original event catalogue on protests and repression during the uprising, we explore the trajectories of popular mobilization as well as the nature of state-protester interactions. Our data reveal a number of noteworthy patterns. We find that protesters largely resorted to non-violent tactics, though in the early weeks of the uprising there were a considerable number of events in which unarmed protesters mobbed and burned buildings associated with various malignated parties and militias. These early events triggered a massive repressive response from Iraq’s political establishment. We find that the majority of this repression was perpetrated by official state security forces, but that elites also called on non-state repressive agents, like thugs and militias, when undertaking especially violent crackdowns. Finally, we see evidence that these repressive responses backfired. The more the political establishment cracked down on protests, the more outrage it triggered, resulting in fresh rounds of mobilization.

These preliminary findings hold a number of implications for our understanding of popular uprisings, particularly ones that target nominally democratic but highly corrupt and/or sectarianized regimes. Such uprisings have become increasingly common in recent decades, yet they are often analyzed using theories derived from the study of revolutions against closed autocracies. Our research shows that such uprisings have the potential to be just as violent and intense as those against authoritarian regimes, in part because these kinds of divided regimes can rely on thugs and militias tied to particular factions in the government to undertake their most egregious acts of repression. These systems, ultimately, have their own distinct ways of resisting change-from-below, suggesting that the long-running conflict between Iraq’s political elites and its mobilized citizenry may be just as “frozen” as the other conflicts analyzed in this briefing.

Overview of the Data

The data we analyze include 1,191 contentious events from September 1, 2019 to December 7, 2019. This includes the first ten weeks of the Tishreen Uprising, plus the four weeks directly preceding it. A contentious event is a public, collective, and voluntary endeavor to influence the
actions or policies of some authority. It therefore includes protests, demonstrations, strikes, marches, sit-ins or occupations, roadblocks or blockades, boycotts, petitions, and mass attacks.

One of the major challenges in assembling protest event datasets is identifying sources that provide detailed coverage of protests in a consistent and unbiased way. In Iraq this challenge was accentuated by a media landscape that is highly fragmented and subject to frequent government suppression. We therefore relied on a variety of sources for our data. First, we draw from the newspaper Al-Mada, which is known for its professionalism and national coverage. Second, we rely on two leftist newspapers, which offer strong coverage of protests, strikes, and other forms of popular resistance: Ila al-Amam and Tareeq al-Shaab. Third, we include all events collected by Liveaumap, which sources data on conflict events and natural disasters in various countries, primarily from social media. Finally, we include all protests identified by the Armed Conflict Location & Event Data Project (ACLED), which relies on a combination of local and international news sources. For each event we coded a number of relevant variables, including the location of the event (with GPS coordinates), the number of participants, the demands, the tactics, numbers killed and injured, and the nature of repression.

**The Arc of Protest in the Tishreen Uprising**

Figure 1 displays the number of daily events, organized by the start date of the protest. As the figure reveals, the uprising can broadly be divided into three phases. September represents the pre-uprising period, when overall levels of contention in Iraq were fairly low.

Most of the events that occurred during these months involved labor strikes or student sit-ins related to unemployment. Then, on September 27, General al-Saadi was demoted, and the first major day of protesting occurred four days later, on October 1. Mobilization was intense for the following week, and was met with fierce repression (as we show below), before eventually subsiding by the middle of October. Phase 3 of the uprising then began on October 25. For weeks activists had been calling on social media and other forums for a resumption of protest on this day. These organizing efforts yielded 21 protests in 11 different governorates, and these events in turn catalyzed weeks of elevated and sustained protests, which ultimately forced Prime Minister Adel Abdul-Mahdi...
to resign on November 29. But our data show that the Prime Minister’s resignation did little to mollify protesters’ anger, which by then had broadened to include not just the corruption and ineptitude of the government but also its brutal response to the mobilization.

Figure 2 tells a similar story, this time showing the geographic location of protests. In the month preceding the uprising protests were scattered across Iraq, with no particularly focal point or area of concentration. In contrast, we see that the initial outburst of protest in early October occurred mainly in Baghdad, though it did spread in limited numbers to some southern cities like Najaf and Basra. But by phase 3 of the uprising, revolutionary mobilization had engulfed virtually the whole country (though they were most concentrated in Baghdad and the Shia-dominated southern governorates).

Though the Tishreen uprising channeled a broad range of social and economic discontents that had been percolating in Iraqi society for years, it was still mainly a political revolution demanding the end of Iraq’s corrupt, patronage-based system of rule.

The nature of these demands is reflected in Figure 3, which shows the distribution of demands for each week of the uprising. The month before the uprising was dominated by low-level protests airing social and labor demand, which had grown increasingly common in Iraq since 2018. But from week 5, when the uprising began, to week 13, when the Prime Minister resigned, most events (82%) were staged in overt opposition to the government. Interestingly, even though the uprising was also a rejection of various Shia-dominated political parties and their affiliated militias, which had come to dominate Iraqi politics and were widely blamed for its dysfunction, we see very few events where protesters explicitly condemn these parties. Instead, protesters chose to broadly denounce “the government” or “the system;” essentially lumping the entire political elite together as part of a single maligned establishment.

We begin to see a shift in protester demands during the first week of December, when only 19% of events aired opposition to the government, whereas 66% focused on human rights abuses. In part this shift was a response to the government’s resignation, which essentially met one of the protesters’ main demands. But, as we discuss below, it also reflected a deepening and expansion of grievances, as protesters turned their attention to government abuses, and specifically to several major acts of repression that had been committed in the previous weeks.
Figure 3: Distribution of Demands by Week

Violence and Repression

For an uprising against a nominally democratic government, the Tishreen uprising was met by a shocking amount of violence.

We document nearly 700 deaths and 11,500 injuries during the ten weeks under analysis, nearly all of which were tied to state or non-state repression. But the Iraqi political elites’ vicious reaction to the mobilization makes more sense when we bear in mind its entrenched corruption and extreme fragmentation. A movement demanding wholesale political change represented a real threat to the system of cronyism and rapaciousness that has enriched Iraq’s politicians over the last two decades, and these elites quickly mobilized an array of state and non-state security agents in an attempt to quash this challenge.

Figure 4 plots the number of deaths that occurred on each day of the uprising. While these patterns broadly map onto the protest patterns represented in Figure 1, there are also clear differences, with far more jumps and spikes in violence. The first week of October saw a total of 110 deaths – at the time this was considered a shocking number, though these casualties would soon be greatly surpassed. The most deadly day of the uprising was October 25, the day on which the uprising resumed, when 82 protesters were killed. Though we document only 21 events on this day, the amount of violence inflicted on protesters was extreme: 14 were killed at a protest in Maysan outside the headquarters of the Iranian-backed Asaeb Ahl al-Haq militia; a total of 24 protesters were killed in Thiqar province when they attacked the headquarters of the Badr Organization, another Iranian-backed militia; 12 more were killed in Diwaniya after setting several party buildings on fire.

While the violence on October 25 was widespread, stemming from multiple events that were repressed, other spikes in violence can be tied to the brutal repression of a single event.

The first of these massacres, as they came to be known, occurred on October 28 in Kerbala, when security forces used live ammunition to disperse a sit-in at the Tarbiya roundabout, killing 18 and injuring more than 800. Another pair of massacres occurred at the end of November, in the cities of Najaf and Nasiriya, killing a combined 91 people and injuring more than 700. These two massacres were, notably, perpetrated not only by the police but also by non-state militias, like the al-Abbas Brigade, and by anonymous thugs (beltegeyya). We
further find evidence that these attacks triggered fierce backlash among protesters, catalyzing new waves of mobilization over the government’s disregard for human rights. In Figure 3 above we saw some evidence of these backlash dynamics with the high share of human rights related protests in the first week of December. Even though the government had resigned the week before, protesters remained in the streets to denounce the atrocities committed in the Najaf and Nasiriya massacres.

While the most extreme violence of the uprising was clearly committed by political elites, protesters themselves did resort to certain limited tactics of violence, particularly at the beginning of the uprising. Figure 5 plots the percent of events per week in which protesters used some form of violence.

The figure reveals that the initial outburst of contention during early October was actually marked by considerable violence – 70% of events in week 5 and 60% of events in week 6 of the uprising involved protestor violence. Week 8, when the uprising resumed, was also marked by more violence.

But then, as mobilization escalated and broadened in the subsequent weeks, the proportion of events involving protestor violence declined, occurring at between 15% and 30% of events.

The use of violence by protesters somewhat cuts against media representations of the revolt as largely non-violent. But it is important to correctly characterize the nature of this violence. First, it was almost entirely unarmed. We documented only three events in which protesters resorted to armed combat. Moreover, scholars have shown that unarmed violence can be a highly effective strategy of resistance, especially when confronting extreme levels of state repression and when combined with non-violent tactics. Second, most of the violence was either undertaken in self-defense or it took the form of mobbing buildings, particularly the offices and headquarters of key parties and militias that protesters blamed for essentially hijacking the Iraqi state. Even though, as noted above, protesters rarely invoked the names of these groups as they aired their demands, they seem to have had no problem physically targeting their properties. In early October, and again on October 25, protesters mobbed, attacked, and burned at least one hundred militia and party buildings, including those belonging to the Badr, Asaib Ahl Al-Haq, and Sayyidd al-Shuhada militias, and the Daawa and Hikma parties.
As we have seen, the Iraqi security forces and their non-state affiliates responded to the protests with disproportionate violence. But when did most of this repression occur, and who was responsible? Figure 6 plots the share of events that were repressed, respectively, by the police and by non-state actors like thugs, militias, and party members for each week of the uprising.

The figure reveals that the period of greatest repression was at the initial outburst of protest, when 69% of events elicited some kind of repressive response. Week 8 was also a period of heightened repression. These trends correspond closely to the periods of greater protester violence, suggesting that the early period of the uprising was marked by a bloody cycle of protesters’ mobbing physical properties, followed by disproportionate violent crackdowns.
Much of the coverage of the Tishreen uprising has emphasized the participation of non-state militias and thugs in attacking protesters. But our data reveal that, in fact, most of the repression during the first ten weeks was committed by the police and other state security forces. In total, thugs, militias, or parties were involved in repressing 29 events in our dataset, whereas the police repressed a total of 298. However, further analysis reveals that while thugs and militias may have been used sparingly to put down contention, they may also have been used in a highly strategic way. Figure 7 shows the average number of people killed and injured in protests repressed by the police and in protests repressed by thugs, militias, or parties. It suggests that political elites may have deployed these non-state repressive agents only for the most brutal and egregious forms of repression, when they wanted to have a degree of plausible deniability about their knowledge of or participation in the attack. For example, these types of agents were involved in all three of the massacres noted above, in Kerbala, Najaf, and Nasiriya. We also encountered evidence of these two types of repressive agents hybridizing, for example, when state security forces were commanded or led by a representative from a militia or a political party.

**Conclusion**

The picture of violence and repression painted by these data is rather grim. Protesters during the Tishreen uprising have not been protected by the type of liberal institutions and norms of restraint that normally characterize state-challenger interactions in democracies. Instead, anti-protester violence seems to have been at least partly facilitated by the Iraqi regime’s fragmented and sectarianized structure. While the police have engaged in more routine repression, factions and parties who felt particularly threatened by the uprising have deployed their agents at strategic moments to engage in brutal crackdowns. Moreover, the unofficial nature of these assailants has given their sponsors a degree of anonymity and plausible deniability. Nevertheless, Iraq’s protesters have been savvy in their responses. They have targeted the physical properties associated with these pseudo-state and non-state groups, even if they have rarely invoked their names as they aired their grievances. And they have mobilized in response to these massacres, generating further cycles of contention.

Ultimately, then, the conflict between state and society in Iraq, like so many others in the Middle East today, appears to be frozen. On the one hand, Iraq’s political system remains surprisingly resistant to reform, relying on the increasingly sophisticated strategies of violence discussed in this essay, as well as other mechanisms of reproduction and resistance (see, for example, Sara Kayyali’s essay in this briefing, which discusses similar mechanisms in Syria and Lebanon). But, on the other hand, without major reforms Iraqis’ unmet grievances will continue to percolate, and will surely, once the pandemic ends, prompt them to take to the streets once again.
Endnotes

3 This definition is derived from: Charles Tilly, The Contentious French (Harvard University Press, 1986).
5 The Livemap for Iraq is available at: https://iraq.liveuamap.com/
6 In its methodological reports, ACLED often emphasizes the comprehensive and unbiased nature of its coverage. But for this period in Iraq, we found that ACLED had captured only about half of all events, and that these tended to skew heavily toward major cities like Baghdad, and larger, more violent events. For further discussion of bias in ACLED’s data see: Killian Clarke, “Overthrowing Revolution: The Emergence and Success of Counterrevolution, 1900-2015,” PhD Dissertation, Princeton University.
7 Information on participants was unfortunately unavailable for roughly two-thirds of events.
8 The figure excludes Week 7, in mid October, when there was only one event.
12 Amnesty International, “Iraq: Horrific scenes as security forces resort to lethal force to disperse Karbala protests,” October 29, 2020
18 See also D’Cruz 2020.
From R2P to Reticence: U.S. Policy and the Libyan Conflict

Mieczysław P. Boduszyński, Pomona College

U.S. policy toward Libya since the R2P-based 2011 NATO intervention—which helped precipitate the fall of former dictator Muammar al-Qadhafi—has been characterized by a general reticence to get deeply involved. This disengaged approach has prevented the United States from bringing its considerable leverage to bear in pushing the warring sides and their external supporters to end the ongoing conflict. In this paper, I argue that a pattern of U.S. reticence with only episodic attention to issues such as counterterrorism and Russia’s involvement has helped facilitate the internal and external forces that help keep Libya in perpetual conflict.

In describing and explaining the arc of U.S. policy over the past decade, I begin by considering the Obama administration’s generally restrained approach to Libya, which was primarily focused on counterterrorism at the expense of addressing broader drivers of the conflict. I then analyze how an ambiguous Trump administration policy prevented the U.S. from playing a constructive role in helping to forestall General Khalifa Haftar’s 2019-2020 campaign against Tripoli. Finally, I discuss the Trump administration’s growing preoccupation with the Russian role in Libya, which, coupled with an unwillingness to push back against autocratic allies such as Turkey and the United Arab Emirates (UAE), has further constrained Washington’s ability to use its potential leverage to prevent a frozen conflict from emerging in Libya.

The premise of this paper—that outside actors, even ostensibly “liberal” ones like the U.S.—should get involved in conflicts such as that in Libya and if they do, are capable of influencing the outcome—is the subject of intense debate among both scholars and policymakers. Capasso questions whether Western actors such as Europe and the United States can act beyond the capitalist motives that structure power and resources in the world order. According to Capasso, this very structure—filtered through a military-industrial complex—actually helps to sustain violence and war in Libya. Abboud, by contrast, by detailing the effects of the non-liberal Astana framework in Syria, by implication allows for the potentially positive role of liberal countervailing powers like the United States and Europe in helping to push for a politics of inclusion.

My argument, however, is closest to that of Stark, who maintains that the ‘United States has substantial leverage, both via direct participation and by providing support to security partners who are also interveners.’ Like Stark, I maintain that Washington had the leverage and tools—and perhaps uniquely for the Libyan case—credibility and neutrality—to help push the conflict from the level of low-intensity war and de facto partition toward a permanent settlement.

R2P and the Improbable Intervention

In an unprecedented show of international unity, the world came together in February 2011 around the doctrine of Responsibility to Protect (R2P) in an attempt to stop former Libyan leader Muammar al-Qadhafi as he threatened to massacre his own people. That month, the UN Security Council sanctioned Libya and referred the violence to the International Criminal Court (ICC). Within weeks, the Security Council, with the blessing of the Arab League, authorized “any means necessary” to protect Libyan civilians, and NATO and its Arab allies began an air war to stop Qadhafi’s advance on the city of Benghazi.

In March 2011, then-U.S. President Barack Obama decided to participate in the military intervention. The fact that the U.S. decided to join was a surprise. Obama had been elected in 2008 partly based on his opposition to the war in Iraq, which the U.S. public had largely turned against. Obama made clear that he was determined to wean the U.S. of its Middle East entanglements and instead focus his administration’s attention on the Asia-Pacific. Obama, furthermore, was skeptical about the limits of U.S. power, especially when it came to the Middle East, where he saw intractable, historically-driven conflicts. Several of his
top advisors cautioned against the intervention. Unlike the Europeans, who bought most of Libya’s oil and who dealt with migration from its shores, the U.S. had fewer direct interests in Libya. The U.S. had followed for the preceding decade a rather hard-nosed, realist policy toward Libya, one which underpinned Washington’s rapprochement with the Qadhafi regime in the early 2000s, exchanging diplomatic recognition for nonproliferation and cooperation in the war on terror. In sum, an array of factors suggested that Obama might not intervene: and if we believe the memoirs covering the period, his final call to do so was a “51-49” decision driven at least in part by pressure from Britain, France, and his “liberal interventionist” advisors. But even in deciding to intervene, Obama drew clear red lines: there would be no “boots on the ground,” and the intervention had to be a joint effort. While the U.S. would provide unique assets, other countries—including Arab ones—would be part of the aerial campaign.

After the intervention, which resulted in Qadhafi’s toppling, the Obama administration took a self-consciously reticent approach, applying only the smallest “footprint” to its presence in Libya while mostly yielding supervision over the transition and reconstruction to a small United Nations Support Mission in Libya (UNSMIL) and the European Union (EU). But neither of these actors wanted to play a robust role in Libya, either. The reasons for Washington’s highly restrained approach were multifold: Obama’s aforementioned beliefs about the limits of U.S. power; fatigue with failed nation-building experiments in Iraq and Afghanistan; the global economic recession; and a belief (especially in Congress) that Libya had the resources to conduct its own state- and democracy-building projects. Accordingly, the U.S. effort to support Libya’s post-Qadhafi transition was small in scale, scope, and resources compared, for instance, to similar efforts in Tunisia or Egypt, or in other regions such as the Balkans, Central Asia, or Caucasus in earlier decades. While Obama’s self-limiting approach was in part a response to the perception that Libyans opposed foreign involvement, it was also a way for his administration to legitimize its lack of will to engage in any potentially messy commitments in the new Libya.

Obama’s reluctance to get involved in post-Qadhafi Libya was heightened by the September 2012 attacks on Washington’s diplomatic and intelligence facilities in Benghazi, which resulted in the deaths of the U.S. ambassador and three other American officials. The political fallout in Washington made Libya “radioactive” in the White House, and only strengthened the administration’s reticence. Interestingly, Obama later described the failure to plan for the aftermath of Qadhafi’s fall as one of his greatest foreign policy regrets, but never explained what he would have done differently.

Limited U.S. and international support for elections, civil society groups and war veterans in the wake of Qadhafi’s demise was no match for the darker forces that were gathering strength: predatory militias, extremism, separatism, tribal conflicts, among other trends. These problems could have been mitigated had there been a stable security environment in which civil society, political parties, and a constitution-writing process could develop. The new Libya had neither security nor institutions. U.S. policy nonetheless focused on electoral processes rather than long-term institution building. The successful July 2012 election process, which was overseen and supported by UNSMIL, the United States, EU, and other outside actors, was hailed as a triumph. However, the euphoria surrounding the election seemed to ignore the fact that the newly elected General National Congress (GNC) and the government that emerged from it did not have the instruments of governance at their disposal, starting with a monopoly on the use of force. Indeed, an array of militias claiming “revolutionary legitimacy” soon filled the void. Rather than trying to help foster a ‘hybrid security’ order as described by Ahram, Washington and other Western powers mostly looked the other way as the power of the militias grew, while the Gulf states and Turkey actively backed their favorite militia proxies.

The power of these militias was demonstrated in the spring of 2013, when armed groups combined the soft power of their revolutionary narrative and the hard power of their guns to pressure the fledgling Libyan parliament into passing a sweeping and divisive law designed to exclude
figures associated with the Qadhafi regime from public life. Many experts and Libyans alike now see the passage of the law as the beginning of Libya's unravelling. U.S. officials I have spoken with claim that there was little that Washington could have done to prevent the passage of the law and the growing threat of the militias. But the truth is that the Obama administration never meaningfully tried. As former Secretary of Defense Robert Gates noted, “Drawing on nonmilitary tools, the government could have taken a number of useful steps, including sending a U.S. training mission to help restructure the Libyan army, increasing the advisory role of the UN Support Mission in Libya, helping design a better electoral system that would not have inflamed social and regional divisions, and restraining Egypt and the Gulf states from their meddling in the lead-up to and after the outbreak of the 2014 civil war.” Rather, the Obama administration had become consumed with counterterrorism, especially bringing the perpetrators of the Benghazi attacks to justice. There was little attempt to engage the Libyan government on other issues, nor to work with European or Arab partners to bring about stability in Libya.

The final years of the Obama administration were witness to many U.S. airstrikes targeting terrorists in Libya combined with moments of increased engagement, including some attempts at security sector reform and support for the 2015 UN-led peace process in Skhirat, Morocco, which led to the creation of the internationally-recognized Government of National Accord (GNA). But here, too, the U.S. focus was in large part on finding a stable and legitimate partner for counterterrorism cooperation, especially as an Islamic State (IS) franchise appeared in the central Libyan city of Sirte in 2015. Notable bureaucratic divisions within the U.S. foreign policy apparatus on how much to deal with Khalifa Haftar and his self-styled “Libyan National Army”—which claimed to be fighting terrorism—contributed to a sometimes-ambivalent stance on where the U.S. stood vis-à-vis the internationally-recognized government in Tripoli. The Obama administration, furthermore, was largely unwilling to stand up to growing interventions in Libya by the UAE in support of Haftar.

**Trump’s Libya Policy: From Reticence to Russia**

Trump announced early on that he had no intention of ramping up U.S. engagement in Libya: “I do not see a role in Libya. I think the United States has, right now, enough roles,” he said in April 2018. However, his administration was more than willing to continue its predecessor’s focus on counterterrorism in Libya, stepping up airstrikes against Islamic State (IS) and other targets in Libya. Thus, to a large extent, Trump initially continued Obama’s policy of limited political engagement to ensure a threshold level of Libyan political support for U.S. counterterrorism operations.

Trump’s relative disinterest in Libya had the unintended consequence of leaving in place Obama policies that focused on a relatively balanced approach to dealing with the Libyan factions. Early in Trump’s administration, many expected the new president to throw his support behind Haftar, an anti-Islamist strongman allied with the UAE, Egypt, and Saudi Arabia. But Trump’s lack of attention to Libya left U.S. policy in the hands of the State Department. This, in turn, led to policy inertia according to which Washington continued to support the Tripoli-based GNA. Consequently, it was Fayez al-Serraj, the prime minister of the internationally-recognized GNA, who met with Trump at the White House in December 2017.

Then, in a sudden shift, Trump, who was likely influenced by conversations with Egyptian President Abdel fattah al-Sisi and UAE leader Mohamed bin Zayed, reportedly expressed support for Haftar and his campaign against Tripoli in an April 2019 call, thereby throwing the U.S. policy of backing the internationally-recognized government into disarray. Trump’s call followed on another one by then-National Security Advisor John Bolton, who gave the green light to Haftar’s Tripoli campaign, advising him “to do it quickly.” That same month, Washington, along with Russia, vetoed a UN Security Council resolution
calling for a ceasefire. Haftar was undoubtedly emboldened by these expressions of support from the White House. Yet, by the summer of 2019, in another about-face, the Trump administration had returned to the previous policy of supporting the GNA, but while maintaining its relatively low level of diplomatic engagement.17

However, by the second half of 2020, the administration had suddenly ramped up its engagement on Libya—to a degree. Indeed, Washington became involved in a flurry of diplomatic activity on the Libya file, from attempting to broker a deal to end the oil blockade by Haftar’s forces to pressuring the warring sides toward the ceasefire declared in August 2020. Early that month, National Security Advisor Robert O’Brien issued a statement denouncing foreign meddling in Libya, saying that it “undermines the collective security interests of the US and its allies and partners in the Mediterranean region.”18 Beyond such statements, however, media reports based on anonymous sources in the Trump administration depict a U.S. president still unwilling to become too deeply involved in Libya. One such source claimed that both Turkish President Recep Tayip Erdoğan and Egyptian President Sisi regularly call Trump to promote their narratives and interests in Libya and solicit Washington’s support.19 Trump has neither actively helped them, nor has he sought to talk any U.S. allies out of pursuing their narrow interests in Libya. Instead, he has reportedly told both Sisi and Erdoğan that he would rather avoid being involved in Libya ahead of the presidential election with so many other domestic issues weighing him down, and instead urged the two leaders to sort the issue out amongst themselves.20

Some of the most consistently strong messaging from Washington on Libya in recent months has concerned Moscow’s role, which is commensurate with the increasing policy turn to matters of great power competition with both Russia and China.21 Starting in May 2020, U.S. officials launched a sustained campaign of calling out Russia for its growing involvement in Libya.22 Yet, this “naming and shaming” approach was not backed up with concrete actions to impose costs on Russian behavior. Part of the anti-Russia push lies in bureaucratic dynamics within the U.S. foreign policy-making apparatus. The Pentagon in particular sees Russian power projection as a major threat, and are thus alarmed at the prospect of a permanent Russian presence in Libya—and, by extension, in the southern Mediterranean. By contrast, the White House has been quite reticent to criticize Moscow or Putin since Trump took office.

Yet, even while adopting a policy of “active neutrality” toward the Libyan conflict and calling out Russia for its intervention, the United States did little to call out the UAE for its repeated violations of the 2011 international arms embargo on Libya in support of Haftar. Throughout Haftar’s brutal campaign against Tripoli, and even after pledging to abide by the embargo at the January 2020 Berlin peace conference, Abu Dhabi continued to deliver military hardware (and probably mercenaries) to Haftar.23 Just as Pentagon officials showed satellite photos of Russian arms deliveries, so it could have “named and shamed” the Emiratis for their violations of the arms embargo. But other equities constrained Washington’s willingness to confront the Emiratis, whose role has helped fuel the conflict. As Patel notes, historically low oil prices are changing the internal calculus for the Emirati regime—and this may present the perfect opportunity for Washington to apply some real pressure on Abu Dhabi. However, from the perspective of Washington policy-makers, there is never a good moment to challenge Abu Dhabi given deep-rooted fears of lost access, cooperative and revenues from arms sales. Under the Trump administration, the penchant to avoid any confrontation with the Emiratis has only increased, owing in part to two U.S. objectives in which Abu Dhabi is perceived to play an indispensable role: 1) the “maximum pressure” campaign against Iran; 2) the pursuit of Israeli-Palestinian peace and the recent U.S.-brokered deals between Israel, the UAE, and Bahrain. Moreover, Trump and his son-in-law and top adviser, Jared Kushner, both enjoy close ties with MBZ. Trump’s close relationships with Turkish President Erdoğan and Egyptian President Sisi may also help explain why Washington has not vocally condemned Turkey and Egypt for their extensive violations of the arms embargo.
Conclusions

Washington’s post-2011 reticent approach to Libya represents a lost opportunity, because despite the ambiguity and shifts described above, the United States is still seen by many Libyans as a credible mediator. Compared to regional players such as the EU and Turkey, the U.S. had less of a stake in Libya, allowing it to be a more neutral actor. The U.S. could have drawn on this reservoir of credibility and deployed the multiple foreign policy tools at its disposal not only to push Libyan and external actors toward a political settlement, but also in areas highlighted by Yadav in the case of Yemen, such as the fair distribution of oil resources and support for locally-led transitional justice and peacebuilding.

However, the prevailing U.S. preoccupation with Russia’s role in Libya combined by an underlying lack of will to engage robustly carries the same risks as the previous focus on counterterrorism. Namely, it diminishes the opportunities for Washington to play a leading role in helping to bring about its end. Indeed, this has been the story of U.S. policy in Libya since 2011, as Fred Wehrey notes:

Indeed, in its reluctance to formulate a clear policy on Libya and its reticence to exert diplomatic leadership, the Trump administration has in many respects followed the Obama administration’s paradigm of “no ownership” . . . part of this is structural and geo-strategic: Libya is just too peripheral for Washington to warrant significant commitment of U.S. resources or pushback against American allies who’ve long been intervening—especially when those allies’ help is deemed to be essential on other regional priorities. But under the Trump administration, authoritarian ideological preferences and a pronounced tilt toward the United Emirates and Turkey have factored in as well.24

A big, bold U.S. effort—such as that recently undertaken in Afghanistan—would require the kind of White House backing for which there exists little will. A Biden administration would also be unlikely to dramatically increase its engagement in Libya. Biden, after all, opposed the intervention from the outset.

Washington’s unwillingness to exert strong leverage in Libya or to use its power and influence to maintain NATO or European unity on the Libya file means that it might also watch from the side-lines if a frozen conflict takes shape in Libya.

Endnotes

5 In retrospect, the idea that Libyans did not want foreign help was likely overstated. Polls have shown that a majority of Libyans would have actually welcomed more outside assistance short of foreign troops. See Lindsey Benstead and Mieczysław P. Boduszyński, “Public Opinion and the Demise of U.S. Public Diplomacy in Libya.” USC Center for Public Diplomacy, 14 December 2017. Available at: https://uscpublicdiplomacy.org/blog/public-opinion-demise-us-public-diplomacy-libya
6 Interview with former National Security Council official, February 2018.
9 Conversation with Fred Wehrey, Claremont, CA., October 2018.
10 Author interviews with Obama administration officials, Washington, D.C., February 2018.
12 Interview with former Libyan official, November 2017.
Author interviews with Obama administration officials, Washington, D.C., February 2018. The LNA was later renamed the Libyan Arab Armed Forces (LAAF).


Ibid.


Wehrey, Frederic. “‘This War is Out of Our Hands’: The Internationalization of Libya’s Post-2011 Conflicts from Proxies to Boots on the Ground.” *New America*. September 14, 2020. Available at: https://www.newamerica.org/international-security/reports/this-war-is-out-of-our-hands/
Wars, Capital and the MENA region

Matteo Capasso, European University Institute, Italy

Since 2011, mainstream narratives have presented the ongoing destruction of Libya as the result of historical and internal grievances leading up to a civil war, with devastating consequences for the population. While it is true that the interrelated economic, political and social crises have deepened, the conflict among the various parties—primarily the Libyan National Army (LNA) and the Government of National Accord (GNA)—has reached a stalemate. I argue that analyses which place too much emphasis on the local dynamics ignore the important role of the global capitalist order in Libya's past and present. Thus, it is imperative to provide an alternative reading that demonstrates how the current war is the result of a progressive re-articulation of the country's economy into the global one via war and militarism.

In the spirit of the main question discussed during the POMEPS thematic workshop on 'Frozen Conflicts,' the aim of this paper is to assess whether the MENA region is undergoing an interregnum phase, whereby the region is being held in place and time by the emergence of failed states and frozen conflicts, and what this new regional equilibrium tells us about the global order. At first glance, it might seem appropriate to label many of these ongoing conflicts affecting the MENA region (Iraq, Libya, Syria, Yemen, etc.) as 'frozen.' The concept mirrors the situation of many countries in the region. That is, armed hostilities have de-escalated and there is scant capacity or willingness on the part of either local actors or their international patrons to proceed toward a peace treaty or a political solution that could satisfy the various interests at stake. However, if we accept uncritically the current situation as 'frozen,' we potentially risk underestimating the ongoing changes and, more importantly, the geo-political/economic relevance of these wars. In fact, as Samer Abboud remarks in his paper, the ecologies of conflict and violence that characterise the MENA region today are less about paralysis and inertia and more revealing of the existence of fragmented visions of global and regional orders. Drawing on the Astana process activated in response to the Syrian conflict, he argues that these talks mirror the progressive retrenchment of the liberal order and the emergence of illiberal actors, who have appropriated liberal language for illiberal ends.

While I agree with Abboud's challenge on the necessity of unpacking the linkages between the various ecologies that define the ontologi(es) of these conflicts, I take a different approach to explain the current status of the MENA region and the global order. In fact, I explore the question of the interregnum—and the pervading sense of war in which the everyday of people is enmeshed (Hermez, this volume)—as processes that analytically can be traced to the contradictions of the dominant international model of economic accumulation: neoliberal capitalism. Taking the Libyan case as an example, I explore the constitutive relationship between violence and politics in the making of the capitalist world-system and the role of MENA within it.

Methodologically, it is important to highlight that I do not take the nation-state as the privileged unit of analysis. The process of capital accumulation, and thus market relations, do not begin and end at geopolitical boundaries, nor do movements of capital and labor. I consider contemporary states as part of the broader historical setting that has emerged from the international character of capital and its markets. Similarly, while the actions of individuals and their ideologies are important details that help to explain the course of history, they are not its over-determining elements. I approach individuals and ideologies as representatives of class interests that have become subordinated to the interests of the capitalist world-system, thus inherently linked to the material reality that sustain their power. In doing so, my aim is to avoid reducing politics and history to a grotesque fight between 'irrational' individuals and 'dangerous' ideologies or, as Gramsci argues, to turn history into a treatise on teratology. I stress this point because, in our dominant model of economic...
accumulation, wars are waged to sustain capital expansion and the permanent search for ‘monsters’ and ‘crises’ to fight has become a fundamental need rather than a rigorous analytical exercise.\textsuperscript{5}

What follows is divided into three sections: First, I trace the progressive unmaking of the Libyan social formation, which demonstrates the need to understand its current war vis-à-vis the rise of war and militarism as dominant processes of capital accumulation and production at the global level. Subsequently, I assess Libya as part of the wider MENA region and the related refugee crisis. I conclude by arguing for the urgency of capturing the linkages between these wars and the contradictions generated by neoliberal capitalism in order to break this frozen cycle of violence.

**Re-articulating Libya: From Decolonisation to War\textsuperscript{6}**

After the 1969 al-Fath revolution, the Libyan government pursued a revolutionary project of national independence, while also advocating for a radical change in the relations of domination in the international order. For the Libyan revolutionaries, the process of national liberation required a wider restructuring of the process of unequal exchange and the power hierarchies that allowed the US-led imperialist order to dominate the Global South. If we acknowledge the political valence of anti-imperialist and socialist ideas to the practices of the Libyan government since the early years of the 1969 revolution—rather than succumbing to a history of teratology—it becomes easier to understand how crucial was the struggle over the power to imagine alternative paths to development and regional cooperation which might regain the power to shape one’s economy, culture and society. As part of this anti-imperialist project, numerous political and economic initiatives were undertaken in order to improve the living conditions of the population, including the nationalization of the oil industry in 1973, the construction of infrastructural and redistributive programs, as well as the support of revolutionary movements worldwide and the pursuit of projects of regional integration.

Those programs, however, were undermined as a result of the intertwined political, military and economic measures that the US and its allies adopted in order to weaken the achievements and ambitions of the Libyan revolution. For example, Libya provides financial and military aid to states that shared its vision, considering this a necessary step to fulfill its anti-imperialist struggle.\textsuperscript{7} However, the US CIA believed that Libya provided military and financial aid to ‘radical’ regimes and ‘terrorist’ groups to undermine US interests in the Third World.\textsuperscript{8} Inevitably, an undeclared war against Libya began, reaching a turning point, first during the long military confrontation in Chad; and second following the imposition of international sanctions in 1992, imposed as a result of a 3-year investigation into the bombing of Pan Am Flight 103 over Lockerbie, Scotland in 1988, killing 270 people. The US and UK governments concluded that two Libyan subjects had orchestrated the attack as retaliation for the 1986 US bombing of Libya. Initially, the Libyan government rejected these accusations and proposed to establish a ‘neutral’ international court for the trial of its two citizens. In complete breach of international law, in particular the Montreal Convention of 1971 that granted Libya the right not to extradite the suspects, both the UK and the US rejected the proposal, denouncing it a sign of blatant obstruction. Yet, the UN sanctions rested on evidence of Libyan involvement in terrorism that ‘has not been made public, has been confused in the public mind with a request for extradition or a surrender of Libyan nationals that has no legal basis, and […] demonstrates an unequal application of law and power.’\textsuperscript{9}

The earlier military defeat in Chad and the burgeoning weight of the international sanctions triggered a slow re-structuring of the class structure of Libya’s state-elites, gradually transforming it. The changing geopolitical conditions represented a major ideological defeat for the Libyan regime, one ironic consequence of which was the ruling class becoming more integrated with international financial capital and losing its autonomy over economic policies. Like many other Arab republics, this shift marked the emergence of a merchant/comprador class,\textsuperscript{10} which kept extracting wealth from national resources without reinvesting it for the development...
of the country. Thus, the formerly nationalist and anti-imperialist elites began to enrich themselves through rent-seeking and parasitic commercial activities, systematically transferring their wealth abroad, instead of investing in national or regional enterprises. In this context of geopolitical uncertainty and constant threat of war, further aggravated by the multi-lateral sanctions that progressively dismantled the infrastructural and redistributive achievements of the past decades, ‘network of privileges’ and less progressive structures began to appear. The result of these changes inevitably translated into the emergence of socio-economic inequalities, the increasing use of corruption and political repression (such as the Abu Salim prison massacre), declining job opportunities and revival of tribal affiliations as both tools of control and valves of a societal safety net.

Understanding these developments after 1990 allows us to answer the question of how the 2011 uprising led, on the one hand, to a large mass movement of Libyans who angrily protested in the streets and, on the other hand, the speedy mobilization of the military power of NATO to direct the course of events. These two processes were not exclusionary but rather the ‘logical’ outcome of the long ‘war’ unleashed on the Libyan government beginning in the late 1970s and which had eroded its economic and political achievements. Therefore, as the protests were hijacked by a regime-change operation, the integration of Libya into the global economy also changed. It was no longer a case of capital flight—the investment funds of Libyan authorities being relocated in the US or Europe to the detriment of the local population—as had taken place in the previous decade. Rather, war and militarism emerged as the new mechanisms of capital accumulation at the global level, thus changing radically the ways in which Libya—its land and people—enter the global circuits of capital even as the country descended into ongoing destruction.

Warring Region or Securing Profit

Rosa Luxemburg was one of the first analytical thinkers to argue that military ventures abroad are necessary, if not vital, to maintain the expansion of imperialism worldwide. This proposition helps to explain both the false narratives that Western states used to invade Iraq in 2003 and the 2011 NATO-led intervention in Libya. Both military ventures were undertaken to complete policies that had been preceded by years of coercive diplomacy and multilateral sanctions. Moreover, I argue that the outcome of the US invasion of Iraq—that is, 17 years of ongoing war—requires us to revisit its initial purposes. More specifically, I propose that war and militarism are no longer a means to an end, such as the construction of a free-market society; rather, militarism creates the present reality that is sustained by endless war.

Currently, militarism has become the way through which the MENA region and the global South at large are being re-articulated into the global economy. At the same time, this newly emerging configuration remains linked to the increasing central role that the military-industrial complex plays in the political and economic spheres in countries of the global North. Many analysts have demonstrated how the US government adopted a blind faith in militarism and the use of war that, in turn, accelerates the hollowing out of its democratic structures. Unfinished wars abroad have sown a sense of fear, violence and insecurity at home, all of which have escalated under the current Trump-led administration. Throughout the years, vast financial and human resources have been devoted to ‘homeland security’ and the militarization of society, resulting in human, mental and psychological damage.

War per se has become a sphere of production, accumulation and investment that: 1) is re-articulating the MENA region in the global economy; and 2) sustains the power of the current global capitalist order. By locating what is happening in Libya and other MENA countries (Iraq, Syria, Yemen) in this scenario of perpetual war, it becomes possible to understand how the NATO-led intervention did not simply fail because it lacked a plan for the aftermath. Rather war sustains war through securitization, border surveillance, arms sales, private military companies and the creation of logistics spaces. For example, in Libya, in the aftermath of 2011, the
ensuing struggle over state institutions and the monopoly of violence has intensified the struggle over rent-seeking activities among rival armed groups. A case in point is the situation in Tripoli, where four militias have consolidated their position and established the basis for a predatory economy based on violence. From 2012 to early 2014, the primary source of finance for militias was funds specifically allocated to these groups via the defence and interior ministries, which covered the salaries of individual militiamen. By inflating payrolls and operating expenditures, militia leaders and their political allies were able to accumulate wealth, which they partially reinvested in heavy weapons and other capital-intensive equipment\(^19\) to continue the war to continue. However, as state funding contracted in successive years, armed groups searched for other ways to finance themselves. Kidnappings soared in Tripoli during 2015 and 2016, the vast majority of which were undertaken for financial motives. During the same period, protection rackets emerged, with armed groups ‘taxing’ local markets or private businesses in exchange for ‘security.’ Such activities also characterize the political/economic practices of the Libyan National Army (LNA), led by General Khalifa Haftar, who has set up an institutional body called ‘The Military Investment and Public Works Committee.’ This body undertakes predatory activities, such as confiscating properties, extorting private economic actors and taking control of public projects. Those practices then lead to the imposition of monopolies over the smuggling of hard currency and refined fuel products, which further enable the LNA to survive and maintain power by paying off its supporters.\(^20\) The final and key step involves the reinvestment of these funds in the security-military complex to solidify or maintain their power, such as weapons that, at times, are not even delivered.\(^21\)

The peculiarity of these markets of violence lies in how they link the nonviolent commodity markets with the violent acquisition of goods. At the same time, the high levels of societal militarization do not translate into peace or security for the communities living there. For example, since August 2020, in areas controlled by both factions (GNA and LNA), numerous Libyans protested the new everyday reality of power and water cuts during the COVID-19 pandemic,\(^22\) yet the protests often met with an indiscriminate use of violence. The consequences are largely detrimental to the majority of the population, since the provision of goods and services can become tightly linked to people’s support for a certain armed group or gang. The founding role of violence and militarism for accumulating resources—and thus political and economic capital—allows militias to govern largely without the support of the majority or any form of accountability.

These Libyan maladies should be understood in relation to—not divorced from—the interests of regional and international actors. The UAE’s intervention, for instance, derives from the country’s wider strategy to create logistical spaces as a “key mechanism for inserting market imperatives into ‘humanitarian’ activities.”\(^23\) The adventurism of regional actors, in turn, is linked directly to the increasing securitization and international arms’ sales to the region. As the Forum of Arms Sales notes, US arms’ sales to the MENA in 2019 increased 118% compared to 2018, reaching a sum of $25.5 billion.\(^24\) In the past five years (2014-2019) there has been a dramatic increase in the sale and flow of weapons from European countries and Russia to the MENA region, and many of these weapons eventually are diverted to their local proxies in Libya, Syria or Yemen.\(^25\) Italy, for instance, has managed to sell a total of €1,334 billion of armaments to countries in the Middle East and Africa.\(^26\) The so-called ‘refugee’ problem unleashed by the collapse of Libya further illustrates this self-fulfilling cycle, as revealed by the contradiction between the huge swathes of far-right political propaganda circulating within Europe on the costs of hosting and controlling refugees coming from Libya, Africa and the MENA on the one hand, and on the other the extent of European powers’ (and their regional allies) involvement in the war through the sale of arms and the construction of surveillance and humanitarian infrastructure in the same region.

What is most striking is how the war industry profits from both sides of the tragedy:\(^27\) First, by fueling conflict in the region; and second, by providing the infrastructure and technology to stop refugees from coming to Europe.\(^28\) In a similar fashion, the same Libyan coast guards trained by
the EU agency Frontex set up to prevent migrants’ boats from reaching Europe, were discovered to be working with smugglers, while committing human rights abuses against migrants. Top European arms sellers—Finmeccanica, Thales and Airbus—are the same beneficiaries of EU-provided border security contracts. In such a context, one should consider how the Libyan war reveals further the involvement of the war industry via the border wall construction between Libya and Tunisia undertaken jointly by Germany and the US, French military operations in the Sahel, AFRICOM military bases or the new EU digital surveillance installation on the coast of Tunisia, ‘ISMariS.’

Therefore, I argue that the academic and policy worlds must start analyzing these links between systemic inequalities and the processes of capital accumulation at home and abroad, taking place via war and militarism. In doing so, the question at hand is not whether the US or the international community should intervene in the MENA region. Rather, as I propose in the following section, systematic change requires centering and understanding the appetite for war and militarism driving the global capitalist economy.

Is There a Way Forward?

Capitalism, as a historical process shaping the social relations of production, requires precarious and exploitable workers to facilitate the accumulation of profits for those owning capital. In the global North, it opposes the welfare state in order to create those precarious lives and also supports wars to exploit the patriotism of workers and to delude them into believing their destruction in war is heroism. In this climate of privatization and shrinking public budgets eroding the welfare state, some politicians encourage workers to perceive immigrants and refugees as competitors for wages and welfare. As capitalist leaders like Boris Johnson and Donald Trump demonstrate; they play on the fears of workers by championing anti-immigrant policies rather than promoting higher wages and better social welfare. For the global South, military intervention and the subsequent fight against migration allow further pauperization of people. Their precarious labor is characterized by poor wages, insecurity in the continuity of work, emergence of slave-like labor regimes, if not outright death in war, or while attempting to reach Europe.

This picture signals a passage to a state of increasing inequality worldwide, but also reveals the intimate linkages between the global North and South, thus indicating that the nature of the struggle required to finding a way forward can only be a systemic and international one. The international leading model of economic development that Europe and the US are supporting is not sustainable. Indeed, the policies of the Trump administration certainly are accelerating its destructive potential, although it is unclear at this stage to what extent a potential win of the Democratic presidential candidate might trigger a change of this course. In this regard, it is indicative to ponder on what the current UK Prime Minister, Boris Johnson, replied when a grassroots campaign motioned the UK government to stop selling arms to Saudi Arabia due to the calamities taking place in Yemen: We can’t because other countries would “happily supply arms” to Saudi Arabia if Britain stops. Johnson’s reply is much more than geopolitical realism, it captures how war and militarism have become a new paradigm of economic investment, driving the market-logic and taking over the world of politics and international relations.

Therefore, it is possible to conclude that conflicts in the MENA are frozen, but so are any imaginable policy options devised to help the MENA region that do not tackle the impact of capitalist exploitation. Neoliberalism is the attempt to protect capitalism against social democracy. As I aimed to discuss in this paper, the protracted wars in the MENA require the willingness to think radically differently, curbing or putting an end to a system of economic accumulation whose internal contradictions have brought us here. Are we ready to change course of action as we witness a global economic order sustained by endless wars and increasing inequalities? Seriously addressing the reasons for these frozen conflicts provide us with a unique opportunity
to re-orient policies toward the global necessity of developing a sustainable model of economic development that confronts these new modes and paradigms of capital expansion, war and militarism, at home and abroad. For this to happen, I argue that it is imperative to start 1) comprehending how the MENA region is being re-articulated in the global economy; and 2) building a new international democratic socialism that puts emphasis on mutual cooperation, the protection and guarantee of the economic rights of the most marginalized and poorest classes, while renouncing exploitation and profit. There will be no escape from these interminable wars until this reality is recognized and tackled.

Concretely, enforcing an arms’ embargo in Libya is a fundamental step but it requires a global regulation of the arms’ industry, just as much as a Global Green New Deal that would reduce the power of the fossil fuel industry worldwide. It is not enough to turn militaries ‘green-friendly’ in non-combat bases. We need to account for wasted lives and pollution that wars generate in the MENA and beyond, as part of the polluting footprint of the war industry. There is a need to promote peace in school education, while showing how the exorbitant budgets assigned to military spending could be better used to guarantee people’s health and education, at home and abroad. International developmental organizations should aim to bring back questions of food sovereignty and sustainable agriculture, aiming to undo the existence of food dependency mechanisms. There needs to be a push toward a truly interconnected world based on equal exchange of resources and technologies. The actions of Libyans protesting in the street during the pandemic, or the refusal of Italian dockworkers to load power generators onto a Saudi cargo ship carrying arms to be used in the plundering of Yemen are glimpses of another possible and desirable world. They remind us that a way forward exists, but the courage to undertake this path might be found more among the powerless popular classes, than among the ruling ones.

Endnotes

4. In biology, teratology refers to the study of congenital abnormalities and abnormal formations in plants and animals. In this paper, I borrow this word from the work of Antonio Gramsci who uses it to refer to the methodological anti-historicism adopted to judge—rather than study—the past as ‘irrational’ and ‘monstrous,’ which implies the adoption of a metaphysical position. See Quintin Hoare and Geoffrey Nowel Smith (eds.) Selection from The Prison Notebooks of Antonio Gramsci, p. 449 (London: Lawrence & Wishart, 1971).
6. This section provides a summary of a recent research paper I published, for more details see: Matteo Capasso. ‘The war and the economy: the gradual destruction of Libya,’ Review of African Political Economy (Latest Articles, 2020), 1-23.
7. For a thorough discussion of Libya’s support to revolutionary groups, many of which the US and its allies designated as terrorist groups, as well as the Lockerbie bombing, see Capasso, ‘The war and the economy,’ pp. 7-11.
17. See, for example, Catherine Luiz and Andrea Mazzarino. 2019. War and Health: The Medical Consequences of the Wars in Iraq and Afghanistan, NYU Press.
This aspect is also highlighted by Al-Hamdani’s contribution in this POMEPS issue.


The consolidation of a (post-jihadi) technocratic state-let in Idlib

Jerome Drevon, Graduate Institute of International and Development Studies; and Patrick Haenni, European University Institute

Introduction

The regional and international environments have transformed conflicts in the Middle East and North Africa. The reluctance of Western countries – especially the United States as examined by Buduszynski in Libya – to maintain a heavy footprint on the ground has facilitated the reassertion of regional states like Russia and Turkey. Abboud contends that one of the notable features of the management of armed conflicts by regional states is their acknowledgement that violence does not have to be eliminated but managed, as illustrated by the Astana process in Syria. Locally, these transformations have empowered a range of non-state actors that compete with governments and are sometimes involved in local governance and security, as shown by Ahram. Some of them have even established state-lets trying to sustain themselves in this new environment. The state-lets create new forms of statehoods, which creates “citizenship constellations” that inform individual adaptation to these changes as well as potential long-term risks according to Sosnowski. Important questions on the viability of the state-lets and their own choices in changing domestic and international environments nonetheless remain.

Rebel governance by non-state armed groups is at the forefront of recent research in civil war studies. This paradigm is defined as the “organization of civilians within rebel held territory for a public purpose [including] the encouragement of civilian participation, provision of civilian administration, or organization of civilians for significant material gain.” Islamic State group (IS) is the most obvious case since this group explicitly defines itself as a state. But other examples exist. A prominent case is the Syrian armed group Hay’at Tahrir al-Sham (HTS), the former Jabhat al-Nusra (JaN). The group was created by IS commanders who split from the organisation in 2013 by pledging allegiance to AQ before asserting their independence from the latter as well three years later. The group has effectively dominated and managed the northwest Syrian province of Idlib since 2019. In contrast with most salafi jihadi groups that directly rule the population, however, HTS has promoted a civilian technocratic administration to manage the province known as the Syrian Salvation Government (SSG thereafter). This choice is strikingly different from other well-known cases of direct jihadi governance characterised by high ideological commitments and harsh governance.

In northwest Syria, HTS considers the consolidation of a technocratic government that preserves internal stability while fostering tacit Turkish and Western acceptance as key to its survival. Non-ideological governance is paradoxically the most appropriate choice for a group that stems from jihadi Salafism to emphasise its singularity, especially vis-à-vis AQ and IS. The trajectory of HTS seems to demonstrate that the insurgent-held province will not be a radical emirate or a safe haven that could serve as a launch pad for foreign attacks. The HTS-supported SSG has accordingly implemented an array of religious and security policies to maintain internal order and substantiate the group’s commitments internationally. While the longevity of the group and its supported government is contingent on regional developments, as recognised by HTS leader Abu Muhammad al-Jolani himself, such a trajectory could encourage other jihadi insurgents to make similar choices. This research is based on multiple research trips undertaken in Idlib in 2019-2020. We have interviewed the political, religious, and military leaders of HTS, other groups, and an array of ministers that have served in successive iterations of the SSG.

The consolidation of a civilian administration over Idlib: A paradoxical hegemon
The establishment of a single administrative body to rule the insurgent-held province of Idlib after 2017 was not simply the political project of HTS or its predecessor JaN’s political project. This goal was largely embraced by most insurgents, regardless of their divergences on its practicality. The unification of governance was a response to the evolution of the Syrian conflict by 2016. The main turning point was the Russian intervention followed by the seizure of Aleppo by the regime and its international allies in 2016 and the loss of remaining insurgent strongholds in the suburbs of Damascus, Homs, and the South. The north-western province of Idlib was administered by contending authorities before 2017. Local governance consisted of a combination of local councils, independent organisations, and armed groups’ infrastructures (including courts and prison facilities). Multiple authority exacerbated internal fragmentation and prevented the imposition of common regulations and rules throughout the province. It also heightened internal tensions as local councils received diverging sources of foreign support. The province had become a patchwork of mini-kingdoms ruled by local groups and factions, while unity was increasingly necessary to ensure its military defence and political representation.

Civil society was at the forefront of promoting unified governance but factional competition was a major impediment prior to 2017. Several initiatives were presented by local activists and entrepreneurs alike, according to numerous interviews with them. The most important initiative was promoted by scholars who organised a general conference to establish a local administration in 2017. However, most of these initiatives failed. Divergences of views between the factions, lack of trust, and their inability to reach a consensus prevented the consolidation of a unified civilian administration throughout the province. Instead, factions shared power based on the changing balance of military power between them and on their own preferences. Factionalism had long impeded the unification of governance despite the support of some factions for the establishment of a unified civilian authority. The establishment of a single civilian administration only became possible when one group, HTS, imposed itself militarily over other factions.

HTS used the imposition of a technocratic government to institutionalise the revolution. The main objectives of the group were to withdraw governance functions from the factions and produce political representation. The first dimension of institutionalisation entailed the centralisation of several core features of governance. The SSG imposed itself throughout the province by demanding the submission of all the groups and local organisations. Then, it centralised the local councils and unified the courts of justice and prison facilities previously managed by the factions according to the SSG minister of social affairs Moyaed al-Hassan. The process was arduous since many localities refused to abide to the new administrative order. A few local councils vied to remain independent and opposed SSG taxes, although they gradually had to submit to the SSG. This process of centralisation paradoxically gave some degree of autonomy to the SSG from HTS, which did not seek to micromanage or control all of the administration.

But important features of governance were delegated to non-group members inside the SSG and to organisational structures unaffiliated to the SSG as well. HTS realised that it could rely on external groups for its governance project. Non-HTS constituencies, especially among the urban middle class, economic entrepreneurs, independent Islamists, and tribal entities, sought to benefit from the unification of local governance. Civilian positions inside the government have been manned by the educated urban elite trying to reassert itself after the end of factionalism, which divided them and impeded their independent consolidation. Most of them were conservative individuals previously engaged in revolutionary activism without clear factional belonging. Similarly, businessmen invested in institution building within the SSG to establish a framework to organise their work. Some of these groups were co-opted by HTS while others seized their space independently. They joined the SSG out of ideological affinity or simply to pursue their own interests, including corporatist and tribal. In addition, the SSG accepted that some of the administration is performed by external
Structures. For instance, the health sector has been mostly supervised by international NGOs while education is organised by independent religious institutes and foreign-supported organisations. The SSG had to renounce some of its prerogatives to maintain foreign support.

The group’s hegemony is therefore paradoxical since the hegemonic player is ready to delegate. The SSG is the sole active government in the province of Idlib. HTS explicitly forbids the creation of alternative structures of governments, including courts of justice, not under the official jurisdiction of the SSG. Yet, the SSG does include non-HTS constituencies and acquiesce that some of its prerogatives are performed outside the government. As long as the SSG remains officially in charge of the province and is able to maintain its position as the sole administrative hegemon, it accepts not dictating every facets of governance. On the other hand, HTS keeps a tighter control of security and large segments of the local economy, which it considers strategic priorities.

Religious Policies: Constraining religious radicalism without ideological revisions

The establishment of a technocratic – and therefore non-ideological – government does not exclude the implementation of specific religious policies. Political dissidence in a religious garb has been a real threat to HTS and its supported government, which could erode their local legitimacies and organisational cohesion. Controlling religious discourse without necessarily trying to implement strict religious regulations was therefore taken seriously by HTS to eliminate political opponents. The group leadership also wanted to create distance from the other state-lets previously formed by jihadi groups characterised by their harsh implementation of Islamic Law.

These issues quickly appeared when HTS engaged in a tacit rapprochement with foreign countries, especially Turkey. The group’s acquiescence to a growing Turkish role antagonised many individuals and factions that considered it Islamically unlawful. These actors include many HTS commanders who left the group to create an AQ-aligned alternative, Hurras al-Din (the Guardians of Religion), as well as prominent commanders and religious scholars who initially remained in HTS. HTS was concerned about the political arguments made by its opponents, as they were grounded in religion, thus potentially threatening HTS’s legitimacy and internal cohesion.

The group’s first response to the threat from hard-line commanders was to institutionalise internally. Despite the failure to unite all of the factions, HTS sought to institutionalise internal authority, including religious authority, since its creation. The group initially gathered most previously independent religious preachers in a common structure to unite – and ultimately control – their voice. It gradually imposed administrative regulations in the next few months. They limited the application of many religious concepts associated with jihadi Salafism, including excommunication. According to the head of HTS’s religious council Abu Abdullah al-Shami and HTS consultative council member Mathhar al-Weis, the group punished – through detention and expulsion – dissident voices for breaking administrative rules and expressing contradictory positions publicly. Institutionalisation also entailed the re-assertion of the role of the traditional Islamic schools of jurisprudence – the maddhab – to impose internal control, acknowledge local norms, and sever the influence of foreign jihadi intellectuals. HTS never renounced its Salafi religious creed and beliefs, but effectively restricted their implementation by drawing on other concepts in Sharia Politics to justify its new political leanings.

The SSG has not tried to impose its religious vision or Islamise the population. In absence of an emirate, the SSG relaxed its religious regulations and focused on political dissidence. The initial imposition of the SSG accompanied some restrictive measures in the religious field. Several religious preachers were removed and some institutions were pressured by the new government. But the SSG and HTS ultimately refrained from imposing narrow religious views in reaction to popular pressure and HTS’s own limited manpower. HTS simply did not have enough resources, including religious preachers, to fill in existing needs according to Ibrahim Shaho, the SSG minister of
religious affairs. More religious diversity was therefore gradually allowed, in contrast with JaN’s previous practices. For instance, traditionalist religious institutes managed to dispense their courses and organise Islamic circles, despite the traditional Salafi opposition to their religious creed.

The imposition of a technocratic government alleviated pressure on the immediate implementation of all facets of Islamic law. There were some limited early attempts to impose stricter religious regulations, including the necessity for women to be accompanied by a male relative. Yet, the combination of public pressure and a restrictive regional environment reinforced the group and its supported government’s willingness to compromise. The institutionalisation of governance marginalised previously independent judges and religious scholars, which prevented excessive implementations of contested Islamic rulings. Without reforming its core doctrinal principles, HTS and the SSG have effectively suspended the implementation of a clear ideological project. They have not implemented the Islamic corporal punishments and generally aligned with local norms including in the religious domain.

Security

The third major feature of HTS and the SSG’s policies is security. After demonstrating that HTS would not implement an IS or AQ-like emirate, the group also had to send signals that insurgent-held Idlib would not pose an international security threat. It was therefore important for HTS to demonstrate that it could subjugate AQ figures as well as radical foreign fighters. The imposition of a unified system of governance generally sought to stabilise domestic order, preserve the territorial gains of the opposition, and build international credibility. After the loss of Aleppo and other insurgent strongholds between 2016 and 2018, the objective was to improve military coordination and prevent spoilers to align military campaigns with the achievement of clearer political objectives.

HTS’s policies on radical groups varied. The imposition of HTS’s military pre-eminence in Idlib initially sought to prevent the consolidation of more moderate alternatives by Ahrar al-Sham and its local allies. But HTS’s military hegemony also helped it to dismantle more radical alternatives. HTS has directly managed the security threat posed by IS cells. HTS’s security services have dismantled their early networks, detained their members, and executed some of them. HTS’s policy on non-IS radical groups was more subtle. The AQ-split Hurras al-Dirn, for instance, was not directly dismantled. Some of their leaders were occasionally arrested and pressured, which initially raised internal complaints inside HTS itself. HTS then tried to control them from 2018 to 2020 with economic and military pressure. It also sought to isolate them from their local allies by inciting smaller radical factions to distance themselves. Ultimately, Abu Muhammad al-Jolani insisted that, despite some tensions, HTS managed to force them to agree not to use Syria as a launchpad for foreign attacks, abstain from kidnappings, and dismantle their courts and check points.

Addressing the threat posed by radical groups was also important for HTS’s own internal cohesion. The gradual elimination of more radical factions like the AQ-aligned HaD helped to dissuade HTS’s own commanders and sub-groups from looking for alternatives. HTS commanders and sub-groups that opposed their leadership’s pragmatism would accordingly have to weigh the prospects of losing access to critical resources had they decided to join a more alluring – but resource poor – alternative organisational umbrella to fight according to individuals close to HaD.

Aside from the radical groups, HTS had to recognise the necessity to collaborate with more mainstream factions. The imposition of the SSG was initially facilitated by HTS’s military subjugation of these groups, especially Ahrar al-Sham. HTS seized their heavy weaponry, imposed the dismantlement of their administrative infrastructures into the SSG, and expelled some of their commanders. But HTS ultimately realised that it could not defend the province alone. The localism of the conflict became a real impediment to the defence of the regions where other factions previously dominated, especially in the South of the province. HTS’s current military commander,
Abul-Hassan 600, recognised that the group could not mobilise locals to defend these areas if it expelled local factions. Locals would not join HTS after being militarily subjugated. HTS therefore had to collaborate with these groups to coordinate the military defence of the province. Most of the factions joined a shared military operation room, which is planned to be transformed into a military council consisting in a troika formed in collaboration with Ahrar al-Sham and Faylaq al-Sham.

The institutionalisation of military work through the formation of a shared military operation room was, more recently, used to further constrain radical factions. The stabilisation of HTS’s relations with mainstream armed groups consolidated the shared military operation room. Next, HTS explicitly forbade any military actions orchestrated outside of this framework. The institutionalisation of the insurgency transformed the shared operation room into the only acceptable coordination mechanism. Competing military rooms, including the military room lead by AQ supporters were banned to prevent them from spoiling the military work that HTS and other factions coordinate with their Turkish partner. This step was necessary to impose military order and prevent dissidence, which would have weakened the defence of the province. According to Abu-Hassan 600, the head of HTS’s military wing, former HaD soldiers will not be integrated into HTS. Their mobilisation could pose an internal threat to the unification of the military forces since they are not ideologically aligned with the new strategy of the insurgency thus weakening HTS’s internal cohesion.

These security and military policies have an important international dimension. The survival of insurgent-held northwest Syria has become primarily contingent on regional developments, as recognised by HTS leader Abu Muhammad al-Jolani. Local groups cannot defend the province without external support, especially from Turkey. This configuration has created a relationship of dependency on Turkey, and on the international environment. That is particularly the case since Turkey sent more than 10,000 soldiers to the province for the past year. Despite initial tensions, HTS expresses the desire to create strategic ties with Turkey. However, the group’s continued international terrorist listing remains an impediment to further international engagement.

**Conclusion**

So-called *jihadi* governance is too often understood through its violent features only. Northwest Syria is therefore particularly intriguing since it suggests that *jihadi* groups can also accommodate their regional and international environments and make substantial concessions on their ideological projects. Armed groups like HTS, like Ahrar al-Sham in the past, have been responsive to changing environmental conditions by recognising the necessity to forge ties with foreign countries and be accommodating with the population. Beyond existing debates on moderation and ideological change, this case suggests that *jihadi* groups can transform when external actors are willing to offer a way out of AQ and IS.

Against the backdrop of current debates on great power politics and foreign intervention, northwest Syria illustrates some of the shortcomings of the counter-terrorism and counter-insurgency strategies that have been pursued for the past two decades. These two approaches have too often been conflated, but also reduced to mere “elimination” of security threats. The depoliticisation of counter-insurgency has hindered a real debate on engagement with local *jihadi* groups. Freezing conflicts, Western retreat from the region and Turkish interference therefore offers a real opportunity to reflect on how regional and Western states can shape the conditions in which *jihadi* groups can transform, including through dialogue.
Endnotes

1 This article is based on a longer article entitled “Global Jihad No More: AQ’s Former Syrian Franchise Switch to Politics” to be published by the Syria Initiative of the European University Institute of Florence. We would like to thank Elizabeth Tsurkov, Dareen Khalifa, and Regine Schwab for comments and suggestions.


Heartbreak, Still Time, and Pressing Forward: 
On Lebanon and the Future

Sami Hermez, Northwestern University in Qatar

“Let us just die in silence. Everyone just shut up,” a friend in Lebanon tells me in frustration and anger as he sees people try to, unsuccessfully, mobilize for political change. This may not capture the sentiment of those who, in anger, hung up nooses after the Beirut port explosion on August 4, 2020, and called for the hanging of politicians. In fact, it may not be a sentiment shared by many activists of the October 17 uprising. Regardless, it represents a marked difference from the hope and possibility I found people expressing during the despair embedded in other moments of political violence, such as during the 2006 war or 2008 battles in Beirut and others like them that I touch on in my book, War is Coming, where there continues to be a pressing forward with purpose. The sentiments above, and others that I heard in the wake of the Beirut blast, like “we are dead inside,” speak to a time stilled, on pause, stuck. They speak to a breakdown of anticipation, a surprise. A city randomly exploding, unlike a coming war, was beyond how people imagined the future; had the cause been an Israeli bombing it may have fit better into how people made sense of the future and, thus, offered some certainty within an overall time of uncertainty. Even those who press forward confronted by a brick wall, do so with a sense of weakened purpose. In what follows, I want to frame the Beirut blast within a continual war and to elaborate on this stilled time and what it does for our thinking of the future as an analytic category. My hope is this will give some purpose to an incommensurable moment.

On August 4, 2020, the port of Beirut exploded in what is one of the largest non-nuclear explosions in history. With it, Beirut seemed to explode too, or implode. In every neighborhood, glass shattered into the streets, aluminum frames buckled, and in the closest neighborhoods to the port, brick and cement turned to rubble. Over 200 people lost their lives and over 6500 were injured. The blast was the latest catastrophe to be layered on top of a society reeling from economic collapse, a global pandemic, and a people’s uprising that began on October 17, 2019. The target of the protests was a century-long system of political sectarianism which many in the protest movement viewed as the core problem as it reproduces the de jure and de facto powers of the ruling class, who use the economy, government institutions, and threat of violence to share power amongst themselves and maintain a system of patronage.

All indication points to the Beirut port explosion being a kind of industrial accident caused by government negligence in which 2,750 tons of ammonium nitrate was stored improperly. But while this may not have been an act of war or sabotage by one political group against another, it is important to recognize so-called “government negligence” in itself as a deeply political act that is embedded in a continual war that Lebanese have been embroiled in for decades. After the signing of the Taef Accords in 1990, and contrary to what the historical narrative would have us believe when it bookends Lebanon’s war between 1975-1990, what emerged was not peace but a continuation of war through “peace” or politics. What emerged was a reframing of the social, political, and economic relations embedded in war as normal peaceful life. The Taef Agreement bracketed the war as past, as something without ongoing structural effects. We find, however, that it was anything but – because the war continued, literally physically (through occupation, bombings, and the like) but also structurally.

Continual war, but not a frozen conflict; the war continues to flow in time, undergoing transformations and mutations. Some of its actors change, others remain the same. The new actors buy into systems set by the old — for example, Hizballah is successful because it has played the game well and understood how to maneuver the patronage system. It is continual because the roots are the same —
MENA’s Frozen Conflicts

although they too grow and adapt — but, for example, *Israeli occupation of Palestine and aggression on Lebanon*, and the related affects, is one significant node; *political sectarian power-sharing* set up in the time of the French mandate is another; *a patronage system that is subsidized through economic corruption* is a third. It is in these continual roots that the feeling of being stuck emerges, that we feel “we are just breathing, not alive and not dead,” that “We feel stuck in the civil war, it never ended. They are still here, the same people, the same faces.”

It is this continual war that the October 17 revolution in Lebanon was trying to end by cutting off at least two of its three roots (political sectarianism and the patronage system with its “same faces”). In this way, the uprising itself must be seen as part of this war. And while “continual war” may conjure up a primordial violence, this is not the point. This framing is not special to Lebanon, and, for example, there is no better way to frame US history than as a continual war in the drive to build an empire. The framing, however, is instructive to help us understand where the political problems lie (in the founding of the modern state in 1943, or 1920 under French mandate, if you prefer, rather than an intercommunal conflict in 1840) and to identify new issues versus old.

The black swan of the Beirut port blast is so profound that it can be hard to see it as a continuation, and our urge is to feel rupture as the surprise creates “the eventness of the event.” When comparing the port explosion to war, the violence of the latter is gradual, the destruction seeps into mind and body over time. One building is bombed, gunshots occur over an evening and a day, material damage is gradual, the death is experienced in time and within smaller communities. Importantly, war also has meaning for those caught up in it. With the Beirut port blast, the extreme destruction to life and structures of all kinds is wrought on everyone in an entire city, hundreds of thousands of people, all in an instant, all at once, as if displaced from time, with no time to process. The immensity of it is suffocating. Couple this with the idea that the blast was due to incompetence and we are left facing an incommensurable event — even accountability feels meaningless before the monstrosity of it all. The before and after is also so stark that there is no equilibrium. The future is made impossible to imagine and people are left with only their present to collect. In war time, on the other hand, there can be equilibrium and hope and futurity. It is for this reason, if we are to overcome incommensurability, it is necessary to understand and frame the blast as an episode within a continual war.

The sense of emptiness and defeat comes as people try to make sense of multiple crises. While wars certainly contain multiple levels of crises, there is a way in which the war framing usually takes over to produce some sense. Crucially, in war there is an identifiable enemy and a motivation, a cause, on which lives can be framed. In the present moment, between a pandemic, an uprising that has not achieved its goals or produced new leadership, and the destruction of a large part of the city attributed to negligence, people feel they are fighting on multiple conceptual fronts. It is for this reason, again, that it is useful to understand the multiple layers of crises as part of one continual war, manifesting from the same political roots.

What forms of life do continual wars produce, especially wars fought in one’s city and villages? What possibilities do they foreclose? If politics is, at least in part, about envisioning and managing the future, what does a continual war do to our imaginations of the future? For this, I want to take up a confusing time that is in motion but best captured by the word “still,” and get us to think about the future as a type of memory.

Still.

People are reeling, still.

Still, they wake up with lumps in their throats and knots in their guts. Still, they have nightmares. Maybe this will end, but for now, still. Still, their days have lost their flavor, as one friend tells me. Still, they learn of friends who lost friends, and friends who lost homes and livelihoods. Still, they live in denial, they cry, they are unable to
comprehend. Still, they go on, carrying themselves, cleaning up, rebuilding, and reopening their businesses.

Still, they feel the blast in their bodies. Still, I do too.

Still and still, is a time we embody, a relationship with the past where we “still stand” and “stand still,” where we move along but don’t move. “Still” is a present structure of feeling that consumes our imagination of the future with materialities of the past. “We are still…” collapses the past into the future. But it is, also, rhetorical. For while time may feel still, frozen as ice, it is more akin to still water – still moving; as time flows in stillness, so the war flows in time, undergoing transformations and mutations, forming what Abboud calls “crisis ecologies” in which people are enmeshed.

In this way, the idea that “we are still” consumed by or paralyzed by events of the past, is deeply interconnected with the kinds of anticipation I have discussed elsewhere, whereby people continue to sense “what [is] physically unsensed” and it serves to situate us in space and time.

The time of “still” undergirds our forms of anticipation in Lebanon. Realizing we are still reeling, still in war, jolts us into the sense that we are “living-in-crisis” where crisis is chronic yet “remains imagined, desired, and often articulated as an exception.” In the days after, how I heard and still hear that we have not hit rock bottom, simultaneously in-crisis and waiting for it to come or to intensify. When we imagine and utter the “war is coming,” for example, there is an implication that we are “still in the same mess,” and this “mess” presses up against us to make us feel what we cannot see and what we can only metaphorically taste and physically feel as a “ḥḥḥ” (ghassa) — a heartbreak, a lump in the throat, the knot in one’s gut, or the trifecta of these feelings.

In this ghassa, we can understand the work of time and the place of the future. The ghassa’s orientation is entangled; an entanglement that is a result of wanting to press forward while also wanting to return to a past, to a moment before the crisis. The ghassa is anticipation embodied; a brushing with the future that is deeply informed by the past and present.

For all the ghassa may be, this trifecta of embodied emotion can be seen as an affect we feel in time and space. It is our body trying to make sense of deep uncertainty, insecurity, and precarity, and trying to untangle the past from what is yet to come. The body does this so we may continue to live our days and find meaning and reason in our lives. The ghassa brings us to the future.

The uncertain future, one filled with political conflict, invests us with certain images, feelings and experiences that contribute to the making of an (in)secure future, regardless of whether the conflict — war — arrives or not. Elsewhere, I write about how “the future was haunting the present and folding back to impress on the present what had yet to be.” The August 4 bombing, as checkpoints, political speeches or graffiti warning about the coming war, all imagine a future for us and re-inscribe it in a particular way; the future, without our memory, is itself an empty signifier.

As we live the present, walk about our days, and endure in time, we are constantly and continually called upon to remember the future – to recall it, to imagine and reimage it, and to think and rethink it in particular ways. The future does not lie before us, outside us, waiting for us to arrive at it, untouched and pure. The future lies in our memory: how we conjure it, construct it, frame it, and anticipate it, always already informed by our present condition and disposition, and by our many pasts – what we have already done and what has already come to pass. We have a future because we remember it as we hope, wish, and would like it to be. The future is, of course, in the subjunctive mood – what could be, what we wish and hope it to be, our aspirations, never what really will be. In my fieldwork, the past and future were meeting in the present, and, I argued, anticipation was a way to form some certainty in our everyday lives in what was a fundamentally uncertain time and space.

To think of the future as something that needs to be
remembered forces us to consider future time not just as a function of past and present time, but fundamentally working from within the moment of conjuring it. For example, when people in Lebanon conjure a future that is war-filled, it is less important what this war looks like, who its protagonists are, or how and when it will be fought. As far as the present is concerned, and in the moment of conjuring, war is the future and the future is war. Of course, this is not all the future is. In this sense, the future, like the past, lives in memory.

If the future is memory based, in part, on pasts and presents, then the immensity and intensity of the Beirut blast seems to foreclose everything but dead futures. It is the intensity and immensity, as these touch on everything human — the people and their material world and ecology — that erases other pasts as people try to construct, imagine, and ultimately anticipate their futures. In this way, the moment of the Beirut blast is unlike war, even if it is part of a continual war. In its aftershocks, it produces still time, a sense of defeat and pressing forward with no purpose, perhaps best signified by what I felt was an increased use of the zombie emoticon in phone messages.

Bryant and Knight (2019) write that “the concept of the present as present” is derived “from the future” and “without a concept of futurity the present ceases to exist as such” (16). There is a way in which the blast creates a moment where, collectively, society cannot recall or remember a future because the atrocity of the present is so great that one can only live within the present. The present “suddenly seems to hover between past and future, taking on the burden of gathering the past and projecting it into the unknown future” (44). The present becomes uncanny. And the uncanny is exactly what they want – they, the ruling class – in order to break our spirits and demobilize our hope.

Losing a concept of futurity may be true for some, but it would be reductive to claim it of a society in total, and I would prefer to see the uncanny as a result of a jolt in how we think of the future, a recalibration of sorts (45). For amidst tears, frustration, defeat, and senselessness, we can witness people coming together, banding tight, struggling for alternative futures, continuing. Indeed, continuing – with full knowledge that they live a new iteration of the same war, with full awareness that the future is bleak, that they are still reeling, with full understanding that they carry the ghassa with them into the future, a ghassa, a heartbreak, which recedes in its embodiment and becomes, simply, their life.

The point here is not to end on a hopeful note or to find hope where there is none. Most are aware that more people may die and become impoverished and lose their security. The point is simply to describe the complexity of despair and the open futures this contains. The struggle for rootedness in the present, for continuation, then, is a struggle to maintain the future as a dynamic space and time precisely because it contains despair. And, certainly, there is always hope in that.

Endnotes

Failure to Launch: The Inability of Catalysts to Alter Political Arrangements in Lebanon and Syria

Sara Kayyali, Human Rights Watch

Large-scale public health crises, mass protests, and conflict can often rupture governments’ social contract with their citizens. In much of the world, these events have created space to alter existing power dynamics and renegotiate the social contract. Yet in the Arab region, while such catalysts have generated the instability that is usually a precursor to change, they have failed to fuel sufficient momentum to transform the status quo.

Instead, Arab states that have experienced conflict or crisis are effectively deadlocked in a ‘frozen conflict,’ or permanent instability where the population is experiencing enduring and overlapping insecurities. This includes the loss of life and liberty, the inability to achieve an adequate standard of living and persisting physical and mental violence that arises from conflict, with no resolution in sight.

This paper examines the factors that led to the failure of the aforementioned catalysts to alter political arrangements in two countries in the Arab world; Syria and Lebanon. Despite experiencing some of the most profound system shocks in the region, including country-wide conflict and violence (in Syria), mass protests, economic crisis, and the Covid-19 pandemic, citizens demanding change in Lebanon and Syria have been unable to achieve a transition to a new political arrangement. I argue that this is largely due to three factors: 1) the insulation of state elites from the negative impacts of the crises, leaving those holding power without a strong incentive for accepting meaningful change; 2), the inability of affected populations to access or influence decision-making processes, and 3) the reluctance of foreign actors to use their leverage to break the deadlock in favor of a new rights-respecting political arrangement.

The tension between the catalysts that should have triggered a political transition and the factors that have ensured that the transition remains incomplete are critical for the endurance of the frozen conflict. As such, unravelling that tension also holds the key for resolving the conflict.

Background

Syria

For populist authoritarian Arab governments that emerged in the 1960-70s, such as in Syria, a social contract guaranteeing socioeconomic entitlements such as free education and health, subsidies for food and fuel, and jobs in the public sector in return for political acquiescence contributed significantly to the persistence of authoritarianism.

However, as neo-liberal economic liberalization took hold in Syria, the declining value of the socioeconomic entitlements, coupled with an increase in cronyism, perceptions of corruption, and a decline in the standard of living generated pressure for renegotiating the contract. This pressure exploded in 2011 when Syrians took to the streets in massive demonstrations, inspired by the protests elsewhere in the region. Tens of thousands of peaceful protestors across the country demanded the fall of the Syrian ‘regime’ – the Baathist state in place since 1963.

Pro-government security forces and affiliated militias responded with a brutal crackdown. They detained, extrajudicially executed, and tortured thousands of peaceful protestors, many of whom died in detention or remain missing. The state’s unrelentingly violent response transformed the uprisings into a militarized conflict involving more than a dozen armed factions, in some cases backed by regional and/or international actors, including the Islamic State, anti-government groups, and Kurdish-led forces. Almost a decade later, over 400,000 people have lost their lives, close to 12 million have been displaced, and over a third of Syria’s infrastructure have been destroyed.
The country is currently experiencing an unprecedented economic crisis, as well as the coronavirus pandemic.

Over the last decade, Syria has experienced a confluence of factors that could have altered the political arrangement. Yet, despite superficial changes in the composition and approach of the Syrian government, the political arrangement in Syria remains the same authoritarian, repressive system.

**Lebanon**

In Lebanon, contrary to the populist authoritarian welfare system that prevails in the Arab region, a power-sharing sectarian system that was weak in providing social welfare has prevailed. The civil war of 1975-1990 led to the sectarian-based model, as did the Taif Agreement of 1989, which ended the war and entrenched Lebanon’s ethnoreligious sects and interests in the state’s elected parliament, executive branch and bureaucracy.

Successive Lebanese governments have failed to provide their citizens with the most basic services. Instead, access to services is predicated on residents’ support of and loyalty towards the various sects/political parties, which control access to services both inside and outside the government’s influence, institutionalizing a corrupt-sectarian system.

On October 17, 2019, thousands of people took to the streets to protest the government’s imposition of new taxes including on gasoline and the messaging application, WhatsApp. The protests turned into a countrywide, cross-sectarian movement against the political establishment. The chant “Killun Ya’ni Killun – All Means All” was a call for removing and holding to account all political parties.

Lebanon quickly devolved into a dire economic crisis, with the Lebanese pound losing value and informal capital controls preventing Lebanese from accessing their money. In January 2020, a supposedly technocratic government took the place of the government formerly led by Prime Minister Saad al-Hariri, who resigned in October. The new government failed to respond to protestors’ demands and the socioeconomic situation continued to deteriorate. Covid-19 has exacerbated existing frustrations.

On August 4, a massive explosion in the port of Beirut killed at least 190 people and left 300,000 without shelter. It also caused more than $3.8 billion in physical damages. While the public, analysts, and activists pointed the finger at the existing political system as a root cause of these crises, the opportunities begotten by protests, economic crisis, and explosion are not leading to meaningful change in the political arrangement.

Three primary factors contributed to the failure of both Syria and Lebanon to complete political transitions.

1. **Insulation of state elites from the negative impact of the crises**

Politically relevant elites are actors who, by virtue of their strategic locations in pivotal organizations and movements, can affect political outcomes regularly and substantially, regardless of whether they are political or economic elites.

In social movements, differing incentives and preferences among elites open opportunities for social entities to support change by forming coalitions with reforming elites. If elites are at risk of losing power, they may acquiesce to widening their coalition and bringing in other actors. They may also agree to accept reforms. Hence, large-scale popular discontent, economic crises, war, and other catalysts may destabilize elites enough to adopt measures that lead to reform or wholesale renegotiation of the political arrangement. However, when faced with a significant threat of losing power, elites with opposing class and ethnic backgrounds may come together against the population, and resist renegotiating the political arrangement.

In both Syria and Lebanon, elites were largely insulated from the economic and political consequences of the catalysts. Instead, elites have proven...
to be highly adaptable and unified in protecting their strategic advantage, while maintaining the fundamental character of the political arrangement.

A decade of war has not diminished the influence of Bashar al-Assad and his inner circle. Protests and the militarized conflict initially signaled a heavy cost for political elites, peaking symbolically and literally with a July 2012 explosion in Damascus that killed senior members of the ruling inner circle. Soon after, however, the government recovered and adapted, structuring security and economic incentives to bring in new elites but unified them centrally around the state in a manner that maintains the character of the regime itself, including by allowing them to profit from the ongoing conflict. Hence, despite the conflict altering the composition of the network of elites that the Assad clan has surrounded itself with, they remain the same in that they maintain and protect the fundamental character of the political arrangement and have not experienced the divisions that are a precursor for necessary reforms. The international community’s attempts to hold elites accountable have failed to affect officials at the heart of the Syrian political arrangement. Targeted sanctions against elites have failed partly due to elites’ ability to evade sanctions, and because they profited from the war. The Syrian government’s resilience has also meant that the immediate domestic consequences of defection for members of the elites are dier than the long-term threat of potential international accountability. The recent clash between Assad and Rami Makhlouf, the president’s cousin and long-time ally, provides evidence for this. Despite being under robust international sanctions, Makhlouf remained in the state’s inner circle until the government demanded that he and other elites pay large amounts of taxes to support the government. Makhlouf’s refusal set him apart and resulted in a rift among the country’s elites. But the rift was temporary; the government quickly appointed his brother to take over his contracts, maintaining ties with the larger Makhlouf clan and limiting Rami Makhlouf’s influence.

In Lebanon, the existence of a party-cartel system ensures by design that political elites are insulated from accountability by mass mobilization. As different sects are guaranteed representation in the existing power-sharing agreement, there are no incentives for elites to reform policies or take meaningful action. While the protests in Lebanon led to the resignation of two governments, the replacements’ selection remained an elite-driven, sectarian formula, under which prime ministers belonged to or were sponsored by the same political elite, and thus beholden to the same conditions that prevented them from adopting necessary reforms.

Further, while the economic crisis meant that millions of Lebanese were at risk of going hungry and unable to access their life savings due to informal capital controls, the elite maintained the ability to access and spend their money. Economically insulated, elites were unable to agree on reforms that would allow the International Monetary Fund to bail the country out, particularly as some of the proposed reforms would have affected their assets.

2. Access of affected population to decision-making

If affected populations had genuine access to decision-making, it would result in a more equitable political arrangement leading to better public policies. If political arrangements fail to provide the affected public with the ability to influence decisions, the public may amass decision-making leverage through processes outside traditional political institutions, such as protests and strikes. However, when elites co-opt the system to serve their own purposes and maintain their ability to perpetuate themselves, coupled with the failure of the government to create space for affected populations to make demands, their avenues to effect meaningful change are limited.

Lebanon has a civil society capable of responding to affected populations’ needs, but they have no role in political decision-making. Even when civil society attempted to participate in traditional political institutions, as the Beirut Madinati collective did by participating in the 2016 Beirut municipal elections, they were met with strong opposition from institutionalized parties that led to their overall defeat. Following this effort, parliament passed
a law that gave newer parties a disadvantage in elections, and further supported an already uneven playing field. With the sectarian parties co-opting provision of services to ensure their political survival, the affected populations are left incapable of using elections to hold politicians accountable, demand change, or signal policy preferences.

In the aftermath of the Beirut explosion, civil society groups led the crisis response, highlighting the stark absence of the state.36 In that sense, civil society, largely representing and responding to the demands of affected populations, was able to mobilize effectively. Structurally however, civil society organizations do not have the requisite capacity or status to take on larger roles or responsibilities, which are maintained formally within the remit of the state and the recognized political bodies. This creates a cyclical difficulty, in which the population makes clear and action-oriented demands, but there is no credible route for them to effect meaningful systemic change.

Similarly, in Syria, a conflict sparked by massive peaceful protests across Syrian territory failed to create space for affected populations to contribute to political decision-making. The political opposition that was formed following the protests quickly became fragmented and devolved into an ineffective body designed to represent the interests of financial backers rather than affected populations.37 The UN-led political process introduced participatory pathways for women and civil society, but participants indicated that they were symbolic at best.38 Despite lip service paid to the release of peaceful detainees, the political opposition did not include them on prisoner exchange lists, but prioritized anti-government fighters and individuals whose families could pay to have included on the lists. This led to a dissonance between grassroots movements of the families of the detained and missing and their ‘representation’ in the so-called peace process.39

In government-held areas, multiple cabinet reshuffles and parliamentary elections failed to widen the circle of those influencing decision-making. Instead, the government used these processes to reward loyalists and marginalize the opposition.40 Other avenues for the participation of affected populations have been stymied, with the government almost completely co-opting civil society in government-held areas.41 Even where other groups manage to control territory, such as in northeast Syria, the lack of international recognition and marginalization in political negotiations has left them unable to meaningfully effect political change.42

The lack of space for the public to meaningfully affect decision-making could be offset by the involvement of international actors, who may be able to elevate the preferences of affected populations to policy decisions and to create an incentive for their adoption by domestic institutions. However, the intervention by international actors has been largely misplaced.

3. Failure of foreign actors to intervene to resolve longstanding insecurities

External influence has long played a role in state-society relations in the Middle East, through financial, technical and military means.43 Syria and Lebanon are no exception. Despite its permanence, international intervention in all its forms has rarely resulted in resolving the enduring insecurities that are felt by populations in the region.

Military intervention, foreign aid, and technical assistance have done little to alter political arrangements to resolve existing regional insecurities and support affected populations in realizing their rights or achieving the ‘good life.’ In large part, this can be attributed to the divergence of objectives held by multiple international actors and the affected population. International actors sought to protect their own interests, only contributing to the protection of the population where those objectives aligned.44 In some cases, as mentioned above, affected populations were also unable to make their demands legible to the international community. This resulted either in ineffective interventions or in ones that amplified and introduced new insecurities for the population.

In Syria for example, the duality of Western countries’ provision of billions of dollars in aid to a system that
diverts money to human rights abusers while concurrently imposing sanctions and funding accountability efforts has contributed to the government’s survival; and does little to alleviate the key insecurities that Syrians experience as a result of the government’s actions even while exorcising it internationally. Meanwhile, Russia and Iran’s have intervened militarily and diplomatically on behalf of the Syrian government. The intervention was effective in the sense that it successfully used military power and subverted political processes and international fora to protect the Syrian government and their regional interests. However, the intervention failed at resolving the insecurities experienced by the population; the country remains beset with crises, marginalized internationally and with no improvement in the situation of the affected population, as evidenced by the major human rights abuses that continue unabated.

In Lebanon, following the protests and the explosion, there were clear demands for the international community to intervene on behalf of the population to hold the political elite accountable and empower civil society to undertake reforms. President Emmanuel Macron of France, the most prominent international leader to engage, with two visits in less than a month, indicated he was pressuring the government to restart negotiations with the International Monetary Fund, which the government had stalled, and appoint a credible prime minister. Lebanese authorities responded by appointing Mustapha Adib, who is closely affiliated with Lebanon’s entrenched political elites. Those involved in the uprisings indicate that they consider him another version of former Prime Minister Diab, selected to further elites’ interests. On September 26, Adib resigned, further cementing the failure of France to pressure domestic elites into meaningful reforms.

Meanwhile, the UN has mobilized to address the humanitarian fallout of the explosion without attempting to engage on political reforms. The failure of both the UN and states to mobilize to resolve the crisis and resulting insecurities signals a need for more decisive action that strikes at the core of the existing political arrangement, yet none of these actors are incentivized to expend the political and economic will necessary to do so, despite the success of the population at making their demands legible to the international community.

Foreign intervention plays an undeniable role in Middle East affairs and one unlikely to disappear soon. For such intervention to be effective at resolving enduring insecurities and avoid the costs and failures of prior interventions, it needs to respond to demands on the ground and follow through on commitments to bring about needed change.

Conclusion

The factors identified as central to the failure of Lebanon and Syria to complete their political transitions reinforce each other, and ensure that both countries continue to experience a frozen conflict. The adherence of international actors to political elites that have lost legitimacy lessens their effectiveness in supporting affected populations to alter political arrangements. Hence, the IMF’s inability to force much-needed economic reforms in Lebanon, and the UN underwriting the survival of a repressive regime and allowing fundamental principles of international law to wither away with impunity in Syria.

In understanding the frozen conflict as the result of these factors being fundamentally in tension with the catalysts for political change, it becomes clear that a reconfiguration of how these factors reinforce one another is necessary for its resolution. Hence, a meaningful intervention would start by focusing on responding and adapting to the demands of the affected population and creating avenues for them to genuinely contribute to decision-making.
Endnotes


5. Human Rights Watch, “We’ve Never Seen Such Horror.”


57 Interview with participants in the Civil Society Support Room, January 2020; Interview with participants in the Women’s Advisory Board, November 2019.

58 Interviews with relatives of detained activists and peaceful protesters, August – September 2019.


63 For a discussion of the ‘radically different security and insecurity referents’ held by the different securitizing actors in Syria, please refer to Abboud, “Crisis Ecologies” on humanitarian funding and aid diversion: Kayyali, "Rigging the System".

64 This was a key demand in the protests and congregations around Macron’s arrival in Beirut and the protests that followed the Beirut blast. See, e.g.: Alasdair Sandford, “Beirut Blast: Macron Pledges Aid as Protests Erupt in Lebanon,” EuroNews, August 7, 2020, https://www.euronews.com/2020/08/06/beirut-blast-port-officials-under-house-arrest-as-anger-grows-at-lebanon-s-elite.


The Great Thaw: The Resumption of Political Development in the Middle East

David Siddhartha Patel, Brandeis University

The multiple wars, popular uprisings, and domestic conflicts cutting across the Middle East and North Africa today should be understood as a new normal. The tumultuous past decade only seems like an aberration because the political development of the region, in many ways, was frozen from the late 1970s until the 2000s. But before a deluge of oil rents from 1973-1986 dramatically strengthened states and regimes, domestic politics in the region were similarly tumultuous. Today, oil prices are lower and states are relatively weaker relative to their societies. The oil-coated ice age is over, and the great (but slow) thaw of the past three decades should be understood as a durable shift in governing authority in the region. Looking back, we will come to see the 1970s-2010 period of authoritarian stability as the true anomaly in the region’s history.

The Freezing Point of Oil

Before 1973, political development in the contemporary Middle East was dynamic. Leaders rose and fell. The transfer of power through the use of military force was relatively common. Iraq, for example, witnessed successful coups in 1936, 1941, 1958, two in 1963, and 1968. Many more coup attempts floundered. Transnational ideologies – especially varieties of Arab nationalism – flourished and spread across borders. Real political parties, many with broad appeal, were founded. Both global and regional powers intervened in other states’ domestic affairs.

That all changed, beginning in 1973. After several decades of hovering around $24, the inflation-adjusted price of a barrel of crude oil doubled in January 1974 and then doubled again in 1979. As Figure 1 shows, high oil prices continued until 1986, when they crashed down to the low $30s. For the next decade and a half, prices largely remained in the $30-$40 range, until a steady climb began in late 2003, after the U.S.-led invasion of Iraq. A periodization of the political development of the Middle East can be arranged around those numbers.

Figure 1: Crude oil prices over 75 years
(West Texas Intermediate, inflation-adjusted)

With oil rents – including those transferred from oil-rich states to relatively oil-poor ones via state and private aid and investments, loans, and remittances – governments built robust welfare systems alongside pervasive and overlapping security and intelligence apparatuses. Governments throughout the region provided free or inexpensive education and healthcare, public sector jobs, pensions, and subsidized food, electricity, and fuel. Eva Bellin emphasized how access to extraordinary rents from oil, gas, and geostrategic location allowed states also to generously fund coercive apparatuses. She wrote about the robustness of authoritarianism in the Middle East, but her piece could just as well have focused on the robustness of authoritarians instead of authoritarianism.

If you were a leader in power in the Middle East by the mid-1970s, you (or your son or other designated successor) likely was still there in 2010. When Zine El Abidine Ben Ali was forced out as president of Tunisia, the average age of the extant regimes in the 21 polities of the Middle East was 43 years. Yes, there was a revolution in Iran and civil
In the 1990s, following the collapse of oil prices, the Middle East seemed to be entering a period of war in Lebanon in the 1970s, and some regimes were long-lived before the rise in oil prices. But regime and leader durability became pervasive during this period.

Flush with resources, states bought acquiescence from their populations and developed ways to monitor society and limit the spread of information. With only a few exceptions, states became domestically strong in the sense that central governments were able to exercise significant effective control over society. Political development was frozen in several important ways: regimes and leaders calcified; coups ceased; parties were controlled; and states’ interventions into other states’ domestic affairs were largely curtailed.

The spread of Islamic political movements during this period is often attributed to the failure of alternative ideologies, especially pan-Arabism(s), after 1967. But an alternative explanation is that such movements had comparative advantages, relative to other movements, during the ice age when states were strong. These advantages include their control over or access to physical spaces with de facto autonomy from state control and an ability to couch recruitment and activism in a language that was hard for regimes to effectively monitor and control.

The Great Thaw

Although oil prices had declined steadily from their high in early 1980, Figure 1 shows that prices during the so-called “oil glut” of the 1980s remained far above their pre-1973 average until 1986, when prices collapsed to below $30 (adjusted for inflation). Prices largely remained in the $30-$40 range until after the U.S.-led invasion of Iraq.

The crash in oil prices in 1986 sent ripples throughout the region. Oil rents plummeted; exports to Gulf states decreased; flows of foreign aid, investment, and remittances dried up. The first signs of a thaw in the region’s frozen political development occurred in states with the lowest amount of oil rents. Jordan, for example, was one of several governments that had to borrow extensively to cover expenditures. Jordan experienced a severe financial crisis and resorted to structural adjustment. Political changes seemed imminent and parliamentary life resumed and meaningful elections were held in 1989. Other factors certainly played a role in the economic crises of the late 1980s and popular mobilizations that followed, but the decline in oil prices created the conditions for change.

States gradually were weakening in the sense of having less control over their populations. Governments had fewer resources to fund welfare states and coercive apparatuses. And the rise of satellite television and the spread of mobile phones and the internet increased people’s access to information and made it easier to mobilize. Gause traces what he calls the “new Middle East Cold War” to changes in state weakness. He sees the U.S invasion of Iraq as a key moment, when new “playing fields” for international competition were opened up. But it was the 1986 oil crash and the later spread of information technologies that started the reversal of Arab state strengthening that had begun in the 1970s. Frequent and large protests had become commonplace in some countries throughout the 2000s. One study, for example, found that over two million Egyptian workers engaged in 3,239 strikes and other forms of protest from 2004-2010. Gause is among several scholars who have directly compared the regional power struggles in the Middle East today to the pre-1970s era famously analyzed by Malcolm Kerr and Patrick Seale. But there is a tendency to see this comparison through the prism of international rivalries and “balance of power theory” and largely ignore the insights that the domestic struggles of the earlier period might reveal about today. Gause makes the important point that Iran’s and other states’ ambitions were held in check prior to 2003 by a lack of opportunities to spread their influence. But an underexplored part of the story is why some local actors are willing to accept foreign support and able to survive after having accepted it.

Back to the Future

In the 1990s, following the collapse of oil prices, the Middle East seemed to be entering a period of
economic and political liberalization and possibly even of democratization. The zeitgeist of the time is captured in prominent political science work such as the edited volumes on *Political Liberalization and Democratization in the Arab World* (1995, 1998); Dick Norton’s Civil Society in the Middle East program and its edited volumes; and *Democracy Without Democrats? The Renewal of Politics in the Muslim World* (1994). By the early 2000s, it was clear that authoritarians and authoritarianism both remained robust, although they faced increasingly mobilized and networked populations. Political scientists reinterpreted the “democratization” of the 1990s in a wave of literature on how seemingly democratic institutions can strengthen authoritarianism (Ellen Lust’s work is an exemplar). Much of the early analyses on the Arab Spring or Uprisings is similarly unlikely to age well; volumes like this one are part of the reevaluation of the past decade and what we thought we understood.

The overthrow of Ben Ali and beginning of the Arab Uprisings accelerated processes already underway. The political development of the region is now unfrozen; the Middle East has witnessed as many regimes change in the past decade then it did in the previous three decades combined. The multiple wars and conflicts cutting across the Middle East and North Africa is a new – or, perhaps, not-so-new – normal: “normal” in the sense that there will be some amount of regime churning, and civil conflicts will occur and persist. States are not disintegrating in the sense that borders are breaking, and partitions remain unlikely. The comparative advantages of political Islamists are less of an advantage today than they were during the previous frozen decades; they have a future, but a constrained one.

Political development is messy, uneven, and non-linear. Conflict and political instability in today’s Middle East is not an aberration, a temporary transition to something else, or a hangover of the Arab Uprisings. The roots of the present instability are structural; there has been a durable shift in governing authority in the region. This is the equilibrium.

**Endnotes**

1. [https://www.macrotrends.net/1369/crude-oil-price-history-chart](https://www.macrotrends.net/1369/crude-oil-price-history-chart)
3. The 21 include the obvious countries plus the PNA, Israel, Iran, Turkey, and Sudan. Only the regimes in Algeria, Lebanon, Sudan, the PNA, and Iraq were established in the 1980s or later.
6. Beinin, Joel. 2011. “Workers and Egypt’s January 25th Revolution.” *International Labor and Working Class History* 80, 1:189-96. The data are based on collective actions reported in the media and coded by the Land Center for Human Rights. If a series of actions over a dispute in a workplace are counted as one action, the number is 2716 for the period 2004-2010.
As the boundaries of coercive authority are stabilizing among the competing forces in Syria's civil war, the Assad regime’s elites find themselves in an increasingly tumultuous situation. Makhoul, Hamsho, Foz, Shehabi, Al-Dabbagh, Qaterji: Since the beginning of the Syrian civil war, a seemingly constant stream of names have risen to prominence and subsequently fallen out of favor. This has coincided with significant and related shifts in the allocation of political and economic power within the regime. It is not a coincidence that as the intensity of the war in Syria has decreased, the intensity of conflict between the Assad regime’s elites has gained momentum. Much like past periods of political turmoil in Syria, the elite landscape is undergoing transformations that may have long-lasting effects.¹

As the Assad regime’s coercive comparative advantage has grown over its domestic rivals, its focus has turned from defeating threats to the regime to preventing threats from arising within the regime.² These efforts initially focused on the consolidation of the decentralized armed elements fighting on behalf of Assad, but have increasingly involved actions meant to alter the political and economic landscape. These attempts to recentralize authority have involved some institutional changes, yet have been characterized to a greater extent by targeted actions and overhauls of elite political and economic networks.³ This climate has increased competition among regime elites who recognize that the current environment has the potential to produce a stable equilibrium that will characterize the state in coming years.

This paper offers a preliminary examination of the evolution of the economic elite landscape in Syria and the battle being waged internally within the regime since the civil war settled into its current stalemate. As with other periods of political instability in Syria’s history, the country’s economic and political elite landscape is rapidly evolving.⁴ While Assad’s ability to maintain power in the long-term is far from a foregone conclusion, if the regime does persist, it will rely on a different network of elites for support in the short-term. The maneuvers by the regime and the economic elites attempting to solidify their position have the potential to drastically affect the breadth of the authoritarian regime produced and the country’s economic policies in the future.

**Historical Overview: Syria’s Economic and Social Elites in Politics**

While the historical political significance of local notables in Syrian politics began well before the French mandatory period, the mandatory period played an important role in shaping intra-regional elite cooperation.⁵ The resistance to French occupation provided the impetus for unified political cooperation organized under the umbrella of the National Bloc. With independence came the increased salience of the political cleavages that divided the landed aristocracy of Aleppo, Hama and Homs from the Damascus bourgeoisie. Although the pervasive political instability of post-independence Syria left little room for consistently dominant political movements, and plenty of room for periodic military intervention, national political leadership was largely led by individuals from a small set of elite families from the regions noted above.⁶ The nascent institutions of the central government that these elites presided over were far removed from the daily lives of average citizens, but the local notables exercised informal authority over their constituencies as arbiters and social leaders.

Syria’s union with Egypt ruptured the relationship between political power and social standing in Syria, leading to the economic decline of Syria’s elite families. Land reforms in 1958 and extensive nationalization campaigns in 1961 drastically reduced the economic position of the traditional elite.⁷ The effects of these reforms extended beyond the economic sphere, dealing a crippling blow to those best suited to shield Syria from excessive predation. While
Syria’s elites would experience a brief respite after exiting the United Arab Republic, the Ba’ath Party’s 1963 coup would reinstitute many of Gamal Abdel Nasser’s policies. The Ba’ath Party’s takeover of Syria solidified the decline of the old Sunni urban elites and landed aristocracy who had been central actors in Syrian politics. Beyond reducing their economic power, restrictions on land ownership and private enterprise reshaped the already fractured hierarchical relationship they shared with their ancestral constituencies. Salah Jadid’s 1966 coup widened the scope of these economic restrictions, leaving little room for private enterprise. The uncompromising economic policies associated with Salah Jadid’s regime provided suitable conditions for a pragmatic leader to coopt members of the merchant class.

Hafez Al-Assad’s 1970 “Corrective Movement” would bring about such an arrangement, allowing room for modest private economic enterprises. While Hafez Al-Assad’s support base has often been described in regional terms, whereby it was the rural coastal territories of Damascus and Daraa that operated as bastions of support for his rule, the traditional elites of Damascus were not among those primarily coopted. The fall of the haute bourgeoisie opened up opportunities for a petit bourgeoisie to thrive during Hafez Al-Assad’s reign. Rather than the Ba’ath regime stifling the growth of small businesses, it expanded their growth in the 1980s. While his reign was characterized by uncompromising political repression, it fostered an environment with relatively predictable rules for operating small scale economic enterprises that could not threaten the regime. Corruption was pervasive, but it was of a nature that allowed room for the petit bourgeoisie to maneuver. It was in the interest of the regime insiders and military officers who took bribes that these businesses persist. As such, this period was characterized to a large extent by a broad state/military bourgeoisie that benefited from constrained private markets. Syria’s relatively closed socialist economy did open up gradually in the 1990s due to the need to stimulate economic growth; nevertheless, its economy remained heavily restricted and controlled.

Syria’s Liberalization

Bashar Al-Assad’s succession in 2000 brought about the rise of a new haute bourgeoisie that was tied to the regime and the decline of the petit bourgeoisie that had carved out a space for itself in Syria’s restricted economy. In an ongoing research project related to dynastic succession, I argue that it was in Bashar’s strategic political interest to produce the rise of a new set of economic elites to balance against potential rivals from within the regime. Hafez Al-Assad was a military leader who was at the center of the Syrian political scene since 1963 and had gradually come to balance competing regime players in a manner that preserved his rule. Bashar Al-Assad was a successor with strong ties to urban kin and weak ties with the political and military apparatus. The liberalization process allowed him to strengthen the portion of the regime most supportive of his rise to power. Such liberalization was not characterized by the enhanced protection of property rights, but, rather, by the opening up of industries to specific individuals. Thus, I argue that it was political weakness that was the primary driver of the rapid pseudo-liberalization instituted by Bashar Al-Assad.
As these elites became more powerful, they swallowed up other enterprises, and disincentivized investment in the economy by the petit bourgeoisie. Thus, rather than liberalization spurring economic growth, the transition to Bashar Al-Assad weakened Syria’s middle-class entrepreneurs and stifled the country’s development.

Relying on DMSP-OLS nighttime light data, I examined changes in nighttime lights across Syria from 1992-2013. While the 1990s was hardly a period of rapid growth in development in Syria, it was characterized by slow growth in most of the Western governorates. After Bashar Al-Assad assumed the presidency, growth in nighttime light production per capita stagnated or declined throughout much of Syria. Figure 1 presents the change in nighttime lights per capita for each of the governorates in Syria from 1999 to 2009. In each of the governorates, per capita nighttime light production declined during this period of time. A subsequent analysis that estimated the causal effect of the succession provided evidence that each of Syria’s governorates was negatively impacted by the transition from Hafez to Bashar Al-Assad.

When the regime was eventually threatened by popular protests during the Arab Uprisings, protesters did not merely target the repressive political regime, but also the corrupt economic order. In 2011 and 2012, as some members of Syria’s “old guard” began to defect or simply withhold support for the regime and the military’s ranks were shrinking, these new elites would be relied upon for both economic and coercive support. In addition to the economic actors who came to dominate Syria during Bashar Al-Assad’s reign, new economic forces emerged, using the war as an opportunity to utilize their wealth to enter the ranks of the regime’s elite. Although these actors played an indispensable role in preserving the Assad regime, their leverage over the regime currently posed a potential threat.

Rami Makhlouf and Mohammed Hamsho utilized their diverse economic portfolios to create diversified coercive portfolios comprised of various pro-regime militias. While Mohammed Hamsho’s actions were largely linked to Maher Al-Assad, Rami Makhlouf operated with greater autonomy in shaping his contribution to the pro-regime forces. Through his relationship with the Syrian Social Nationalist Party and vast economic empire, Makhlouf was able to construct a potential threat to Assad by unifying his economic empire with a political apparatus and relatively large fighting force. This may have provided Makhlouf with leverage in the short-term, but ultimately led to his demise.

In late April, stunned Syrians watched, shared and commented on a video of a melancholy Rami Makhlouf airing grievances and beseeching the regime to halt its encroachment into his economic empire. This was the first in a series of increasingly aggressive videos uploaded by the president’s cousin and former Syrian economic hegemon. But for the callous disregard for Syrian lives and livelihoods demonstrated by Makhlouf, these videos may have evoked sympathy from many rather than schadenfreude from most. The economic strain of the war, a global pandemic, economic turmoil and efforts by the regime to consolidate power by eliminating internal threats to stability left a large swath of the state aggrieved. Yet, rather than rally around Makhlouf, Syrians largely ridiculed what was perceived as a pathetic attempt to maintain a corrupt economic empire. Whether the monologues were intended to mobilize the masses or speak directly to members of the regime, the videos and the aftermath of the videos demonstrate the drastic overestimation and rapid decline of Rami Makhlouf’s political capital in Syria.

The Consolidation of Power and Economic Policy

Similar to other periods of flux in Syria, political considerations have led to a reorganization of economic power. If Bashar Al-Assad’s reign persists, the decisions being made may fundamentally shape the structure of Syria’s economic and political order. Assad is not likely to subordinate his own interest in the preservation of his rule to the reconstruction of Syria. As the civil war has receded, the regime’s efforts have turned to consolidating its power, and this has placed it at odds with many of the elites who funded and aided the war effort. Its most damaging blows have been dealt to those who possessed the greatest capacity to threaten Assad’s rule.
Elite resistance to regime predation has thus far been limited and ineffective. Wealthy war profiteers drawn from the import-export business, such as Samer Foz, have attempted to diversify their holdings outside of Syria, yet sanctions and notoriety have made investment abroad increasingly difficult. Mohammed Hamsho’s efforts to maintain both his political clout and buy up property throughout Damascus and elsewhere have been partially rebuffed, yet despite some reported grumbling, he has not publicly challenged the regime. Rami Makhlouf did attempt to resist the regime’s predation, but his attempts failed as his network of affiliates did not come to his aid. Mohammed Hamsho and Fares Shehabi, leaders in their respective business communities, have also voiced concerns related to the rise of others, such as the Qaterjis, but none that have directly challenged or publicly appealed to the top of the regime. Despite their tepid resistance, they have also been marginalized. Moreover, it should be noted that fierce competition between these economic actors has thus far prevented collective action to stop the targeted actions of the regime. Without the incentives to collectively act and many of their coercive capacities already diminished, these elites will be forced to accept further predation by the regime.

Syria’s future economic landscape is unlikely to return to its pre-war order. The regime has diversified its cadre of political and economic beneficiaries, creating a more competitive elite landscape that has incorporated many of the elements who organized and funded pro-regime militias throughout Syria. The list of these elites includes a mixture of new and old names. To the consternation of many, ex-General Bahjat Suleiman’s children, Majd and Haidara, will likely persist among the elite; as will the Hamshos and Makhloufs, albeit with Ihab rather than Rami at the helm. They will be joined by new elites like Foz, the Qaterjis and Wassim Qattan, many of whom are drawn from outside of the previous social spheres of influence.

While a new haute bourgeoisie may form, the weakness of the state’s institutions and central coercive apparatus may make that a sub-optimal solution for Assad. Moreover, the passage of time and defections during the civil war has produced a political apparatus that is more closely linked to Bashar Al-Assad than the regime he inherited. Assad may find that it is in his interest to strengthen the same institutions that he weakened when they were occupied by tepid supporters. New rising economic powers such as Asma Al-Assad’s cousin, Muhammad Al-Dabbagh, have begun to take on a larger role in the economic sphere, but they will likely never approach the economic strength of the oligarchs of the 2000s. The unpopularity of the smart cards being distributed in regime-controlled areas to ration fuel and bread has led to a significant popular backlash to elites aligned with Asma Al-Assad. Other rising powers, such as the Qaterji brothers, are unlikely to further strengthen their position due to the significant antipathy many within the regime have for them. Furthermore, the current set of competing elites are closely linked to various members of the regime and Assad’s foreign benefactors, producing an environment whereby any increase in economic power afforded to a particular individual or group strengthens one element of the regime at the expense of another.

While there has been no transition at the top of the regime, the emerging economic landscape has shifted away from domination by quasi-monopolists to a diversified set of elites linked to regime members, as well as Iran and Russia. Thus, rather than balancing economic hegemons against the political and coercive apparatuses, Assad appears to be balancing the power of competing regime members and foreign forces against one another through the manipulation of the economic elite landscape. Such manipulation of the elite landscape has also occurred in political spheres, where political office has been redistributed to legitimize some and weaken others.

It is also possible that there will be greater direct state involvement in previously privatized industries. This may occur through the nationalization of entities or industries, but may also occur through public-private partnerships or the ad hoc exercise of authority rooted in judicial action. Although the numerous recent decrees and laws related to economic activity and property rights have signaled that
crony capitalism will remain pervasive, it places the state at the center of such economic activity. While this would likely reduce the performance of such entities, it would prevent the rise of potentially destabilizing economic forces. Thus, the structure of state-elite relations in a post-war Assad-ruled Syria will likely be characterized to a greater extent by networks of partnerships between political and business elites similar to those seen under Hafez Al-Assad’s Syria than Bashar’s pre-war order. Yet, in the short term, this landscape will not provide for the regularity and consistency that allowed small enterprises to persist throughout Hafez’s reign in the 1980s and 1990s. As such, this strategy may help Assad prevent the rise of powerful internal rivals, but they will do little to allay the concerns of Syrians or reverse Syria’s economic decline.

Endnotes

1. David Patel argues that what is being experienced throughout the region is a return to the instability that characterized the region in the past. While this may be the case, this need not imply that the nature of the conflicts that characterize such instability remain the same.


3. This has included reconstructing who is allowed to win seats in parliament. See https://www.enabbaladi.net/archives/403669.

4. Samer Abboud provides a broader examination of the complexities underlying the multilayered conflict in Syria and how these complicate attempts to fit a traditional liberal solution to the Syrian civil war.


15. Li, Xuecao, Yuyu Zhou, Min Zhao, and Xia Zhao. “A harmonized global nighttime light dataset 1992–2018.” Scientific Data 7, no. 1 (2020): 1-9. The nighttime lights were aggregated at the governorate level and divided by the population estimate for the governorate. The empirical analysis that estimates the effect of the transition uses a log transformation of nighttime light production. Perhaps surprisingly, while the Deir-Ezzor governorate experienced the steepest decline in nighttime light production during Bashar’s pre-civil war reign, the transition from Hafez to Bashar was not associated with a statistically significant decline in nighttime light production. The results are still preliminary, and the analysis requires further refinement.

16. Unsurprisingly, this brought back to the political stage the names of the Sunni aristocratic families as mobilizers of political protest.

17. https://www.youtube.com/watch?v=SVIRebAehmk&t=432s

18. https://www.youtube.com/watch?v=wnWPhynp-6g


21. https://alqabas.com/article/5790011-%D9%85%D8%A4%D8%A7%D9%85%D8%B1%D8%A9-%D8%BA%D8%B3%D9%84-%D8%A7%D9%84%D8%A3%D9%85%D9%88%D8%A7%D9%85%D8%A9-%D8%A8%D8%AF%D8%A3%D8%AA-%D9%85%D9%86-%D8%A7%D9%84%D8%B5%D9%8A%D9%86; https://www.al-monitor.com/pulse/originals/2020/09/syria-sanctions-central-bank-bin-ali-louka-gid-assad-economy.html. It should also be noted that the sanctions have likely contributed to the turnover in economic elites, as was noted by Samer Abboud during the “Frozen Conflicts” workshop.

22. https://www.washingtonpost.com/world/middle_east/syrias-elections-have-always-been-fixed-this-time-even-candidates-are-complaining/2020/07/22/76e0bb12-cb5f-11ea-99b0-8426e26d203b_story.html. Both Hamsho and Shehabi were recently excluded from a second term in parliament after gaining seats in 2016.

23. https://www.almondon.com/arabworld/2020/10/8/%D8%A3%D9%85%D8%B1%D8%A7%D9%8A-%D8%A7%D9%84%D8%AD%D8%B8%B1%D8%AA-%D8%A7%D9%84%D8%A3%D8%B3%DAF-%D9%88%D8%B5%D9%8A-%D8%A7%D9%84%D8%AD%D8%B1%D8%AA-%D8%A7%D9%84%D8%82%D8%AF%D9%8A%D9%85
Jerome Drevon notes that the consolidation of power in Idlib has led to a far more nuanced political landscape than is popularly depicted. The same can be said of the regime elites, whose interests and backgrounds vary.

Qaterji may be a notable exception as he has largely maintained both significant coercive capacity and gained a seat in parliament, yet he has become a boogey man of sorts.

The list of individuals and families currently among the elites is fairly long. The names highlighted above have been particularly notable, but others could also be incorporated.


He has been playing a progressively larger role in Syria’s economic arena, and, perhaps aside from Ihab Makhlouf, has benefited most from the fall of Rami Makhlouf. See https://www.syriahr.com/%D8%A7%D9%84%D8%A3%D8%B3%D8%AF-%D9%81%D9%8A-%D8%A7%D9%84%D9%82%D8%B1%D8%AF%D8%A7%D8%AD%D8%A9-%D8%AA%D9%82%D8%B3%D9%8A%D9%85-%D8%A2%D9%84-%D9%85%D8%AE%D9%84%D9%88%D9%81/393784/.

If a hybrid security solution is further explored, as Ariel Ahram has suggested, the various linkages between these elites and foreign entities, as well as territories that are not controlled by the regime, offer both opportunities for implementing such a solution and potential difficulties that will need to be overcome.

Thus, while Sarah Kayyali’s contention that elites have largely managed to avoid the most dire consequences of the war is certainly correct, I contend that the war has shifted the elite landscape in important ways that have negatively impacted many.

Such as the infamous Law no. 10 of 2018.

Citizenship Constellations in Syria

Marika Sosnowski, German Institute for Global and Area Studies

In the Syrian civil war, where different territorial areas have, at different times, been outside of the control of the state, registering life-cycle events, such as births, deaths and marriages, has become a necessary service other actors have had to fulfil. In times of armed conflict, life does not pause – children continue to be born, people die, marry and divorce – and these life events need to be documented. The gap left by the state in providing life-cycle event registration during the civil war has been filled by a range of other actors in different territorial areas: the Syrian Interim Government and Syrian National Coalition primarily in Aleppo and Idlib in the north and Daraa and Quneitra in the south; the Islamic State in Raqqa, Deir ez-Zor and Hassakeh in the east; Jabhat al-Nusra's Salvation Government in Idlib; and, most recently, Turkey in the northern Euphrates Shield zone.

This documentation is profoundly important. States are legally obligated to ensure the right to recognition as a person under the law. In times of peace, this is straight-forward enough and generally involves first and foremost providing birth registration services which act as a condition precedent for citizenship and subsequent legal identity documentation. Lack of documentation of one's birth, and consequently citizenship of a state, has a cascading effect on people's rights such as access to education; healthcare; a travel document; housing, land and property rights. Above all, it poses the risk of statelessness.

While the various actors standing in for the state sit in what Samer Abboud described earlier in this volume as crisis ecologies, I argue that the people in these areas exist in what Rainer Bauböck has labelled 'citizenship constellations.' In these citizenship constellations people are simultaneously de jure citizens of the Syrian state and citizens of other de facto sovereigns. Understanding that many citizens of the Syrian state exist in citizenship constellations is helpful for academics, humanitarians and policy-makers for three fundamental reasons. The first is that it allows us to grapple with the reality that people make decisions in response to a given 'citizenship opportunity structure' that the existence of citizenship constellations represents. As such, we can better comprehend the individual interests at play in relation to the possession of alternative citizenships and the incentives and/or necessity to 'forum shop' for the most beneficial citizenship documentation. Second, we become cognisant of the significant risks associated with the possession of alternative documentation. Finally, we get a sense of how the documents on which Syrian state citizenship is based have become strongly intertwined within citizenship constellations and, in the after-life of war, can potentially better grasp the state's negative reaction to citizenship documents produced by de facto sovereigns – which so far, has been one of blanket denial.

Between the devil and the deep blue sea

While citizenship is about membership of a political community, Andrew Grossman has argued that cases such as the Palestinian West Bank and Kosovo show that citizenship can potentially be 'divorced from sovereignty and recognition.' While Palestine and Kosovo may be further along the sovereignty and recognition spectrum, if we take some steps back along the same path we encounter the de facto sovereigns that exist (or existed) in certain territorial areas in Syria during the civil war – the Syrian Interim Government and Syrian National Coalition, the Islamic State, Jabhat al-Nusra's Salvation Government, and Turkey – entities that all have the ability to, 'kill, punish and discipline with impunity.' As Jerome Drevon and Patrick Haenni show in their analysis of Jabhat al-Nusra's Salvation Government (this volume), in establishing bureaucracies and institutions of governance all these entities are effectively engaging in a dress rehearsal for statehood in the areas that they control that mimics the trappings of the state, including the creation of citizenship through life-cycle document registration.
The creation of citizenship is a subtle but powerful weapon for actors in any civil war environment.  

While it may be unsavoury to think of birth registration as a political act because registration of a child is a legal right in and of itself, all de facto sovereigns in Syria (and elsewhere for that matter), including the Syrian state, register people not for purely legal or humanitarian reasons but for primarily political ones. This is because without people being bound to the state through the documented act of citizenship, a state would struggle to assert that it fulfilled the international legal criteria of statehood.  

Whether documentation processes come as a “topping”—i.e. at the end of a process of state consolidation after the development and implementation of other bureaucratic and governance services; or, whether it is seen as a “base” in a rebel movement’s quest for statehood—i.e. one of the first acts initiated by a would-be sovereign, often aligns with the actions of the incumbent state. In practice this means that if the de jure state continues to provide legal documentation to people living in territory outside its control, a rebel challenger may choose to prioritise other aspects of governance (e.g. the Tamil Tigers in Sri Lanka). However, if the state cannot (because of accessibility), or deliberately will not, provide documentation services to people in rebel-held areas, this service will most likely be fulfilled by de facto sovereigns (e.g. Myanmar, Syria).

The Islamic State is the most obvious recent example of an actor that saw the provision of citizenship as fundamental to its statehood vision. During the time it controlled territory in eastern Syria and northern Iraq, it deliberately destroyed the Syrian state citizenship documents of the people in these areas and instead developed its own fine-grained system of citizen documentation, including the issuing of birth certificates. This was done as a type of citational practice, whereby it reproduced how it thought a state (or Caliphate in this case) ought to behave, and in the process make a claim to the mantle of statehood.  

ISIS’ behaviour of staging state repertoires is in line with Cynthia Weber’s observation that the legal and political conduct of states is not new but always an adaptation of earlier state conduct.

In a more byzantine manner, the Syrian Interim Government also issued its own identity documentation in the north and south of the country with the (good-intentioned although arguably not well-considered) assistance of two external organisations: private international development firm Adam Smith International and the International Legal Assistance Consortium, an international non-government organisational that works in the rule of law and justice field. Both organisations worked through NGOs and civil servants who had previously issued legal identity documentation for the Syrian state to supply Syrian state documents with a Syrian Interim Government stamp to Syrian state citizens. The International Legal Assistance Consortium estimated that from 2014 to 2019, twenty-one registry centers it supported issued over 300 000 life-cycle documents.  

Apparently, for a time, the Syrian National Coalition even contracted a Swiss manufacturer to issue its own passports that contained the unique metadata of Syrian citizens from a database smuggled out of the Syrian state. Again, the emphasis placed around the production of these material documents confirms that the state the Syrian opposition is attempting to create looks a lot like the one they are supposed to be replacing. Zaid Muhammad, who works for an Aleppine NGO, clarifies this phenomenon: ‘the regime brought us up. It takes years to escape from this corrupting influence. The opposition’s institutions have failed – but they themselves are the product of Assadism.’

In the Turkish-controlled Euphrates Shield area in the north-west of Syria, when Adam Smith could no longer pay the salaries of the bureaucrats which staffed the registries due to US-funding reprioritisation away from the Syrian opposition towards combating the Islamic State, two registries were effectively taken over by Turkey. Turkey continued to pay the salaries of the Syrian staff but began to issue Turkish citizenship documents to individuals now located in this area. Many of these citizens internally displaced from other areas of Syria, potentially already possessed Syrian, Syrian Interim Government, and in some cases Jabhat al-Nusra’s Salvation Government documents.
People who found themselves in territory conquered by the Islamic State often had little choice as to whether they acquired Islamic State citizenship. Many in areas ostensibly controlled by the Interim Government, the Syrian National Coalition, the Salvation Government or Turkey acquired citizenship of these de facto sovereigns for more pragmatic reasons. These included access to humanitarian aid which often could not occur without identity documents attesting to a persons’ residence or number of family members; access to local justice mechanisms, healthcare and education; to ensure freedom of movement through internal checkpoints; conduct trade or real estate transactions; and/or in many cases as a necessary show of allegiance to the de facto sovereign. Notably though, even when they acquired the more mercurial citizenship of a de facto sovereign, individuals continued to possess Syrian-state citizenship as it was seen as the “gold-standard”, recognised all over Syria as well as outside the country. Consequently, predominantly out of necessity, many individuals in Syria became caught up in citizenship constellations that offered them certain benefits, rights and duties dependant on the sovereign of the day. However, when the fortunes of the sovereign changed, any rewards they may have gained under one quickly gave way to substantial risks from another. This occurred most frequently when the Syrian state regained control. Evidence suggests that possession of alternative legal identity documentation has been used as evidence of support and/or collaboration with the opposition, therefore many citizens of areas newly conquered by the regime simply threw away or burnt any alternative documentation they had in an attempt to (re)prioritise their de jure Syrian citizenship and not be branded as traitors.

The North Star

Citizenship as a legal status is a relationship between individuals and territorial political entities. Of these, states are only the most obvious. However, there is also a more active dimension to citizenship: political rights and participation in political life which imbues the notion of citizenship with political power. Bauböck’s idea of the citizenship constellation as a, ‘structure in which individuals are simultaneously linked to several such political entities; is a useful framework for thinking through the triadic relationship between people, the Syrian state, and de facto sovereigns and the overlapping spheres of political influence these bodies represent. Importantly, existing in citizenship constellations also means that a person’s ‘legal rights and duties are determined not by one political authority, but by several’. This overlap creates opportunities and threats both for individuals and for each territorial political entity.

In civil war environments such as Syria, because multiple claimants are vying for the allegiance of the same body politic, the people become simultaneously something to be protected but also feared. When citizens have been subsumed once again under Syrian state control, their citizenship of de facto sovereigns has frequently been used by the Syrian state as evidence of treason. Citizens hold the potential to be an entity’s key to success providing it with the loyal citizenry it needs to become a State, or the key to its downfall – a disloyal and insurgent populace that denies the entity’s legitimacy, becoming a threat to the state or a fifth-column. As a humanitarian noted of Syria, ‘we have not found any other conflict where the risk of retribution linked to an identity document is so pervasive’. Existing in a citizenship constellation in Syria risks being made a denizen of the Syrian state; becoming a second-class citizen with restricted rights despite never relinquishing Syrian state citizenship. This quasi-citizenship status effectively diminishes the value of national citizenship, no longer guaranteeing access to a cascading set of other rights. Because the Syrian state sees itself as the only political entity with the sovereign right to create citizenship, Syrians with de facto citizenship that return to the Syrian state run the risk of new forms of marginalisation, extortion and persecution.

People living in areas controlled by de-facto sovereigns in Syria seem to have been aware of these risks. Despite alternative documentation being widely available, many people living in areas controlled by de facto sovereigns opted not to register life-cycle events. Even in 2015 when the
Syrian Interim Government and Syrian National Coalition controlled a relatively large amount of territory, individuals still preferred Syrian state documents, which were generally only available at large financial cost, through connections (wasta) and/or through a thriving industry of brokers. In this way, the creation of citizenship constellations in Syria illustrates how, ‘the unforeseen course of social and political life produces reluctant or unpredictable traitors’. While for many people the acquisition of multiple citizenships was done out of necessity, for the Syrian state the issue remains primarily one of reaffirming its sovereign right as the only political entity capable of creating citizenship while simultaneously denying all potential challengers. Unfortunately, this assertion has all too real consequences for those in possession of non-state issued documentation when the tides of war change.

Rainer Bauböck and Virginie Guiraudon have argued that the, ‘territorial borders of states generally do not coincide with the boundaries of citizenship’; however, this is a particularly acute phenomenon during internal armed conflicts. In essence, during civil wars, different sovereign claimants attempt to create new nations out of the same people. What more often than not happens in practice is that individuals exist in citizenship constellations where they take on multiple citizenships simultaneously, albeit with each taking different priority at different times. Consequently, there is a question-mark over whether Syria’s conflict has ever really been “frozen”. The dynamics of the armed conflict have certainly changed and evolved over time, including into the supposedly post-war era which is far from static or free of fear, insecurity and violence. Likewise, the motivations of the Syrian state, various local and international actors and individuals regarding how they relate to the prioritisation or delegitimation of citizenship shifts within these constellations, most-times due to perceived necessity; but at others, due to whim.

**Charting the constellations**

Hannah Arendt famously said that citizenship entails ‘the right to have rights’ and as such, it underpins virtually every aspect of human welfare. Conceptualising the situation many citizens in Syria now find themselves in as part of citizenship constellations helps us better understand complex webs of citizenship; individual interests in relation to alternative citizenship statuses; the risks and benefits these entail; as well as the Syrian state’s reaction to citizenship documentation created by de facto sovereigns.

Conceptualising the existence of citizenship constellations in Syria has major academic relevance because it raises pertinent empirical and conceptual questions about the underpinning of state sovereignty, subjectivity and the foundation of law. Citizenship regimes reflect evolving trends in the way the citizen-state relationship is conceptualised and subsequently managed. They are also considered an integral component of functioning states. Consequently, the politics of this relationship mirror specific ideas about the nation and who belongs and who does not at any given point in time. Conventionally, ‘notions of citizenship delineate national identity and membership in a single ethno-cultural or national community.’ However, there is a circular logic at play in the creation of citizenship. While citizenship comprises a documented relationship between a person, the law and the state, from which that person derives rights and duties, the process also reproduces state authority because without citizens, a state struggles to be a state. This circularity raises unsettling questions about the nature of sovereignty, particularly in contested civil war environments such as Syria’s where multiple entities make claims to statehood. The conceptual and normative challenge is that sovereignty is ultimately self-referential. States are sovereign because they are; non-state actors are not because they are not. However, the reality of de facto sovereign citizenship necessitates a rethinking of this conundrum. One concrete way to do this could be the recognition of documents issued by de facto sovereigns by external states for certain limited purposes—e.g. refugee or asylum claims. Conversely, external states could potentially use the offer of document recognition to induce compliance with various diplomatic and political imperatives or legal norms.
The existence of citizenship constellations in Syria also has far-reaching practical implications. This is because possessing multiple citizenships may offer benefits and enable access to certain entitlements but it can also have major negative consequences. This is particularly acute when the fortunes of sovereign claimants change, as they did in Syria, and citizenship documentation can threaten people’s welfare as the new sovereign may take these documents as evidence of being on the ‘wrong’ side. As the Syrian state slowly regains territorial control of the whole of the country, there is renewed imperative to understand the ways in which Damascus uses citizenship to its own political advantage. This is relevant for how and why it treats certain subsets of the population as denizens in order to keep them in an extended bureaucratic limbo; but conversely, how it uses citizenship to bind people to the state as part of its political project.62

Endnotes

1 See e.g. Stephen C. Lukkemann, Culture in Chaos: An Anthropology of the Social Condition in War, 2008.
5 Thomas Blom Hansen and Finn Stepputat, Sovereignty Revisited, Annual Review of Anthropology 35 (2006): 293–315 define de facto sovereigns as those with, ‘the ability to kill, punish, and discipline with impunity’.
6 Bauböck adopts this term from social movement studies, where the concepts of political and discursive opportunity structures has been used to explain mobilisations around specific issues (see e.g. Koopmans et al. 2005).
12 Katharine Fortin ‘To Be or Not to Be?: Legal Identity in Crisis in Non-International Armed Conflicts,’ Human Rights Quarterly, forthcoming February 2021, 43. Available at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3638549
13 Interview with humanitarian actor via Skype, Amman, 6 February 2020.
14 Montevideo Convention on the Rights and Duties of States, 1933, Article 1(a).
17 Interview with development professional via Skype, 20 February 2020.
18 International Legal Assistance Consortium Syria Programme. Available at: https://ilacnet.org/syria-programme/
20 As quoted in Robin Yassin-Kassab and Leila al-Shami (2016) Before the Ink Dries: Intervention, the State and Symbolic Exchange, 171.
26 Bauböck (2010), 848


Tobias Kelly and Sharika Thiranagama (2010), 20.

Interview with humanitarian actor via Skype, Amman, 6 February 2020.


Hannah Arendt (1951) *The Origins of Totalitarianism*, 296.


Vasiljević (2012), 323.


Prospects for Ending External Intervention in Yemen’s War

Alexandra Stark, New America

Yemen is locked in an effectively stalemated conflict that is sustained by international military intervention. While the fighting—and its devastating humanitarian consequences—has persisted at a high level since the Saudi-led coalition intervention began in March 2015, the incentives and capabilities of the key actors have remained largely unchanged over the past several years. The war has therefore largely settled into a destructive yet pragmatic impasse.1

Third party intervention in Yemen’s war has transformed an otherwise localized conflict into a contest over regional influence and further polarized the Middle East, making this conflict both more complex and difficult to end. International intervention has also been a major source of the war’s human suffering: by late 2019, approximately 67% of civilian fatalities from direct targeting in Yemen since 2015 are attributable to the Saudi-led coalition’s airstrikes, according to the Armed Conflict Location & Event Data Project (ACLED), accounting for 8,000 civilian casualties from direct targeting by coalition airstrikes.2

Despite the devastating humanitarian effects of external intervention in Yemen’s conflict, drawing down regional military intervention in Yemen’s war will not end the conflict itself, which began after a failed post-Arab Spring political transition process (see Philbrick Yadav in this volume)3 and the Houthi takeover of the capital Sana’a’ in 2014. The collapse of the central government and the emergence of local patchworks of de facto sovereignty has created, as Ahram describes in this volume, a form of hybrid security governance with armed non-state actors “alternatively compet[ing] and collud[ing] with the forces of the diminished central government.”4

Third party military intervention plays a critical role in sustaining Yemen’s war. Ending external intervention and getting regional actors on board with negotiating a political solution will be a critical step in ending Yemen’s frozen conflict. A significant shift in approach of international actors, specifically the withdrawal of international military forces and these actors’ support for a political settlement, would change the underlying incentives of the many Yemeni conflict actors who receive military and diplomatic support from external actors. The international challenges of 2020, including the global COVID-19 pandemic and recent shifts in the domestic politics of the United States—a key supporter and enabler of the Saudi-led coalition—may affect prospects for ending external intervention in Yemen’s war.

Thus far, the COVID-19 pandemic has accelerated existing conflict dynamics in the region’s wars. Perhaps most importantly, the pandemic has distracted the international community. A lack of pressure from key international actors, including the United States, makes it more difficult to execute any political agreement. Additionally, the economic fallout from COVID-19 has meant a decline in economic aid and remittances; critical resources not only for meeting basic humanitarian needs in Yemen, but also for dissuading potential spoilers to a negotiated settlement; providing alternative sources of livelihoods for local conflict actors; and expanding governance capacity, all elements that will be important to ensuring that any peace agreement sticks. At the same time, shifting domestic politics in the United States point to reasons to hope that external intervention in Yemen—specifically the Saudi-led coalition’s intervention—could end sooner rather than later. This article will explore these two causal factors in the context of Yemen’s civil war which I argue push in opposite causal directions: 1) systemic dynamics accelerated by COVID-19, and 2) shifts in the U.S. domestic politics of foreign policy.

COVID-19 and Conflict in Yemen

In late March, shortly after the pandemic erupted, UN Secretary General Antonio Guterres called for a global...
ceasefire “to put armed conflict on lockdown and focus together on the true fight of our lives” against COVID-19. The call responded to concerns that the pandemic was likely to make already-dire humanitarian conditions in places like Yemen, where healthcare infrastructure has been destroyed by conflict and the war has already created the largest humanitarian crisis in the world.

While the Saudi-led coalition declared a unilateral ceasefire in April in response to the Secretary General’s call, the ceasefire was quickly violated by both sides: The coalition accused the Houthis of violating the ceasefire 241 times within the first 48 hours, while the Yemen Data Project recorded up to 106 airstrikes by the coalition in the first week of the ceasefire—a reduction from the previous week, which represented the heaviest week of bombing since July 2018, but also certainly not a cessation of fighting. The Yemen ceasefire—one in a string of failed ceasefires and partial peace agreements in Yemen’s conflict—fit with the global pattern: Oxfam deemed the global COVID-19 ceasefires a “catastrophic failure.”

The COVID-19 pandemic is likely accelerating a series of existing systemic conflict dynamics: a lack of international diplomatic capacity, shortfalls in economic aid, and declining remittances. Decreased diplomatic attention and economic aid will make it more difficult to get intervening parties and local actors alike to agree to (and stick with) a negotiated peace settlement, while a lack of economic growth following declines in both aid and remittances will make conflict relapse more likely.

First, many countries, including the most prominent diplomatic players in the international community, are turning inward to deal with the COVID-19 crisis and its economic fallout. International mediation efforts help end civil wars—and ensure that they stay ended. With their attention drawn to other international and domestic crises, U.S. policymakers and other key diplomats are less likely to be able to place the sustained pressure on actors in the Yemen war that is necessary to get them to the negotiating table and eventually to a peace agreement. While the international community does not have a particularly robust record of reaching sustainable agreements in this war, international pressure has been key to the ceasefires and political settlements that have resulted since 2015. Then-Secretary of Defense James Mattis, for example, reportedly played a critical role in clinching Saudi and Emirati support for the Stockholm Agreement in late 2018. Diplomatic indifference towards the conflict actors as a result of COVID-19 will mean less pressure to enforce ceasefire agreements and engage in good-faith negotiations, and to implement the terms of any agreement that is reached. As the virtual collapse of both the Stockholm and Riyadh agreements shows, sustained international attention will be critical to ensuring that parties implement the terms of any accord they agree to on paper.

Second, the sharp economic contraction that has accompanied COVID-19 will make Western countries less eager to invest substantial amounts in economic aid. There is a robust correlation between poverty on the one hand and civil war occurrence and recurrence on the other. While scholars debate the causal mechanisms linking these factors, Yemen has suffered from chronic state weakness and poverty, both of which likely contribute to conflict relapse. Many of the main conflict actors in Yemen harbor long-standing grievances about access to the resources of the state—indeed, these grievances were one of the critical factors that undermined the NDC process and sent Yemen down the path to civil war. Any political settlement will therefore need to address the distribution of natural resources and income from public sector jobs, as well as control over key economic institutions of the state, including the Central Bank and local revenue collection.

An infusion of substantial international economic aid could therefore help induce parties to negotiate and agree to a political settlement to the conflict. It could also help deter potential spoilers. Additionally, economic aid following a political settlement could contribute to increased governance and economic opportunity that provides alternative sources of income to fighting, which could in turn help prevent conflict recurrence.
In the short-term, the COVID-19-induced economic crisis this will mean a decline in life-sustaining humanitarian aid—indeed, the UN was forced to cut its humanitarian programming in Yemen earlier this year in part due to cuts in U.S. aid, as well as Houthi obstruction of aid delivery on the ground. While not entirely due to the pandemic, such aid cuts are indicative of what a protracted global economic crisis could bring.

Third, remittances, which are even more important to Yemen’s economy than foreign aid, have sharply declined since the pandemic began. While much of the flow of remittances happens outside of the formal banking system, making it difficult to estimate the true scope of their role in Yemen’s economy, Deputy Minister of Expatriates estimated that in early 2020, remittances were worth $8 billion annually, and supported half of the population. Saudi Arabia hosts the majority of Yemen’s workers abroad—an estimated 1.8 million. The World Bank estimates that about $2.3 billion in remittances are sent from Saudi Arabia annually, while an additional $1.1 billion comes from other Gulf Arab countries. The sharp decline in oil prices in early March, following a price war between Saudi Arabia and Russia, has stabilized somewhat, but Jadwa Investment projects that the Kingdom’s oil GDP will decline by almost 5 percent in 2020. In research of money transfer providers in Yemen, Oxfam found that this decline was coupled with as much as an 80 percent drop in the number of remittances from January through April 2020. COVID-19-induced restrictions on movement between countries and the decline in oil prices will continue to limit traditional opportunities for Yemenis to work abroad, and will therefore have substantial effects on Yemen’s economy and the material well-being of its residents. And all this comes in the midst of Saudization policies that have lowered the number of jobs available to Yemenis, crackdowns on foreign workers in the Kingdom, and rising costs for permits and expenses, all of which had already raised the pressure on Yemeni workers in Saudi to leave.

Taken together, these three factors that are the direct result of the ongoing COVID-19 crisis will accelerate existing conflict variables, making proxy wars across the Middle East less likely to end in the near-term.

The U.S. Domestic Politics of Yemen’s War

In contrast, however, significant shifts in the U.S. domestic politics of Middle East policy could push towards ending some of the region’s proxy wars, particularly in cases like Yemen where the United States has substantial leverage, both via direct participation and by providing support to security partners who are also interveners.

U.S. operational support has been critical for green-lighting and sustaining the Saudi-led coalition’s intervention in Yemen. Iran has also intervened in Yemen’s conflict, but although the Houthi’s relationship with Iran has become closer since 2015, with the IRGC-Quds Force providing training and assistance, as well as ballistic missiles and anti-tank weapons, to the Houthis. While the U.S. has little direct leverage over Iran’s activities in Yemen, Iran’s support is not critical to sustaining the Houthis in the same way that the Saudi-led coalition has been in sustaining the internationally-recognized government of Yemen.

With regards to the Saudi-led coalition, in key instances, systematic pressure from the United States has played an important role in de-escalation: When the United States uses its leverage with regional security partners to promote negotiations, de-escalation is more likely. For instance, U.S. pressure was reportedly the key to getting Saudi Arabia to agree to the December 2018 Stockholm Agreement, and in prompting the United Arab Emirates to withdraw most of its forces from Yemen.

In one notable example of this dynamic, the Obama administration was able to use its leverage over the intervening coalition to reduce the overall number of airstrikes in Yemen, and in particular the number of airstrikes with non-military targets. Despite offering the coalition operational and diplomatic support from its earliest days, the Obama administration quickly became concerned about civilian casualties. According to the Yemen Data Project, between March 26, 2015, and March 25, 2018, the coalition conducted an average of 15 air raids per day (with each air raid comprising one or multiple strikes) and 453 air raids per month on average, for a total...
of 16,749 over the course of the first three years of the conflict. About 30% of all recorded airstrikes targeted non-military sites, with about one third targeting military sites and an additional one third targeting sites of an unknown type. Government lawyers were concerned that U.S. support for the coalition made the United States a “co-belligerent,” and therefore culpable for such crimes, under international law. At first, the Obama administration sought to address these shortcomings by providing assistance to improve targeting, including a ‘no-strike’ list of civilian locations that eventually comprised more than 33,000 targets. Increased support did not lead to substantial or sustained improvements in Saudi targeting accuracy, however. By the fall of 2016, shortly before the U.S. presidential election, civilian casualties due to coalition airstrikes had reached a crescendo. Until this point, U.S. officials had not publicly criticized the coalition’s track record, even though they had invested substantially in behind-the-scenes efforts to decrease civilian casualties. However, on October 9, 2016, a coalition “double-tap” airstrike hitting the large funeral of a prominent Yemeni family’s patriarch, killing at least 140 civilians and wounding an additional 600, “was the last straw” for the White House. A statement by NSC Spokesperson Ned Price immediately following the strike was unusually critical, noting that “U.S. security cooperation with Saudi Arabia is not a blank check” and that “In light of this and other recent incidents, we have initiated an immediate review of our already significantly reduced support to the Saudi-led Coalition and are prepared to adjust our support so as to better align with U.S. principles, values and interests.” These gestures appear to have succeeded in temporarily reducing the tempo of airstrikes: The vertical line in figure 1 represents the date of the funeral hall strike and the United States’ public response. The figure also demonstrates that the number of airstrikes began to rise again in January 2017, when the Trump administration—which had a very different approach to U.S. Gulf security partners and the coalition—took office.

The Trump administration has shown little willingness to push U.S. security partners to reach a political settlement in Yemen. Indeed, in 2019 President Trump vetoed legislation passed by Congress that would have forced the end of U.S. involvement in the war against the Houthis (but
not U.S. counter-terrorism operations in Yemen). Yet in the absence of political will from the administration, Congress has taken action to limit arms sales to Saudi Arabia and the UAE and invoke the 1973 War Powers Resolution to end U.S. operational support for the coalition. Support for this legislation has been bipartisan, including actors ranging from avowed progressives like Senator Bernie Sanders to Trump supporters like Congressman Matt Gaetz.

If Trump wins re-election in November, his second administration is unlikely to substantially shift its position on Yemen and the coalition. Nevertheless, Congress is likely to maintain pressure on the administration to in turn pressure the coalition to end the intervention and engage in good-faith negotiations towards a political settlement. Since Trump's 2019 veto, members of Congress have consistently sought to add language to the National Defense Authorization Act (NDAA), a piece of legislation that authorizes defense spending and is viewed as a 'must-pass'; forcing an end to U.S. support for the Saudi-led coalition. Members of Congress have also pushed back against the Trump administration's March 2020 announcement that it would suspend some humanitarian funding operations in northern Yemen: in March 2020, a bipartisan group of House members asked Secretary of State Pompeo to not suspend aid to Yemen in light of humanitarian considerations, including the effects of the COVID-19 pandemic. In September 2020, Senators Bob Menendez, Patrick Leahy, and Tim Kaine introduced the Safeguarding Human Rights in Arms Exports (SAFEGUARD) Act, which would make the promotion and protection of human rights a central consideration in U.S. arms sales.

The fact that this opposition to intervention in Yemen has become increasingly mainstream in domestic U.S. politics is also reflected in the presidential campaign, where Senator Joe Biden has called Yemen an “unwinnable conflict” and called for an end to U.S. arms sales to Saudi Arabia. Daniel Benaim and Jake Sullivan, who both worked in the Office of the Vice President under Biden, recently advocated that the United States use “leverage and diplomacy to press for a de-escalation in tensions and eventually a new modus vivendi among the key regional actors.” A number of former senior Obama administration officials, including many who would likely be part of a future Biden administration, wrote in a 2018 open letter that “We unsuccessfully tried conditional support to the coalition. This administration has demonstrated the folly of unconditional support. Now, we must cease support altogether.” A Biden administration would therefore likely be willing to use U.S. leverage to end the coalition's intervention in Yemen and to support negotiations.

This shift in U.S. politics is also reflected in public views: A November 2018 poll found that 75 percent of Americans who expressed an opinion opposed arms sales to Saudi Arabia and the UAE. These views are also bipartisan: While self-identified political liberals were more likely to oppose such weapons sales, 54 percent of conservatives who expressed an opinion also opposed arms sales.

Thus, polling provides further evidence that there has been a substantial shift in how the United States sees its involvement in proxy wars in the Middle East since the coalition intervention in Yemen began in March 2015. At the same time, Americans’ views of U.S. security partners in the Gulf, and especially towards Saudi Arabia, remain dim: A 2019 Gallup poll found that 29 percent of Americans had a favorable view of Saudi Arabia, the lowest favorables for Saudi Arabia since the period immediately following the September 11, 2001, attacks. While these numbers recovered slightly in 2020, Saudi Arabia still ranked just above China and Russia in terms of Americans’ favorability. These public views match political shifts in both the Democratic and Republican parties when it comes to U.S. policy towards Yemen’s war and the coalition intervention, and suggest that this shift in U.S. policy is likely to be sustained over the coming years.

This bipartisan shift in U.S. politics, in conjunction with U.S. leverage vis-à-vis regional security partners, may push in favor of ending international intervention in Yemen, even as the effects of COVID-19 push back towards sustaining the interventions that have continued Yemen’s frozen conflict.
Endnotes


3 Cite Stacey Philbrick Yadav’s paper.

4 Cite Ariel Abram’s paper.


21 International Crisis Group, Iran’s Priorities in a Turbulent Middle East (Brussels: International Crisis Group, 2018), 11.


26 Author interview.


Pursuing Peace by Engaging Justice in Yemen

Stacey Philbrick Yadav, Hobart and William Smith Colleges

Why raise the issue of transitional justice in the middle of an ongoing, seemingly-stalled war in Yemen? Transitional justice is associated, not incorrectly, with periods of post-conflict or post-authoritarian transitions to more open societies and accountable state institutions. In her genealogy of the concept of transitional justice, however, Ruti Teitel has argued that we have arrived at “steady state” entrenchment of transitional justice such that it is increasingly common to see justice measures implemented in the midst of ongoing conflict.\(^1\) This has allowed some practitioners to approach transitional justice instrumentally as one of several tools in the peace-broker’s toolkit.\(^2\) It might be seen as a means of unfreezing frozen conflicts like the war in Yemen.

September’s call by the UN Human Rights Commission for the UN Security Council to refer parties to the Yemen War to the International Criminal Court on the basis of alleged war crimes is a demonstration of one such effort to apply this tool.\(^3\) Lodging transitional justice’s peacebuilding power in international criminal justice, however, draws on only one relatively narrow conception of justice. Alone, it may help to promote a cessation of hostilities and break the stalemate of this frozen conflict; but unless peace-brokers recognize and draw more genuinely on some of the everyday peacebuilding done by Yemenis in their local communities, it is unlikely to produce a more durable transformation of the conflict and could even jeopardize such work by hardening lines that can be more fluid on the ground.

**Role of transitional justice in peacebuilding**

According to Teitel’s genealogy, “what was historically viewed as a legal phenomenon associated with extraordinary post-conflict conditions now increasingly appears to be a reflection of ordinary times,” with a retributive criminal justice approach instantiated through the establishment of a permanent International Criminal Court.\(^4\) The logic of international criminal justice involves both rear-looking assignment of individual liability and a forward-looking effort to deter future gross violations of human rights. As early as 1993 with the establishment of the International Criminal Tribunal for the Former Yugoslavia (ICTY), international criminal prosecutions have been framed as a Chapter VII measure suitable for use during conflict as a means of restoring peace.\(^5\) The presumed deterrent effect of such mid-conflict prosecutions has been empirically challenged, however, and critics of international criminal justice have rightly observed that the small number of selective prosecutions raises as many questions about justice as it resolves.\(^6\)

Legal amnesties, meanwhile, which in many ways “epitomize an obstacle to justice,” have also been used as mid-conflict instruments to secure peace. In Yemen, the transitional power-sharing agreement that brought an end to the 11-month uprising against former President Ali Abdullah Saleh was made possible only through a promise of amnesty for Saleh and his closest relatives and associates. The use of amnesty as a negotiator’s peace-brokering tool has been endorsed by the United Nations in Yemen and in at least four other recent conflicts in other regions.\(^7\) The narrowness or breadth of amnesty, however, speaks to their intended role in brokered vs. securing peace. When amnesties are narrow and conditional, they can play an instrumental role in incentivizing negotiations between antagonists. When they are broader, they are often used to promote truth-telling as part of a longer and more durable process of social reconciliation, but may also encourage a kind of “culture of amnesia” justified as necessary to moving on.\(^8\)

Truth-seeking measures (such as truth and reconciliation commissions, investigatory bodies, and forms of “public history”) also play a powerful role in transitional justice, but are far less likely to be engaged as part of a peace-brokering process designed to end war. Instead, they
more often feature as part of the process of post-war reconciliation, and are thus deferred by international peace-brokers to a later date. One exception to this may be so-called “preservative justice,” where efforts are made to secure documentation of war crimes or other gross human rights violations before a conflict has ended. Such documentation can be put to immediate use as a justification for sanctions, as was the case with the Caesar Act in response to documented abuses by the Asad regime in Syria or it can be held for future use in post-conflict trials, commissions of inquiry, or reparations programs. Documentation can also contribute to the threat of legal action and a form of public embarrassment meant to compel negotiations in a frozen conflict. The UN Human Rights Commission’s documentation of five years of abuses during Yemen’s current war can be interpreted in this way, irrespective of whether the Security Council acts on its recommendation to refer parties to the ICC.

At stake in all of these transitional measures are complex questions related to the construction of victimhood, blame, and agency. Amnesties may acknowledge that harm was done to victims even as they vacate legal liability. Who is held accountable legally will depend on how victimhood is constructed, and whether it requires the perception of innocence on the part of victims. When transitional justice takes the form of trials or tribunals, the individualization of blame risks exculpating the many, and “may actually obfuscate culpability for either historical or contemporary wrongs, which were actually inflicted by victimized communities.” By contrast, non-judicial truth-seeking institutions can – but do not automatically – accommodate more nuanced and “messier” understandings of victimhood and perpetration appropriate to cases of sustained civil conflict like the current war in Yemen. This can create conditions of possibility through which former antagonists can engage in the kind of social (re)learning that is generative of more inclusive shared identities and supports conflict transformation beyond the scope of mere co-existence.

Uncertainty about the relative effectiveness of different approaches to transitional justice would matter far less if there were not also some reason to worry that poorly-executed approaches can cause additional harm or sometimes even advance unjust outcomes. Mariam Salehi and Timothy Williams have attempted to use qualitative case analysis to identify multiple causal pathways toward a “peace dividend” through transitional justice. Their analysis offers two findings of relevance to the case of Yemen. First, they show that the literature itself is marked by methodological differences that actually shape scholars’ substantive claims. Quantitative research on transitional justice tends to overstate the significance of trials to securing lasting peace, whereas qualitative case studies place strong emphasis on the reparative work of truth and reconciliation and other non-retributive measures. Second, their use of QCA set-theoretic techniques suggests that peace is most likely to obtain where there has been a trial following a military victory, or where there has been a broad amnesty. This is relevant for Yemen insofar as a military victory is not attainable in this conflict, and the UNHRC’s call to refer parties to the ICC is coming not at the end of war (with or without an amnesty) but as a kind of war-time justice intervention.

In this way, it might be situated as a part of the “justice cascade” described by Kathryn Sikkink almost a decade ago, which identified a growing normative acceptance of international criminal accountability for perpetrators of human rights violations. Yet this normative acceptance has been met with efforts to securitize international justice. The rejection of ICC jurisdiction by some states, the reliance on the Security Council to refer parties to the ICC, and recent legal and administrative attacks on the chief prosecutor herself all render international criminal justice partial in all senses of the term.

Opportunities (missed) for meaningful transitional justice in Yemen

The ICC is not the only path, nor is this the first or only way, in which Yemenis have engaged with the question of transitional justice. Before considering the role that transitional justice might or might not be able to play in conflict transformation in Yemen, it is worth briefly
reviewing some examples from Yemen’s near-past of justice efforts that were denied or derailed.

The aftermath of the 2011 uprising in Yemen presented an opportunity for justice following decades of increasing repression and civil disorder; that opportunity was quickly undermined, however, by features of an externally-brokered agreement and its political capture by partisan elites with little incentive to adopt meaningful changes. The transitional framework itself prioritized a smooth transfer of power in an effort to avoid the development of a larger-scale civil war such as the one that appeared to be developing in Syria at the time. The agreement’s text made only one explicit mention of transitional justice, and framed it not as an effort to establish accountability for past crimes but as a forward-looking means to “ensure that violations of human rights and humanitarian law do not occur in future”. The mechanisms through which transitional justice ought to be pursued were unspecified, and deferred for deliberation as a part of a cumbersome National Dialogue Conference. This meant that no autonomous justice reforms were mandated beyond a generic call to ensure “governmental functions… are fulfilled in an orderly manner in accordance with the principles of good governance, rule of law, human rights, transparency and accountability.” How this was to be done – and how it was to be done by a transitional government with more international legitimacy than domestic authority – was unclear.

In order to secure the former ruling General People’s Congress endorsement of an uncontested candidate for transitional President, Yemen’s parliament – last elected nine years earlier – extended legal amnesty to the former president and his closest associates. This was consistent with the UN’s preference for limited and conditional amnesties over blanket amnesties, but nonetheless spurred a series of dramatic protests staged in more than a dozen provincial capitals across the country. Moreover, while it was a limited amnesty aimed strategically at negotiating President Saleh’s departure from power, it was not a terrifically conditional amnesty. When paired with only a very minimal lustration process, the General People’s Congress not only continued to exist as a party to powersharing, but the former President himself continued to play a powerful role within the party’s leadership (if formally outside of power).

Meanwhile, transitional President Abd Rabbuh Mansour Hadi worked to consolidate a government, restore some semblance of security, and oversee an ambitious National Dialogue Conference aimed at a comprehensive reorganization of the country’s political and economic institutions. At best, the transitional period from 2012 to 2014 failed to achieve these aims. Given the lack of genuine justice reforms, the government faced ongoing activist mobilization, strikes, and civil disobedience in the form of a months-long “parallel revolution” throughout the public sector. The frustrated demand for greater transitional justice in the form of accountability, acknowledgement, and perhaps reparative measures, did not cause the current war, but it did contribute to the pervasive insecurity that grew over the course of the transition, costing more Yemeni lives than the 11-month uprising itself. Sideline activist demands in the interest of “peace” fueled a climate in which many Yemenis further divested from state institutions as a guarantor of rights.

These observations might initially appear to align with the concern of some scholars that a poorly-executed transition might not be worth the risk. But that argument, too, can be challenged by Yemen’s history, as well as consideration of peace-brokering processes that sidelined justice in the name of moving on. The 1994 civil war – short-lived and infinitely less destructive than the current war – was followed by no effort at reconciliation or transitional justice. Instead, the institutional restructuring that followed served only to further consolidate the power of the regime, fueling grievances that festered for 20 years and contributed to the eventual secessionism of the Southern Movement and, now, the Southern Transitional Council.

This example highlights that moments of post-conflict transition cannot be teleologically assumed to orient only or directly toward democratic or liberal ends. Indeed, both 1994 and 2012-14 represent moments in
which transitional justice was not seriously or credibly engaged by those with the power to implement reforms – in the former case because military victory meant that Northern political forces did not feel the need to credibly engage Southern demands, and in the latter because an internationally-brokered agreement did not prioritize it. By ignoring demands for justice or actively subverting them, decision-makers in both periods contributed to the very violence and social disorder to which they claimed to be responding.

**Victim-Centeredness and the Work of Everyday Peacebuilding**

If it is unlikely to produce a peace divided through international criminal justice, how might a more genuine engagement with transitional justice help Yemen to break out of frozen conflict? One way would be to focus on indigenous peacebuilding, rather than external peace-brokering. The forward-looking purpose of criminal liability is designed to compel negotiations at the top and deter additional atrocities by warring antagonists. But this is still a top-down approach that understands peace as beginning with the cessation of war. There are developments ongoing during the war itself that serve the purposes of social cohesion and community reconciliation and do some of the identity work that is associated with post-conflict social re-learning and conflict transformation. These developments range from local efforts at documentation that contribute to preservative justice; to commemorative work by artists that constitute forms of acknowledgement; to local service provision and conflict mediation that address the need for material and symbolic justice in the absence of fully functioning state institutions.

That this work is going on during the war is remarkable, but it is under-remarked: international peace-brokers at the UN level, especially, focus narrowly on the warring antagonists and overlook the everyday peacebuilding work in which Yemenis are already engaged. As McEvoy and McConnachie argue, justice work not only needs to be more victim-centered, but it needs a more complex understanding of victimhood and perpetration that originates not in listening to or speaking for, but speaking to those in affected communities. This is essential, they argue, for maximizing victim agency in transitional justice praxis. It is not enough to “listen” to non-combatant Yemenis about what they need or look for from a negotiated peace. Instead, peace-brokers need to be speaking to everyday peacebuilders who are doing this work already.

Here there is a role for research organizations that provide critical linkages through which Yemeni peacebuilding is given explicit attention. A small number of international research organizations like the Center for Applied Research in Partnership with the Orient adopt intentionally-designed collaborative models that allow Yemeni researchers to contribute co-equally to knowledge- production about the war in a way that itself constitutes Yemeni peacebuilding work. The newly-launched Yemen Policy Center similarly shifts the role of Yemeni researchers from providers-of-data to analysts who participate in claims-making. This kind of “action research” has enabled Yemeni researchers to conduct research on everyday peacebuilding in Yemen and to connect it to more formal peace-brokering institutions and actors.

Both of these organizations, as well as other Yemeni-led organizations like the Sana’a Center for Strategic Studies, Mwatana Organization for Human Rights, and even consultancies like Deep Root or Yemeni Youth Without Borders, deliberately showcase work going on in local communities across Yemen by non-combatant actors whose activities are more than survival tactics but exhibit attributes of civil action that advance justice claims relevant to any top-down process of peace-brokering. Using surveys, focus group discussions, interviews, and participant-observation, their reports describe Yemenis in different parts of the country navigating relationships with diverse local authorities and systems of governance to meet essential community needs. They highlight changing attitudes toward self and other as people go about the everyday work securing livelihoods and serving their families and repairing their communities in inventive
ways – despite (or because of) the stalled nature of the formal peace-brokering process. The activities of civil actors described by such research – and the civil action of conducting this research itself – co-contribute to knowledge production and claims-making by Yemenis who are otherwise sidelined by the negotiating process.\(^{30}\)

The challenge now is to both recognize this work as substantive peacebuilding and better align formal diplomatic approaches with that work. This is essential in the context of a conflict like the one in Yemen which appears frozen at the formal diplomatic level and unresolvable through military means alone. It was an organization of Yemeni mothers of abductees that ultimately broke the stalemate over a long-stalled prisoner exchange in October, highlighting the capacities of non-combatant civil actors to move the needle on this frozen conflict. More genuine integration of Yemen's civil actors – their claims, their research, and their practical capacities – would be consistent with a more victim-centered approach to transitional justice that expands the agency of those who have suffered in Yemen's civil war. Such an approach requires that peace-brokers recognize first and foremost the work of myriad Yemeni peace-builders and learn from them.

Endnotes

19. Agreement on the Implementation Mechanism for the Transition in Yemen in Accordance with the Initiative of the Gulf Cooperation Council (GCC),” Article 21(f), May 21, 2011, 7.
20. “Agreement on the Implementation Mechanism,” Article 15(c), 5.
29. The foundational paper for this project outlines the scope and research questions that the teams addressed. Coordinating the work in Ethiopia in the summer of 2019 allowed the Yemeni and non-Yemeni team members to design the work jointly through intensive in-person work where they could

85
communicate freely about the kinds of practical and political constraints associated with the work. The Yemeni researchers then carried out the field research in the summer and fall of 2019 using teams of researchers able to conduct interviews, focus groups, and participant observation in different parts of the country; the international partners, who had access to the mundane needs of scholarship, such as unrestricted libraries, uncensored internet, and regular electricity, generated non-field based components of the project in the winter of 2020, and the papers were published serially in the spring. This kind of collaboration was constructed as partnership, cognizant of the power dynamics at play in the process of knowledge-production and the different kinds of restrictions faced by Yemeni and non-Yemeni scholars.

30 Marie-Christine Heinze and Stacey Philbrick Yadav, “For a durable peace in Yemen, inclusion must mean more than simply a voice for civil actors,” Responsible Statecraft, June 8, 2020.
The Project on Middle East Political Science

The Project on Middle East Political Science (POMEPS) is a collaborative network that aims to increase the impact of political scientists specializing in the study of the Middle East in the public sphere and in the academic community. POMEPS, directed by Marc Lynch, is based at the Institute for Middle East Studies at the George Washington University and is supported by Carnegie Corporation of New York and the Henry Luce Foundation. For more information, see http://www.pomeps.org.