Approaches to Syrian Civil Society

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A conversation with Amina Khoulani and Salma Kahale

Commentary

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Since the revolution broke out in 2011, Syrian civil society and its many groups and organizations have emerged as a novel phenomenon. Ever since the issuance in 1958 of Associations Law No. 93, and the subsequent amendment to the law by Legislative Decree No. 224 in 1969, state surveillance of civil society associations has only ever increased, with approval from the security apparatus required in order to establish new entities. As a result, civil society was virtually absent, with only charitable and religious associations eligible for licensing. In a small number of other cases, in the 1990s, and then after the Damascus Spring, unlicensed human rights organizations emerged, causing their founders and members to be subjected to security restrictions that limited their ability to sustain their work or achieve the objectives for which they were formed.

Many believe that the form of civil society which emerged after the revolution is an extension of the revolutionary movement itself. A large number of organizations grew organically out of coordinated grassroots action, and many activists established their own civil society groups or joined existing ones. In these early stages, civil society was dominated by emancipatory activism defined by the values of the revolution. Today, nine years on, we face a crucial question: can civil society still be defined within this framework?

The form of civil society that emerges as a result of popular movements, or in conflict situations, is distinct from others. Just as a stable environment affects the identity and nature of civil society, so a politically, socially, culturally, and economically volatile one imposes its conditions in turn. The nature of the surrounding context affects civil society's formation, development, and interaction with public issues in various ways. When it grows out of popular movements and in an atmosphere of conflict, this has ramifications for its sources of funding and support, and the agendas of the warring parties and those who support them are also of great significance. In such environments, civil society typically depends entirely on external support, as local or national forms of support are nonexistent in the absence of the state. This is especially true when the state is the main cause of the situation to begin with. Syrian civil society is often seen as adopting an overall emergency response approach, which is linked in turn to changes in the political arena. Sometimes this view is used to generalize not only the civil society work that focuses on services and relief activities (which, by its nature, is emergency response work), but also that engaged in securing rights and changing public discourse.

Syrian civil society has fought many battles and faced many challenges since 2011. Activists in the field have too often been forced to make morally tough decisions. Yet we also cannot generalize here, because in reality some civil society actors chose not to engage in such ethical discussions and remained set on neutrality. The neutral discourse they adopted grew especially after 2015, driven by funders' insistence that civil society must be neutral. These pressures often arose in the context of already-difficult situations, such as economic sanctions and reconstruction.

Such battles being fought by civil society are rarely visible to those outside the field. The general public sees only a small slice of the picture, which usually takes place in the context of choosing a side in the "supporter" or "adversary" binary.

The idea for this collection of articles emerged from a discussion between Badael and Al-Jumhuriya about the need to convey to the general public some of the experiences and conversations that occur among civil society actors and within their circles. This came not only from a democratic inclination to strive for the greatest possible degree of openness and transparency, but also from our perception of a dangerous stagnation in public discourse. Amidst our tremendous losses, we find there is a widespread fear of publicizing debates among those actively involved in public affairs—including those who come at the conversation from civil society. In particular, social media is feared as a place where discussions can easily slide into destructive populism. Hence, they prefer to limit discussions and debates to narrow circles that amount to safe spaces where they can avoid being viciously attacked.

In turn, this reality creates an uncomfortable lack of transparency for a segment of the general public that is experiencing the same losses and worsening conditions, and is thus driven to assume the worst—or, in extreme cases, make harsh judgments and accusations of treachery.

This vicious circle results in a frail and unhealthy state of debate in the Syrian public sphere. We understand the complex reasons for the current state of affairs, and have no desire to analyze its causes or those responsible for it. We do believe, however, that opening the largest possible space for collective deliberation, intellectual debate, and political discussion is an urgent necessity. Cultivating such a space, in order to deal with the full range of Syrian public affairs, is perhaps the most important thing we can do in the midst of the generally abysmal conditions, and in the face of our inability to control our own destinies. It is within our power to form an environment of discussion, interaction, debate, and understanding that guarantees a space for effective consensus, respectful argumentation, and the ability to disagree with dignity. Furthermore, we aim through this collection to contribute to filling the void created by the dearth of literature on Syrian civil society penned by active participants and activists directly involved in the work.

As a loose suggestion for how to read the collection, we recommend starting with Dr. Nour Abu-Assab's piece on defining civil society as a tool of resistance that has arisen, been developed, and remains located within public power structures. Next, we suggest the two articles that deal with feminist affairs. Leen Alabed explores the range of challenges facing feminist and women's organizations in our unstable circumstances. As for Dr. Nof Nasser-Eddin, she examines problems in feminist work that she sees as a result of institutionalization and feminist movements' adoption of methodologies belonging to civil society. Her analysis looks at how feminist movements and civil society are affected by the international community and its agendas regarding funding opportunities and policies. In a second section, largely comprising first-hand accounts, we read an interview conducted by Oula Ramadan with Amina Khoulani and Salma Kahale about the relationships between civil society organizations and victims' groups. This interview focuses on the experiences of Khoulani and Kahale's intertwined work with the organization Dawlaty and the association Families for Freedom. Majdi Maher takes up Homs as a model of a city under regime control in which local associations and international organizations actively provide useful information on possible openings, limitations, and existing conditions for overtly conducting civil work in regime-controlled areas.

In a third section, which is both analytical and observational, we come to Ibrahim Olabi and Eyad Hamid's analysis and discussion of civil society organizations and economic sanctions. This section also includes Mohammad Al Abdallah's analysis of the realities, challenges, and problems of strategic litigation that seeks to prosecute perpetrators of war crimes against Syrians in the available legal domains, particularly in Europe. Although parts of this collection deal with their subject matter from a research and academic point of view, we have prioritized writing by those active in Syrian civil society. We present their diverse specializations and perspectives, and their potentially divergent views and opinions on controversial issues related to Syrian civil society and public affairs as a whole. As such, the analyses and opinions offered by the authors express their personal opinions, and neither necessarily correspond with nor depart from the opinions of the rest of the authors, the editors, or the publishers.

This collection focuses on Syrian civil society organizations that work to attain human rights and change public discourse. It does not address civil humanitarian or relief work, despite the fact that this is one of the main forms of civil society in Syria today. Humanitarian and relief work constitute an active environment with its own distinct concerns and conversations, and require separate and specialized consideration. Similarly, the articles are not concerned with the elephant in civil society's room: financing and sustainability. This was avoided in order to forestall a fundamental debate about the existence and survival of civil society institutions; a debate we intend to take up at a later time. Instead, we hope to challenge the importance attributed to the question of funding, which causes it to eclipse all other topics. We also hoped to avoid using funding as the entry point for discussing Syrian civil society. There are many further points worth focusing on, analyzing, and discussing that have not been mentioned in these texts. It is our hope that this selection of articles, and the discussions they contain, will be a catalyst for interaction and exchange among civic actors and other interested parties, and encourage their contribution to and participation in public debate.

CSOs and victims' associations: Partnership and rivalry

A conversation with Amina Khoulani and Salma Kahale

Interviews

Oula Ramadan

The rise of victims' associations in 2016 was connected with civil society organizations (CSOs) in one way or another. Such organizations sometimes provided support to the movements during or after their founding process; or the associations originated in programs that were implemented by CSOs, later becoming independent; or any number of other relationships existed between the two categories of organizations. Victims' associations have appeared more frequently in the past four years, and their numbers have increased over the past two.

These developments call for an examination of the relationship between victims' associations and civil society organizations, the types of approaches they take in working with one another, and the cause on which they are working. The following is a dialogue between Amina Khoulani, one of the founders and general director of the Families for Freedom movement; and Salma Kahale, Executive Director of Dawlaty, which is one of three organizations that make up the movement's "support team." Through this dialogue, we will take a close look at an important and effective model in Syrian public affairs for the relationship between CSOs and victims' associations. We will also look at the challenges and obstacles involved in this work, and how to manage tensions that may occur. One of the most significant of these tensions can be the contradiction between the need to create symbolic leaders—individual charismatic actors—and the need to create more horizontal, collective, and participatory movements.

Oula: Amina Khoulani, you have been described as one of the fiercest fighters in defending detainees and forcibly disappeared persons, and you are a founder of the Families for Freedom movement. What motivated you to do this? What drives you to continue?

Amina: I've had personal experiences in the past with civil struggle that resulted in being summoned by security services and being arrested. In 2001, a group of us, young men and women from Daraya, established a small cultural center that we called Subul al-Salam (Paths to Peace). Within days, the center was shut down by authorities, and we were summoned for investigation. Abdul Akram al-Saqqa, a Syrian Islamic enlightenment thinker, was arrested. In 2003, the group became the Daraya Youth Group, and we repeated the experience of civil struggle, carrying out a campaign that we called "Until they Change Themselves." This campaign included many activities, such as holding a silent march, handing out leaflets against bribery, and street cleaning in Daraya. As a result, we were all summoned by security forces. My husband participated in the campaign, and so did my brother Muhammad, who was later killed in detention. The men were transferred to a military court and sent to the Sednaya prison. Imagine: The people who swept the streets were sent to a military court… unbelievable.

Since then, the arrest has caused me to suffer both psychologically and in terms of daily life, as my children were young at the time. My son Hadi was one month old when my friends and I were summoned to every possible security branch. We were not allowed to visit my husband, brother, teacher, and friends in Sednaya, and we would get information about them from here and there. We set off on one of two possible paths at that stage. As you know, families in Syria resort to using wasta (connections) and bribes in order to obtain information about their detained children, knowing that there is no legal path they can take. They do this while experiencing tremendous fear, because the events of the eighties are always at the top of people's minds.

While some families resorted to wasta, we, the group of women who remained on their own after all of the men were arrested, chose to resort to the path of human rights. It was at that time that we first heard about human rights in Syria, and we made contact for the first time with Razan Zaitouneh (may God grant her peace, wherever she is). Some of the men, including my husband, were sentenced to four years, of which they served only one. Others were sentenced to seven years, of which they served two and a half, among them was Yahya Sharbaji.

We thought that our mobilization efforts were fruitful. I didn't know what "advocacy" meant at the time, but, along with my friends, I insisted that we not remain silent. So, we started communicating with international human rights organizations like Amnesty International and others, and we would picket outside of security branches to inquire about them, often sitting on the ground and waiting. We became exhausted during this phase. We learned at the time that there is a "presidential letterbox" at the post office in Hijaz Square in Damascus, and that the letters dropped there reach the President's office. We started putting a letter in this mailbox every week, asking to visit our loved ones and for their release.

Some of my friends gave up on the matter due to pressure coming from society or from parents who were afraid of their daughters getting arrested. I did not stop, and for that I paid a high price. I was summoned again and arrested. However, many acquaintances intervened, and I was interrogated for only one month at the Palestine branch. I know that I'm digressing with all these details, but

they're all present in my memory, and they're part of my motivation to continue.A few months after the beginning of the revolution, my teacher, Abdul Akram al-Saqqa, was arrested once again. I was summoned a few months later, and then my brothers Abed and Majd were arrested, along with Yahya Sharbaji, whom I consider a brother and a friend. We received a certificate of their deaths two years ago. The three of them were executed at Sednaya prison. We continued our revolutionary activities and I was haunted by the fear of arrest. I would read about female detainees and prepare myself for a fate like theirs. Before participating in a demonstration, I would take off my ring and my bracelet, and say to myself, "better for my children to use them than for security forces to take them."

I would also wear multiple layers of clothing because detention centers are cold. And I would fill my pockets with tissues and napkins and I wouldn't put a pin in my scarf, so that it wouldn't injure my neck if I was hit. These are small details, but they never leave my mind. I used to say to my children when I left for any revolutionary activity; "I'm not going out and leaving you because I don't love you. On the contrary, it's because I love you so much that I have to go; because I cannot bear the thought of your future being in this jungle controlled by Assad."

My two other brothers, Bilal and Muhammad, were also arrested. They were not participating in the uprising. Not out of unwillingness, but at my father's request. He used to tell them, "Amina, Abed, and Majd are taking part in the revolution. Stay away from it a bit, so I can have someone beside me." Bilal brought back tragic news when he left prison: Muhammad was killed under torture in front of him. Muhammad was my friend and my comrade, not just my brother. He was a comrade in the struggle of 2003, when we were both summoned by security forces. He was also one of the students of Jawdat Saeed and Abdul Akram al-Saqqa, a beacon of peaceful thought at the time.

"Everything in my life was obliterated. The martyring of Muhammad obliterated everything." Bilal told us how Muhammad was martyred. The details are a pain I keep to myself. Bilal came back from prison a "walking corpse." Have you seen the Caesar photographs? Bilal looked like the victims in those photos. He's all right now. "A new life was written for him," as the saying goes. I am the eldest of my siblings, and when they talk about the importance of supporting women, I feel proud that the men in my family have been my biggest source of support since I was a child. My father, my brothers, and later my husband.

During one demonstration, my brother Majd told me: "If you want, I can carry you on my shoulders." They have been truly supportive of me throughout our struggle.

My husband and I were arrested together. I didn't expect that we would be arrested at the same moment from the same car, but they put me through absolute terror when they beat him in front of me. I was willing to do anything, "I'll say whatever you want me to." But the detective resorted to another method. He asked me, "Do you love your husband?" I did not understand why he was asking, but I said "yes." After that, they brought him in and began torturing him front of me. I later found out that they used the same method with him. I was in detention for six months, and my husband stayed there for two and a half years.

On the day that I was released from prison, they announced our names at the cell door. My name and the name of Ruwaida Canaan were listed among those to be released. We cried because we would be getting out and leaving all of the other women behind, all of whom were charged with political charges or "terrorism." Some of the women were not even involved in any activities, but were mistakenly detained in place of other people. I felt a great sense of betrayal leaving them, and I promised them that I would be their voice; that I would not remain silent. "Do not forgive me if I forget you." After that I went on driven by my belief in freedom and justice. We took to the streets calling for freedom, and Syria is not free as long as detention centers exist.

I am a believer; and I believe that God almighty created me to do something of value on this earth. This value will not come about by staying at home. My faith motivates me to stand up against oppression, and to demand justice for all Syrians.

Oula: Salma Kahale, you are the founder and director of Dawlaty. You have worked with victims' organizations since 2016, and are one of their radical supporters. What motivated you to engage in this work? Why work with organizations concerned with victims' affairs?

Salma: It's not easy to speak after Amina. I have believed in justice since I was young, and I have always had what can be described as righteous anger; feelings of outrage against abuse, oppression, and injustice, driven by a desire for change. We cannot witness injustice without taking action to change things. I don't have the doctrinal or religious beliefs that Amina has, but of course I have my own beliefs of a different nature. I believe that if we don't work for change, we are part of the problem. I believe in humanity, and in the human capacity for doing good and for change. Since I left Syria for Canada, I have been involved in political work and in the pursuit of justice, both as a student and as a woman. When I finished my university education, I felt like, sure, I am working on human rights and the rights of women, students, and others, but I still want to do this work in my own country.

In 2004 I returned to Syria and tried, but I couldn't find a way to take part in a project for change. I didn't find an opportunity, and perhaps it didn't exist at the time. But, after the start of the revolution, I got involved and started working with a group of activists who I felt shared my principles and ideas, both within Dawlaty and with you, Oula, and with others. Here I want to say two things. The first is that I do feel my privilege. In other words, I had a choice, or other options, but my belief in the cause pushes me to continue. Amina has a choice too, of course, and there are options before her, but she always chooses to continue walking the path of struggle.

Oula: I think it is important to talk about the privileges that we have as people working in public affairs. Perhaps recognizing these privileges in the contexts in which we operate is important. We usually carry these privileges as a burden, but in return, we have a chance to use them to serve the cause and seek justice.

Salma: I am aware of these privileges, and of how I can use them to support people involved in the cause such as Amina. But the people themselves remain at the forefront of the struggle and they are

the ones who are directly affected. This is a major reason why I question my role in this struggle, and my relationship with the victims and with the people of the cause. To a large extent all these things are informed by my experience, privileges, and awareness of my position.

Oula: Salma and Amina, how did you start working together, and how did this relationship develop?

Salma: I met with Maria Al-Abda, the manager of Women Now, and her colleague Anna. They spoke about the unheard voices of women, and the huge discrepancy between the women's lived-realities and what people say about their role in achieving peace and justice. They also mentioned the importance and urgency of the issues of detention and forced disappearance for the women they work with. So, they suggested working with us at Dawlaty because we had experience in the field of transitional justice, and, at the time, were just starting to work with youth on oral histories.

We agreed to start collecting the stories and testimonies of women from families of detainees and forcibly disappeared persons, and to develop programmatic and advocacy tools in order to preserve their stories and experiences and to build public awareness on the issue. Our first activity was a workshop in Lebanon, where the participants were women who shared their stories with us, women who conducted interviews, and other civil society actors. We started our workshop with audio recordings of some of the stories. The Syria Campaign, and Bissan Fakih in particular, were the ones who realized how strong these women are as advocates. They are the legal defenders of the cause, and the most able to reach public consciousness.

Amina: Even at that time we had the idea that we wanted to fight forgetfulness and preserve memories, especially with regard to the issue of detainees. Usually, the families of detainees or survivors are called upon as witnesses, and they are treated as just that, deprived of any decision-making capacity. What's more, there's no discussion of the suffering of families, and therefore, they are the ones who have to convey and talk about this suffering.

Salma: Our second activity was an advocacy trip to Geneva, which coincided with the negotiations at the time. It was important that a group of women including Amina were seated there together as relatives of detainees. The entire support team left the room, and I remember that the session lasted no more than an hour, and the participants came out with a clear memorandum explaining who they were and outlining goals and demands.

Amina: We were five women. Some of us were meeting each other for the first time, and we hailed from a range of different political and social backgrounds. Nevertheless, we were able to come to an agreement and outline our priorities and demands.

Salma: While you were inside, we, as the support team, were having our discussions outside, inspired by your voices. We decided then to be a radical support group. This is your cause. You are the ones leading it, and we offer our full support to make your voices heard. You are the compass for our work. On the second day, we met with de Mistura before negotiations started. I remember what he said; "this is the first time that someone has spoken of these demands with this level clarity and practicality." Later, one of the employees in the office of the Special Envoy told me, "I know that you all in the

support team are the ones who drafted and finished the writing on their behalf." This showed a lack of faith and trust in the women, as if our role was to polish their image. As if they are puppets, and we move them and tell them what to say.

I bring up this example in order to show that this is a common way in which people of the cause are seen; we bring them along, but tell them what they should say. Thus, our radicalism. They are the compass that guides us, and our role is to support them with our expertise and networks, and to provide them with logistical support. This is how we created the work dynamics between Families for Freedom and a support team made up of representatives from Dawlaty, Women Now, and The Syria Campaign. This relationship began based on trust and faith, and it still is.

Oula: Reflecting on the session that Salma mentioned, could you attempt to deconstruct the factors that helped or pushed you to reach a clear memorandum of demands despite the political differences you described, and the fact that you didn't previously know one another? How did you overcome your differences, and what helped?

Amina: The main factor was that we all agreed on the overarching long-term goal, which is sacred to each of us. Of course, we disagreed on some issues, but what unites us is greater than our differences, at least at this stage. This was always the case for me (and I think for the rest of the group, as well). We asked ourselves, are these details about which we disagree important when it comes to freeing the detainees or not? This was our standard. For me, everyone who demands freedom, justice, and democracy throughout our physical and intellectual space, and everyone who believes in the civil state, are with me in the same boat. An ethical dimension unites us all against injustice and tyranny. (Despite intellectual and political disagreements, which ought to be put off until the Syrian massacre stops. After that, discussions can be had.) And this is not to mention the intense emotional connection that binds us as families of detainees and the forcibly disappeared. This was evident in that meeting, and is still present today.

Oula: More than four years have passed since the Families for Freedom movement was established. Looking back at these years, what challenges have you faced, and how have you dealt with them? Can the movement be described as "non-homogenous," given the diverse backgrounds of its participants?

Amina: I don't like the term "non-homogeneous." Yes, we vary in our political and intellectual backgrounds. This is healthy and necessary. A human rights cause brings us together, so differences that are unrelated to values or ethics can be overcome. Actually, it's the opposite. We have treated our differences as an element of strength since our first meeting. We have sought to make them very present in the movement, even commonplace. We invited women and girls from various backgrounds, including regime loyalists who had relatives detained by opposition factions. None of them joined of course, but the door was open. Salma might recall that in the beginning we would have disagreements over our political visions, but we knew where to draw the line so that our disagreements wouldn't turn into arguments. There are dynamics within the group that were created over time to deal with

the movement's diversity, and the support team played a positive role here. We also came to the conclusion that the support team is in fact working for the cause, and isn't just a project created to obtain funding.

Oula: You focused, Amina, on what brings you together as a movement, and on ethical and moral principles as key factors in avoiding disagreements. What about you, Salma, how do you see it? Do values play a role in your work with civil society organizations that support organizations which defend victims?

Salma: We always believed, both as a support group and as individual organizations, that our support for Families for Freedom is part of our basic responsibility to support the cause of detainees and their families, especially women. If we have tensions within the group, between our organizations, or with donors or families, we always remind one another that our responsibility lies with supporting this cause and these women, and we must approach the issue from this perspective. We have been able to overcome many difficult scenarios by focusing on our main mission and moving away a bit from everyday problems, organizational politics, and donor bureaucracy. Indeed, it is not easy to work as a coalition. As a support group formed by an alliance of three organizations, we have different degrees of experience with and openness to partnerships.

Values are a very important factor in our alliance. Not only were we able to build upon our values, we also worked on our approach and on how we view our role. The fact that there is trust between us as organizations allowed for this. This trust was formed through partnerships we had prior to our work as a support group, such as during the Planet Syria campaign and others. We were able to build a common culture through these previous alliances, one built on transparency and dialogue. We engaged in a lot of discussion and found a path together. Of course, among the challenges that alliances face is managing the "ego" of each organization and its desire to stand out. Part of my role within my team is to constantly remind everyone that we are working for a cause, not for the prominence of our organization. Certainly, we have reached a point where we need financial resources in order to be sustainable and have a bigger impact in our work. There is awareness within the organization, however, that this work is not just a project that needs funding.

Oula: Salma, since you and Amina have both mentioned the subject of funding, it seems like an important thing to discuss further. Civil society relies heavily on funding in order to carry-out its interventions. How do you strike a balance between creating a funded project versus more organic and more sustainable work? Ultimately, financing is linked to the policies and strategies of donors, so, does designing specific interventions that rely on funding ever result in harm to the cause? Or cause the work to fail?

Salma: Since starting our work as a group, we did not want to seek funding in the name of Families for Freedom, because the movement is our responsibility as civil society organizations, and not a project that we are implementing. So, we used to cover the costs of advocacy campaigns by pulling from here and there. We have been conscious since the beginning that we did not have any funding source. When we needed to sustain the work, however, we established financing policies that suited our values and committed ourselves to them. Politically, it is necessary that there be no conflict between the values and positions of the funder or donor state and our own.

We tried to be careful not to conduct activities or disburse funds according to the agenda or criteria of the donor or any other actor. We did not want to create a dynamic where the activities and pace of the movement were defined by whether or not we were receiving funding, and when. In our opinion, this would have made the movement less sustainable.

There's another component to this conversation about sustainability: we are aware of our role as individuals who receive salaries to support the movement, while the families are not getting paid for their work. For them this is both a personal and political cause. This difference creates a kind of tension, as we do not want our role to be limited only to providing logistical and administrative support. We also want to play a role as partners and allies.

On the other hand, we are aware that part of empowering families means that we should not handle administrative or budgetary matters without including them in that work. Therefore, there is tension between our responsibilities as radical supporters and as people who receive salaries to do this work, and the need to create a kind of reliability in the process. Between "you just ask for it, and we will do it without them knowing anything about the details" and allowing them to lead this work, which certainly requires effort and time from them.

Oula: How do you manage these tensions? Of course, you have awareness about them, but how do you deal with them?

Salma: As you mentioned, part of managing the tensions, is being aware of them and attempting to undo them and find solutions. They are partial solutions, but we continue to be engaged in ongoing discussions.

Amina: And discussions are difficult, especially about these issues. They have no end. As long as we are doing this work there will be these tensions, but they never reach a point where they affect the work, and that's the important part. We hold these discussions internally and in the context of trust. I emphasize the word "internally" here because displaying these tensions in public spaces like Facebook or on other platforms (as we see many groups doing) hurts the cause. I reject the populist approach in dealing with differences and tensions, because it hurts collective work.

Oula: What are the challenges that victims' associations face in their relationships with the civil society organizations that support them? And on the other hand, what are the challenges that civil society organizations face in their relationships with the associations? Here, I would like not only to draw upon your experience as a support team and families, but also to talk about your experiences in the larger context, as actors in this field.

Salma: Over the past six years that I have been involved in Syrian civil society and doing work related to justice, there has been a marked improvement in how civil society deals with victims or people of the cause. I remember that when policy and coordination meetings on justice were first being held, there was almost no representation of victims, let alone groups of victims. When victims were involved, it was usually during advocacy rounds, where they were being paraded around as a way to raise awareness about the situation in Syria or to raise money for a specific group.

There has been a noticeable improvement in the amount and quality of involving victims in discussions on justice. Many Syrian civil society organizations have supported Syrian victim groups through their organizing work and by creating space for them at the table. They have also worked to promote their voices, be that by supporting these groups to create their own organizations, by developing victim-led programs within existing organizations, or simply by creating a space for victims to talk about their experiences and the demands they have of certain actors. There has definitely been positive change.

There are also some organizations that began as victim groups but have evolved into other kinds of groups. For example, one group that formed to provide services to female survivors of detention now has programs in several other areas. In addition, there are many groups that used to be civil society organizations operating on a geographical basis, which now play a role in representing victims. Here I mean coordination councils and groups led by women from communities that were forcibly displaced. I think that these examples and developments remind us of the dividing line between civil society organizations and victim groups, and that it is usually unclear. In my opinion this is not a problem in and of itself, as long as there is clarity regarding positioning and representation.

In spite of all of this, I believe that there still exist many harmful practices of exploiting victims, and that these practices are somehow becoming more institutionalized. There are still many examples of victims being asked to speak and share their experiences without being meaningfully involved in the structure of events, and without being given the space to speak about what goes beyond their experiences, or to speak out about their demands. Unfortunately, some entities seem to invite female victims to talk about their experiences in an attempt to show that they are inclusive when it comes to gender and victims. However, without the meaningful participation of victims, this remains a symbolic gesture and a form of exploitation. Furthermore, grouping female victims into one category in order to appear inclusive perpetuates harmful stereotyping. Yes, it is good to have victims at the table, but they need to be involved in a meaningful way, and we need to move away from the formula of "the male expert and the female victim."

Amina: I would like to note at the outset that we do not like the use of the terms "victims' groups" or "victims' associations," but we are forced to use them because they are used officially and professionally by international organizations. We reject them because the word "victim" carries a negative connotation, suggesting that I have no free will in everything that goes on; as if a natural disaster struck the country. This is not the case in Syria. Although there are indeed many victims, we do not consider anyone who participated in the revolution of their own accord to be a victim. Personally, I do not consider myself a victim, despite all the painful losses that I have suffered with my family, because everything I did was out of my own free will and belief in both what I was doing and in the necessity of continuing.

As Salma said, at one-point victims were tools for designing projects and obtaining funding. We in Families for Freedom were constantly asked questions that indicated that the general perception or understanding among the public was that people of the cause are just tools for a project that someone else is implementing.

We would often be invited to activities by some entity or other, only to discover that this entity has a sum of money that it wants to spend during a certain time period. It would then be asked of us to quickly "cook something up" that corresponded with that sum, and then implement it. The basis of our movement is our strategy and our analysis of "where are we right now" and where we would like to be, not the availability of funding. So, we are keen to propagate this culture that we have built by working together as a movement and a support team to other associations and groups.

Another issue that I would like to point out is that, with the shrinking of the areas in which civil society organizations can work (upon the loss of Ghouta and other areas) many have been pushed to work on the issue of detainees and survivors. Space to work on this issue is still available, so it has become something of a trend. There are many financed entities that want to establish groups for victims without any thought about either the sustainability of these groups or the impact that creating unsustainable groups in the public space might have, be it the psychological impact on their members, or the practical impact on the cause. It is good for the voices of the families and people of the cause to be amplified, but the strategy and mechanisms that they select for themselves are very important.

It is essential that they do not become a part of or a tool in anyone else's project. They must be the cause, and everything else must be a tool to serve this cause. In fact, there is a saying by the late Muhammad al-Maghout that's always on my mind from his play Ghorbah (Exile), where he says, "the surgery was successful, but the patient died." I am afraid that political and human rights issues in Syria will be dealt with like this quote; priority placed on the quick and easy success of the "surgery," i.e. the project, while the media pumps out stories that raise the profile of the implementing organization.

As for the "patient," the cause and its people, they are secondary. Indifference and marginalization become the normal way to deal with their pain. Unfortunately, in Syrian, we hear about many successful "surgeries," but we seldom hear about the patient's condition.

Salma: Speaking of sustainability, I would like to add a point about the importance of building alliances among the people of the cause themselves. Last year, several victims' groups met in Brussels and formed the Partners for Justice coalition. They continued to meet thereafter in order to establish a common ground for advocacy and a space for coordination. These are very important steps for victims' groups to take in order to create a space for cooperation instead of competition, and in order to strengthen their own voices. Funders and policymakers usually push for the creation of a single group that represents all victims or civil society, etc... On one occasion, a financier asked me, "There are so many groups of victims now. How can we know which ones are trustworthy?"

Therefore, it is important that victim groups and the people of the cause try to coordinate and collaborate whenever it is strategically advantageous and possible to do so. The problem of detention in Syria is large, both in size and in its impact on Syrians, for there are many unique situations that different groups face, differing depending on gender, or on the detention experience, or on who detained them. Therefore, it is necessary to have different groups and formations in order to frame specific messages or demands and to focus on specific actors, like, for instance, in the case of the families of those kidnapped by ISIS.

To add to Amina's point, I would just like to say: creating new groups is not a bad thing in and of itself if it is grounded in a need, or in a gap in representation or needs that this new group would fill. It does become a problem, however, when the groups are driven to achieve programmatic goals by the agenda of civil society or of a financier. And here, I just want to say that this is not specific to Syrian organizations. We have this same push in that direction in international organizations.

Oula: Amina, what are the victim's organizations and family associations that exist on the ground in Syria today? And how do you interact with one another and ultimately form alliances despite your different specializations and demands?

Salma: There are many groups and associations on the ground in Syria today. These include the Caesar Families Association, the Sednaya Detainees Association, the Families of ISIS Kidnappees, and associations of survivors such as Ta'afi (Recovery) and others. We at Families for Freedom were mindful early on of the importance of making alliances, and of the balance that Salma spoke about, between specialization and the common cause that unites us. Despite all the different kinds of associations and the variety in their demands and messages, alliances are important for coordinating and integrating efforts, and for supporting one another. It was in order to create the alliances Salma mentioned that we had a need to communicate and coordinate with other associations; and this is why I actually started communicating with them. Our experiment began at the third Brussels Conference in 2019, where we got together and sent a message to the organizers of the conference and other parties.

Our message at the time was that we, as associations of victims and survivors, do not approve of the reconstruction of Syria taking place before the fate of our loved ones is revealed. This message brought us together irrespective of the individual nature of each group and whether they were survivors' groups or family associations. And indeed, this pressure has had an effect. We were physically present at the conference, and I gave a speech in which I emphasized that we will not accept to be mere witnesses in conferences that are addressing a cause which is ours. We felt that it is important to maintain this alliance in order to exert pressure, coordinate, and share our experiences. We support and complement each other's work. For example, we at Families for Freedom do not work

on accountability, but the Caesar Families Association does work in that domain, so, we supported them through advocacy when the trial began. There are many other examples like this one.

Oula: Amina, as one of the founders of the Families for Freedom movement, why do you call yourselves a "movement?" What do you think are the basic ingredients needed for a movement to organically develop and become sustainable? And how can you manage the tension that arises from the need to create heroes or symbols for movements, and the need to create more inclusive movements?

Amina: In truth, the ability to build and sustain a movement is tied to the connection between the principles and their application, and to reality, and to the movement's work. We started out as a campaign, and we did not call it a movement until later. The impact of the campaign on the public and on the people of the cause is what prompted us to decide to turn it into a movement that would take on a sustainable and strategic character. This meant setting up bylaws and a general strategy for the cause. We are now working on building the movement internally, so we have begun to define our vision. For example, what is our relationship with the families and with the people of the cause? What is our relationship with other associations, and what is our relationship with civil society? Our movement has evolved over time. We were a group of five women when we were founded, but today we have more than a hundred women working together. In the movement, we seek to be inclusive and keep the door open for other families of victims to join.

You could say that every cause or movement needs stars and heroes who will act as the voice of the people, so that the movement can grow and be effective. While this is true, if this mechanism becomes the norm it is harmful. There has to be a balance between capitalizing on a voice or symbol, and having everyone's voices heard. If it is taking place within the framework of a formal activity (like an event), the nature of the advocacy work that we do requires that the person speaking on behalf of the group possesses advanced tools and skills. Otherwise, they would be "a bad lawyer for a just cause." But on the other hand, we have to invest in other platforms for mobilization.

For example, a mother talking about her detained son in a short video is one of the strongest advocacy messages, and it does not require any particular skills. I always tell those around me, "even a mute mother would speak if she was told that someone will listen to her speaking about her son." People feel that their children or family members are stars when we hold their pictures up in a conference or in front of an embassy. They feel that their loved ones have not been forgotten. On the other hand, it should not be taken lightly that a small group of people in the cause have certain skills and experiences, and so we rely exclusively on them. If they are truly part of the cause, they should help others become visible and acquire these skills. I often refrain from doing TV interviews and appearances on this principle. It is necessary for new voices to emerge and that we work to include the families of victims so that these movements do not turn into the Baath party: extolling principles while working against them.

It is also necessary to learn from others' experiences. Whenever the opportunity arises, we meet with associations from other countries. Victims' associations in Lebanon, for example, shared with us the challenges they faced and warned us not to rely on one or two people to express our demands, because those people will reach a point where they get burned-out. Also, to shift the conversation

about detainees from the language of numbers into that of stories. When we talk about having 350,000 detainees the information has little impact. What does have impact are the stories of these detainees, which is why it is necessary for the families to tell their stories, talk about their daily suffering, and go into details about their lives, so that the detainees become the stars.

Salma: During the Family Strategy Workshop in 2018, the facilitator, an expert in community organizing, reminded us that the strength of the movement comes from the presence of a large group of detainees' families. This is what will fundamentally help achieve our goals, not having a single well-known member who can secure meetings with politicians. In the end, it is their collective strength that will compel decision-makers to act. This advice really stayed with me. Families for Freedom is fortunate to have so many wonderful women in its leadership and among its members. They are truly stars, and it's not easy to dim the light with which they shine.

So, the challenge when building a strategy is to take a step back, and find out how we can harness the power of all these women and families in order make their impact greater than just individual 'star power.' Also, understanding which campaign tactics can engage them collectively so that decision-makers feel their presence. This is not easy when we work within an organizational culture that loves to create stars and a civil society that has evolved around individual personalities. Nor is it easy to organize collectively and participate in this politically volatile and unsafe environment. Families for Freedom has local branches in Syria (Idlib), Lebanon, and Turkey, and has started establishing several branches in Europe. The fact that we are not present in the state itself and are unable to protest there in the halls of power and present our demands means that we have to be more creative in order to establish an empowering and inclusive movement.

Civil Society: A tool for resistance

Placing the individual at the heart of social change.

Nour Abu-Assab

This article seeks to expand the definition of civil society to include all individuals and groups that operate outside of oppressive state structures, be they social, political, or economic. It considers civil society to consist of those entities whose activities seek to achieve comprehensive justice or to mitigate the suffering caused by oppressive structures, and who may operate on a range of levels from the individual to the family, or within a given neighborhood, social group, or association. This definition, as I will explain further, also includes revolutions and political resistance movements, as well as individual initiatives that, in one way or another, propel the struggle against injustice and oppression. To this end, I will employ concepts from anarchist theory which view the power to enact change as not restricted to those with high positions or authority, but rather as something that is distributed across all individuals in different forms. This anarchist method seeks to challenge the existence of non-consensual hierarchies between human beings. Most literature, especially that which is written in the Arabic language, uses the term 'civil society' to refer to organized or organizational work. This is typically embodied by institutions and formal or informal groups that exist in a space which is considered somewhat distinct from those of the family, the market, or the state (WEF, 2013). Other definitions of the term include various organizational and institutional forms that exist at the international, national, and local levels, as well as non-institutionalized membership-groups, networks, unions, popular social movements, and other entities (Cooper, 2018). It also includes non-governmental or non-profit organizations; emerging virtual communities; religious, spiritual, and faith-based organizations; parts of the private sector that have missions pertaining to social justice; grassroots movements and cooperatives that may be profit-seeking; youth groups; media outlets such as radio, television, print or digital publications; and academic institutions and research institutes, etc. (WEF, 2013). Despite these comprehensive and seemingly all-encompassing definitions, however, restricting the term 'civil society' to the aforementioned entities can be deemed as an exclusionary practice that often overlooks various social segments striving towards justice.

While the umbrella term 'civil society' contains an incredibly vast array of actors, it has recently been employed in the Global North to describe workers' associations, societal organizations, trade unions, and non-governmental institutions (VanDyck, 2017). In Arabic-speaking regions, the term 'civil society' has come to be used exclusively to denote non-governmental organizations, be they local, national, international, or transnational. These organizations operate under the auspices of humanitarianism, relief-work, human rights initiatives, and democracy or development networks; and within frameworks meant to provide services that compensate for states' failure to provide basic life necessities to citizens, such as shelter, health services, or education. They also provide these services to those who are not included under citizenship, such as refugees. In what follows, I will attempt to highlight some of the problematic elements[1] of a narrow usage of the term 'civil society,' as practiced

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1   I will be unable to address all these problematic areas and have instead opted to select a few that are especially relevant to Arabic-speaking contexts.

by entities that rely on funding for their work, and which marginalizes and hijacks the struggles of broad, socially active groups. I also aim to shed light on contradictions between the work of such institutions and the definition of civil society as actors in pursuit of justice, and to explore the political implications of such problematics in relation to Arabic-speaking countries in general, and to Syria in particular.

Therefore, I am constructing this argument according to grassroots understanding of social and political change that perceives socio-political power as not limited to centers of power or to political, social, or cultural elites. Instead, I consider positive social change to be a holistic societal process that begins at the individual level and extends into the organizational. Thus, I argue that we must consider civil society to be both an extension of various sectors of society and as a participatory social process, as opposed to fixed entities. Through this lens, we can more accurately understand the dimensions and dynamics of civil society insofar as it includes non-institutional and decentralized action. In turn, this allows us to better manage our expectations of funding-reliant non-governmental organizations, be they local, national, international, or transnational, and to be more cognizant of the limitations of such organizations' impact.
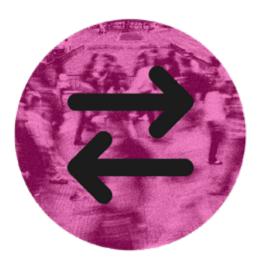
Many intellectuals have agreed that the greater our view of what civil society is, the greater the scope of freedom, liberty, and fairness in relation to the distribution of resources (Havel, 1992; Habermas, 1993). Therefore, if we take this into consideration and work to expand the notion of civil society by seeking to raise awareness among individuals about their power to enact change, we can then create incentives for change at the grassroots-level, which would be a step towards transformative change, at least on the discursive level.

In the mid-20th century, and particularly with the extension of the nation-state into the postcolonial or post-imperial world, French philosopher Michel Foucault emphasized the role of civil society in confronting the state's monopoly overpower and governance. However, as time progressed, Foucault himself began to critique the sanctity projected onto civil society, pointing out that it is inseparable from state structures and state policies, and could even be considered a center of political power (Provenzano, 2016). In line with the work of H.Y. Bokubar (2016) Foucault's analysis of civil society and the state attempted to open the discourse to a consideration of subjectivity and individual self-reflection, as leadership tools, as ways of resisting the oppressive state and as components of civil society. As such, civil society ought to be regarded as an analytical tool of resistance and an ongoing societal process, rather than something that occupies a static position and is represented by static entities. Furthermore, we cannot consider an entity to be above oppressive practices simply because it emerged from a group that operates outside of state frameworks. Even if it counters state policies, such entities could be guilty of abuses of power, either at the individual level within or outside of the group, or by operating in collusion with oppressive regimes, as has happened in many instances with groups that claim to be a part of civil society.

Furthermore, we cannot discuss the term 'civil society' in the Arabic-speaking world without carefully considering what the term 'civil' means in Arabic in various contexts. In Syria, for example, the term is used as a distinction from 'military' in some instances, and from 'political' in others. In Lebanon, the term is used to describe entities that did not participate in the civil war. In Egypt, it refers to those organizations and groups that oppose military rule. In some other contexts, the word 'civil' denotes a distinction from 'tribal' or 'rural' (Abu-Assab, Nasser-Eddin and Seghaier, 2020).

In Syria, the term developed specifically in the context of development and support for civil society as defined by the donors at the time, who considered these organizations to oppose the Baathist political and military regime. However, the epistemological contradiction in this terminology is evident in that the majority of institutions and groups that were formed in the wake of the 2011 revolution were politicized and political from their inception. However, with the increasing international will to reach a political resolution through negotiations, the International Community became more vested in pushing Syrian civil society organizations to become politically "neutral," and consequently to push them away from traditional public politics.

These developments must be seen as attempts to undermine and neutralize the ability of civil society to create social change. This process of neutralization was made easy by the fact that the institutions in question are directly dependent on state structures for funding in order to conduct their activities, and their employees are dependent on these institutions being funded for their livelihoods. Among the implications of this neutralization effort were: the exclusion of voices that opposed oppressive state structure, and the exclusion of grassroots participation in social and political change. This process was further facilitated by the monopoly of the space of civil society by non-profit and non-governmental organizations that rely heavily on centralized power. Had these organizations contributed to expanding the notion of civil society to include individual and grassroots action, the concept would not have been as easy to monopolize, nor would the various voices struggling against oppression have been as easy to neutralize and exclude. It is possible for those institutions that are licensed and registered recipients of funding to play a crucial role in social and political change by placing grassroots activities and the most marginalized voices at the center of their work, and by creating more participatory frameworks that lend themselves to subjectivity and individuality. It is important here to specify that what I mean by individuality is the celebration of individual differences that make each of us unique and enable us to have our own social roles and contributions that vary in form but not in value. I do not use this term to refer to an individualism that revolves around aloofness and self-interest and which centers individual greed or desires at the expense of others- an ideology largely tied to Western capitalism.

Society is composed of a network of social relations. The means by which these relations are formed is referred to as social processes. Therefore, society cannot exist without the existence of social processes which take place between individuals and extend to the larger societal level. I would like to offer a few examples here from Syria and Palestine. Various people working in institutions that monopolize the space which is referred to as 'civil society' have repeatedly expressed their dissatisfaction with the social impact of their work. Many have reiterated that what motivates them to persist is the occasional impact their work has on the lives of individuals. This realization could be important to remember whenever the political despair that plagues Arabic-speaking regions sets in. It may also be an important reminder of the need to expand the sphere of civil society, and that approaching the concept as an inclusive social process that takes place on all levels is an important tool in our struggle towards justice.

Accordingly, in the context of dictatorial and corrupt regimes, we can consider civil society to be the collection of those groups that work in opposition to the oppressive state and which seek to undermine the state's hegemonic control of power and violence. In the current moment, however, we find that many institutions that receive funding from state actors whitewash their images, as is the case with so-called civil society in the UAE and Saudi Arabia. In Egypt, the space for so-called civil society is gradually shrinking under Sisi's military rule, in light of his restriction of individual rights. In Jordan, institutions operate within the limits imposed by the state, and they rarely confront or oppose state authority. In these cases, the monopolization of the concept of civil society by these institutions amounts to an appropriation of the real voices that seek justice and struggle against oppression.

Numerous stories and reports have been circulated on social media about repressive practices taking place within the institutions that monopolize the space of civil society, specifically in Lebanon and Palestine. These reports include incidents of harassment, bullying, other forms of harm and abuse, and their mishandling. On one occasion, the entire board of directors of an organization resigned due to bad management practices, but the organization and its management remained, continuing to receive funding and to practice abusive behaviors. Such incidents indicate that these institutions are not qualified to be considered apart of civil society, as they are unable to provide justice on an individual level and are therefore insincere in relation to their pursuit of social justice. These practices sometimes resemble those of political parties, wherein women's voices are marginalized, and the space is usually antagonistic, masculinist, and hostile to the presence of women, while at the same time claiming to be committed to principles of justice. Even racist right-wing parties claim that they seek a form of justice, usually a unilateral one that benefits one group at the expense of others; oppressing large segments of society; and acting according to financial and economic interests.

We can conclude from the above examples that many of the institutions that are considered to be part of civil society do not correspond to the meaning or role of civil society as activity that pursues justice. Some are complicit in oppression; others have selfish interests and ambitions; some reproduce injustice and oppression; and others may even be complicit with oppressive state regimes. It may also be important here to recall that, even if such institutions are not themselves complicit in wrongdoing, and if they are sincere in their pursuit of justice, they may be operating within and not outside of the framework of the state in one way or another. For example, in the Palestinian territories occupied since 1984, Zionist colonialism requires Palestinian institutions to register as "Israeli institutions" in order to be able to continue their work in the service of their people. Within this framework, Palestinian institutions are considered "institutions for minorities" that operate under a structure that

forces them to inadvertently recognize the legitimacy of their Zionist occupiers. The problem here is not only that these institutions will be considered "Israeli" in the annals of history, but also that through this monopoly of the voices of civil society the individual and anarchic elements of Palestinian resistance are marginalized and written out of history. I do not touch upon the Palestinian example in order to criticize pragmatism, but rather to point out that these institutions have limitations. By monopolizing the space of civil society space and making claims to representation, they reproduce the same oppressive system that they claim to oppose, serving it indirectly and marginalizing the voices of individual Palestinians who are seeking justice through resistance.

The claim to representation is among the most significant of the problematic elements of the institutions that monopolize the field of civil society in the region. It would be more accurate and sincere for these institutions to clarify their limitations and refrain from claims of representation. For the most part, said institutions are not formed through elections, but through social processes and relations that have their own dimensions which vary in each context. Recognizing this would benefit the institutions themselves by making them more transparent and thus gaining the trust of the groups they serve. It would also create an open space for disagreement and the emergence of counter voices in the event that they themselves are unable to overcome obstacles they may encounter. As such, these institutions may truly be able to build social bases at the grassroots level, and to create incubators aimed at expanding the sphere and space of civil society and approaching the concept as a continuous process with no beginning or end.

Last year a case of tragic irony occurred when several Palestinian "civil society" institutions called for a protest. These organizations, some of which are over twenty years old, were unable to gather more than a few dozen protestors. This is because they had not managed to build a social base of support comprised of voluntary individual solidarity at the grassroots level, despite their continuous work over the years. This should make us wonder: what are the mechanisms through which these institutions were operating if they were unable to mobilize the social groups whom they claim to serve, and around whom they build their discourse? Many of these institutions still claim that they have broad popular bases, perhaps invisible or homebound, who only appear in emergencies.

In the Syrian context, it is of vital importance for civil society organizations to assert their political and politicized voices against those who attempt to neutralize them, and to work towards disrupting the false dichotomy that has been created between the "civil" and the "political." One cannot be separated from the other. The pursuit of justice by civil society is a political matter, just as the dominance of the state is a political issue. It is therefore crucial not to abandon the political nature of civil society. In the seventeenth century, English philosopher John Locke (Locke, 1688) did not divide society at large across a false dichotomy of civil society and political society, but rather considered the two to be a single entity. This perspective may be the most useful for understanding social movements that resist oppression and seek justice in this day and age, as all of our lives are political and politicized, and cannot be separated from the general structures that we occupy. In the confrontation of oppressive regimes, it is therefore extremely important, and necessary, that institutions themselves seek to limit their own monopoly over the space of civil society. Instead they must seek to expand that space by centering the individual at the grassroots level; forgoing false claims of representation of broad social groups; recognizing their limited impact; striving towards the equitable distribution of resources and power as opposed to competing over them; and eliminating repressive practices that occur within these organizations as a pre-requisite for eligibility to be considered apart of civil society, insofar as civil society is a tool of resistance within a comprehensive inclusive social process.

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Civil society and the institutionalization of feminist movements

The intersectional struggle against oppression.

Commentary

Nof Nasser-Eddin

This article seeks to express a set of impressions that have been derived from conversations and discussions with friends and colleagues from across the Arabic-speaking region about the movement for social justice in general, and about feminist movements in particular. Drawing from my work at the Center for Transnational Development and Collaboration in Syria and other parts of the Arabic-speaking region, I will share some general observations from various contexts about the forms that movements take; the course of their development; and the contradictions that result from being tied to civil society organizations and neo-liberal policies. These observations are largely associated with the institutionalization of feminist movements, which is governed by international policies that promote capitalist values at the expense of social justice and the equitable distribution of and access to resources. These policies are enacted by the international community despite its claims to be solely concerned with the promotion of rights, equality, and liberties, and free of any ulterior agendas having to do with economic interests and political influence. Blame for these contradictions cannot be solely cast upon international organizations, however, as their discourse has become widespread among activist groups and associations that claim to confront oppression and its ramifications. Furthermore, this phenomenon is not confined to the Syrian context, as its manifestations can be observed in Palestine, Iraq, Jordan, and other countries. The proliferation of institutional discourse has resulted in a reliance on false binaries and identity politics that could undermine the work of these movements and hinder their ability to achieve their objectives. It has also further disintegrated our intersecting struggles and created symbolic boundaries around the "particularities" of each context. This threatens to erase the impact of oppressive global structures and their role in the persistence of injustice, violence, and oppression from our collective imaginations. It also threatens to limit our ability to confront the roots of the oppression that affects all of us regardless of our location, origins, affiliations, or the identities through which we define ourselves.

The observations and analyses offered herein are the result of no less than 15 years of experience in the Arabic-speaking region, and no less than 8 years working on Syrian issues as part of the Center for Transnational Development and Collaboration. In this article, I will focus on a few of the areas where the work of feminist mobilization is hindered, both in Syria and its neighboring countries, by its institutionalization and association with civil society, which is affected by the agendas of the international community.

Identity politics: Between feminist action and women's action

Feminist action is profoundly meaningful to me at the personal, professional, and political levels, and one of the biggest disappointments that I have encountered over years of working in this field is the conflation of feminist action with women's action. I define feminist action as a struggle towards comprehensive social justice that seeks to upend all forms of oppression including capitalism, colonialism, patriarchy[1], and state apparatuses, and which does not overlook any of these structures. Therefore, from an intersectional perspective, feminist action does solely focus on women, but rather considers women's causes to be an inseparable part of a set of demands that seeks intersectional justice for all, including migrants, the differently-abled, refugees, and all persecuted and marginalized groups. As such, any feminist movement must be inclusive and take into consideration all forms of violence and oppression, rather than restricting itself to partial struggles that fall within the realm of the possible within the confines of institutionalized civil society that is influenced, directly or indirectly, by the agendas of various funding sources. Typically, donors require civil society organizations to focus on specific social groups with clear identities that can be placed in categories whose experiences are generalizable; i.e. women, refugees, and sexual "minorities," etc.

Among the most problematic aspects of what is currently referred to as 'women's action' is the concerted effort to create identities for women that are both definitive and stratified, which regards all women as belonging to a single category. Women's experiences are thus carelessly generalized and their identities are placed at the center of the discussion, rather than the causes of their oppression, which can include the very agendas of the international community. For example, by emphasizing and promoting projects under the banner of providing "support" or "capacity-building" for women and their "political participation," donors reproduce stereotypes of women as being a monolithic group that shares an identical experience of oppression, and as victims that need to be saved. In this way, they obscure the causes of injustice in a manner that rhetorically diminishes the responsibility of oppressive regimes. Such initiatives portray women as passive receptors of oppression without any will or power of their own, thus understating the role of oppressive structures and placing the full burden of the struggle on the women themselves. This way of working only addresses the symptoms of

1   By "patriarchy" I do not mean the patriarch or the father, but the system that governs the relations between men, women, and non-binary and non-conforming genders.

the issue rather than the roots of oppression; promoting faulty stereotypes, regarding men as though they are not in need of empowerment or capacity-building, and reproducing the concept that women are less-than or weaker than men. These identity politics also create additional binary-oppositions between women themselves, and between men and women, such as the idea that all women are equally oppressed and men are the sole reason for their oppression. In this political view, oppressive structures such as the state and economic/cultural capitalism are not tackled head-on and women are regarded as a monolithic group without regard for the diversity of their lived experiences, including those with non-binary and non-conforming genders and sexualities. In contrast, if we contemplate feminism as a movement for social justice rather than a set of projects to be implemented by civil society organizations, we must take seriously the idea that the personal is political and emphasize personal and daily lived experiences. This modality departs from the discourse of the international community and from elitist human-rights rhetoric because it centers the perspectives of political minorities. In other words, we must be cognizant of the fact that distribution and access to resources in all their forms are closely tied to traditional political structures that produce social, economic, and political classes that are not strictly tied to gender, sex, sexuality or other distinguishing characteristics. When we begin to take this into consideration we see that feminist movements must maintain the centrality of minority groups in setting priorities and demands. In this context I am using "minority" to refer to groups which are marginalized not by virtue of their numbers, but due to barriers that restrict their privilege and access to resources, be they economic, cultural, intellectual, human, or ecological, which creates forms of inequity, injustice, and violence. By avoiding these problematic practices in our social/political movements, we can create societal change that is not limited to quantitative indicators that instrumentalize women as political symbols or ornaments in civil society institutions while failing to achieve substantive change in our struggle towards a fully intersectional form of social justice.

Language

Language is a vital tool and a fundamental aspect of creating a discourse around our social justice movements. The institutionalization of feminist movements that takes place via civil society organizations pushes us towards the use of particular language that is both legible in the framework they impose, and compatible with the agendas of the international community. This language, however, is not necessarily relevant to the contexts in question. In formulating the goals of our movements, we have come to use indicators that are tied to logical frameworks, results, activities, and project objectives, rather than focusing on true social change that speaks to marginalized groups and challenges the restriction of resources to the political class. Social justice has been dismantled and dissected under the weight of projects for gender mainstreaming and economic/political empowerment that propagate an elitist language which does not resonate and is not understood outside the framework of civil society. Moreover, the language used in these contexts is most often English, which is not accessible to all those within the concerned social group and does not speak to the practices associated with various contexts – thus it serves only one group at the expense of others. The institutionalization of feminism also undermines women's demands and their voices by packaging them within terminologies and concepts that are associated with the international community and donors, such that it has become commonplace to reject feminist anger, as though it were illegitimate or irrational. Together these elements place the language of funding and the pursuit of funding, and the language of international agendas at the center of feminist movements, thus changing them into "proposal movements" that do not express anger in confronting violence and

oppression. It is in this way that our lives and our daily struggles are confined to a limited number of words as designated by the "project summary" box in funding requests -forcing us to reduce the background of the movement to a few paragraphs.

This language also creates classism and elitism among women themselves, creating a dichotomy between women working in civil society or the political arena and those who operate outside of such frameworks in their daily lives. This class-based stratification created by the language of civil society separates civil society from the language of the public, restricting action to very narrow segments of society and limiting activism and action to a single mode of operation that is closely tied to institutions. Thus, the door is left open to rhetorical competitions over the "optimal" methods of operation wherein standards of success can be co-opted by the logical frameworks of projects and the capacity to mobilize funds – ultimately separating feminist work from political action.

Between administration and leadership

While the governance of social movements revolves around feminist non-hierarchical notions of leadership that attribute a significant role to each individual regardless of their positionality, the governance of institutions revolves around hierarchical administrative structures that are derived from capitalist productivity. By institutionalizing feminist movements, the directors of civil society institutions monopolize the concept of leadership. Because their role is based in administration, it reproduces hierarchies that are at best elitist and at worst authoritarian, promoting a form of cultural classism and allowing for top-down condescension and favoritism. Among the fundamentally problematic areas in working with these hierarchies is the fact that their point of departure is the perspectives of individuals with power who have the privilege of speaking the language of the donors. This reflects a methodological contradiction between the leaders of feminist movements and the directors of institutions. From a feminist leadership perspective, the process of building active feminist movements requires a level of introspection and awareness of the privileges that result from time and location, the significance of which varies according to context. Feminist movement building also calls upon us to analyze our positionalities and understand the impact of our daily practices on others. Feminist leadership asks that we be able to respond to variable and shifting factors and contexts, and to adapt our strategies according to present conditions and environments. This phenomenon is also related to the elitism of using the exclusionary language of projects which is spoken only by a privileged few.

Furthermore, the aims and objectives of political and social movements diverge greatly from the objectives of projects, which are restricted to a limited timeframe and are subject to reports and indicators. The goals of such movements are usually long-term. They are considered to be process-oriented and have a continuous ever-changing trajectory to which we cannot assign a single beginning or end point. Unfortunately, along with the institutionalization of movements and their association with administration, civil society organizations have begun to make claims about leading and founding resistance movements. They also claim to be feminist merely because women are represented at the executive level and in board of directors. This reproduces the conflation of feminism and women's action, ignoring the vast disparity between feminism as method and political ideology through which we can understand the world, and women's action that revolves around identity politics and formalistic women's representation, and which does away with awareness of the class and political

dimensions of oppression. For example, the fact that a woman is the director of an institution does not automatically mean that this institution is feminist or that it is part of a feminist movement. The method adopted in its work must itself be feminist.

Considering the above, we can conclude that the institutionalization of feminist movements leads, in one way or another, to the watering down of these movements' core issues. It does this by emphasizing identity politics, focusing on administration, generalizing women's issues as though their struggles and interests were identical, and adhering to elitist language that creates cultural and political classism among us. This does not mean that we should ignore our places within hierarchical systems of power. Rather, it invites us to acknowledge and contemplate that even if we are a group of Palestinian, Syrian, Egyptian, or Lebanese women, our experiences and our political thinking are not necessarily similar. Therefore, all movements should avoid self-organization by way of identity politics, as promoted by the institutionalization of civil society organizations. Our positions within civil society organizations do not mean that we cannot contribute to building social or political movements, however. Most of us are capable of occupying various positions and playing multiple roles at the same time. Indeed, our work within civil society organizations can enhance our personal and daily struggles against oppression and violence, which cannot be co-opted by institutional projects, outcomes, or objectives. For in our day-to-day political struggles, we build and participate in movements without depending on the language of funding or elitist projects.

I have sought in this article to examine some of the problematic areas that I have observed and confronted in the course of my work with civil society organizations and grassroots feminist movements. In conclusion, I wish to state that we cannot arrive at justice without a vision of forms of oppression that is holistic and intersectional, or without full cognizance of our positionalities and our privileges.

International and civil society organizations in Homs

Public work amid the fear of civil activism

Reportage

Majdi Maher

The beginning

When the dark-skinned, twenty-something-year-old man who had just graduated from engineering school was offered a small job at a civil society organization he felt larger than life. He was doing everything: helping staffers with relief work, assisting the receptionist in the healthcare department, and even working with the photographers in the communications department. He even insisted on helping the cleaners if needed. That was in 2012, when his enthusiasm for the work outweighed everything else, and when civil society organizations were at the peak of their humanitarian and relief efforts. Their presence was more crucial than ever. Many people were both eager for and afraid of the work at the same time, as the job opportunities that were created by the circumstances of the time put young men and women into positions in which they never expected to find themselves.

Non-governmental civil society organizations (CSOs) in Homs date back to the 1920s, beginning with the Islamic Charitable Association, which provides charity services and runs the Islamic Orphanage. In 1924, the Scouts of Syria was officially founded in affiliation with the World Organization of the Scouts Movement (WOSM). This was followed by the establishment of the Syrian Arab Red Crescent (SARC) in 1942, which is linked to the International Red Cross (IRC). However, the Scouts of Syria and the SARC are not technically "civil society organizations." This is because they are affiliated with an international system and CSOs, by definition, have to emerge from the local community itself—they are government-licensed bodies operated by local members. Other civil society organizations appeared later, such as the Khaled Ibn El Walid Charitable Association in 1949, which provides charitable services; al-Birr Association and Social Services in 1956, which also provides charitable services; the Child Care Society in 1957 that addresses family affairs; the Orthodox Association for Helping the Poor in 1960; and the Arab al-Nahda Association in Homs, also in 1960; and finally al-Rahma al-Maronyah (Maronite Mercy Society) in 1962. This coincided with the creation of the first law in Syria to regulate the work of CSOs, passed in 1958 in the wake of the foundation of the United Arab Republic, which encompassed Syria and Egypt. The same law is applied to CSOs to this day. It is also worth mentioning that churches have always carried out social work outside of the realm of organizations, conducting the work themselves.

As for those organizations which operate in Homs and are affiliated with the United Nations, they dealt exclusively with the government before the revolution and were limited to UNICEF and the World Health Organization (WHO). For example, WHO funds the Ministry of Health, while UNICEF funds the ministries of health and education. After the 2011 revolution broke out, however, several international organizations successively started operating in Homs, namely: UNFPA, UNHCR, UNDP, FAW, and OCHA. These organizations do not run their activities directly. Instead they finance government bodies, non-government associations, and even other international organizations. Other

international organizations that are not affiliated with the UN have obtained government licenses and security permits in order to operate in Homs either through self-funding or in partnership with other international organizations. These include: DRC, OXFAM, PUI, ADRA and the IRC. These international organizations are not allowed to have any activity in Syria without full coordination with the SARC, which is supervised by the Office of the President's Adviser for Red Crescent Affairs, i.e. "the state," as one employee of these organizations prefers to call it. CSOs differ from the international organizations listed above in that today they are affiliated with the Ministry of Social Affairs and Labor, and before 1970 they operated under the Ministry of Interior because there was no such thing as the Ministry of Social Affairs. At that time, CSOs were treated like political parties.

It should be noted that this article addresses only organizations and associations that operate in the fields of relief and charity, because the Syrian regime does not allow organizations in its areas of control to work outside of these fields, with the exception of some cultural activities. Human rights-related work and activities aimed at advocacy are totally non-existent in these regions. It is also important to mention that unions are also technically CSOs, but because they are mandated by law and supervised by the Ba'ath Party in one way or another, they can no longer be considered as such.

Licensing temporarily suspended

The twenty-something-year-old remembers what happened to the children of his relatives' neighbors in the 1980s very well. They told him the story time and time again. The neighbors' sons, who belonged to the Muslim Brotherhood at the time, were murdered and their house was destroyed. The young man and his family had nothing to do with this, but the memory still stuck with him. All he and the other young men who worked in relief had to do was distribute aid to families who had no breadwinners. It was raining mortar shells that day. They all rode together in one car, racing against the shells, their laughter cutting through the darkness. Despite the overwhelming circumstances, the association's work didn't stop. Nor did the work of other organizations and their employees. Nor did people stop showing up at these organizations. Nothing stopped. On the contrary, most of the workers at civil society organizations considered themselves to be participants in the happenings, each according to his or her specific role. Most neighborhoods were on fire. Fear and anticipation filled people's hearts—after all, it's the year 2013 that we're talking about here.

The licensing of CSOs did not continue uninterrupted over the course of their emergence. It almost completely stopped during the 1980s when the state refrained from granting licenses to organizations for several years. Older ones expanded gradually, growing drastically in many Syrian governorates. Many of these organizations are called public-benefit associations, and some of them have been licensed to operate throughout the northern region of the United Arab Republic. This is because the law which governs them came about during the period of unity, as mentioned above. By way of example, one of these associations has more than 20 branches, which cover all of Syria except for the south. Some of its branches have stopped operating due to the events that followed 2011.

Government licenses did appear again, however, with the licensing of the Blind Care Association and the al-Rajaa Association for Empowerment of Persons with Disabilities in 1993; the Inshaat Association in 2003, which addresses family affairs; the al-Rabee Association for the Care of Children with Autism in 2005; Sandouk Alafia in 2006 which is dedicated to medical and health relief; and the Shabab El-Kheir Charity in 2009. All of these organizations are still in operation to this day.

Numerous associations were founded after 2011, including the Karem Association for the Restoration of Livelihoods in 2011; the al-Amal Charity Association in 2015; the Mustard Seed Association in 2016; the Caritas Association, an affiliate of Caritas in Lebanon; the Babel Charity, which is concerned with "peacebuilding;" and the Syrian Society for Social Development, among others.

Sectarian distribution

At first the young engineer had no friends other than his coworkers from the association. Sometimes, when they stayed late at work, he would crash at their houses. He trusted them blindly. But those friends soon scattered. Some traveled. Some died. Some started working for other associations. In the years that followed, he saw many new male and female employees get hired by the association. Like that one woman, for instance, who did not wear the veil. One could hear whispers every time she passed; is she Sunni, Alawite, Christian, or what? Then another unveiled woman was hired. In the end the whole thing became somewhat normal, and soon a friendship grew between him and one of them, but there was always a sense of caution in the air.

Although the 1958 "Associations Law" prohibits sectarian labeling of CSOs, it is sometimes possible to figure out an organization's sectarian affiliation by its name. Take, for example, the Islamic Charitable Society or the Orthodox Association for Helping the Poor. It is not always the name of the organization that indicates its affiliation, however. It can also be inferred by the CSO's location or by what people say about it. For instance, the management of al-Nahda Association, which was established in 1960, consists entirely of people from the Alawite sect. The fact that the board of directors is from this or that sect, however, does not in any way mean that beneficiaries from other sects are denied access to their services. Nor are people from other sects denied access to job opportunities. Employees from various sects can be hired regardless of the organization's overall character. Such is the case with Babel Charity, where the board members are all Alawite while the other employees are from different sects. To varying degrees, this same dynamic applies to other CSOs. Recently, the regime has recently emphasized the importance of sectarian diversity among CSO employees. Regarding this subject we must also observe that whether we like it or not there is a division between some of Homs' neighborhoods, and that it has existed since before the revolution and the war. This rift is not deliberate. It is simply the norm among the people. Thus, a manager from one organization would not even consider applying for an administrative position at another organization that has board members from a different sect than their own. This rift is agreed to and understood by all, even if it remains unarticulated and not a matter of any clear or conscious thought process.

Between security forces, the state, and the regime

Before his very eyes, one of the man's young female coworkers was arrested. There was nothing anyone could do, including him. He stood there, watching, listening to the muffled screams of the other women at the association. Then he heard that another young man from the association who he barely knew was also arrested in exactly the same way as the young woman. Only those close to the detainees are privy to the truth of what happened. He listened to people's chatter here and there, but chose to be neutral and avoided asking questions. He thanked god in secret that he was only slightly acquainted with the detainee. No need to risk everything, he thought. He was doing very well and he wasn't thinking about travelling at the time. Even though confusion reigned in the general atmosphere, it couldn't get in the way of his ambitions, which only grew the more he succeeded at work.

As mentioned above, the 1958 Associations Law is still in effect, and it is the basis on which the work of all associations and organizations and any CSO-related instructions from the Ministry of Social Affairs are monitored. All organizations must attain permission of the ministry before undertaking any activities. There are also security permits, which organizations are often granted according to the experience of their leaders, as they opt for what will definitely be approved, or take risks with what may or may not be. The Ministry of Social Affairs usually sends information to the concerned security departments, but permits are sometimes subject to the whims of officials at the Directorate of Social Affairs.

Naturally, upon applying for a permit for any project or initiative, some people receive immediate approval, while others might be faced with an immediate denial or long delays. This depends on each person's relationship with the government and the ministry. Should someone undertake an activity without a security permit or ministry approval, the activity itself might go off without a hitch, but security and legal measures will follow because the lack of approval violates the law. Thus, the work depends on the people themselves and the extent of their ability to quickly obtain approval for their activities by using their connections.

It is also normal for the organizations' activities to be subject to strict policing by the regime. The Political Security Division has a special branch that dispatches security representatives or "officers" to each association, organization, and union. These officers monitor their work and employees, and each employee is subject to a security check before he or she is hired. For example, international organizations, including those affiliated with the UN, are supervised by a security officer that is delegated by the Political Security Division. This officer oversees their work, the affairs of their personnel, and all of their approvals. Because the Ministry of Social Affairs is in charge of supervising all CSOs, it in turn submits all related information to the Political Security branch. Based on that information, the latter grants or denies permits for projects and activities, etc. In one instance, a worker at an association filed an application to the Social Affairs Directorate, asking for a permit to carry out activities related to child protection that included going out into the street. Along with many others, however, his application was denied. This happens frequently for security reasons that both parties understand. Moreover, and on a slightly different note, there also exists the United Nations

Security Office for the Protection of Personnel, which is responsible for protecting employees of international organizations.

The recruitment mechanism

In 2017 the young engineer headed to the local Red Cross center with a hard copy of his resume, of which he was very proud, in hand. He did not know anyone who worked at the organization, but he had something better than an acquaintance —he had a verbal reference from an old manager, now abroad, who told him that he knows a Red Cross employee for whom he had done favors. The employee was to help him get recruited immediately by the organization. The young man assumed that the previous position of the person who gave him this verbal recommendation meant that he would almost certainly be hired. Though not without hesitation, he seized the opportunity.

Recruitment mechanisms differ between local CSOs and international NGOs, as well as between one organization or association and another. When it comes to associations, for instance, vacancies are posted onto the association's Facebook page. Applicants then send a resume by e-mail, or by filling an online resume form, which is usually posted both on a website and on the association's Facebook page. This has been the process in recent years, but it was different before, and many people were hired with fewer qualifications. Today, mediation, personal relationships and favoritism have greatly influenced the recruitment process. These are not the rule, however, as in many cases employees are admitted to organizations according to their actual competencies. On the other hand, employees in upper administrative positions are often recruited based on their prior acquaintances and other considerations, such as their relationships with various members of the regime.

As for international organizations, the situation is different in many ways. There is a global recruitment system that organizations are supposed to use, but the way this system is actually applied can vary from one organization to another. Their recruitment process can be divided into two phases; the first pertains to the international organizations' entry into Syria between 2011 and 2012. This phase was marked by a "state of emergency" that prompted organizations to recruit people with varying levels of competence according to favoritism. This was due to the unstable security situation, excessive funding, the unverifiability of any and all information, and finally, the fact that these organizations had never before operated on the ground. They were thus forced to recruit many employees irrespective of their lack of experience and competencies, especially between 2012 and 2014.

In 2016 a second phase began wherein the recruitment process changed completely, becoming more strict and organized. For example, the applicant might undergo a preliminary examination in the English language about the vacancy, and this only after their resume is accepted after being submitted via an electronic form. Then they take an English language assessment test, followed by one or two additional interviews. It should also be noted that the nature of the UN's global recruitment system includes recommendations from the organization's existing employees, and this "recommendation" is basically a lighter form of what in Arabic is called wasta, i.e. unfair preferential treatment. These applicants who have a recommendation get additional "points." If, for instance, three people applied for a position and scored close to one another, the recommendation component would intervene to add points for the recommended applicant. They would definitely get hired, the matter having been prearranged based on an agreement with officials at the organization. Furthermore, the interview of the recommended person is different from the interviews of the other applicants, as he or she is

treated more leniently. The interviews also differ according to who is conducting them, and whether they are Syrian or foreign. Furthermore, when the recommended applicant reaches the interview stage, they and the person conducting the interview are both aware that they are about to be offered the job. Sometimes the hiring is left up to chance, as when someone applies for a position and there is no one who has been recommended applying against them. At that point, they can be hired based exclusively on their qualifications, although this is not what usually happens. The process outlined above does not apply to all organizations, as some use different recruitment approaches. UNFPA, for example, opts either for internal advertisements or to hire through nominations. In general, getting a job at a UN organization has become very difficult for several reasons, among them the high standards set up by the organizations, and the recommendation factor, which is essential. If the recommendation plays a role in the hiring of one applicant and not the other, it does not necessarily mean that the person hired does not possess the specified qualifications – they may or may not be the best person for the advertised position - but it does help them to pass the exams and interviews.

In other words, these organizations are trying to implement a global recruitment system in Homs, but it is one that can be easily manipulated. Many of the people who apply for a vacancy at one organization may be eligible but they do not get hired, as the job is usually offered to someone less competent for reasons that are incomprehensible to the other applicants. Moreover, higher and more sensitive positions are almost exclusively offered to a specific group of people, namely the loyal supporters of the regime.

In addition to the above, employees are sometimes recruited through a third party. That is, an organization will sign a contract with an association and asks for an employee to work with that organization, which also pays their salary. Then, a year or so later, when the same organization has a vacancy, the employee with whom they previously had a contract tends to be prioritized over other applicants, even if the latter are more competent.

It is worth adding here that the majority of CSO employees are highly qualified and knowledgeable. They are also usually very social, as their work demands that they be in communication with many people. This is true even if some of them can be described as patronizing towards coworkers, especially those in administrative positions. It is impossible to make a generalization about this, however. In some cases, it also happens that the managers of a given organization are exclusively members of certain well-known families in Homs. This generally applies to organizations whose directors belong to the Sunni or Alawite sect, but again, we cannot take this as a rule.

The activities of associations and organizations

The very elegant Red Cross employee claimed they didn't know the person the engineer mentioned, and spoke to him as though he were a small child: "And what job can we offer you?" The young engineer was at a loss for words, so he apologized and went on his way. He learned a lesson from this incident, however, and the more he applied for jobs with the Red Cross or other organizations, the more he understood the rationale behind the application process. He also began to figure out what position he could apply for. Like so many others, he was trying to add as many courses with fancy names as possible to the list on his ready-made electronic English resume. Although he had many connections, they didn't take him anywhere. He was keen to move between the available positions

at his association, hoping that he might land in the same positions at another organization, or even in lower ones.

The activities carried out by CSOs are often contingent on the requirements of international donors, in addition to any activities that they began before 2011 and which they continued in the following period. Among key CSO activities are those related to healthcare, helping people with poor health conditions, vocational training, education, and the establishment of care homes, such as nursing homes or homes for persons with disabilities. This last area is the focus of the al-Rajaa Association for the Empowerment of Persons with Disabilities. Other activities include cultural events, such as those carried out by the al-Asala Association, in addition to those which are community or environment related.

As for international organizations, they mostly fund livelihood activities, which they have been financing for about three years. These activities include vocational training, grants and small projects, and relief and healthcare activities. Another area that organizations have been working in recently is called "community cohesion and peacebuilding." Work in this area is being done with some cunning, in order to avoid causing trouble with either the government or donor agencies. These approaches include launching initiatives and holding activities about such topics as the importance of difference, etc.; projects related to women, including gender-based violence; and activities related to education and child protection.

It is also worth mentioning that foreign trainers often enter Syria to hold training workshops, especially for employees of international organizations, and even for local associations. They obtain government permits either as employees of or via a UN organization. In this way they are granted a visa to enter Syria and given approval for whatever activities they intend to hold. For example, if a trainer plans to go out on a field visit, they first need a government permit. The same applies to the administration of any Damascus-based organization, in the sense that if they intend to visit Homs to follow up on the situation there, the organization must obtain approval from the Ministry of Foreign Affairs, which is directly in charge of the organization's affairs.

Funding

In 2018, while still an employee at the association, the young engineer got a raise. His colleagues' salaries were also raised by thousands of Syrian pounds. This increase in salary did not seem to change anything at the beginning, but later it inspired jealousy in other employees. Problems, conspiracies, and gossip proliferated, some of which the young engineer participated in and some of which he catalyzed. As the entire city of Homs fell under the regime's control, things changed— salaries were raised, but projects decreased. Homs is now safe, and according to some organizations there are other regions that need more attention. Everything changed. The people themselves changed, and the engineer was no exception. If an opportunity arises it might be the last, and if he doesn't seize it, someone else would. So it better be him.

Some CSOs depend on donations from businessmen for funding. Others rely on their own investment projects, the revenues of which they use to fund their other services. For example, the al-Birr

Association and Social Services owns al-Birr Hospital, which generates annual profit. These profits go towards helping poor families that need medical treatment or other services. The Islamic Charitable Association runs a private school, the revenues of which it uses to pay the employees' salaries, while dedicating the surplus to funding the rest of its services. These associations are primarily non-profit entities, meaning they are not allowed to profit and must spend all their revenue towards their stated goals. Other associations depend on contracts with international organizations for their funding, while others still obtain government donations, but this is quite rare. For example, presumably government grants are offered when customs confiscate large quantities of a given material. After taking its share, the government then distributes these materials to organizations. However, as mentioned, this happens only rarely.

As for UN organizations, they do not have their own independent funding sources but rely on donors. They hold conferences to obtain funding from other bodies such as the European Union (EU), foreign countries, and international companies, etc. One association had a contract with the UNDP, but the actual funding was offered by the EU. Both the association's directors and the regime were aware of this fact. But the regime did not mind because it benefited from the dollars that would be transferred through the Central Bank, and from which it would take its share.

Conflict of principles

The young engineer made great progress in his job over the years. Even with all his experience, however, there was still no way for him to land a job at an international organization and get the ensuing privileges: connections, a different society, and hundreds of thousands of pounds as opposed to the mere crumbs he is getting now, which do not match his effort or experience. He doesn't care about anyone's opinion anymore. He knows that he has changed a lot in the past years. Only a stupid person wouldn't have changed. He became more violent, opportunistic, and cruel. He builds relationships with anyone and everyone, regardless of their affiliations or nationality. His one condition is that they present him with a better chance to be hired by an international organization. He was never a man of principle or committed to a cause, and there's nothing shameful about the fact that his dedication to work intersects with his personal ambition. He now boasts that he knows this or that person, and about his relationships with security agents that he has been introduced to by work and life circumstances. "After all, they're human beings just like us," he tells himself. We live in the same city, there's no escaping that. For him, this is not an issue of either love and hate or victory and defeat. It is all about personal interest, the need to secure a life and build a future, things that seem to be getting harder and harder to achieve every day.

A number of the foreign parties that fund associations with pro-regime administrations through international organizations are at odds with the regime, such as the EU. This fact does not bother any of these associations, however, because the money will enter the country at any rate, and they believe that they are the most entitled to have it. In general, these associations think about their duties and the services they offer people as being separate from the political situation. Thus, they set their political stance aside in order to provide services. They also consider that having access to funding helps in providing services to those who are not directly involved or interested in any causes. These associations do not really care about the source of their funding, although some consider UN organizations to be biased and prejudicial, and herein lies the contradiction.

The common language of civil society organizations

Nowadays he helps with changing any problematic words in the slogans of initiatives that are going to be submitted to the Ministry of Social Affairs for approval. He has grown familiar with the ministry's concerns and the secrets of the work. Recently, and of his own accord, he ruled out most of his old friends' proposal ideas before they could even be presented to the ministry. Since his inferiors at work wouldn't understand a lot of the issues, he wasn't going to feel obligated to explain everything to them. He also gets involved in the details of any events that he knows for sure will not be attended only by "beneficiaries" and employees.

The workers at CSOs are careful to use neutral language that does not contain any hidden connotations. Their language is thus clear and direct, and most importantly, it is not open to multiple interpretations. An employee at one organization used the word "change" in the name of a women-related campaign, and the name was immediately rejected by the Directorate of Social Affairs. It was not even presented to the Political Security Division, because the directorate knew in advance that the campaign would not be granted a permit. CSOs also cannot use words that contain meanings pointing in the other direction – that is, they cannot use a language that directly supports government policies, because this may provoke popular backlash from their supporters both the people and the beneficiaries. Therefore, it is necessary to deploy neutral language that does not provoke or offend the people, international organizations, or government or civil society agencies, nor alienate the CSOs or deprive them of either funding or government permits and favors.

Between the people's love and hatred

Right now, he is violently fending off a woman who is begging him for a basket of what she calls "al-ma'eneh" in her dialect. All her women neighbors received al-Ma'ouneh, i.e. aid packages, she says. He regrets the way he spoke to her, and says, "I'm sorry aunty, but your name is not registered on our lists." He was looking around for the receptionist, whose job it is to speak to this woman. Then, for just a moment, he remembered when he first started working in this field and didn't utter a word of reproach to the receptionist when she rushed into his office to continue talking to the woman.

Many people view international and local civil society organizations with suspicion, especially since international organizations entered the country and funds started to flow through them into local associations. This suspicion, however, lies in the conditions that regulate access to the CSO-services. For example, in order for a family to obtain a box of food, it must first meet certain conditions that pertain to income, displacement, and the number of family members. When these conditions are not met, people tend to accuse these organizations of theft, claiming that they are taking the boxes of food for themselves and their acquaintances. In addition, there is no mechanism to monitor the distribution process in these organizations, and there never has been. Those who are denied access to services always foster these suspicions, but those who benefit from the services, even if only once, change their views and grow to understand that the situation is not all about money and theft. There are also people who do not need these services due to their good financial situations. They view CSOs positively, especially when they observe their positive impact on the lives of people they know. But nevertheless, the hatred and suspicion that some people foster is not wholly unreasonable, as

there have been clear indications of corruption at some organizations, where favoritism and partiality are evident.

Finally

Feeling that he would never hold a higher position at his association, the young engineer decided to leave after securing a better job at a different association. He now has an impressive resume and understands that his admission into an international organization depends on two things: his competence and finding someone to recommend him from within the organization to which he is applying. He already has the first, but is still lacking the second. He will not give up, however, and with this being the way things are, he has decided to apply for scholarships abroad. At least he has a recommendation for that if he needs it.

It is undeniable that CSOs have been somewhat helpful in many respects, including providing job opportunities, food aid, educational services and more to thousands of people. Many of the people who receive these services actually need them. It is also undeniable, however, that the regime benefited from the massive influx of funds to organizations, which means that the funding has turned into a lifeline, and it has been so for many years. This matter should be examined more deeply and from various perspectives in order to more meaningfully assess the effectiveness of these organizations, something that cannot be done in the scope of this article.

As for the employees of these organizations, when a debate arises they experience rare personal or collective moments of reflection. They think about the feasibility and importance of what they are doing, their position vis-a-vis the ongoing catastrophe happening in the country, and the extent of their contribution to ameliorating it, if only slightly. Opinions differ greatly depending on each person's status and position, and no two answers will be the same. In the end, however, the important thing is that these organizations are their chief source of income in a devastated place that is beyond repair, and that the job opportunities they provide are growing more and more scarce every day.

Beyond "yes" and "no": Syrian civil society and the sanctions challenge

On the debate within Syrian civil society regarding international sanctions

Commentary

Ibrahim Olabi - Eyad Hamid

Many issues in the past ten years have been dealt with by Syrian civil society as black or white; forcing people into a "for" or "against" binary. Still, it has also been possible at times for principled, independent, and objective Syrian civil society groups, especially human rights organizations, to form a position on, and advocate for, such concepts as justice, accountability, fighting impunity, and victim reparations. They express this position with a line or two, both in terms of these as values, as well as many of the tools needed to get to these values, such as court processes, condemnations, documenting of crimes, statements, and so on.

One exception is economic sanctions. Even those with a human rights compass may find it difficult to form a principled, clear, and concise position that they can adopt long-term. This is why it took almost a full year to get one position paper agreed on sanctions by more than 20 prominent civil society organizations. There were many debates, for example, as to how to deal with the unintended consequence of sanctions, and whether the paper should state things like "sanctions should not have an impact on civilians," when we all knew this would not be fully possible.

Even though they have been imposed in a substantial manner since 2011, economic sanctions have become particularly central to the Syrian debate in the last two years. We have seen this in public campaigns such as, "Don't exclude Syrians," and also in meetings and workshops, including civil society spaces such as the Civil Society Support Room organised by the UN Envoy. However, it is worth noting that sanctions did not start in 2011. The United States, for example, imposed economic measures against Syria in 1979, when the latter was listed as a state sponsor of terror; a list on which it has remained ever since. Even during the Bashar al-Assad era after 2000, further sanctions were imposed by Executive Orders 13338 and 13460 of 2004 and 2008, respectively; the latter including Rami Makhlouf, Bashar's first cousin.

The debate amongst Syrian civil society today, however, is no longer about those who support the regime versus those who wish to see it held accountable for its crimes. Even among a homogenous group of Syrians with a proven record of human rights work, and with the intention of demanding justice and a better future for Syria and Syrians, disagreements on sanctions have become heated. The debate following the so-called "Caesar" sanctions was only one example.

This article discusses the dilemmas facing this group of principled people when taking a position on economic sanctions imposed on Syria. It also suggests ways of resolving these difficult questions.

The paper does not express a position on the sanctions themselves, but rather the conversation that is needed when dealing with them. Before turning to the dilemmas, it is vital first to understand the context surrounding the sanctions debate.

The context of the emergence of the sanctions debate

Given that significant sanctions had already been imposed after 2011, why has the debate grown so much fiercer in recent times?

Firstly, when the military conflict was at its most intense, many Syrians did not have the "luxury" to discuss economic sanctions, as the crimes committed by the Assad regime, such as the bombing of hospitals and markets; the forced displacement; and the use of chemical weapons kept them preoccupied with dealing with these abuses and their aftermath.

Secondly, after these crimes hit their peak, the regime and its allies controlled most of Syria's territory. This meant that conversations, activities, panels, and conferences moved beyond documenting and advocating for the prevention of war crimes to an increased focus on accountability, preventing war profiteers from benefiting from reconstruction, and fighting the legitimization of the regime at the international level. For those seeking accountability, sanctions were seen as a tool to achieve all of the above, particularly because the listing criteria of many Syrian sanctions regimes are based on human rights grounds.

Thirdly, the economic situation in Syria has begun deteriorating even faster in the last couple of years. Extreme poverty is on the rise amongst Syrians, which the regime and its allies have sought to blame on sanctions. At the recent Brussels Conference held virtually this June, Lebanon as well as other regime allies all mentioned the issue of sanctions. Not so long ago, the regime allowed the UN Special Rapporteur on Unilateral Coercive Measures to visit Syria; something the regime did not do for other UN human rights procedures; in an attempt to increase the attention given to sanctions. Additionally, now that the regime controls more land, more UN agencies and international aid NGOs have started operating in government-held areas. Some of these actors have called for a review of sanctions regimes to assist in delivering aid; an example is a report issued by the Norwegian Refugee Council in April 2020. This brought the sanctions debate further to the forefront.

Fourthly, the regime and its allies, many of whom are complicit in its abuses, started campaigning for sanctions to be lifted and for reconstruction funds to be provided in an amplified manner. This created a worry amongst human rights-driven Syrian civil society entities and individuals, who saw it as a move to ignore any sort of justice attempts and move towards a post-conflict scenario. They also saw the call to lift sanctions as potentially rewarding criminals.

Finally, at a time of no Western political leadership on Syria, sanctions were among the very few tools that Western states were prepared to use further. The Caesar Act and recent EU designations are examples of such willingness. This presented an opportunity for those who saw sanctions as an accountability tool to engage with those states. At the same time, even those who oppose sanctions, and are either unable or unwilling to engage with the parties that committed the crimes to cease their sanctioning behavior (i.e., the Assad regime and its allies), have still been able to access Western states to lobby for their removal. The discussion on sanctions with Western policy makers, regardless of where you stand on them, is more accessible.

The complex nature of the outlined context has imposed inevitable dilemmas on Syrian civil society vis-à-vis the sanctions. One of these concerns the complexity of sanctions, while another pertains to their cost.

Dilemma I: Complexity of sanctions

In order to effectively approach any topic, it needs to be well understood and analyzed. When it comes to sanctions imposed on Syria, however, they are an incredibly complicated tool. The legal basis of sanctions, their listing criteria, modality, content, application, reach, impact, consequences, deployment strategy, and exemption clauses differ from country to country. The sectors, industries, and people they target and how they target them are also very different. All of the latter is contained in hard-to-find websites and documents running into the hundreds of pages. One need only look at the sheer number and content of the US Executive Orders and Laws and EU resolutions and decisions linked to sanctions to understand their complexity. There are more than 600 individuals listed on sanctions lists, let alone the entities, sectors, and prohibited activities. The number of humanitarian exemptions that also exist is very extensive. For example, Section 7432 of the Caesar Act related to waivers and exemptions lists a full page of conditions, which include the United States' other international treaties or humanitarian reasons. In addition, sections 7425 and 7426 of the Act define the rules specific to supporting the work of NGOs and providing humanitarian assistance. The Caesar Act is only one of the many sanctions tools on which the US relies. When we at the Syrian Legal Development Programme; an organization with a Human Rights and Business Unit; tried to create a summarized paper on sanctions, it was about 50 pages long. There is a reason why lawyers dealing with sanctions are amongst the most senior, given the complexity of the matter.

And this is only to consider the complexity of the system as written on paper. When analyzing the impact of sanctions on Syria, in terms of both the intended and unintended consequences, understanding them becomes a nightmare. For one thing, there are so many factors that have a similar impact to sanctions on the economy, such as war, corruption, poor governance, and regional instability. Nevertheless, the practical complexity and ambiguity of the sanctions add another layer to the struggles of Syrians. This manifests mainly in the bank transfers conducted by humanitarian organizations or even private businesses, whose activity is not subject to sanctions. For example, in a recent article on Syria's wheat sector, Syria Report showcased how sanctions affect wheat production in Syria. While shortages of pesticide can be attributed to the ban on exporting chemicals to Syria, sanctions also hinder the importation of goods and spare machinery parts, because of the reluctance of foreign companies and banks to deal with Syrian parties. Finally, there are simply too many variables surrounding sanctions. In a country with such limited data, there is a precedent of distortion of facts by the Damascus authorities and incredibility loud propaganda attempting to link every negative

consequence in Syria to sanctions. The most recent example is the COVID-19 crisis, whereby the regime blames sanctions for its inability to handle the virus' spread. However, a study published by the Conflict Research Programme of the London School of Economics on 28 July identifies six challenges facing the Syrian authorities in dealing with the health crisis, only one of which is the economic sanctions.

Dilemma II: A cost either way

Justice, freedom, accountability, and fighting impunity are all values and goals that many Syrian civil society actors call for and work towards. All are subjects that one could have a principled stance on, such as "we are for accountability," and "we stand for justice," while knowing that such positions do not harm civilians. The same is not the case when it comes to taking a stance on sanctions.

The problem with sanctions is that, if they exist, civilians will always be affected, given that the regime and its cronies control large portions of the economy and state. If removed, on the other hand, they will impact the victims who are looking for some measure of accountability for perpetrators, and make it easier for the latter to get away with their crimes. The difficulty is then to push for something knowing that it will cause some sort of damage, even if it brings about some good. It takes a lot of courage to say one is able to live with this damage due to the greater good or lesser evil argument. While realistic and practical, such arguments have little place among Syrian civil society today. It is not easy to adopt an acceptable collateral damage approach due to the pressure to choose a stance that does no harm. As a result, many choose not to engage in the topic at all, yet this arguably brings further harm, as the perpetrators and their allies are already engaging rather loudly. This is very clear in the case of dual-use (civilian and military) materials. Among many other reasons, the sanctions play a role in the current fuel crisis in Syria, since the regime has lost control of the country's oil fields and mainly relies on oil imports. The shortage led most recently to long queues at petrol stations, bringing traffic to a halt. However, the reason given for sanctioning oil trade with Syria is to stop the regime's war machine, which is being used against civilian populations, whether under its control or not.

There are many geopolitical, economic, and humanitarian variables around sanctions that shift over time that influence the efficiency of the sanctions. In an ideal situation, therefore, Syrian civil society members should be able to retract or change their previous position on sanctions. However, in the current climate and culture, such a back-track would be seen not as reflective, but rather as hypocritical, inconsistent, and therefore damaging.

The debate on sanctions goes further than mere positions and advocacy, also affecting the programs and activities of principled civil society members. For example, those working on court-based accountability are relevant to the debate on sanctions. A person who is sanctioned is held to account by virtue of an inability to travel or trade with the country that sanctioned them; the EU sanctions are an example. This may, however, impede the ability to hold them to account through a judicial process, if their arrest warrants were not disclosed in an attempt to take them by surprise. There are Syrian NGOs using the domestic courts of the countries that have sanctioned perpetrators to try and bring court cases against them. However, given that these perpetrators are sanctioned, they would not be able to travel to these countries to appear in court. This is of course assuming that they would travel to the country to appear in court in the first place.

Possible solutions

For a start, sanctions should not be oversimplified. When it comes to how they work, experts need to be consulted and sufficient material read. When it comes to their impact, it is important to know that no one has the full picture or is able to make an accurate analysis. However, research can contribute to the understanding of sanctions. Research needs to be conducted with a critical eye, considering biases in methodology, sources and integrity of data, whether this data is affected by parties to the conflict, relevant time periods, assumptions made, the types of sanctions involved and the perspective of the paper (political, human rights, economic, and humanitarian). Such research is crucial for informing policy on certain aspects of sanctions, but nevertheless the full picture cannot be gained from it alone. In short, sweeping statements should not be accepted, given the sheer complexity of the sanctions.

When possible, independent Syrian civil society should do its best to counter disinformation and propaganda on sanctions. One way to do so is to focus on why sanctions exist, which is linked to the conflict-related crimes and human rights violations committed by the regime in the first place, and how they could be lifted. However, this is no easy task, as those who contribute to disinformation campaigns use advanced and unethical tactics such as bots and paid mouthpieces.

Most importantly, there should be a shift in the space that currently exists to discuss sanctions. There is a need for a safe space for constructive and healthy debate, instead of the trading of accusations within Syrian civil society, all of which recognizes the crimes of the regime and wants it to be held to account. The space should allow for its members to explain the rationales behind their positions on sanctions and be met with tolerance, regardless if there is agreement with these positions or not. The space should also allow for its members to change their positions on sanctions if needed without reputational repercussions. Publicly, members of the space may of course express dissent with one position or another, but without making accusations as to the motives, or labeling those with a different view as traitors. It needs to be accepted that there is no single right or wrong answer.

On an individual or organizational level, dealing with sanctions requires leadership, courage, and moving outside one's comfort zone. Knowing that no matter what your position on sanctions is, there will be some damage, and as a result going with the lesser evil or greater good argument, is not easy, but necessary. As Syrians, we need to put pride aside and have the ability to constantly reflect on our position, engage in difficult conversations, apologize when necessary, and adapt where required. We owe it to those who suffered and still do. Hopefully, a day will come when the conversation on sanctions will no longer be needed; when perpetrators are held to account; human rights abuses are no longer committed; and our Syria is premised on the rule of law. These two authors, at any rate, cannot wait for this article to become obsolete.

Syrian civil society: "Strategic litigation" with no strategy

A new look at litigation against war criminals in Syria

Commentary

Mohammad Al Abdallah

Ever since they dared to launch a revolution for freedom and dignity in 2011, the Syrian people have been subjected to a myriad of flagrant human rights violations and atrocities. From day one, live ammunition was used against unarmed protestors, which foreshadowed the security crackdown undertaken by the regime in its attempt to quell the revolt—as well as instigate it, in some instances. Once again, the Syrian people had to endure tragedies not unlike those of the 1980s and 1990s, except on a more massive and violent scale that was fully visible to the world, in light of the abundance of smartphones and the ease of disseminating footage and news updates online.

However, the violence with which the regime met the 2011 revolution differed from that of the 1980s and 1990s in two critical ways. First was the widespread and sustained documentation of violations that were committed after 2011. Second were the ongoing attempts by Syrian civil society abroad to make use of the mass displacement of Syrians in order to bring certain regime officials to court outside Syria in states that afford Syrian survivors this opportunity.

Regarding documentation, there have been dozens of initiatives, both individual and organizational, by human rights activists and advocates, both individual and organized, to methodically document and archive violations and atrocities. Initially, the aim of this was to advocate for the cause of Syrians and expose the brutality inflicted upon them; only later would activists consider the possibility of using their records in legal prosecutions. That work ended up serving as a vital foundation in subsequent attempts to deliver justice for victims in several European countries.

It may be pertinent here to mention the Syrian government's non-ratification of the Rome Statute of 2003, which mandated the International Criminal Court (ICC). This has prevented the court from being able to investigate any of the war crimes and crimes against humanity committed in Syria. An attempt at a special referral to the ICC by the United Nations Security Council was thwarted due to a double veto by Russia and China. It proved similarly impossible to reach a Security Council Resolution establishing a special tribunal for Syria, akin to those for the former Yugoslavia and Rwanda. As such, Syrians seeking justice were left with no other choice than to do so individually before national European courts, whether making use of local legislation (universal human rights jurisdiction) or the European nationalities of certain victims or their relatives, in order to hold violators accountable and attempt to achieve some justice for victims and survivors.

With virtually no UN involvement in international litigation, and as the establishment of an international tribunal for Syria proved impossible, Syrians were left with no option but to rely on themselves; thus, began the work of Syrian civil society and human rights organizations on this issue. Many organizations supported existing investigations by European prosecutors and shared evidence to this end, while others launched entire litigation efforts from start to finish against violators of

Syrians' rights. It also bears mentioning that the vast majority of investigations in this regard were initially launched by local authorities, either directly, via the public prosecution, or by uncovering culprits in pertinent investigations, or during asylum claim interviews.

An unfair competition

Syrian human rights organizations, some recently established, have found themselves faced with the issue of courts and litigation without prior notice. They have begun doing what they can with the modest means available to them, in competition with several older and more established international organizations. The relationship between Syrian civil society and international organizations is very particular, as Syrian organizations are unable to file cases without the assistance and support of their international counterparts. This is due to several factors, including their lack of international legal expertise; their lack of licensing to practice law or join bar associations in European countries; and their inadequate knowledge of local legal frameworks or even the local language. On the other hand, if left to their own devices, international organizations would be incapable of fully comprehending the Syrian context, or gathering evidence and witness testimonies, without the support of Syrian civil society organizations. On several occasions, this relationship has produced successful litigations with reasonably strong cases, but these have been marred by behind-the-scenes conflicts that are not immediately visible to the Syrian public. A recent example was the withdrawal by the Syrian Center for Media and Freedom of Expression from the complaint filed before the German Federal Court of Justice to make live Arabic interpretation available to all in attendance at the Koblenz court. The Center opted to file a different complaint than that filed by the European Center for Constitutional and Human Rights (ECCHR) to the same court on the same issue, despite the two organizations supposedly being "partners."

Another important aspect is the nature of involvement in these lawsuits and their proceedings. While the technical elements of these litigation efforts are handled by European and international organizations, Syrian civil society plays a pivotal role in their initial conception and preliminary evidence-gathering, as well as in convincing survivors to contribute to the proceedings. Yet Western and international organizations retain the exclusive prerogative to represent the complainants; access court records; file requests to judges; and interview witnesses, plaintiffs, and defendants. It is a delicate and complex relationship indeed, as these organizations issue joint statements about "joint complaints" filed before the court in one state or another, but the technical details remain all but obscure to Syrian observers (with the exception of those active in civil society and rights issues). Moreover, international organizations alone retain insight into the details of proceedings, while, sadly, their Syrian partner organizations conceal this information from the Syrian public. On many occasions, Syrian individuals and organizations who are "partners" in these litigations were privy to little more information than the public, receiving updates through the media and statements by their so-called partners. Seeing as these partnerships are informal, international organizations often cite the "confidentiality of court files" or their "inability to share documents with those other than the litigating attorneys" when pressed by their Syrian affiliates.

In an effort to bridge this gap between the various international "litigation organizations" and Syrian civil society, the Open Society Foundation's Justice Initiative has gathered all parties active on this issue in periodic meetings in Berlin over the last four years. The aim of these meetings has been to

produce some formula to cement existing partnerships and encourage all actors to work together, including the establishment of mechanisms for coordination, and the sharing of data and evidence. Unfortunately, these efforts ended in catastrophic failure, and a short email to the effect that it was best for Syrian civil society to conduct these discussions with international organizations by themselves. Trust between these actors is scarce–if not nonexistent–which obstructs opportunities for sharing evidence or data, as international organizations refuse to share details after complaints are filed. Moreover, competition for funding and financial allocations remains one of the more ubiquitous and intractable issues governing the peculiar relationship between these various organizations.

Positive steps

Before delving into the details of the lawsuits ongoing in several European countries, it is perhaps useful to highlight the ways in which the Syrian context is unique. Demands for justice and accountability, and discussions of transitional justice mechanisms and programs have all taken place despite the fact that the Syrian conflict is ongoing and armed violence persists in the country, without any successful peace process. In the majority of previous revolutions, conflicts, and wars, such discussions and actions were undertaken only after a peaceful settlement–sometimes decades after–with the result being difficulty in gathering evidence or launching investigations into atrocities in the distant past. The Syrian context is unique in that it has an active civil society which has made great strides in documentation and advocacy, directly enabling discussions of justice mechanisms and processes, despite the Russia-led international obstruction of Security Council efforts.

Litigation is one of the most significant achievements of Syrian civil society and its active human rights organizations, which have made use of years of documentation; the arrival of hundreds of thousands of Syrians to European countries; and the availability of political and financial support for this type of activity. As such, litigation in European courts is congruent with Syrians' demand that all perpetrators of violations and atrocities, on all sides, be held accountable. It also sends a clear message about the political support of European states for bringing to trial those responsible for violations in Syria.

Additionally, working closely with Syrian survivors, and the better understanding this has yielded of their lives and challenges since leaving Syria, will also assist in outlining any future international accountability measures for Syria; and building a national framework for Syria based first and foremost around the interests of victims. It has also increased the level of awareness among Syrian civil society organizations and activists of the demands of victims' families, in terms of possible reparatory

compensation. For instance, many survivors refuse to be involved in court proceedings due to a shift in their approach towards justice, and wish to remain undisturbed by painful memories of the violence to which they were subjected.

In the long term, these litigation efforts take place in states with credible independent judiciaries that provide opportunities to victims and survivors to voice the truth of the crimes committed against them, and to obtain means of redress, all of which promotes and protects the victims' "narrative" in Syria. Since early on in the revolution, the Syrian government has attempted to cast protestors and activists as violent radicals and terrorists, promoting a narrative that what unfolded in Syria was mere "counterterrorism." However, the facts that are coming out from court proceedings in several European countries, and the arrest warrants being issued in absentia by these courts, promote the truth of the victims' narrative and undermine the narrative of the Syrian government.

Strategic litigation or "public interest litigation"

In many cases of complex armed conflicts, given the absence of an international legal mechanism and the imbalance of political power to the advantage of one side, civil society often opts for what is known as strategic litigation, or "public interest litigation." These terms refer to legal cases undertaken with aims beyond the mere court ruling and objectives that are not limited to winning the case per se. Public interest lawsuits are concerned with judicial proceedings as part of a larger strategy of promoting human rights, focusing on an individual case to achieve broader social change. Their objectives may include awareness-raising; introducing the issue at the core of the strategy; launching a discussion among the public and the media about the issue; or setting an important legal precedent. Among the most notable examples of this form of litigation is the case of the "apartheid wall" in Palestine. Many Palestinian and international organizations have worked intensively with the UN General Assembly in order to appeal to the International Court of Justice (ICJ) to look into the legality of the wall, ultimately obtaining an "advisory opinion" that the construction of the wall constitutes a violation of the rules and principles of international law. While not legally binding, the advisory opinion constitutes an important step in establishing the rights of the Palestinian people in the long term and the grounds for future legal prosecutions that may be binding. For instance, several European companies involved in the construction of said wall have been subject to criminal prosecutions in European courts (most notable was the case by the Palestinian organization Al-Haq against the Dutch company Riwal, which was involved in the construction of the wall). Moreover, blacklists have been issued by the Office of the United Nations High Commissioner for Human Rights detailing enterprises involved in the construction of the separation wall, based on the ICJ's opinion that the wall constituted a violation of the principles of international law.

Justice through the court versus strategic litigation and advocacy

As many Syrian civil society organizations launch efforts to support ongoing lawsuits or investigations (initiated by European authorities) or undertake litigations of their own, an important question arises about the nature of these lawsuits. Are they strictly attempts to deliver justice to victims through the courts, or can they be cited as examples of strategic litigation and advocacy? Can they be both at once? In fact, this issue has stirred considerable controversy among civil society organizations; a controversy that has remained concealed from the average Syrian following their country's affairs and even from civil society organizations concerned with the victims or those founded by the victims themselves. This "elitist" debate has been confined to articles and back-and-forth discussions among a handful of organizations.

It is crucial to distinguish between the two methods of legal activism. Technical legal prosecutions aimed exclusively at obtaining a court ruling are necessarily conducted strictly through the legal channels, effectively neutralizing any role for Syrian civil society in favor of a larger role for European or international organizations. Moreover, this method of legal action need not involve working directly with victims' organizations and their families; nor media statements and advocacy efforts. Its impact remains largely limited to the individual cases in question. If anything, any "over-enthusiasm" by "over-active" advocacy-oriented organizations would actually be detrimental to the cases and those making them. For instance, the director of one Syrian human rights organization attempted to capture footage of the proceedings of Anwar Raslan's trial, which constituted a flagrant violation of court rules, causing the suspension of the trial, and prompted the intervention of local law enforcement to delete the footage. This mishap was also among the reasons for the court's later refusal to allow spectators to listen to the Arabic interpretation available to witnesses and defendants, citing "prior violations of court rules." Under this approach to legal action, the primary criteria for the selection of cases to be prosecuted are the strength of the case and the availability of incriminating evidence, regardless of the moral value of the case; the rank or position of the accused; or the longer-term impact it may have for victims and the course of Syrian justice at large.

By contrast, the strategic litigation approach is based on selecting cases that are possible to prosecute, filing them, and making small but cumulative gains over a longer timeframe. Adopting this approach for Syria provides the opportunity to shed light on the crimes that have been committed and return the Syrian issue to the forefront in the media and public discourse. It may also become more effective if numerous cases are litigated over an extended period of time. This strategy allows for more involvement from families of victims and their organizations, and grants Syrian civil society the space to play a larger role in applying political pressure, issuing statements, filing petitions, and communicating with the Syrian public at large; while still, of course, respecting and upholding the legal aspects of litigation in the narrowly technical sense.

Syrian civil society has long been torn between these two approaches. Lawsuits are often filed through Syrian initiatives and efforts by Syrian activists, who often adopt an explicit long-term advocacy strategy. These efforts then involve Western or international organizations with legal expertise or intimate knowledge of local law and procedures in the countries of litigation. However, the same Syrian organizations deny that these suits are part of a long-term advocacy campaign, or

that the prospective legal gains are limited, or even symbolic. They have a tendency to overstate events or make declarations to the Syrian public to the effect that "justice has begun to be served;" that the course of accountability will not stop; or that these prosecutions "call into question" the place of the heads of intelligence agencies in Syria's future. The last sentence appeared verbatim in a statement by the International Federation for Human Rights, in its Q&A on the Dabbagh Case, after French and German courts issued international arrest warrants for high-ranking leaders within Syrian security agencies: Ali Mamlouk, Jamil Hassan, and Abdel Salam Mahmoud. Concerning developments in these cases, the organization added that the arrest warrants would "prevent the three suspects from traveling abroad freely." However, the organizations working on this issue are fully cognizant that international arrest warrants issued in absentia are nearly impossible to enforce, and that the persons in question already abstain from traveling to European Union countries, as they are already named on sanctions lists and European travel restrictions. In effect, no arrest of these individuals can take place without their extradition by the Syrian government itself, or by countries to which they do travel, such as Russia and Iran—assuming they do not turn themselves in to European authorities voluntarily. Yet these organizations opted nonetheless to overstate the significance of these arrest warrants to achieve symbolic—or illusory—victories. This practice not only ignores the facts, but it also raises expectations among the public. At the time of writing, two years have passed since the issuance of these arrest warrants, and they have yet to be enforced, nor have they served as deterrents against the practice of torture in Syrian prisons. In consequence, such developments and the rhetoric surrounding them may actually undermine the faith placed by Syrians in attaining justice, as the perpetrators retain their positions and their ability to commit violations. As a member of an organization working in human rights, I have sensed such attitudes in interviews with witnesses and survivors, who often ask, "What is the use in speaking to you? We have not seen any results."

Major challenges

Syrian civil society faces considerable challenges in the realms of justice and litigation. Many of these do not concern civil society itself, such as the role of Russia, or the limited number of states that allow this form of litigation. However, a sizeable proportion of these challenges do result from shortfalls among the litigating organizations themselves. These include:

Lack of transparency: Inadequate transparency and a tendency to obfuscate details are unfortunate features of these litigation efforts. Many within Syrian organizations have a sense of embarrassment or unease at the fact they are not actually prosecuting anyone, nor do they possess the required expertise in local law, meaning that, in effect, the party representing the victims is typically in reality an international or European organization. Cognizance of this may be a factor that prevents many Syrian organizations from fully sharing the details of ongoing litigations. For instance, during the trial of Anwar Raslan and Eyad al-Gharib in Koblenz, Germany, at least four parties claim to have "filed" the suit or to be "partners" in the litigation effort. However, the court proceedings make evident that the party prosecuting the case consists only of attorneys who are members of the European Center for Constitutional and Human Rights; they are acting here in an individual capacity, as German law does not allow organizations to prosecute criminal cases. Of course, this is not to undermine the valuable contributions made by Syrian civil society partners in evidence collection or witness selection, yet the ambiguity in delineating the role of each party is nonetheless unjustified. This is especially true considering many of the aforementioned Syrian organizations often complain of the "domination" of

Western organizations over the case proceedings and their withholding of information from Syrian civil society partners. In any case, most of the details and information relevant to the cases remains confined to the private correspondences of activists working in the human rights field, remaining unknown even to the survivors and victims' families.

Overpromising, and raising the expectations of victims' families: This is a distinctly negative feature of the litigation efforts in question. Examining the statements issued by organizations working on this issue, one finds instances of exaggeration that are willful in some cases, such as the claim that the Raslan trial in Koblenz could end the Syrian regime politically and internationally; and the aforementioned claim that international arrest warrants for certain intelligence chiefs in Syria would end their careers; and even examples of manipulating the perception of court cases among the public, by overstating them. For example, the phrase "we have filed a suit" has been seen in many statements by Syrian and international organizations after the mere filing of complaints to the judiciary of a European state; these would be more accurately described as criminal complaints pending follow-up or rejection by the public prosecutor. This latter detail could perhaps be overlooked, were it only circulated by journalists or activists; however, some of these statements have been issued by trained attorneys, who ought to know perfectly well that what they filed were not "suits" until they were examined and approved by a public prosecutor. This is, therefore, deliberate exaggeration.

Even the work of major international organizations is marred by similar mistakes. For instance, after the Guernica 37 International Justice Chambers organization sent a letter to the ICC in accordance with Article 15 of the ICC's bylaws—which was merely a written request to accept a filed complaint—the BBC reported statements by a senior attorney at the organization referring to the letter as a "case" that has been "filed," describing it as "a genuine breakthrough for the Syrian victims." Almost a year and a half later, there has been no progress to speak of on this request, which has not even been accepted by the ICC.

Even worse, organizations working in litigation have deliberately withheld certain technical—yet highly important—details from the victims and their families, and from other lay parties. These include the fact that, according to universal human rights jurisdiction, courts cannot prosecute heads of state, who enjoy immunity. This fact did not stop two international organizations, as well as a host of Syrian civil society organizations, contributing to a documentary titled Syria's Disappeared: The Case against Assad, which explored a case filed by the organizations in Spanish courts, on the basis that the sister of a victim of torture was a Spanish citizen. Despite the title, the complaint was actually filed against nine Syrian security officers, not Assad, nor even "Bashar al-Assad's government," as was reported by media outlets. While people knowledgeable about the case would be aware the title was merely symbolic, this would not be self-evident to the average Syrian observer.

The alienation of the Syrian public in this regard is so severe as to almost seem deliberate. This is not to say that the ordinary Syrian citizen that follows these cases and lawsuits is completely uninformed about their developments, but merely that the organizations handling these cases are to a large extent in control of the information that gets disseminated or publicized about trials and court proceedings—not to mention the technical details that need to be thoroughly explained to observers and victims' groups and organizations. The Raslan trial may in fact be the only exception to this rule, due to the significant number of Syrian journalists and activists who follow the case closely.

However, many so-called "partner" organizations in this trial attempt to silence critical voices, or those demanding more information and greater transparency regarding what occurs in the courtroom. I will present some miscellaneous examples of this dynamic. For instance, not many Syrians realize that the case filed against Islam Alloush in France lacks sufficient evidence, and that Alloush can consequently be released at any time, or that the maximum term for provisional arrest in France is 12 months, after which Alloush will automatically be released, unless new evidence comes to light that justifies extending his detention. Another example is the fact that Spanish courts have refused to prosecute the torture case, and that the issue of accepting or rejecting the case is currently being considered by Spain's Constitutional Court. In fact, even if the case is accepted, Spanish law prohibits proceeding with cases in absentia, which renders the arrest of the nine defendants a necessary condition for any progress in these trials—a highly unlikely occurrence.

The raising of Syrians' expectations in this unrealistic and disingenuous manner has led to the concealment of vital details, which is not in the best long-term interest of Syrian civil society, as it undermines its credibility with survivors and victims' families. It may also result in the emergence of a hierarchy within Syria civil society circles, in which relevant international organizations are at the top, with Syrian organizations vying for positions lower down in the structure according to their levels of affiliation with survivors; their relevance to the cases being filed; or their ostensible status as "partners" in the litigation efforts. Consequently, Syrian partner organizations have opted for a supervisory or "gatekeeper" role for the suits and those involved in them, as well as with regard to the opinions of civil society activists;, or even participated forms of "populism" or "demagoguery" in fending off criticism or confronting those demanding more transparency. Perhaps one of the worst offenders in this regard has been the targeted Facebook campaign led by Syrian human rights activists who had participated in the witness selection process against other activists for the crime of merely raising questions about one witness testimony. In sum, then, this legal campaign is plagued by a lack of transparency on the part of the litigators; excessive overstatement and manipulation by deterring people from scrutinizing testimonies; and even the adoption of dangerous populist rhetoric that prohibits anyone from questioning the course of the trials.

Syrians are not alone

The reality is that Syrian civil society is not the first to experience such tumultuous challenges, and, if one is to be fair-minded, reference to similar practices is necessary. For example, Iraqi civil society found itself completely excluded from the trials of former Iraqi regime figures, as dozens of international organizations flooded Baghdad to "build cases;" work with the defense teams; or observe the court proceedings. The community of international donors was in no way concerned with supporting local Iraqi efforts, especially as Iraqi civil society was nascent, enjoying only modest resources. Early on, it became evident that preference went to Western organizations, with the result being a generally inadequate civil society for human rights in Iraq, and a sub-par level of documentation of later human rights violations in Iraq, whether by ISIS or Iran-backed militias.

This competition between local and international actors has also affected trials in international courts. Few examples are clearer than the UN-established Extraordinary Chambers in the Courts of Cambodia (ECCC). Competition between local courts and the ECCC was publicized on numerous occasions. There were disputes regarding the "leaders responsible for the gravest violations," whom the local

community viewed through a lens that was completely different from international standards. These issues resulted in the suspension of some trials, with the Supreme Court of Cambodia being sought to resolve the disputes between various chambers. Moreover, miscellaneous issues exacerbated the tension between the two sides for the duration of the trials, including issues regarding pay, as the international staff working in Cambodia earned salaries two or three times higher than those of their local peers, including judges, public prosecutors, and administrative staff.

Furthermore, in the Palestinian context, the legal and the political have often been conflated among the Palestinian public by organizations working on legal issues, raising expectations to unrealistic levels and confusing the average observer. Perhaps the most telling example was the issue of the separation wall, where the US intervened by applying political pressure on the ICJ, while the Palestinian National Authority seized on this to cultivate political capital, raising the expectations of the Palestinian public who anticipated an ICJ ruling that would suspend the construction of the wall, and even demolish the parts already built. In reality, as mentioned earlier, the ICJ ruling has only a non-binding advisory status, and any later attempt to reach a binding Security Council resolution based on the Court's "opinion" would face a US veto.

Prospects of the trials: Honesty with the Syrian people

Considerable efforts have been undertaken by Syrian civil society organizations, who have contributed to evidence-collection and case filing, which has required rigorous work with no small psychological impact on those involved. These efforts by organizations, activists, and Syrian observers at large are all highly commendable. However, they remain marred by certain imbalances, oversights, and blunders regarding the manner in which developments have been communicated to the Syrian public, stemming from a natural human impulse towards exaggerating achievements or overstating promises and expectations. All of this has had a profound impact on survivors and the families of victims.

What is urgently required of us today is to set a clear strategy for these litigation efforts, clearly delineating their short- and long-term objectives. Are these purely judicial proceedings to try individuals that can be charged? Are they strategic tools to promote the rights of Syrians, uphold the demand for fair trials and justice for victims, and highlight the war crimes and crimes against humanity that have been and continue to be committed in Syria? A discussion of the purpose of these trials and cases filed is paramount, and from it we can determine the nature of these cases, their scale, their timing, the method of their selection, and the parties and actors that can contribute or be involved. All of these crucial details are concealed today from the wider Syrian civil society, with discussion of them remaining confined to a narrow circle of organizations and individuals.

Even through an optimistic lens, the legal cases underway in European courts today will yield modest results. They are extremely unlikely to topple regimes or put an end to the mass violations of rights in Syria. However, they do constitute a clear departure from an era of impunity; introduce the clear and rightful demand for justice and accountability as a precursor for any political transition in Syria; and promote the narratives of victims and memorialize their suffering. The only options for Syrian civil society today are to adopt more openness, transparency, and sincerity with the Syrian public, and to manage expectations, such that we do not lose comrades, friends, or supporters of these commendable efforts.