Papers of CIHRS 23rd Regional Forum of the Human Rights Movement

COVID-19 and Prospects for Reform in the Arab Region

CAIRO INSTITUTE
FOR HUMAN RIGHTS STUDIES
Institut du Caire pour les études des droits de l'homme
مركز القاهرة لدراسات حقوق الإنسان

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Title: **COVID-19 and Prospects for Reform in the Arab Region**

Publisher: **Cairo Institute for Human Rights Studies**

Reformation Issues (39)

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Cover photo: © 2021 Ala Zemzmi - Tunisia

With the support of

Norwegian Ministry of Foreign Affairs

COVID-19 and Prospects for Reform in the Arab Region

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Founded in 1993, the Cairo Institute for Human Rights Studies (CIHRS) is an independent regional non-governmental organization which aims to promote respect for the principles of human rights and democracy in the Arab region. For this purpose, CIHRS focuses on analyzing the difficulties facing the application of international human rights law, disseminating a culture of respect for human rights in the region, and engaging in dialogue between cultures regarding the various international human rights treaties and declarations. CIHRS further seeks to attain this objective by developing, proposing, and promoting changes to policy and practice in the Arab region in order to bring them in line with international human rights standards. In addition, CIHRS conducts human rights advocacy at national, regional, and international human rights mechanisms, carries out research, and provides human rights education, both for youth and for established human rights defenders seeking ongoing professional development. CIHRS is a major publisher of information related to human rights in the Arab region, and its publications include a magazine, an academic quarterly, and scores of books dealing with various human rights-related issues.

A key component of CIHRS' mandate is to help shape the understanding of and discourse around the most pressing human rights issues in the Arab region. CIHRS then seeks to coordinate and mobilize the key players and NGOs across the Arab world to work together to raise public awareness about these issues and to reach solutions in line with international human rights law.

CIHRS enjoys consultative status with the United Nations ECOSOC and observer status with the African Commission for Human and Peoples' Rights. CIHRS is also a member of the Euro-Mediterranean Human Rights Network (EMHRN) and of the International Freedom of Expression Exchange (IFEX). CIHRS was awarded the French Republic Award for Human Rights in December 2007.

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Introduction

The Quest for Reform in the Arab Region

YOUSSEF AHMED [1]

The question of reform in the Arab region has been an increasingly pressing one for many decades. In fact, reform has been inseparably tied to the region's centuries-long modern history, though its conceptualisations and prospects have immensely transformed. From the nineteenth century Arab renaissance movement to the mid-twentieth century nation-building projects of postcolonial Arab states, and to the post-Cold War era and beyond, manifestations of the need to reform have been recurrent. Although the degrees of success, types of driving actors and forces, and exact nature of reform envisioned have dramatically oscillated over time, genuine reform has never ceased being the inescapable answer to the region's ills.

The Arab Spring is the latest manifestation of the persistent need for reform. The series of seismic uprisings that took place across several states in 2011 reflected overwrought frustration from decades of institutional inertia, corruption, growing inequality, and oppression.[2] In other words, the Arab Spring was partly a product of decades of resistance from many Arab rulers to meaningful

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[2] Cook, Steven A., Lorenzo Moretti, and David Rudin (2012) 'Corruption and the Arab Spring.' The Brown Journal of World Affairs 18, no. 2: 21-28. Accessed November 12, 2020. http://www.jstor.org/stable/24590860

reform. And, for better or worse, it marked the beginning of a new era of the pursuit of reform in the region.

The conception of the Arab Spring as an expression of an era, rather than an insulated set of uprisings, has been vindicated with the emergence of the Arab Spring's so-called 'second wave' in 2019 — specifically in Algeria, Sudan, Iraq, and Lebanon.[3] After all, it is difficult to overlook that the regimes most affected by the second wave were among those that manoeuvred around the uprisings of 2011 relatively unscathed. And as the states of the second wave witnessed momentous popular uprisings in 2019, the states of the first wave (namely Tunisia, Egypt, Syria, Yemen, and Libya) were running the courses charted in the aftermath of their uprisings; the hopeful zeal conceived in 2011 had shattered against the realities that unfolded throughout the following years.

The preludes to the Arab Spring's setbacks were clearly coalescing after the initial successes in 2011; bickering and inexperienced political elites, entrenched counter-revolutionary actors, and meddling foreign powers have all signalled the rough road ahead. Yet 2014 arguably marked the start of a decisive shift in course for the fate of the uprisings. At that point, the political transitions in Yemen and Libya had clearly collapsed as civil conflicts re-erupted, while many of those who held illusions about the tyrannical trajectory Egypt embarked on in 2013, were forced to abandon them. Within a year, President Bashar al-Assad's departure ceased being a foregone conclusion, with Russia stepping in militarily to support his embattled regime in Syria. But just as 2011 and 2014 constituted two milestones in the era of the Arab Spring — the former signalling high hopes and the latter marking the start of a bonafide setback — the year 2020 witnessed the brewing of potentially transformative trends.

A Shifting Context

The COVID-19 pandemic is indisputably one of the most significant global events in recent history. The transformative trends of 2020, however, were not necessarily induced by the pandemic, but rather represented the greater framework embracing it. For instance, what was more remarkable

[3] Muasher, Marwan (2019) 'Is This the Arab Spring 2.0?' Carnegie Endowment for International Peace, October 30, accessed November 12, 2020, https://carnegieendowment.org/2019/10/30/is-this-arab-spring-2.0-pub-80220

than the eruption of uprisings in Algeria and Sudan in 2019 was the fact that popular mobilisations persisted after presidents Abdelaziz Bouteflika and Omar al-Bashir were removed from power, and well into 2020.[4] The protestors in both countries seemed to be acutely aware that genuine reform cannot be reduced to ousting a regime's head. In fact, the dynamics of the uprisings in Algeria and Sudan have generally reflected a better understanding of the challenges ahead than that initially displayed by protestors from the countries that underwent the first wave of uprisings in 2011. Although the respective sociopolitical and economic constituents of Algeria and Sudan have undoubtedly played a significant role in moulding the trajectory of their transitions; the palpable accumulation of knowledge produced by the preceding uprisings across the region cannot be ignored. It is yet to be seen how well such an accumulation would bode for the second wave of uprisings, especially given the heavy legacy of decades of authoritarianism and resistance to reform from within and outside these transitioning states.

Another visible trend is the waning of some of the region's counter-revolutionary forces and the emergence of schisms amongst them. After 2011, some Arab states saw an existential threat in the uprisings erupting across the region. This perception of threat became a common cause for these regional actors, which — along with an array of other internal dynamics and shifts in the global order — led to the formation of different blocs across the region seeking to influence the outcome of the uprisings in their favour.[5] Over the years however, frictions within those blocs started to unfold and are now undermining some of the region's counter-revolutionary fronts. For example, Marshal Khalifa Haftar's 2019 offensive on the Libyan capital, which aimed to consolidate his rule over the country, had clearly failed by mid-2020. And more importantly, Haftar's foreign backers (the United Arab Emirates, Egypt, Saudi Arabia, Russia, and France) have clearly grown apart concerning the future of Libya.[6]

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[4] Aljazeera (2020) 'Hundreds take to Algiers streets despite ban on protests' 5 October, accessed November 15, 2020, https://www.aljazeera.com/news/2020/10/5/hundreds-protest-in-algiers-despite-ban-on-gatherings.
DW (2020) 'Protestors Hit Sudan Streets Calling for Political Reform' July 1, accessed November 12, 2020, https://www.dw.com/en/protesters-hit-sudan-streets-calling-for-political-reforms/a-54006307.

[5] For example see Stephens, Michael (2017) 'The Arab Cold War Redux: The Foreign Policy of the Gulf Cooperation Council States since 2011,' The Century Foundation, February 28, accessed November 25, 2020, https://tcf.org/content/report/arab-cold-war-redux/

[6] Alaaldin, Ranj, Emadeddin Badie (2020), 'Libya's Proxy Sponsors Face a Dilemma,' Brookings, June 15, accessed November 25, 2020, https://www.brookings.edu/blog/order-from-chaos/2020/06/15/libyas-proxy-sponsors-face-a-dilemma/

A similar dynamic can be observed in Syria, where frictions within the Assad regime, and amongst his primary backers Russia and Iran, have become increasingly detectable.[7] In Yemen, the goals of the UAE and Saudi Arabia seem to have considerably diverged. This however does not necessarily entail a reduced footprint of foreign interventions across the region. Over the past year, Turkey further solidified its presence and influence in several Arab states, particularly in Libya and Syria, while Iran strengthened its foothold in Yemen. All those frictions and divergences are neither nascent nor decisive; nevertheless, the extent and manner in which they surfaced dictate the reexamination of their respective contexts.

The final trend concerns the West's appetite for pursuing reform in the Arab region. The largely nominal endorsement the Arab Spring received from Western capitals proved ephemeral as waves of refugees from the region, along with the rise of Salafi Jihadi groups in several Arab states, have contributed to turning the narrative on the Arab Spring from one of hope to one of chaos. The West's influence on reform in the Arab region has hardly been consistent; it ranged from being somewhat positive to being outright malicious, and has varied in quality and size in relation to each Arab state and the general context. Yet the election of Donald Trump as president of the United States in 2016 devastated the prospects of reform in the region far beyond any previous point. Trump's unapologetic embrace of authoritarianism, along with his assault on the global human rights order, emboldened Arab dictators to an unprecedented extent. Joe Biden's recent victory in the American presidential elections in 2020 may affect the issue of reform in the Arab region in any number of ways; his presidency could be a powerful force behind reform or prove inconsequential to its future. But while the West, and especially the United States, visibly grows disinterested in the region, the mere fact that Arab dictators will no longer enjoy Trump's support undoubtedly will induce a change in dynamics and preamble the emergence of a new trend.

[7] Brumberg, Daniel (2020) 'Russian-Turkish-Iranian Cross-Purposes on Syria's Future' Arab Center, DC, September 8, accessed November 22, 2020, http://arabcenterdc.org/policy_analyses/russian-turkish-iranian-cross-purposes-on-syrias-future/

Prospects for Reform in the Arab region amid Post COVID-19 Realities

The three previous trends are not entirely the product of 2020; most took root over the past years. Nevertheless, given how they may now influence events to come, their crescendo can no longer be ignored. And while the forceful counter-revolutionary tide that swept across the region in the past years has not necessarily receded, it now certainly navigates a more unfavourable context.

These new trends have unfolded independently of COVID-19 and are yet to be fully influenced by it (though arguably the pandemic effected the outcome of the United States' presidential election). In other words, COVID-19 swept across Arab region amidst a moment of considerable fluidity, intertwining with the respective context of each state to influence prospects for reform across the region to varying degrees. The Cairo Institute for Human Rights Studies (CIHRS) organised its 23rd Regional Forum for Human Rights between 31 August and 7 September 2020 to explore prospects for reform in the Arab region in post COVID-19 realities. Throughout the Forum's sessions, speakers presented their papers to an audience of Arab and Western human rights defenders and academics. The papers of the Forum, published in this book, focus an array of contexts across the region, including Algeria, Sudan, Lebanon, Egypt, Palestine, Syria, Yemen, and Libya.

The scopes, approaches, and conclusions of the Forum's papers vary. Each address distinct facets of the region's various contexts and their effects on reform. From some states mired in civil conflict while others experience authoritarian consolidation, to states undergoing delicate transitions, the conceptions of, and paths to, reform differ — though some dynamics are clearly similar.

Joost R. Hiltarmann provides an excellent overview of the different Arab states and their (in)susceptibility to reform, and highlights how the West fits into the greater picture. Hiltermann suggests that COVID-19 is bound to exacerbate the grievances behind the Arab Spring, and while reform is a possibility in some states, increased repression and radical change are more likely outcomes.

In his paper on the effects of COVID-19 on the Egyptian economy, Stephan Roll provides a nuanced understanding of Egypt's precarious situation. Roll addresses how and why the pandemic helped the government conceal the failure of the economic reform plan sponsored by the International Monetary Fund (IMF) in 2016 — as the structural deficiencies in the economy remained unresolved — and highlights the negative role played by the IMF in that regard. Given the potentially serious effect COVID-19 will have on the Egyptian economy in the longer run, Roll suggests that much could depend on European governments in tying further economic support to genuine reform.

Yara Hawari, in her paper, discusses the intersection between COVID-19 and apartheid in Palestine. Hawari addresses the compounded effect of the pandemic on Palestinians and unpacks its facets, from the depletion of capabilities induced by the apartheid regime, the economic subjugation of Palestine, and Israeli violence against the healthcare system, to the impact of the geographic fragmentation of Palestinians. The paper notes that while the pandemic will eventually pass as global lockdowns and restrictions on movement are removed, Palestinians will continue to live under the apartheid regime that has existed for many decades.

Although no session was held for Lebanon during the Forum, Karim Nammour contributed a paper to this book tackling the October 2019 uprising. Nammour highlights how the Lebanese regime — specifically the oligarchy comprising it — dealt with the October 2019 wave of unprecedented popular anger. Taking advantage of the pandemic, the Lebanese regime utilised the judiciary and security forces to curb the uprising and safeguard its privileges. Given the unlikelihood of the Lebanese regime to pursue meaningful reform, its success in circumventing the October Uprising may prove short-lived. The brewing popular discontent, especially amidst a severe economic crisis, puts the stability of Lebanon in question and renders it far more elusive than it already had been.

The Forum's session on Algeria saw the presentation of two papers by Louisa Dris Ait Hamadouche and Nacer Djabi. In her paper, Hamadouche notes how elections have been traditionally used by the Algerian authorities to perpetuate the status quo and forestall genuine reform, focusing on the significance and meanings behind the December 2019 presidential election in face of the Algerians' uprising — the *Hirak.* On the other hand, Djabi dissects the *Hirak,* offering a sociological perspective on its formation and evolution compared to previous instances of mass mobilisation in recent

Algerian history. Despite the demobilising effect of COVID-19 on the *Hirak,* the pandemic will likely worsen the socioeconomic conditions and exacerbate challenges facing both Algerian protestors and the government. Both authors are skeptical of fundamental reform taking place over the short term; nevertheless, they recognised that the uprising constituted a milestone in Algerians' pursuit of reform, drawing a line between the pre and post *Hirak* eras in the country's history.

Albaqir al-Afif Mukhtar contributed to the Forum with his paper addressing the transitional period in Sudan. Mukhtar focuses on challenges and threats to the transitional period and dynamics between its political actors. The legacy of decades of authoritarianism under Omar al-Bashir, entrenched counter-revolutionary actors and regional meddlers, and the military's obstruction of civilian authorities severely undermine prospects for Sudan's transition. Yet hope remains. Mukhtar highlights that popular mobilisation which persisted despite the pandemic, and pressure from the international community could play a positive role in safeguarding the transition and steering it towards genuine reform.

Akram al-Bunni unpacks the increasingly complex situation in Syria; examining the transformation of a peaceful uprising into an internationalised civil conflict. Al-Bunni highlights how the different actors (specifically the regime, its foreign backers, the West, and the Syrian opposition) have contributed to the perpetuation of Syria's ordeal, and outlines newly-formed realities that may influence the future of the conflict. Al-Bunni concludes that a path of transitional justice, spearheaded by the United Nations, is Syria's best option to end its almost decade-long conflict.

In Libya, Nadège Lahmar examines the lead up and significance of Haftar's 2019 assault on Tripoli. Lahmar argues that since 2011, regional and international meddling, as well as the undermining of multilateral peace efforts and enforcement of accountability, have derailed the post-2011 transition and spun it out of Libyans' control. While hopes that the current fluidity in the Libyan context and the recent demonstrations witnessed across the country might steer the conflict towards resolution, there are paramount challenges to be faced. Deep social divisions, the unofficial partition of the country, and lack of political will are key obstacles hindering the resolution of the Libyan crisis.

Ahmed Nagi dissects the layers of the conflict in Yemen, offering an excellent analysis of the nature and motives of the regional actors fuelling the conflict in the country. While the paper stresses that

the conflict in Yemen is no longer controlled by Yemenis, it highlights the complexity of the relationship between the regional actors with their local proxies — not to mention the growing friction between the conflict's so-called allies. Nagi notes that pressuring the conflict's regional sponsors to move towards de-escalation is an essential prelude to resolving the conflict and addressing its local drives.

Conclusion

Although the papers of the Forum address seemingly disparate contexts, they reflect several common themes. Those themes were published after the Forum ended and are republished here as this book's conclusions.

One of the themes concern the role of regional meddlers and the international community. The papers on Syria, Yemen, and Libya highlighted the spoiler effect regional powers had on those countries since the beginning of the uprisings. Turkey, Iran, and some Gulf states have essentially hijacked transitional processes and contributed to the spiral of several Arab states into internal conflicts. International powers, including the United States, Russia, and some European states, have also acted as spoilers in several of those contexts. Nevertheless, international pressure remains essential to curbing further escalations and outlining a path for conflict resolution and ultimately reform in the region. It is also crucial to exercise pressure to ensure that other states do not slip down the same path, especially Sudan, given the susceptibility of its transition to meddling from regional powers. On the economic front, both Sudan and Egypt are likely to require support from the international community; it is key to ensure that such support results in genuine sustainable reform.

Another theme concerns the impact of COVID-19 on prospects of reform in the region. It is important here to distinguish between the pandemic's short-term and medium or long-term impacts. The immediate short-term impact of the pandemic has proven to disfavour reform, instead playing into the hands of authoritarian regimes. The pandemic helped the Egyptian government hide its failures at economic reform, and helped demobilise protestors in states such as Algeria and Lebanon. Regardless, this reprieve will likely prove temporary. The pandemic will inevitably take its toll on the

ailing and underfunded health systems across many of the region's states in a manner that may deepen popular discontent and further showcase the need for reform. And more pressingly, the multidimensional economic impact of COVID-19 will very likely amplify the woes caused by corruption, inequality, and repression.

The final theme discussed in this introduction is the remarkable unwillingness of many Arab regimes to pursue genuine reform. The authorities in Algeria, the deep state in Sudan, the regimes in Lebanon, Syria and Egypt, and the warring factions in Libya and Yemen, all view their contexts as a zero-sum-game. From their perspective, any concessions to popular demands or attempts at reform will jeopardise their interests and dismantle their hold on power. The past decade, however, has revealed that such an outlook tends to turn into a self-fulfilling prophecy. Suppression of reform does not negate the desperate need for improvement. At best, manoeuvring around reform, or violently crushing it, would buy authorities time. Yet sooner or later popular frustration and discontent will erupt. The longer reform is resisted, the more uncontrollable the outcome will be. One way or another, the region as we know it will witness fundamental changes. But the nature of the changes will largely depend on how Arab regimes and the international community deal with the current challenges and how genuine reform initiatives will fit in the greater picture.

COVID-19 and Prospects for Arab Reform

JOOST R. HILTERMANN [1]

Reform? What Reform?

It is fair to assume that the COVID-19 pandemic will generate major global transformations, including in the Middle East and North Africa (MENA) region. These will be brought on by healthcare infrastructure collapse, economic dislocation, increased state surveillance, control and repression, new violent conflicts and out-migration. Apart from the healthcare infrastructure collapse, these are not new phenomena; they have characterised the region for decades, as brought out so starkly in the United Nations' periodical Arab Human Development reports since 2002. In that sense, the pandemic is acting primarily as an accelerant of existing trends and, as such, it lends new urgency to the perennial demand for Arab reform.

In pre-pandemic times, the reform question arose from the creeping sclerosis of the region's governing institutions matched by autocratic regimes' stubborn resistance or inability to adapt to a changing world. Today, an acute combined health and economic crisis is threatening to block the clogged arteries that link the Arab state to its citizens in what remains of a tacit contract that has

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sustained a degree of stability. We have already seen — in the 2011 popular uprisings and their aftermath — what can happen when a country's social compact breaks down. The ruling orders that managed to shield themselves from the turmoil of 2011 or to reconstitute themselves following near-collapse now face the same challenge as their counterparts did nine years ago, but what was then a major storm arguably now has the potential to turn into a full-blown hurricane.

At the end of it, will the Arab state system come out reformed? This question begs a series of others. What do we mean by 'reform': how extensive should it be along a spectrum of mere window-dressing to fundamental overhaul? What should be reformed: the security sector, the economy, the political system, governance, all of it? Should reform come from the bottom up or the top down, or a mix of the two? Is there a role for external powers in stimulating Arab state reform? What political circumstances would lend themselves best for thoroughgoing reform? What would be the right mix of incentives and disincentives to bring governing structures to reform themselves? Does the state need to be in a position of strength or one of weakness to effect reform? Does it matter if a government is more or less beholden to Western states that favour reform in order to reform? What is blocking reform, and how can obstacles be removed? And, finally: what happens if reform fails? Answering these questions will require a more comprehensive analysis than a 3,000-word essay can offer, drawing on the extensive empirical evidence available. Suffice it here to highlight some of the principal aspects that may help shed light on the prospect of meaningful Arab state reform during and after the time of the COVID-19 pandemic.

The 2011 Popular Uprisings as Watershed

First, in speaking of the need for reform we should be careful not to gloss over the essential differences between individual Arab states. They may all be predominantly Arab (with Arabic as the primary language and Islam the primary religion), and they may all have a shared genealogy in post-Ottoman European colonial enterprises. But their development over a century has occurred along markedly divergent lines depending on geography, natural resources, governing systems and the nature of their interaction with the outside world. In exploring ways in which rigid and unresponsive governing structures can be reformed, we should therefore look at each Arab country as having a unique developmental experience that can only yield its own unique result.

The widely varying outcomes of the 2011 popular uprisings in the countries that experienced them are instructive in this respect. It is precisely these three main outcomes — democratic transition (Tunisia); regime return and retrenchment via foreign intervention (Bahrain); military coup (Egypt) or civil war (Syria); state collapse (Libya, Yemen) — as well as the 'business-as-usual' situation we find in countries that did not (yet) experience a popular uprising (the Arab monarchies) or where uprisings fizzled, perhaps temporarily, in the COVID-19 outbreak (Algeria, Iraq, Lebanon) that may point to possible future arrangements elsewhere in the region.

In the years, if not decades, prior to the 2011 uprisings, Arab states were in a situation of relative stability, disturbed by economic ups and downs and in some countries punctuated by coups d'état that replaced the top layer of government and ruling elites but left the basic order intact. Western states favoured this arrangement as fundamental to their own strategic interests, and helped maintain it through policies motivated by what is often referred to as the 'stability paradigm' – Arab governments doing Western nations' bidding in return for these nations overlooking Arab states' suppression of dissent.[2] Crudely put, this amounted to a 'the devil you know' attitude: 'democracy is fine and well, and should be propagated rhetorically and through symbolic funding if only to allow a repressive system to release bottled-up air, but it should not be allowed to undermine what is in place and is serving us well enough.' In its coarsest rationalisation, it declares that Arabs are 'not ready for democracy.' Meanwhile, states were increasingly incapable of meeting the challenges of a growing population. The basic deal — security and basic welfare in return for acquiescence to autocratic rule — continued to fray and ultimately came undone.

The uprisings were a watershed for the Arab state system. They exposed the bankruptcy of the stability paradigm and the damage it had wrought. They provided a bottom-up impulse for the state to reform itself — or to be brought down. Slogans in protest squares quickly evolved from 'We want bread/jobs/social justice' to 'We want the fall of the regime' when the governing authorities proved resistant to the initial demand for the type of reforms that, if implemented, could have restored the social contract.

[2] Hamid, Shadi (2015) 'Islamism, the Arab Spring, and the failure of America's do-nothing policy in the Middle East', The Atlantic, 9 October.

On the positive side of the ledger, Tunisia passed through a democratic transition, and attempted the latter course by widening the space for political participation; this experiment remains unfinished, its future unclear.[3] Tunisia's example may be showing us the outer limits of what is possible in terms of Arab state reform at this juncture. The country's autocratic regime is gone but the state — the laws and institutions in place since the Ben Ali era — remains. They may pave the way for state reform but a more democratic government will continue the struggle as long as the state is incapable of meeting the country's profound economic and social challenges that predate the uprising.

The 'Fierce' Autocrats: Egypt and Syria

The experience in other countries roiled by popular uprisings has been much worse. In Egypt and Syria, regimes have come back from the disruption with a vengeance, each in its own violent way, acting as poster children for everything that ailed the pre-2011 Arab state system, and intent on restoring it, but with new layers of outer protection. In their inability to meet mounting social and economic challenges, they have increasingly been forced to insulate themselves from popular opposition by turning the repressive police states they used to be into what some refer to as 'fierce' states: super-repressive systems of control that brook not even a smidgen of dissent and harshly silence those who dare to raise their voices.[4] Even in 2011, they held up the spectre of disorder and civil war so as to convince protesters to go home and stay home, often in vain; in view of further protests that have happened since that time, it is doubtful they would once again be able to dissuade people animated by a mixture of fury and despair that could only have grown.

External support will reinforce these fierce states, and make them even more impervious to reform, even if they come under criticism for 'excessive' repressive measures, such as President AbdelFatah

[3] See International Crisis Group (2020) 'Avoiding a Populist Surge in Tunisia', 4 March.

[4] The concept of 'fierce' states was pioneered by Nazih Ayubi (in the 1990s), as denoting states that relied heavily on repression but remained inherently brittle. Based on post-2011 research, Steven Heydemann has argued that fierce states are not as weak as they may appear, but are quite resilient and adaptable. I suppose the longevity of the Sisi and Assad regimes, and the nature of their future demise, will show which of the two characterisations is more accurate. See Ayubi, Nazih (1996) Overstating the Arab State: Politics and Society in the Arab World (New York: I.B. Tauris); and Heydemann, Steven (2018) Beyond Fragility: Syria and the Challenges of Reconstruction in Fierce States (Washington: Brookings, June 2018).

al-Sisi's brutal suppression of dissent. International criticism of his ways has been muted, however; Western thinking may be that Sisi's Egypt is an indispensable bastion against Islam-inspired radicalism of both the Jihadist and Muslim Brotherhood varieties, and that Egypt's economic collapse would have a domino effect throughout the region and send waves of migrants toward Europe. The devil you know, indeed. In Syria, Europe and the US continue to squeeze the regime of President Bashar al-Assad through sanctions as it endeavours to come back from near-defeat. Nevertheless, they are far from seeking regime change, perhaps fearful that a weakened regime, however murderous, is more favourable to their strategic interests than the chaos and unpredictability of no regime.

The Absolute Monarchies

Not all Arab autocrats are of Assad or Sisi's type. Some would be so but for their ability to diffuse public discontent by loosening social strictures and distributing income obtained from oil — thus upholding their end of the social bargain. The absolute monarchs in the Gulf, and the somewhat less absolute monarchs in Jordan and Morocco, could be a good deal more repressive than they are most of the time; they show their stripes only when they come under threat.

Witness the combination of steps taken by Saudi Crown Prince Mohammed bin Salman since 2015 to inject new energy into an economically dangerously exposed and socially stultified society: removing the religious police from the streets; allowing women to drive and young people to mingle (including at sports events and music concerts); going after corruption; and moving toward diversifying the economy ('Saudi Vision 2030'). But also: imprisoning some of the activists who had been calling for women's right to drive; going after corruption selectively and without due process of law; and consolidating power by eliminating opposition within the royal family and among the clergy. This is an example of reform, but of the strictly top-down kind. It will have bought time, but whether it will succeed in stabilising the Saudi economy and warding off social and political unrest remains an open question.

Saudi Arabia has enjoyed strong support from the US, which has closed its eyes to the ruler's intemperance — the Saudi assault on Yemen; the ostracism and blockading of US ally Qatar; the

strong-arming of Prime Minister Saad Hariri of Lebanon; the murder of journalist Jamal Khashoggi — mainly because of the importance of Saudi Arabia as the world's largest oil producer, a major arms market, and a bulwark against Iranian influence. Any reforms that have taken place were likely more influenced by the leadership's acknowledgment of the economic challenges the country faces, rather than by Western nudging.

By contrast, resource-poor Jordan has been more beholden to Western powers, and perhaps as a result has been more inclined toward carrying out the types of Western-championed reforms that would help maintain social peace — but always with a stick behind the door. It has not pursued a democratic path — regular parliamentary elections notwithstanding — but it has had enough built-in excess-pressure valves, and a sufficiently inconspicuous pre-emptive security control dug deep into the sinews of society, to forestall large organised expressions of popular discontent. It is reluctant to be drawn into making a choice between keeping the system closed but incurring a possible explosion of popular discontent in response, and allowing radical actors to exploit newfound oxygen if it opens the system up to relieve pressure.[5] Instead, the state gives a little one year, when it must under pressure, then takes it away again when it can the next. Thus, in July 2020, the government shut down the teachers' association and arrested its board, nine years after allowing it to operate and become one of the country's rare examples of a nascent Arab Spring-induced opening up.[6]

States Weakened by Intervention and War: Iraq and Lebanon, Yemen and Libya

Then there are the states weakened by conflict and foreign intervention: Iraq and Lebanon, in particular. On the face of it, their relative political pluralism and active civil societies potentially make them attractive reform targets, examples where pressures from below would find some receptivity at the top. But this is deceptive. The sobering reality is that these states are too dysfunctional (often beholden to countervailing external pressures) to carry through on reforms

[5] See International Crisis Group (2012) 'Dallying with Reform in a Divided Jordan', 12 March; and (2003) 'The Challenge of Political Reform: Jordanian Democratisation and Regional Instability', 8 October.

[6] (2020) Al-Ghad, 25 July.

they may acknowledge as necessary, and have elites that are too entrenched to willingly surrender or share their patronage-based wealth.

In Iraq, the pressing need for reform is a matter of open debate, urged on by frequent popular protests and stern exhortations from the Shia's foremost religious leader, Grand Ayatollah Ali al-Sistani. The European Union has been supporting security sector reform efforts, but to little avail, as security forces have become pawns in a tug of war between the US and Iran. The country's almost total dependence on oil revenues doesn't help, fuelling as it does a corruption that has spread throughout the political system. Thus, talk of reform never translates into actual reform, and this goes a long way in explaining why popular protests seem to grow in size and vehemence with each passing year.[7]

In Lebanon, elite machinations based on a collusion of political leaders and the banking sector have enabled a giant Ponzi scheme that has sucked the financial lifeblood out of the country, precipitating an economic implosion and reducing much of the population to abject poverty. The International Monetary Fund has proposed corrective measures to avert worse. Yet the ruling elites are resistant to both internal and external entreaties, and are trying to save whatever wealth they can still lay their hands on by ferreting it abroad, while leaving the state — and the country's welfare — in tatters.[8] Here too, the US-Iran competition, focused on the role of Hezbollah in government, further impedes desperately needed reforms.

So far, all of these are examples of states still standing: states that escaped, or withstood, or came back battered but alive from the turmoil of the 2011 uprisings. But what of the states that dissolved in the civil wars that ensued — the cases of Yemen and Libya? It seems self-evident that a state must exist for it to reform itself. But perhaps paradoxically, in those countries where the state collapsed it may turn out to be easier to see the sort of outcome that reformers have long sought, namely in the rebuilding, rather than reforming, of the state from what may be a near-tabula rasa. This would require a renegotiation of the social contract between the newly emerging elites and citizens' chosen

[7] See International Crisis Group (2018) 'How to Cope with Iraq's Summer Brushfire', 31 July; and Worth, Robert F. (2020) 'Inside the Iraqi Kleptocracy', The New York Times, 29 July.

[8] See International Crisis Group (2020) 'Pulling Lebanon out of the Pit', 8 June.

representatives. The new order would be vulnerable to external influence and interference, as well as to the ambitions of aggressive new domestic actors, but it might be less easily dragged down by deeply entrenched vested interests, which war destroyed. At this point, we can only speculate about such an outcome; neither Yemen nor Libya is close to making the transition from violent conflict to an end of hostilities and state rebuilding.

The Idiosyncratic Case of Algeria

This leaves the intriguing case of Algeria, a country that experienced a decade of civil war in the 1990s triggered by an Islamist electoral victory nullified by a military coup. What followed was a period of calm and rebuilding, with the same post-independence elites still at the helm, and still deeply autocratic and opaque in governance. The 2011 Arab uprisings passed it by, as if the populace was weary of being dragged into yet another devastating internal conflict. Then, eight years later, in the face of an elite attempt to hold on to power by barely disguised undemocratic means, Algeria's youth decided that enough (in particular, four consecutive presidential terms of the ageing and ailing Abdelaziz Bouteflika, who sought a fifth) was enough, and burst into the streets. They stayed there for many months, meeting with little overt violence. They failed to bring down the system, but nonetheless persisted in a way that their Arab counterparts elsewhere in the region had not succeeded in doing. The regime opted for co-optation through a selective battling of corruption that eliminated some of the most visible objects of hatred, and through political changes that met protesters' demands halfway, such as the election of a new president in December 2019, without however changing the ruling order's fundamentals.

The onset of the COVID-19 pandemic kept Algerians largely confined in their homes, but this may prove to be a temporary reprieve for the government. The recurrence of protests in Iraq and Lebanon in mid-2020 suggests that as long as rulers fail to meaningfully address people's basic grievances, popular contestation will endure, at least until it is suppressed.[9] But the Algerian case is not like that of Iraq or Lebanon. Algeria has a functioning state, one that has long been immune to reform, but one also that has been averse in the past year to unleashing violence on peaceful

[9] See International Crisis Group (2020) 'Algeria: Easing the Lockdown for the *Hirak*?', 27 July.

demonstrators. Perhaps Algeria can yet show us that an Arab state can be reformed through a combination of popular demands peacefully expressed and a regime that is acutely aware of the extreme damage that an overly repressive response can wreak.

COVID-19 and Prospects for Reform

This would be good news for Algerians, but what about the rest of the region? The COVID-19 pandemic is sure to leave its mark on economies that were already incapable of satisfying the demands of a predominantly young population. Many states rely on large — one could say bloated — public sectors to absorb and neutralise discontent. But with oil prices down and COVID-19 causing other forms of economic distress, what are despairing young people to do in pursuit of happiness, or at least a steady livelihood? They will do what so many of them have done before them in similar situations: they will join, or be sucked into, fighting groups, be it the army, paramilitaries or insurgents. Or they will try to leave — to reach a place where the prospect of employment may shine more brightly. Or they will congregate in public squares and clamour for substantial reform or, failing that, radical change.[10]

Reform is one possible outcome of Arab states' current predicament. It is not the most obvious or most likely one; increased repression and radical change are far more probable, depending on the country. The evolving state of world energy markets may provide a hint of what direction economic, social and political conditions will take throughout the region. In the meantime, drawing lessons from the spectrum of aforementioned examples could help in shaping successful reform experiments in those countries most open to them.

[10] See, for example, International Crisis Group (2016) 'Fight or Flight: The Desperate Plight of Iraq's "Generation 2000"', 8 August. See also, Karam, Zeina and Qassim Abdul-Zahra (2020) 'Virus adds to deep despair felt by war-weary young Arabs', Associated Press, 26 July.

Bad for the People, Good for the Regime

The Impact of COVID-19 on Egypt's Economy and Prospects for Reform

STEPHAN ROLL [1]

The coronavirus pandemic is an unprecedented shock to the global economy, with recession and social distortion threatening many countries. Against this background, the question of how the the pandemic will affect respective political systems presents itself. In the case of authoritarian regimes, some authors argue that non-democratic systems, in particular, could be weakened,[2] while others predict that the pandemic could strengthen authoritarian rule.[3]

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[1] Stephan Roll is head of the Middle East and Africa division at the German Institute for International and Security Affairs

[2] See for example:
Cheeseman, Nic (2020) 'The Coronavirus Could Topple Governments Around the World', Foreign Policy, 31 March, accessed 14 August 2020, https://foreignpolicy.com/2020/03/31/coronavirus-regime-change-could-topple-governments-around-the-world/
Carothers, Thomas and Wong, David (2020) 'Authoritarian Weaknesses and the Pandemic', Carnegie Endowment, 11 August, accessed 14 August 2020, https://carnegieendowment.org/2020/08/11/authoritarian-weaknesses-and-pandemic-pub-82452

[3] Brown, Frances Z, Brechenmacher, Saskia, and Carother, Thomas (2020) 'How Will the Coronavirus Reshape Democracy and Governance Globally?', Carnegie Endowment, 6 August, accessed 14 August 2020, https://carnegieendowment.org/2020/04/06/how-will-coronavirus-reshape-democracy-and-governance-globally-pub-81470

This paper will contribute to that discussion by analysing the case of Egypt.[4] It argues that at least in the economic field, COVID-19 represents not so much a threat to the authoritarian regime of President Abdel Fatah al-Sisi but an opportunity. The political leadership can use the coronavirus shock to the Egyptian economy to conceal the failures of reform in past years and to raise new loans without significant conditions, which would have become necessary sooner or later even without the pandemic. The success of this approach is mainly due to the International Monetary Fund (IMF)'s uncritical adoption of the official Egyptian state narrative in its own assessment of the situation.

To elaborate on this argument, first it will be described how the Egyptian leadership is downplaying the negative consequences of the crisis and presenting itself as a successful reformer. On this basis it will be discussed how far this official narrative is from reality and why it has been adopted by the international donor community, above all the IMF. What this means for economic prospects as well as political reforms in Egypt in the forthcoming years will be analysed in the concluding section.

The Official Narrative of a Resilient Economy

On 11 March 2020, the World Health Organisation (WHO) declared COVID-19 a pandemic. By this time, at the latest, it was clear that the disease would have health consequences worldwide and would be a shock to the global economy. Shortly afterwards, IMF Managing Director Kristalina Georgieva even described the pandemic as the 'worst economic downturn since the great depression.'[5] Emerging markets in particular would face significant challenges because of capital outflow and the collapse of economic activity.

The negative consequences of the coronavirus on the Egyptian economy and state finance were foreseeable from the very beginning. Tourism revenues, income from the Suez Canal, and

[4] The figures provided throughout the paper have been last updated in September 2020

[5] IMF Press Release (2020) 'The Great Lockdown: Worst Economic Downturn Since the Great Depression', International Monetary Fund, 11 March, accessed 14 August 2020, https://www.imf.org/en/News/Articles/2020/03/23/pr2098-imf-managing-director-statement-following-a-g20-ministerial-call-on-the-coronavirus-emergency

remittances from Egyptian guest workers together account for 14.5 percent of Egypt's GDP. Any disruptions to these income sources will have extensive economic as well as social implications.[6]

All the more surprising was the initial reaction of the Egyptian government. Statements by government representatives were full of optimism about the impact of the pandemic on both economic and social development. In her first statement, only days after the IMF managing director's incendiary speech, Planning Minister Hala al-Saeed insignificantly lowered growth prospects for the financial year 2019–2020 from the original 5.6 percent to 5.1 percent. For the following year, the minister announced a growth target of 4.5 percent — in the worst case, the economy would still grow by 3.5 percent.[7]

This forecast had to be revised and lowered after less than three weeks because it was too far removed from reality.[8] It had been lowered again at the beginning of May, when the minister predicted a growth rate of only 3.5 percent for the 2019-2020 financial year and only two percent for the following year — provided the pandemic continues until the end of 2020.[9] This still seems to be an extremely optimistic assessment in view of the expectations for other countries in the region, which were forecasting negative growth rates.

Official estimates of the impact on the labour market were similarly bright. In May, Egypt's Central Agency for Public Mobilisation and Statistics (CAPMAS) estimated that the coronavirus-related

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[6] For a first economic assessment of March 2020 see:
Breisinger, Clemens, Abdelatif, Abla, Raouf, Mariam and Wiebelt, Manfred (2020) 'COVID-19 and the Egyptian economy Estimating the impacts of expected reductions in tourism, Suez Canal revenues, and remittances,
International Food Policy Research Institute - Policy Note 04, March (Washington), accessed 14 August 2020, http://ebrary.ifpri.org/utils/getfile/collection/p15738coll2/id/133663/filename/133874.pdf

[7] Reuters (2020) 'UPDATE 1-Egypt reduces GDP growth target for FY 2019/20 to 5.1% - minister', Reuters, 26 March, accessed 14 August 2020, https://www.reuters.com/article/egypt-economy/update-1-egypt-reduces-gdp-growth-target-for-fy-2019-20-to-51-minister-idUSL8N2BJ69T

[8] Wahish, Niveen (2020) 'Coronavirus: A defining moment for Egyptians' , English Ahram, 8 April, accessed 14 August 2020, http://english.ahram.org.eg/NewsContent/50/1201/366827/AlAhram-Weekly/Egypt/Coronavirus-A-defining-moment-for-Egyptians.aspx

[9] Egypt Today (2020) 'Egypt to hit 2% growth rate if coronavirus continued till end of 2020', Egypt Today, 3 May, accessed 14 August 2020, https://www.egypttoday.com/Article/3/85375/Egypt-to-hit-2-growth-rate-if-coronavirus-continued-till

unemployment rate had increased by1.5 percentage points (from 7.7 percent to 9.2 percent) in April.[10] For 2020, as a whole, the Planning Ministry predicted an increase to 10 percent.[11] In view of the massive slump in the labour market in other countries (in the United States unemployment has risen by more than 10 percentage points in April alone), this was a remarkably low decline.

The government explained its optimism by citing the economic reforms that Egypt had implemented with the support of the IMF between 2016 and 2019. Egyptian officials as well as analysts close to the government never tired of presenting these reforms as a great success.[12] According to the official narrative, the liberalisation of the exchange rate, the reform of the public budget, and several structural reforms have made the country more resistant to external shock. In the words of President Sisi, 'If it had not been for the economic reform program (…) Egypt would have been in a difficult position during the coronavirus crisis.'[13] Efforts by the government would now be aimed at protecting the sustainability of reform results against the effects of the pandemic.

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[10] Ahram (2020) 'Egypt's unemployment rate rises to 9.2% in April, up from 7.7% in Q1 2020: CAPMAS', Ahram, 14 May 2020, accessed 14 August 2020, http://english.ahram.org.eg/NewsContent/3/12/369332/Business/Economy/Egypt%E2%80%99s-unemployment-rate-rises-to--in-April,-up-f.aspx

[11] El- Said, Hala (2020) 'A New Reality: Paving the Way Forward Post COVID-19', American Chamber of Commerce in Egypt, Speech at the Event: Special Briefing and Discussion, May 19, accessed 14 August 2020, https://www.amcham.org.eg/events-activities/events/1277/a-new-reality-paving-the-way-forward-post-covid-19
Egypt Independent (2020) 'Egypt's GDP to grow 3.5% in 2020-2021 fiscal year if coronavirus ends: Planning Minister', Egypt Independent, 20 May, accessed 14 August 2020, https://egyptindependent.com/egypts-gdp-to-grow-3-5-in-2020-2021-fiscal-year-if-coronavirus-ends-planning-minister/

[12] See for example:
Ng, Abigail (2020) 'Economic reforms prepared Egypt for the coronavirus crisis, minister says' CNBC, 6 May, accessed 14 August 2020, https://www.cnbc.com/2020/05/06/economic-reforms-prepared-egypt-for-the-coronavirus-crisis-minister.html. or
Moneim, Doaa A (2020) 'Egypt's economic, structural reforms were helpful to counter Covid-19 crisis: Minister', Ahram Online, 17 May, accessed 14 August 2020, http://english.ahram.org.eg/NewsContent/3/12/369473/Business/Economy/Egypt%E2%80%99s-economic,-structural-reforms-were-helpful-.aspx

[13] Egypt Today (2020) 'Economic reform program helps Egypt withstand coronavirus crisis: Sisi', Egypt Today, 12 July, accessed 14 August 2020, https://www.egypttoday.com/Article/3/89559/Economic-reform-program-helps-Egypt-withstand-coronavirus-crisis-Sisi.

The Economic Reality Looks Bleaker than the State's Narrative

It is true that Egypt implemented economic reforms during the last three years focusing on macroeconomic stabilisation. As part of a program backed by the IMF with a 12-billion USD loan and additional financing of other donors,[14] the exchange rate was liberalised, which led to a reduction in the current account deficit. Additionally, the central bank's foreign exchange reserves significantly increased. Subsidy cuts, particularly in the energy sector (in some cases by more than 40 percent), as well as the increase in value-added tax also helped reduce the budget deficit. In the financial year 2018–2019, Egypt reported a primary surplus (budget surplus without taking debt service into account).

Nevertheless, it is questionable whether the country was actually better prepared for the coronavirus because of the reform program as such. In the shadow of the macroeconomic reform measures, there were at least three developments that had an extremely negative impact on the economic and social situation.[15]

First, the Egyptian state adopted an austerity policy that mainly affected the poorer segments of the population. The living conditions of most Egyptians had deteriorated dramatically between 2016 and 2019. Although the government repeatedly stressed the positive effects of the reforms on the labour market, the official statistics hardly reflect reality. The supposedly lower unemployment rate is offset by a labour force participation rate that is extremely low by international standards, which

[14] For the details of the program see:
IMF (2017) 'Arab Republic of Egypt. Request for extended arrangement under the extended fund facility, press release; staff report; and statement by the Executive Director for the Arab Republic of Egypt. Washington, D.C.: Country Report No. 17/17, January 2017, accessed 14 August 2020, https://www.imf.org/en/Publications/CR/Issues/2017/01/18/Arab-Republic-of-Egypt-Request-for-Extended-Arrangement-Under-the-Extended-Fund-Facility-44534.

[15] For a detailed analysis of economic policy in recent years see also Diwan, Ishac, Nadim Houry, Yezid Sayigh (2020) 'Egypt after the Coronavirus: Back to Square One. Research Paper' Arab Reform Initiative, 26 August 2020,: https://www.arab-reform.net/publication/egypt-after-the-coronavirus-back-to-square-one/.

implies that the true unemployment rate is likely to be much higher.[16] In any case, even official statistics show a dramatic increase of the poverty rate in past years (from 27.8 to 32.5 percent between 2015 and 2018).[17] The World Bank even estimated in April 2019 that 'some 60 percent of Egypt's population is either poor or vulnerable, and inequality is on the rise.'[18] And because of the coronavirus, the poverty rate is likely to have increased further.

This dramatic deterioration in the social situation has been, by no means, an inevitable adjustment process as a result of overdue economic reform. Instead, the scarce state resources do not seem to have been used wisely, especially during the reform years. While the state has spent billions of US dollars on questionable infrastructure projects, such as the construction of a new capital city or the expansion of the military, (necessary) cuts in subsidies have been insufficiently accompanied by social benefits. Far too little was also invested in the chronically under-financed health sector, which made the country particularly ill-prepared for the outbreak of COVID-19.[19]

Second, the state dramatically increased new debt as part of the reform process. Although foreign exchange reserves were expanded in the same course, foreign debt, in particular, rose more than 30

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[16] For the explanatory value of unemployment statistics in North Africa see:
Heinemann, Tim (2018) 'Unemployment in North Africa – men without jobs are not the only problem', KfW Research Focus on Economics - No. 224, 24 September, accessed 14 August 2020, https://www.kfw.de/PDF/Download-Center/Konzernthemen/Research/PDF-Dokumente-Fokus-Volkswirtschaft/Fokus-englische-Dateien/Fokus-2018-EN/Fokus-Nr.-224-September-2018-Youth-unemployment-North-Africa.pdf.

[17] See Ahram Online (2019) '32.5 percent of Egyptians live below poverty line: CAPMAS', 30 July, accessed 14 August 2020, http://english.ahram.org.eg/NewsContent/3/12/341838/Business/Economy/-percent-of-Egyptians-live-below-poverty-line-CAPM.aspx.

[18] The World Bank (2019) 'World Bank Group to Extend Current Strategy in Egypt to Maintain Momentum on Reforms, Press Release', 30 April, accessed 14 August 2020, https://www.worldbank.org/en/news/press-release/2019/04/30/world-bank-group-to-extend-current-strategy-in-egypt-to-maintain-momentum-on-reforms.

[19] Mandour, Maged (2020) 'Egypt's Fragile Pandemic Measures', Carnegie Endowment for International Peace, 8 April, accessed 14 August 2020, https://carnegieendowment.org/sada/81501.

percent between 2016 and 2019 (from USD 79 billion to USD 103.1 billion).[20] Nevertheless, the government presents the debt development as a success by referring to an overall decline in the debt ratio, that is, the ratio of debt to GDP. However, it is by no means certain whether the statistics even show the total debt burden of the country. This applies, in particular, not only to a loan of USD 25 billion that was allegedly granted to Egypt by the Russian government in connection with the construction of a nuclear power plant[21] — but also to the debt of public enterprises.

Additionally, the official story ignores the fact that the level of debt service in particular has developed negatively. Whereas the ratio of interest payments to government revenue was already 49.6 percent in the financial year 2015–2016, it was as high as 56.6 percent in 2018–2019,[22] and for the forthcoming years, a high interest burden must be expected. This means that in early 2020, Egypt had little room to manoeuvre its public finances to combat the economic consequences of the coronavirus pandemic.

Third, and this is seen as the main problem with economic policy in recent years, structural deficiencies in the Egyptian economy have not been eliminated. Above all, in the slipstream of macroeconomic reform, the role of the military in the economy was massively expanded — at the expense of the private sector.[23] The military was already active in the Egyptian economy before

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[20] International Monetary Fund (2019) 'Arab Republic of Egypt. Fifth Review Under the Extended Arrangement Under the Extended Fund Facility-Press Release; Staff Report; and Statement by the Executive Director for the Arab Republic of Egypt. Washington, D.C.: IMF Staff Country Reports, Country Report No. 19/311, October 2019, accessed 14 August 2020, https://www.imf.org/en/Publications/CR/Issues/2019/10/10/Arab-Republic-of-Egypt-Fifth-Review-Under-the-Extended-Arrangement-Under-the-Extended-Fund-48731.
Note that the IMF presents consolidated debt figures, which means that it subtracts international reserves from external debt, which lowers the debt-to-GDP-ratio significantly.

[21] Reuters (2016) 'Russia to lend Egypt $25 billion to build nuclear power plant', 19 May, accessed 14 August 2020, https://www.reuters.com/article/us-egypt-russia-nuclear/russia-to-lend-egypt-25-billion-to-build-nuclear-power-plant-idUSKCN0YA1G5.

[22] The author's own calculation. For debt figures see endnote 17

[23] For a comprehensive analysis about the role of the military in the Egyptian economy see:
Sayigh, Yezid (2019) Owners of the Republic: An Anatomy of Egypt's Military Economy (Washington: Carnegie Endowment for International Peace Publications Department), 18 November, https://carnegie-mec.org/2019/11/18/owners-of-republic-anatomy-of-egypt-s-military-economy-pub-80325.

2016 and had numerous privileges. After 2016 the armed forces expanded its economic activities, especially in the energy, construction, and food production sectors.[24]

The expansion of the military can also explain, at least to some extent, the reluctance of the private sector to invest. In 2018, the cross-fixed capital formation of the private sector was just 7 percent — an extremely low figure by international standards.[25] The monthly Purchasing Managers Index (PMI) also shows that private economic activity has not increased as a result of the reform policy. This index even points to a continuous shrinking of the private sector.[26]

In light of this, the Egyptian economy was already in a miserable state before the coronavirus pandemic. Resilience to external shock had increased superficially, if at all. That the accumulated foreign exchange reserve cushion hardly represented a protective mechanism against the crisis became clear as early as March. Within one month, the country lost more than 10 percent of its foreign reserves.[27] In the following two months, the outflow of capital was so severe that the country's solvency was acutely threatened in the medium term.

Thanks to the IMF, the Deception of the Egyptian Government Works

By the end of April 2020, it became public that Egypt asked the IMF for emergency aid under the Rapid Financing Instrument. The country was granted USD 2.7 billion in loans. Because the assistance was not enough, three weeks later, the country started negotiations on a USD 5.2 billion Stand-By Arrangement with the IMF.

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[24] Noll, Jessica (2017) Egypt's Armed Forces Cement Economic Power (Berlin: Stiftung Wissenschaft und Politik), SWP Comments 5, accessed 14 August 2020, https://www.swp-berlin.org/fileadmin/contents/products/comments/2017C05_nll.pdf

[25] The World Bank (2020) 'Word Development Indicators', accessed 14 August 2020, https://databank.worldbank.org/source/world-development-indicators

[26] Between 2016 and 2020 IHS Markit's Purchasing Managers' Index (PMI) for the non-oil private sector was nearly constantly under below the 50.0 threshold that separates growth from contraction. For monthly data see: http://www.emiratesnbdresearch.com/research/articles/?c=egypt_pmi-pmis.

[27] Reuters (2020) 'Egypt's foreign reserves drop to $40.1 bln in March -c.bank' 7 April, accessed 14 August 2020, https://af.reuters.com/article/egyptNews/idAFL8N2BV7LO.

In its rationale for the new loans, the IMF largely adopted the narrative of the Egyptian government. The reform successes of past years must be safeguarded, according to IMF officials in their statements.[28] The fact that these alleged successes were counterbalanced by considerable deficits was deliberately concealed. Thus, the IMF continued its completely uncritical policy towards Egypt during the last years. It is true that the IMF had also called for structural reforms in the 2016 programme; however, the demands were kept too vague. Above all, the regular staff-level reports hardly addressed the flaws of structural reform in Egypt. This is particularly evident in relation to the economic expansion of the military, which is completely at odds with the establishment of a market-based, competitive economic system. Although this development has been repeatedly highlighted by analysts, it is not even mentioned in the reports.

These obvious shortcomings of the previous agreement with the IMF prompted a group of nongovernmental organisations to write a joint letter to the Fund's executive board requesting that it postpone the decision on the Stand-By Arrangement and to ensure that the financial assistance would, first of all, actually benefit the poorest segments of the population.[29] Additionally, they expressed strong concerns about the lack of transparency and the lack of anti-corruption measures by pointing out that the Egyptian government has systematically undermined the role of competent authorities and the judiciary system in recent years. As an example, the letter explicitly mentions the Central Auditing Agency, whose head was dismissed in 2016, and later on jailed.

The IMF's Executive Council completely ignored these concerns. In the new agreement, which was negotiated at top speed and adopted on 28 June 2020, there is no indication of a change in course by the IMF. Similar to the 2016 agreement, the Fund stressed the need for comprehensive structural

[28] IMF Press Release (2020) 'Egypt: IMF Reaches Staff-Level Agreement on a 12-Month US$5.2 Billion Stand-By Arrangement' Press Release No. 20/236, 5 June, accessed 14 August 2020, https://www.imf.org/en/News/Articles/2020/06/05/pr20236-egypt-imf-reaches-staff-level-agreement-on-12-month-us-billion-stand-by-arrangement

[29] Human Rights Watch (2020) 'Joint NGO Letter to IMF Re: IMF Engagement on Governance Issues and Corruption in Egypt, 31 June, Accessed 14 August 2020 https://www.hrw.org/news/2020/06/23/joint-ngo-letter-imf-re-imf-engagement-governance-issues-and-corruption-egypt

reform 'to strengthen transparency, governance, and competition,'[30] but again, hardly any concrete measures were agreed upon. On the contrary, the fact that the Central Auditing Agency, whose independence had rightly been questioned, was left to audit the new loans reveals the Fund's complete lack of understanding with regard to the limitations of governance and the rule of law in Egypt.

Additionally, the question of how new financial aid actually benefits the vulnerable groups remains largely unanswered. Statements from the Fund, such as 'Egypt has made significant efforts to reduce poverty and inequality and improve the well-being of its citizens,'[31] sound unconvincing in view of the rising poverty figures in recent years.

The completely uncritical attitude of the IMF towards the Egyptian government also set the tone for other development banks and national lenders. The European Bank for Reconstruction and Development roughly tripled its lending to Egypt on a year to year basis.[32] And the German federal government, one of the most important donors, recommended that the German parliament approve further debt conversion, citing the positive assessment of the IMF. Additionally, the international rating agencies were apparently influenced in their assessment of the situation by the Fund's commitment. Although the three major agencies continued to rate the country as a 'speculative investment,' their analyses regarding the impact of COVID-19 sounded remarkably optimistic. All three agencies confirmed their stable outlook, which in turn, enabled the Sisi administration to raise fresh capital on the international bond market. At the end of May, the largest Eurobond issue in the country's history was carried out, which injected USD 5 billion into the government's coffers.[33]

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[30] International Monetary Fund. Middle East and Central Asia Department (2020) 'Arab Republic of Egypt : Request for a 12-Month Stand-By Arrangement-Press Release; Staff Report; and Statement by the Executive Director for the Arab Republic of Egypt', 10 August, Accessed 14 August 2020, https://www.imf.org/en/Publications/CR/Issues/2020/08/10/Arab-Republic-of-Egypt-Request-for-a-12-Month-Stand-By-Arrangement-Press-Release-Staff-49683

[31] Ibid, p. 20.

[32] Samir, Nihal (2020) 'Egypt receives $531.3mln in EBRD investments in H1 of 2020', Zawya, 22 July 2020, Accessed 14 August 2020 https://www.zawya.com/mena/en/business/story/Egypt_receives_5313mln_in_EBRD_investments_in_H1_of_2020-SNG_180247235/

[33] Magy, Mirette (2020) 'Egypt Sells $5 Billion Eurobond in Its Largest-Ever Issuance', Bloomberg, 21 May, Accessed 14 August 2020, https://www.bloomberg.com/news/articles/2020-05-21/egypt-tests-limits-of-investor-appetite-with-eurobond-issuance

Egyptian government officials presented this successful issuance as investor confidence in the Egyptian economy — a doubtful conclusion given that hardly any direct investment is flowing into Egypt. The IMF, for its part, sees the Eurobond issue as proof that Egypt can refinance itself via the capital market.[34] In doing so, the Fund ignores the fact that private investors probably had the commitment of the IMF in mind when they made their investment decisions. For international investors, the signals were clear, if the IMF supports Egypt, the state's solvency seemed to be secured, at least in the medium term.

Bleak Prospects for Reform

The coronavirus pandemic comes at just the right time for Egypt's political leadership. The economic shock of the pandemic is helping conceal the failures in reform of recent years. Because the official government narrative of a 'successful reformer' is uncritically adopted by the creditors of the country, Egypt can take out additional loans without having to address the described structural problems in the economy, not to mention the disastrous human rights situation and the repression of civil liberties. Therefore, the authoritarian regime under President Abdel Fatah al-Sisi appears to have been significantly strengthened by the crisis.

However, the question remains how long this effect will persist. Although the coronavirus pandemic is playing into the hands of the political leadership taking out new loans, Egypt's financial needs will remain extremely high in the coming months because of the negative effects of the pandemic. This is already evident today in the development of foreign exchange reserves.

Following their sharp drop in the spring of more than USD 9.5 billion, foreign exchange reserves rose slightly between June and August by a total of USD 2.4 billion. This is much too little, given the fact that in June and July alone, the government should have received up to USD 9 billion from the IMF loans and the Eurobond issuance. Therefore, it can be assumed that Egypt is still experiencing a considerable outflow of foreign exchange. In all probability, the country will have to apply for a new, comprehensive IMF programme in 2021 — comparable in volume to that of 2016.

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[34] See (IMF 2020), p 17: "Moreover, Egypt's successful international bond issuance in May 2020 of this year bodes well for its ability to access international capital markets on reasonable terms and repay its financial obligations to the Fund."

In view of its current lending policy, the IMF is not expected to tie new aid to clearly defined structural reforms on its own initiative. The fact that Egypt is now the IMF's second-largest borrower also speaks against this. In particular, between 2023 and 2025, the country will have to make substantial repayments and interest payments to the Fund. Therefore, the Fund has a considerable vested interest in ensuring that Egypt's liquidity remains stable in the coming years.

However, the Fund alone will hardly cover Egypt's financial needs. The COVID-19 pandemic and its consequences for the global economy will put Egypt in competition with many other countries for financial assistance. Therefore, the establishment of a new, comprehensive programme will depend heavily on the participation of Egypt's main donor countries, just as it had been a precondition for IMF support in 2016.[35] These countries are likely to become increasingly dissatisfied with the situation. The Gulf monarchies, for example, have already deferred repayments of existing loans to Egypt. Saudi Arabia, the country's biggest state lender, has a strained budget situation and will have little interest in providing new budget support.[36] The same is likely to be the case for China, which has also significantly increased its lending to Egypt in recent years.

Therefore, much could depend on the European governments. The conditions under which they are prepared to provide new budget support to Egypt in the coming years will probably be decisive in determining whether the Sisi regime will profit from the impact of the coronavirus pandemic in the long term.

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[35] Egypt had to secure USD 6 billion in additional financing before the IMF approved the USD 12 billion loan. Reuters (2016) 'Egypt says has mustered 60 pct of $6 bln required to secure IMF deal', 18 October 2016, Accessed 14 August 2020, https://www.reuters.com/article/idUSL8N1CO5D8.

[36] See also Young, Karen (2020) 'Gulf investment woes, COVID economic crisis converge in Egypt', Al-Monitor, 07 August 2020, Accessed 14 August 2020, https://www.al-monitor.com/pulse/originals/2020/08/gulf-investment-covid19-woes-egypt-saudi-china-qatar.html.

Tackling COVID-19 under a System of Apartheid in Palestine

YARA HAWARI [1]

Apartheid in Palestine

At the start of the COVID-19 lockdowns, people in Palestine were commentating that the world now understood what life was like for many them. Curfews, the closure of public spaces, the inability to travel or difficulty in doing so, and lingering anxiety over perpetual uncertainty are common features of Palestinian life, particularly in the West Bank and Gaza. Although new realities have been created, COVID-19 has also highlighted and exacerbated existing structures of power and inequality. Palestine is no exception; indeed, the Israeli settler colonial regime and its governing mechanism of apartheid has had a detrimental impact on the ability of Palestinians to confront the virus.

The term apartheid has been commonly used amongst Palestinians since the 1990s to describe Israeli practices of control and domination. Recently however, it has gained more traction; with international analysts, academics and human rights organisations using the term apartheid to describe Israel's regime of control over the Palestinian people. Many note that not only does

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apartheid accurately describe the regime of segregation, but it is also clearly defined as a crime within international law, unlike the term settler colonialism. At the same time, many stress that using the term apartheid does not negate the settler colonial framework; rather, it compliments it by identifying the mechanism of control employed by the settler colonial project.

Apartheid is a system in which segregation is used to enforce the dominance of one group of people over another. Customary international law and the Rome Statute of the International Criminal Court define apartheid as 'inhumane acts…committed in the context of an institutionalised regime of systematic oppression and domination by one racial group over any other racial group or groups and committed with the intention of maintaining that regime.'[2]

Although apartheid is commonly associated with South Africa, the definition is universally applicable and thus challenges the misconception of apartheid as an exceptional case that has now ended. The definition also allows an understanding of apartheid as a system that can adopt various characteristics and manifest itself in various ways, including through economic policies. An apartheid system can be loosely divided into two parts: grand apartheid and petty apartheid. Grand apartheid refers to the underlying system of segregation and racial discrimination that is less visible to the naked eye but is essentially the glue that holds it all together. Petty apartheid refers to the most visible parts of apartheid; in South Africa for example, this was manifested in the 'no blacks allowed' signs, the separation of water fountains etc. The Israeli regime instrumentalises both grand and petty apartheid, as will be explored in the paper.

A significant moment in the discourse on apartheid in Palestine was in 2017, when the UN Economic Social Commission for Western Asia (ESCWA) published a report compiled by Richard Falk and Virginia Tiley entitled 'Israeli Practices towards the Palestinian People and the Question of Apartheid.'[3] It stated that from the very beginning, 'Israel has established an apartheid regime that

[2] Rome Statue of the International Criminal Court, https://www.icc-cpi.int/nr/rdonlyres/ea9aeff7-5752-4f84-be94-0a655eb30e16/0/rome_statute_english.pdf

[3] Falk, Richard and Virginia Tiley (2017) 'Israeli Practices Towards the Palestinian People and the Question of Apartheid' ESCWA, pg.3, accessed 27 October 2020, https://electronicintifada.net/sites/default/files/2017-03/un_apartheid_report_15_march_english_final_.pdf

dominates the Palestinian people as a whole.'[4] This conclusion was an important and defining one, as it addressed not only Palestinians within the 1967 occupied territories, but also those within the State of Israel and those in exile. The report goes on to explain in detail how Israel enforces and maintains its apartheid regime against each categorisation and community of Palestinians. Unsurprisingly, the report was pulled shortly after it was published after immense pressure from the United States and Israel, which subsequently led to the Secretary General of ESCWA, Rima Khalaf, resigning.[5]

Whilst the ESCWA report was groundbreaking because it was published by a UN body, many Palestinian organisations and intellectuals have long been advocating for the use of the apartheid analysis, especially since the dismantlement of the South Africa apartheid regime in the early 1990s. More recently, they have been pushing back against the notion that Israel is 'on its way' to becoming an apartheid state because of its de jure annexation plans. Rather, they maintain that Israel was established as an apartheid state from its very foundation. Indeed, the Israeli regime describes itself as a Jewish nation both in discourse and in its basic laws which function as the state's constitution.

As the Jewish nation and the State of Israel are considered one and the same, the exclusion of non-Jews is not only a consequence but also systemised policy. This division of people into two categories (Jews and non-Jews), even amongst its citizens, embodies the very definition of apartheid. Furthermore, Israel has divided Palestinians into four specific social and political categories based on their geographic location and primarily enforced through an identity card mechanism: Palestinian Citizens of Israel, Palestinians in East Jerusalem, Palestinians in the West Bank and Gaza, and the Palestinian refugees in the diaspora. The ESCWA report argues that the 'strategic fragmentation of the Palestinian people is the principal method by which Israel imposes an apartheid regime.'[6]

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[4] IBID pg.1

[5] Reuters (2017) 'Senior U.N. official quits after 'apartheid' Israel report pulled', 17 March, accessed 27 October 2020, https://www.reuters.com/article/us-un-israel-report-resignation/senior-u-n-official-quits-after-apartheid-israel-report-pulled-idUSKBN16O24X

[6] Falk, Richard and Virginia Tiley (2017), 'Israeli Practices Towards the Palestinian People and the Question of Apartheid' ESCWA, pg.3, accessed 27 October 2020, https://electronicintifada.net/sites/default/files/2017-03/un_apartheid_report_15_march_english_final_.pdf

Spatial organisation between the Jordan River and Mediterranean Sea also clearly demonstrates the regime of apartheid. For example, most Palestinian citizens of Israel live in Arab-only villages and towns, with only a few living in 'mixed cities.' Such segregation is neither accidental nor a 'natural' residential pattern. It is as a result of political policy which prevents Palestinians from living in certain areas. In this way, the regime is able to effectively deprive them of services and care. In the West Bank, Palestinians are confined to living in minuscule pockets whilst their natural resources are predominately diverted to the illegal Israeli settler population. This cursory examination of the spatial organisation reveals Israel's aim of squeezing as many Palestinians into as little land as possible.

The above analysis of the Israeli regime's apartheid practices is important to the context of the COVID-19 pandemic in Palestine and especially Palestinian capabilities to confront it. Indeed, while there are parallels between the situation in Palestine and that in other countries around the world struggling to get infection numbers under control, the context of a harsh settler colonial apartheid control represents an especially formidable challenge. This absolute regime of domination and separation has had a direct and detrimental effect not only on Palestinian access to health care, but also on the quality of the care itself. Yet under international law, as a recognised occupying power, Israel is responsible for ensuring that Palestinians have the fullest extent of medical care. Not only does it fail to do so, it also actively makes it difficult for Palestinians to attain medical care on their own.

Depleted Medical Capabilities and the Deprivation of Services

In the West Bank and Gaza Strip, the apartheid regime has seriously depleted medical capabilities. The donor-dependent system has shortages in equipment, medication, and staff due to such issues as military raids and restrictions on imports. As it stands, there are only 255 intensive care beds in the West Bank for a population of three million and only 120 in Gaza for a population of two million. In total there are 6,440 hospital beds between the two territories.[7] Similarly in East Jerusalem,

[7] Hawari, Yara and Alaa Tartir (June 2020) 'Palestine and COVID 19; Global Standards and Local Restraints' available at; https://www.prio.org/utility/DownloadFile.ashx?id=2082&type=publicationfile.

Palestinian residents have been subjected to systematic neglect since it was occupied (1967) and illegally annexed (1980) by the Israeli regime, rendering them ill-equipped to deal with COVID-19. The Palestinian Health Ministry is not permitted access to East Jerusalem and thus Palestinians must rely on the Israeli regime to provide services and funds which it does inadequately, diverting most of its resources to Jewish Israeli citizens in the city.

In addition to this slow but steady violence against the health care system in the West Bank and Gaza, the Israeli regime has also engaged in more insidious attacks against Palestinian attempts to confront the virus. Clinics have been totally destroyed, such as one in the Jordan Valley in late March[8] and another in Hebron[9] in late July — the hardest-hit West Bank governorate. In mid-April, Israeli authorities raided and shut down a volunteer run clinic in the East Jerusalem neighbourhood of Silwan and arrested their workers because they were conducting COVID-19 tests that had been donated by the Palestinian Authority (PA).[10] Earlier in the year, Israeli authorities arrested Palestinian volunteers[11] attempting to distribute supplies to impoverished communities in East Jerusalem.[12]

For the Palestinian citizens of Israel, a systematically neglected and marginalised community, the pandemic has also exacerbated their situation. They mostly live in crowded localities and enclaves segregated from the Jewish Israeli population. This segregation allows the Israeli regime to deprive the Palestinian population of adequate services, including health services. With a population of two

[8] Bt'Selem Press Release (March 2020) 'Israel confiscates tents designed for clinic in Northern West Bank' accessed 2 November 2020, https://www.btselem.org/press_release/20200326_israel_confiscates_clinic_tents_during_coronavirus_crisis.

[9] Patel, Yumna (2020) 'Landowner says Israeli authorities demolished COVID 19 testing site on donated plot' Mondoweiss, 23 July, accessed 2 November, https://mondoweiss.net/2020/07/israel-destroys-covid-19-testing-clinic-in-hebron-as-cases-soar/.

[10] Hasson, Nir (2020) 'Israel Shuts Palestinian Coronavirus Testing Clinic in East Jerusalem' Haaretz, 15 April, accessed 2 November, https://www.haaretz.com/israel-news/.premium-israeli-police-raid-palestinian-coronavirus-testing-clinic-in-east-jerusalem-1.8767788.

[11] Patel, Yumna (2020) 'After weeks of ignoring its Palestinian citizens, Israel to step up testing in Arab towns' 3 April, accessed 2 November 2020 https://mondoweiss.net/2020/04/after-weeks-of-ignoring-its-palestinian-citizens-israel-to-step-up-testing-in-arab-towns/.

[12] Patel, Yumna (2020) 'After weeks of ignoring its Palestinian citizens, Israel to step up testing in Arab towns' Mondoweiss, 3 April, accessed 2 November, https://mondoweiss.net/2020/07/israel-destroys-covid-19-testing-clinic-in-hebron-as-cases-soar/.

million (20 percent of the population of Israel), 47 percent of the Palestinian community live under the poverty threshold and thus face even more precarity and insecurity in a public health crisis such as this. In the Naqab (the Negev), 80,000 Palestinians have no access to medical services and 56,000 live in unrecognised villages with no access to safe and clean water.

The deliberate marginalisation of the Palestinian citizens was made even more apparent through the Israeli regime's COVID-19 policies. At the start of the pandemic, the Israeli Health Ministry failed to publish virus guidelines in Arabic.[13] Only after outrage from Palestinian civil society and human rights groups did the ministry begin to publish limited documentation in Arabic. There has also been limited testing and tracing in Palestinian localities, meaning that true infection rates are not known. Meanwhile, these localities are struggling to keep the health service afloat, so much so that in May, Palestinian local councils went on strike in protest of the Israeli regime's failure to forward the emergency stipends that were promised in order to deal with the virus.[14]

Pandemic Policies of the Palestinian Authorities

The Palestinian authorities in both the West Bank and Gaza were initially considered effective, imposing a harsh lockdown and curfew throughout March to May. The number of infections remained under control and there was an adherence to the restrictions by the general population. Analysts were noting a rise in the popularity of the Palestinian authorities in both the West Bank and Gaza, and the international community praised the PA in particular for its competence and 'cooperation' with Israel. So much so that the UN Special Coordinator for the Middle East Peace Process, Nickolay Mladenov, called such coordination 'excellent' in a statement.[15] In reality, Israeli 'cooperation' was the Israeli Coordination of Government Activities in the Territories (COGAT) 'allowing' a minimum of internationally-donated medical supplies to reach the West Bank and

[13] Arraf, Suha (2020) 'Israel didn't publish coronavirus guidelines in Arabic- so Palestinians stepped in', +972 Magazine, 17 March, accessed 2 November 2020, https://www.972mag.com/coronavirus-guidance-arabic-israel/

[14] Khoury, Jack and Noel Shpigel (2020), 'Israeli Arab Councils strike in protest of Coronavirus aid package', Haaretz, 5 May, accessed 27 October 2020, https://www.haaretz.com/israel-news/.premium-israeli-arab-councils-strike-in-protest-of-inadequate-coronavirus-aid-package-1.8821694.

[15] UN News (2020) 'UN Envoy Hails Strong Israel-Palestine cooperation' https://news.un.org/en/story/2020/03/1060572.

Gaza, as was the case with a shipment of 3,000 tests and 50,000 masks from the World Health Organisation (WHO) to the PA in April.[16] Even then this was far below the actual needs of the West Bank. The praises completely ignored the point that under international law, as an occupying state Israel is obligated to provide for the health needs of the occupied population.

After the 'first wave' of the pandemic, which lasted from March to June, the West Bank and Gaza opened up for a month before closing again with the onset of the second wave. However by August, restaurants and cafes in the West Bank collectively decided to defy the closure and opened. Since then, other public spaces have also opened and children started the new school year. The Hamas authorities in Gaza have since enforced a series of lockdowns with a spike in cases following its first case of community transmission in late August.[17] At the time of writing, the Palestinian authorities in the West Bank and Gaza appear to have a very limited strategy for dealing with the virus apart from varying degrees of lockdown in the areas under its control. Yet as the economic repercussions and social issues become more glaringly obvious, it is unlikely that it will be able to enforce more lockdowns.

Indeed, Palestine's economy is not one of an independent and sovereign state, rather it has been described as an 'occupied economy.' The 'peace' agreements made in the early 1990s as part of the Oslo Accords brought Palestine under complete economic subjugation of the apartheid regime. The 1994 Paris Protocol was particularly damaging.[18] It imposed an unequal customs union, granting Israeli businesses direct access to the Palestinian market but restricting Palestinian goods' entry into the Israeli one; it gave the Israeli state control over tax collection; and it further entrenched the use of the shekel in the occupied Palestinian territories, leaving the newly formed Palestinian Authority with no means to impose fiscal control or adopt macroeconomic policies. As a result of this and other apartheid practices, nearly 30 percent of the Palestinian populations in the West Bank and

[16] Jerusalem Post (2020) 'COGAT delivers 3,000 coronavirus test kits, 50,000 masks to PA' 25 March, accessed 2 November 2020, https://www.jpost.com/middle-east/cogat-delivers-3000-coronavirus-test-kits-50000-masks-to-pa-622371.

[17] Al Jazeera (August 2020) 'Gaza in lockdown after first COVID-19 community transition' https://www.aljazeera.com/news/2020/8/25/gaza-in-lockdown-after-first-covid-19-community-transmission.

[18] Arafeh, Nur (2018) 'How the Oslo Accords Stunted Palestinian Economic Growth,' Palestine Square, 18 September, accessed 2 November 2020, https://palestinesquare.com/2018/09/18/how-the-oslo-accords-stunted-palestinian-economic-growth/.

Gaza are under the poverty line.[19] By the end of April alone, it was predicted that 80,000 new families fell below the line.[20] Poverty enhances the precarity of life during a pandemic; indeed, it is often those of a lower socio-economic status that collectively suffer the most.

The geographic engineering of apartheid also continues to present a formidable challenge to the Palestinian authorities during this pandemic. The unabated settlement expansion in the West Bank has prevented Palestinian geographic contiguity and has left it looking like an archipelago of Palestinian semi-autonomous areas rather than one single territory. The PA is only permitted to operate in Areas A and to a limited extent in Area B, leaving Area C — over 60 percent of the West Bank — without basic services. This geographic reality makes daily life and movement difficult; and during the pandemic, this was exacerbated, leaving many areas in the West Bank without instruction, health supplies and access to hospitals. The PA had to thus rely upon volunteer initiatives which distributed supplies to areas beyond their reach.

Meanwhile, Gaza has been completely sealed off and laid under siege for nearly a decade and a half, with very little coming in and out. The seriously depleted medical capabilities have meant that the authorities in Gaza have to overly rely on international aid. Indeed, UNRWA has played a huge part in the public health efforts, transforming schools into quarantine centres, delivering food to homes, and providing telemedicine.[21] It also launched a $95 million appeal in early September for COVID-19 relief efforts. Yet, the entry of the necessary equipment and medical supplies is dependent on the will of the Israeli regime to allow them in. In the past, they have used it as a bargaining chip — literally conditioning lifesaving supplies on political concessions. The authorities in Gaza are now bracing themselves for the worst yet to come as infections increase and the end of the siege is nowhere on the horizon.

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[19] Palestine Bureau for Statistics, Poverty Profile (2019) http://www.pcbs.gov.ps/Document/pdf/txte_poverty2017.pdf?date=16_4_2018_2.

[20] Farraj, Lamis (2020) 'The Corona spiral and the reality of the poor during Ramadan' Institute for Palestine Studies, 27 April, accessed 2 November 2020, https://www.palestine-studies.org/ar/node/1649999#_ftnref6

[21] Crisis Group (2020) 'Gaza's new coronavirus fears, 9 September' accessed 2 November 2020, https://www.crisisgroup.org/middle-east-north-africa/eastern-mediterranean/israelpalestine/b78-gazas-new-coronavirus-fears.

Conclusion

It is clear that Israel's apartheid regime is having a detrimental effect on Palestinian capabilities to challenge COVID-19. Not only through the continuous structure of violence, but also through the strategic fragmentation of the Palestinian populations which is a key mechanism to deprive Palestinians of their basic health rights. With the lockdowns, curfews and limitations on movement, people around the world are beginning to experience a fraction of the daily lived reality for many Palestinians. Whilst the pandemic will pass and life for many will return to a semblance of normality, Palestinians will continue to live under the apartheid reality that has been imposed on them for so many decades.

Agamemnon's Insolence

A Year of Revolution, Plague, and Hijacking of the Lebanese State

KARIM NAMMOUR [1]

The economic collapse in 2019 Lebanon led to what was referred to as the 'October Uprising,' which consisted of a series of unprecedented popular uprisings that threatened the existence of the current Lebanese Regime. Nevertheless, the Regime showed an unwavering recalcitrance in letting go of power and many of its ill-gained privileges. Furthermore, the advent of the coronavirus pandemic at the beginning of 2020 represented a 'Get Out of Jail Free' card for the Regime at its weakest point, and it used this card to subdue what was left of the uprising and reaffirm its grip on the country, whilst reinforcing the very policies that led to the country's economic and social collapse in the first place.

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Warriors were lying on the shore agonising. The Greek camp was at a standstill, ravaged by the stench of bodies rotting and left for spoil for wandering dogs and carrion birds. This was the god Apollo's doing. King Agamemnon's insolence had infuriated him. After the sacking of a small town near the city of Troy — during the infamous war baring that city's name — Agamemnon took the daughter of Apollo's priest as a war prize, refusing to return her to her father despite his desperate pleas. Outraged by the king's actions, Apollo brought a plague upon the Greek army. Nevertheless, Agamemnon remained uncompromising — denying the consequences of his actions. To that, Achilles reflected saying about Agamemnon that 'he fails to look behind him or foresee what might save him and his army.'[2] This reflection will later be used as a metaphor to criticise leaders who fail to assess the past and consequently fail to plan the future.

The profile of Agamemnon in The Iliad parallels that of the Regime in modern day Lebanon. Not only is it the advent of a plague-like pandemic that draws such similarities between myth and contemporary reality, it is also the manifestation of a Lebanese Agamemnon-like figure through its ruling Regime that mimics the Homeric narrative. In the following developments I shall expose how — like Agamemnon — the Regime in Lebanon faced the wrath of its people in an unprecedented popular uprising that threatened its very existence. Yet in spite of that, the Regime showed an unwavering recalcitrance in letting go of power and many of its ill-gained privileges.

The coronavirus pandemic's advent at the beginning of the year represented a 'Get Out of Jail Free' card for the Regime at its weakest point. Yet the Regime has thus far used that occasion to subdue what was left of the uprising and reaffirm its grip on the country, whilst reiterating the very policies that led to the country's economic and social collapse in the first place. Thus Achilles' thoughts on Agamemnon for not knowing 'the before and after' are echoed.

Fire and the WhatsApp Provocation

Monday 14 October 2019 was recorded to be one of the hottest days of the year in Lebanon. That evening, low humidity levels and high winds largely contributed to the ignition of fires that ended

2 Homer, The Iliad, Book 1.

up ravaging large areas across the country. The next day, residents woke up to an apocalyptic scene of carbonised forests covered by black smoke. Within hours, the flagrant failure of the government to overcome these fires during the fire-fighting relief efforts dominated the public debate. For the next couple of days, there was a general sense of mourning across the country, and anger mounted against the government for its handling of the catastrophe. Only three days later, on Thursday 17 October 2019, the government announced a series of new taxes, notably a special tax on internet-based calling services such as WhatsApp, amounting to six US dollars per month.[3] The news would spark a wave of protests later that evening, with people taking to the streets by the thousands to condemn the government's tax proposals. These protests would turn, soon enough, into an uprising lasting for the next couple of months (referred to as the 'October Uprising').[4]

Initially, the WhatsApp tax proposal (which was quickly rescinded due to public outcry) seemed to justify people taking to the street, especially given the fact that such a measure targets the most impoverished social groups in a country where regular phone services are considered quite expensive and incompatible with the minimum wage. Moreover, the preceding ravaging fires had created — be it temporarily — a general sense of national unity in front of a natural catastrophe and a government that failed to address it in a timely and effective matter. Nevertheless, this alone does not explain the scale the uprising took.

The Economic Collapse

The economic collapse as it ended up developing today, started manifesting in the private sphere of the Lebanese people when banks stopped paying their debts to depositors and the Central Bank took no step to seize them, allowing the banks to snatch away depositors' rights and thus commit what Nizar Saghieh coined as 'the ultimate collective violation' against hundreds of thousands of people.[5]

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[3] Proposed by then Minister of Telecommunications and current head of the Lebanese economic organizations, Mohamed Choukair.

[4] Chehayeb, Kareem and Abby Sewell (2019) 'Why Protesters in Lebanon Are Taking to the Streets', Foreign Policy, 2 November, accessed 15 July 2020, https://foreignpolicy.com/2019/11/02/lebanon-protesters-movement-streets-explainer/

[5] Saghieh, Nizar (2020) 'Lebanon's Face-Changing Opera', The Legal Agenda, 30 June, accessed 15 July 2020, https://www.legal-agenda.com/en/article.php?id=6970

Legislators refused to intervene as well, which ensued in banks imposing a de facto and discretionary capital control practice targeting mostly the middle class and low-income earning social groups, while powerful and well-connected depositors (i.e. people with ties to the political and economic establishment) were able to retrieve their funds or transfer their funds abroad.[6]

The Ponzi scheme-like situation in which Lebanon's economic and financial realms dwelled, resulted in the unavailability of cash dollars, and depositors were unable to retrieve any of their money by the end of 2019. Soon enough, this led to the devaluation of the Lebanese pound, given the fact that the pound's value was pegged to the dollar since the late nineties, and inflation started increasing exponentially[7] whilst people started losing their jobs (by some estimates around 160,000 jobs were lost by the end of 2019)[8] and wages started decreasing (sometimes by half). Thus, it was mainly this dire economic situation that led to the nationwide 'October Uprising', when people took to the street hoping to shift the power dynamics against the Regime.

Resistance and Civil Disobedience

As people took to the streets, chants cursing the political elite echoed across Lebanon in an unprecedented way. Protesters began systematically undertaking acts of civil disobedience; such as blocking main roads, attacking stores belonging to members of the establishment in downtown Beirut, and attacking banks.

With the government failing to control the situation on the ground and mollify the uprising, Prime Minister Saad Hariri ended up resigning on 29 October 2019 in what seemed to be the first victory of the October Uprising. This was followed by another victory a couple of weeks later, when lawyer Melhem Khalaf was elected as head of the Beirut Bar Association on 17 November 2019, becoming

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[6] Cornish, Chloe (2020) "Bankers 'smuggled' $6bn out of Lebanon, says ex-finance chief", Financial Times, 13 July, accessed 16 July 2020, https://www.ft.com/content/df234c78-a945-4199-befe-0272259dc755

[7] Zbeeb, Mohamed (2020) 'Hal Min Makharij Min Al-Inhiyar?' [Are There Exits from the Collapse?], interview to the Qanuni Podcast, 10 July, accessed 11 July 2020, https://soundcloud.com/qanuni-podcast/s02-e24

[8] Cornish, Chloe (2019), 'End of the party: why Lebanon's debt crisis has left it vulnerable', Financial Times, 31 December, accessed 30 April 2020, https://www.ft.com/content/078b2e4a-266a-11ea-9305-4234e74b0ef3

the first independent, non-politically affiliated lawyer to be elected in that position in decades.[9] Nevertheless, the Regime remained steadfast and — just like Agamemnon in the Homeric epic — refused to read the mood of the street or to compromise with it.

The Regime's Insolence

The resignation of Saad Hariri was followed by the designation of Hassan Diab as Prime Minister and the formation of a new government under his leadership on 21 January 2020. The Regime tried to portray the new government as an independent one composed of technocrats who would manage the economic crisis and oversee reforms in the country, but the general impression on the ground was that this government looked more like the Regime's 'Trojan Horse', set to ensure it does not lose the reins of power.

To better understand the Regime, one needs to understand one of the main pillars comprising it: the Lebanese Oligarchy.[10] The Oligarchy in Lebanon consists of a few ruling families, some of which were part of the feudal system during the Ottoman era in Lebanon, while others emerged from the bourgeoisie class in the 1950s and 1990s enjoying power and privilege in political, administrative, and financial fields.[11] The Oligarchy is not necessarily a heterogeneous group, as many of its members are linked to one another either by marriage or through business endeavours. In fact, through privileged positions, land and business ownership, as well as political power (secured by an electoral system catered to guarantee the survival of the ruling elite), the Oligarchy succeeded in monopolising the decision-making process in the country and hijacking public life.[12] This was

[9] i.e. outside the establishment.

10 It is worth mentioning here that the Regime is also comprised of a variety of other non-State – sometimes political – influential actors, whose role may extend beyond the Lebanese borders – e.g. Hezbollah. This paper does not address these actors however, because of space limitations, and will focus mainly on the Oligarchy whose role remained prevalent throughout the history of modern Lebanon.

[11] e.g. bank owners, businesspersons, and employers etc.

[12] Traboulsi, Fawwaz (2012), A History of Modern Lebanon (Pluto Press: Second edition).

particularly evident in the role played by two of the state's main institutions during the uprising and pursuant to the economic collapse, the judiciary and the security forces.

The independence of the judiciary is systematically targeted by the Oligarchy, which structurally weakens it through funding restrictions, political intervention in judicial nominations and permutations, and direct corruption.[13] As a result, the role the judiciary (especially its prosecution faction) played pursuant to the October Uprising and the 2019 economic collapse showed a clear bias towards safeguarding the Regime and its survival. This bias was shown firstly, in the role played by the prosecution and instructively, the judges, during the uprising. Protesters were systematically and arbitrarily arrested and prosecuted with little to no evidence of any criminal offence or by grossly extrapolating the size of the offence (e.g. blocking roads was interpreted as 'stirring up sectarian strife', throwing objects at attacking Internal Security Forces was interpreted as 'attempted murder' etc.).[14]

Judicial bias toward the ruling Lebanese State was also evident in the role played by the judiciary to protect the Regime's economic factions. Indeed, in light of banks' illegal practice of withholding depositors' money, some depositors sued these banks and obtained a number of judgments in their favour. Soon after, the Court of Cassation (i.e. the Supreme Court) quickly closed this avenue when the office of Cassation Public Prosecutor Ghassan Oueidat turned the investigation into the banks' practices into a cordial meeting with them.[15] A number of rules were set regulating the banks' relationship with depositors, which practically provided the judicial cover that banks had been seeking in order to shirk their responsibility toward depositors, in what Nizar Saghieh called 'the biggest judicial scandal' of the year.[16]

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[13] As evidenced especially during the 2017 judicial nominations.

[14] Frangieh, Ghida (2020) 'Ayn Al-Qada' min Inf Al-Ajhiza' [What was the Role Played by the Judiciary Regarding Police Violence?], interview to the Qanuni Podcast, 16 February, accessed 23 July 2020, https://soundcloud.com/qanuni-podcast/season-2-episode-2

[15] i.e. the head of the apparatus that the law vests with defending the public rights of society.

[16] Saghieh, op. cit.

The security apparatus is the second State institution evincing the Oligarchy's success in monopolising the country's public sphere and decision-making process. The role of the Security Forces has been distorted by the Oligarchy from a public service to private service role. For instance, the Security Forces act as the Oligarchy's private militia; as evidenced by its conduct in dealing with the uprising, notably its unprecedented use of excessive violence towards protesters, which qualified as acts of torture in some instances.[17] The state security institution also acts as the Oligarchy's private security guard, as evidenced by the assignation, by the Ministry of Interior, of Internal Security Force personnel to protect bank branches from protesting depositors.[18]

Nature to Shift Power Dynamics

Despite the Regime's strong anchorage in the country, the uprising succeeded in weakening it by resorting to natural rights. Protesters' actions in terms of riots and acts of civil disobedience should be viewed within the structurally oppressive system the Regime concocted to ensure its survival. As positive law was being hijacked by the Regime and used to serve its goals,[19] protesters resorted to natural rights to shift power dynamics. As such, acts of Civil Disobedience stop being viewed as criminal offences and transformed into a different nature, with three facets:

1. A form of legitimate resistance. Inspired by the Greco-Roman doctrine of 'killing the tyrant,' the concept of legitimate resistance was developed during the Renaissance. With the French Revolution, it became the Right to Resist the Tyrant when the ruler abuses their position and asserts it by perverting positive law.[20] Legitimate resistance thus became the expression of a natural right (inherent to human beings) with a corrective function to positive law, when such law is perverted by the tyrant. As such, what would be viewed as a criminal offence under normal circumstances (e.g. riots, blocking roads, breaking of store

17 Frangieh, op. cit.

18 Saghieh, op. cit.

19 i.e. laws were drafted by members of the Oligarchy, State institutions (like the judiciary and Security Forces) were hijacked by it etc.

20 Desmons, Éric (2010), 'Droit de Résistance', in Dictionnaire de la Culture Juridique (Quadrige / LAMY-PUF).

windows etc.) loses its 'criminal intent' component. Criminal intent is replaced by 'corrective intent' whereby 'crime' becomes 'right'.[21]

2. A form of popular private justice, mainly triggered by either the ineffectiveness of institutional justice (due to its inaccessibility, the length of its decision-making process, its corruption etc.) or by judicial bias towards the Regime (as mentioned above). Private justice is not viewed in this case as an anti-republican action but instead, as yet another expression of a natural right used in its corrective function to rectify a corrupted positive law system.[22]

3. A form of legitimate self-defence justified by the illegitimate nature of the Regime's offence towards the people as showed above, the offence's current and ongoing nature, and the necessity of the self-defence action, considering State institutions' inability and ineffectiveness in thwarting that offence.

This shift in power dynamics was witnessed as well during the 2015 movement. When dealing with files of prosecuted protesters, criminal judges exonerated the protesters by ruling that their actions during the demonstrations were the expression of a natural right and did not have a 'criminal intent' component that would justify conviction.[23] As such, the Regime was losing all standing it may have had on the ground. Part of the judiciary was playing a different role from its prosecution factions, a unique social role to ensure respect of republican values far away from the bias towards the Regime some of its high-ranking members were showing. However, all of this was about to come to an end with the advent of the coronavirus pandemic.

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[21] Encinas de Munagorri, Rafael (2005), 'La désobéissance civile : une source du droit ?' [Civil Disobedience: A Source of Law?] , (RTD Civ.), p.73.

[22] Alland, Denis (2010), 'Justice Privée (Droit de se faire justice à soi-même)' [Private Justice (The right to do justice to oneself] , in Dictionnaire de la culture juridique (Quadrige / LAMY-PUF).

[23] Saghieh, Nizar (2019), 'Abraz al-Ahkam al-Qada'iya fi Lubnan - 2018', [Landmark Rulings in Lebanon - 2018], The Legal Agenda, 3 May, accessed 23 July 2020, https://www.legal-agenda.com/article.php?id=5538

The Advent of the Corona Regime

The coronavirus pandemic represented a 'Get Out of Jail Free card' for the Lebanese Regime at its weakest point, as the Regime used that crisis and the fear it produced to subdue what was left of the uprising and reaffirm its grip on the country. On 15 March 2020, the government announced a 'General Mobilisation' by decree.[24] That decree stipulated a series of measures aimed at curbing the virus's spread, the most important being that citizens would stay in their homes except for 'utmost necessity.' Congregations of all kinds in public and private places were banned; all air, sea, and land ports were closed, and public and private administrations and establishments were closed too. The Prime Minister's office then promptly issued a decision containing instructions for applying the general mobilisation decree, requiring security and municipal forces to strictly apply the decree's provisions and take immediate measures to prosecute people who do not respect it.

These measures seemed to be in accordance with the global trend; nevertheless, the following observations can be made:

1. Neither the general mobilisation decree nor its applicatory decisions defined the concept of 'utmost necessity' that allows residents to leave their homes without violating the self-isolation policy. A broad leeway was thus left for interpreting this concept, which could result in abuse and corruption from the security forces entrusted with ensuring its application. In fact, it raised a lot of questions regarding what constitutes 'utmost necessity' in this context.

2. Governmental measures reproduced punitive logic for confronting health crises. They referred to articles of the Criminal Code for prosecuting residents who violate the general mobilisation decree. However, the Criminal Code articles require that the perpetrator's action leads directly to the infection of other people, and certainly not just departure from the home in contravention of the confinement policy. This resulted in the inversion of criminal law principles, such that a person is 'guilty until proven innocent' without a need for any social harm to arise from the act of leaving the home.

[24] Decree number 6198 decreeing the 'General Mobilization in the Country', dated 15 March 2020.

3. In fact, the government went even further by encouraging its citizens to denounce whoever violates governmental measures, whereby neighbours, siblings, friends and others start policing and denouncing each other, resulting in a culture constructed on fear of the other. Citizens become the Regime's agents and eyes everywhere, transforming the entire country into a huge open space prison. The entire situation was exacerbated by incredibly paternalising discourses that came out from both the local media and the Minister of Interior, who did not hesitate to use a threatening and paternalising tone when addressing the Lebanese people.[25]

4. The adoption of a punitive logic while combatting the current pandemic betrays an effort to put punitive logic and strict application thereof before the logic of shared responsibility, which leads to greater constriction of personal freedom in this area. Punitive logic also plays a direct role in stigmatising the disease and, subsequently, those struck by it. This issue was exacerbated further by the public and media fear-mongering over coronavirus.

5. The production of fear cannot be excluded in this context from its political role. Fear is a powerful political tool, especially for a weakened regime. In fact, one of the Regime's first (symbolic) moves was to destroy the protesters' tents in downtown Beirut, under the pretext that coronavirus was spreading, and public health needed protection.

6. But the role of fear does not end there. Fear is also the ideal ingredient for what Naomi Klein theories as the 'Shock Doctrine' according to which political and economic powers seize the opportunity of a shocking event (like a natural catastrophe or war) to lobby for the adoption of radical (neoliberal) policies that would have never been approved had that shocking event not occurred.[26] In fact, the reason why such events are ripe for political

[25] Mouawd, Jamil (2020), 'Wazifat Al-Waba' wal Halaa fil Siyasa' [The Role of the Pandemic and Fear in Politics], interview given to the Qanuni Podcast, 29 March, accessed 23 July 2020 https://soundcloud.com/qanuni-podcast/s02-e08

[26] Klein, Naomi (2007), The Shock Doctrine: The Rise of Disaster Capitalism (Canada: Knopf).

opportunism is because the people are in such a state of shock and fear, their resistance to such policies becomes very low and weak.[27]

7. The coronavirus pandemic represents such a shocking event. Accordingly, political and economic powers in Lebanon started lobbying for the adoption of 'radical ideas' as soon as the pandemic started. Examples of these include the proposition[28] to use employees' end-of-service indemnities to cover salary costs for the months of confinement, basically stripping employees of their rights and retirement to alleviate the costs on employers; or what is being seen in terms of systematic mass terminations, without the approval of the Ministry of Labor and in violation of applicable legal procedures.

The use of fear in the concoction of the Corona Regime succeeded in weakening the uprising and re-anchored the Regime's ownership over the reins of power in the country. Just like Agamemnon, the Regime seems to have won its existential war and survived it.

Clytemnestra's Revenge

Agamemnon was unable to savour his victory for long however, for as soon as he returned home, he faced his wife Clytemnestra's revenge for sacrificing their daughter at the beginning of the Trojan campaign and ends up being killed by her. Will that be the fate of Lebanese Agamemnon as well? How would the Lebanese Clytemnestra manifest? This may require the advent of a new uprising, better adapted to post-corona Lebanon. In fact, this may already be on its way, as uprisings are transforming into a virtual online form and developing into alternative forms of protests,[29] as well as taking to the streets on multiple occasions in-spite of confinement measures. Nevertheless, Lebanese Agamemnon remains standing for now and its insolence ever more resonating in the public sphere.

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[27] This is not a mere theoretical concept, it was – in fact – coined by Milton Friedman himself and first used in Chile with the rise of Augusto Pinochet before being used across the Globe.

[28] By former Minister of Telecommunications in Lebanon and current head of the Lebanese economic organizations, Mohamed Choukair.

[29] e.g. using private cars to block roads etc.

Just a couple of days after I wrote the words of this last paragraph above, the Beirut blast occurred on 4 August 2020. Described as one of the biggest non-nuclear explosions in history, the blast destroyed huge parts of the capital and resulted in hundreds of casualties and thousands of residents injured. Within hours of the shocking blast, people were pointing fingers at the Regime, holding it responsible for the explosion that decimated half of the city as news started arising regarding the presence of tons of dangerous ammonium nitrate carelessly stocked at Beirut's port without proper safety measures taken. Soon enough, calls for 'revenge' started spreading on social media across the country. People eventually took to the streets on 8 August 2020, where for the very first-time symbolic gallows were erected hanging cardboard effigies of all major zu'amas (political leaders and warlords).

Faced with what seemed to be the revival of the October Uprisings (in an altered, more aggressive version) the Regime resorted to suppressing the protest on 8 August in an unprecedentedly violent way, sometimes using live ammunition targeting protesters, which resulted in hundreds going to hospitals.[30] A State of Emergency in Beirut was quickly decreed, handing over power to the military. The Diab government resigned on 10 August 2020 and on 31 August 2020 Mustapha Adib (a diplomat close to the political establishment) was designated as Prime Minister to form a new government.

The Lebanese Agamemnon seemed completely disconnected from the mood on the street, resorting to ineffective, barely symbolic action to placate the growing anger against it; trying desperately not to lose its grip on power in the country. Yet that anger keeps on growing, and rupture with the Regime seems to have become irremediable. With little faith in the official investigation into the 4 August blast and in the absence of trust in state institutions, chants on the street altered from calls for resignation or a change in the ruling elite to calls for revenge and retribution. The Clytemnestra's revenge metaphor I wrote about just a couple of days before the Beirut blast seems to be taking shape on the street pursuant to the blast. The fate of Lebanese Agamemnon seems to be hanging by a thread. Developments in the next couple of months — especially after schools reopen — will tell whether or not that thread will finally break.

30 Human Rights Watch (2020), Lebanon: Lethal Force Used Against Protesters, 26 August, accessed 4 September 2020, https://www.hrw.org/news/2020/08/26/lebanon-lethal-force-used-against-protesters

Presidential Elections in Algeria: Can the Political Status Quo Last?[1]

LOUISA DRIS AIT HAMADOUCHE [2]

The political regime weathered the 1988 popular uprising in Algeria thanks to several factors, among them its ability to hold elections (presidential, legislative, local, and referendums). In other words, the regime convened multiple elections with the goal of maintaining stability by perpetuating the political status quo.

It is therefore no accident that the immediate spark for the popular movement beginning in February 2019 was the regime's determination to hold presidential elections on 15 April that same year. The protest movement was jumpstarted by the nomination of a man debilitated by prolonged illness to a fifth term as president. It was the straw that broke the camel's back.

The election took place on 12 December 2019, seven months after its originally scheduled date, bringing in Abdelmadjid Tebboune as the seventh president of the independent Republic of Algeria

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through the most controversial election in the country's history. Can the president now maintain the political status quo? Faced with a new reality, can the popular movement — the *Hirak* — force a democratic transition?

To answer these two questions, this paper will focus on three main themes: the conventional deployment of elections as a means of preserving the political status quo; the unprecedented lapses in the 12 December election; and the December election as a means of perpetuating the status quo.

Elections as a Tool to Maintain the Status Quo

No political regime is subject to question except in a time of pluralism, but that era ended in Algeria in 1992.[3] The regular elections held since then were no more than an affirmation of foregone conclusions.[4] Since the nominally pluralist elections of 1995, two central pillars have been vital for electoral mobilisation and legitimacy: the rentier economy and the political-security discourse.

The Rentier Economy

Political inertia was grounded in elections, which became an opportunity for lavish spending, both vertical and horizontal. Vertically, electoral campaigns were a time when candidates, most of them incumbents, would make generous promises. In the 2004 and 2009 elections, candidate Abdelaziz Bouteflika went on several domestic tours to promise development, growth, and prosperity — pledges that were not fulfilled in his previous terms. Although Bouteflika was absent during his 2014 campaign, parties in the presidential coalition made the same promises in his stead. Indeed, some six of these parties promised that a fourth term would ensure the president's continued achievements.

Seeking to contain the reverberations of the Arab uprisings in 2011, as well as the war in Mali, the same politicians pledged to pay special attention to the southern regions, which constitute eighty

[3] Yefsah, Abdelkader (1992) 'L'armée et le pouvoir en Algérie de 1962 à 1992', [The Army and the Power from 1962 to 1992] Revue des mondes musulmans et de la Méditerranée 65, pp. 77–95.

[4] Tlemçani, Rachid (2012) 'Un autoritarisme électoral', [An Electoral Authoritarianism] Tumultes 1–2 (38–39), p 149–171.

percent of the country's territory. Despite significant sources of wealth, these regions are nevertheless experiencing a structural economic downturn.[5]

The economic and political crisis of 2019 did not stop electoral candidates from making the same glittering promises.[6] The Future Front's Abdelaziz Belaïd pledged to profoundly reform the banking sector and open up even monopoly sectors (like air transport) to private investment, as well as to review the wage and bonus structure, though no detail was provided about how this additional budget would be funded. Ali Benflis, a champion of liberties, promised to resolve the issue of meagre pensions and bring financial restitution to the patriots who had fought terrorism in the 1990s. Abdelkader Bengrina, with the National Construction Party, promised growth that would allow Algeria to end its reliance on food imports, and pledged to solve the potable water problem, especially in the south.

The candidate for the National Liberation Front (FLN) and the Democratic National Rally (RND), Azzedine Mihoubi, promised to turn the resource-rich yet marginalised south into the engine of the national economy, making it the safety valve of the Algerian economy. To achieve this dream, he pledged no-interest loans to strategic sectors like agriculture and guaranteed support for youth entrepreneurs. Abdelmadjid Tebboune, who was elected president in the last election, focused on the economy, vowing to resolve the housing and unemployment crises once and for all and create 400,000 jobs.

In addition, the last election reconstituted the existing political system through partisan political formations, allowing for the emergence of political players who exemplify the politics-money nexus. The Rally for Hope for Algeria party, established in 2012 and led by Amar Ghoul, remained a member of the presidential coalition until 2019, bringing together businessmen and the Islamist bourgeoisie close to the Movement for the Society for Peace and the regime.

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[5] Imadalou, Samira (2014) 'De grandes attentes sur fond d'incertitudes financières', [High Expectations and Financial Uncertainties] El Watan, 21 April.

[6] Algerie Eco (2019) 'Les nouvelles promesses des candidats', [The New Pledges of the Candidates] 24 November 2019, accessed 1 March 2020, https://bit.ly/3kOp4Za.

The same applies horizontally, with electoral campaigns buttressing political inertia and reproducing the existing system of patronage. For nearly fifteen years, election campaigns, despite existing legal regulations,[7] have been a source of large-scale enrichment and graft due to businessmen's involvement in politics[8] and the total lack of campaign spending oversight. The outrageousness of the situation has undermined the credibility of politics in general, and specifically the reputation of political parties and elected officials.

Political-Security Discourse

The political-security discourse is the other pillar that has propped up the stagnant political system since 1995, when those in power successfully linked elections with state stability rather than regime stability, repeatedly emphasising that the 'bad' elections of 1990 had threatened state stability and continuity and that 'peaceful' elections had saved it. Having taken place in a general climate of extremist violence, the 1995 elections became a symbol, hailed in the official political discourse as a patriotic political duty against violent extremism.

In 1999, the authorities used the figure of Bouteflika to further the idea of elections as state salvation. Since he had been uninvolved in the political conflicts of the 1990s, Bouteflika was touted as a statesman able to guarantee Algeria's stability and restore the golden age of the 1960s and 70s when he was in power. The same security-based appeals also undergirded the legislative elections of 2012. This was a particularly tense moment, as the wave of uprisings had brought down Arab regimes thought to be invincible.

Fearing the domino effect, officials redoubled precautionary and appeasement measures, both fiscal and political.[9] When these had limited impact and given the record rate of voter abstention, President Bouteflika and his allies opted for a more intimidating strategy, sending the message that

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[7] Official Gazette of the Republic of Algeria (2017) 'Décret executif nº 17-118', No. 19, 26 March, accessed 25 February 2020, http://www.interieur.gov.dz/images/financement-dees-campagnes-lectorales.pdf.

[8] Dris, Chérif (2014) 'Algérie 2014: De l'élection présidentielle à l'émergence des patrons dans le jeu politique', [Algeria 2014: From the Presidential Election to the Emergence of the Bosses in the Political Game] Année du Maghreb, pp. 149–164.

[9] Dris Aït Hamadouche, Louisa, and Chérif Dris (2012) 'De la résilience des régimes autoritaires: la complexité algérienne', [From the Resilience of the Authoritarian Regimes: the Algerian Complexity] Année du Maghreb 8, pp. 279–301.

the Arab Spring was no more than a conspiracy to shred the state and divide the nation. Under threat, Algerians should therefore confront the situation in a united front with their leaders, which could only be demonstrated through high voter turnout. Turning out the vote was the biggest challenge in the election, and in its campaign, the presidential majority coalition focused more on voting than its policy program. The president even compared voting to participating in the war for Algerian independence.

Bouteflika's 2014 run for a fourth term saw competing appeals to security. His supporters again linked his election to state stability, rather than regime stability, arguing that any change in the head of state might exacerbate the dangers facing the country. At the time, war was already underway in Syria, as well as in neighbouring Libya and Mali, all of which fed into this discourse. Opposition voices, however, argued that a fourth term would sustain the regime at the expense of state stability. The boycotting coalition, which included political figures and parties from across the ideological spectrum, argued that a head of state who had not been able to speak for two years and only rarely appeared in public could not continue to lead the country.

In 2019, the political-security discourse was revived, but the idea that elections were a means of perpetuating the regime at the expense of the state entered the mainstream. The candidacy of Bouteflika — a president who had not addressed his people for seven years — sounded alarm bells nationwide that another term would only cement a no longer tolerable inertia. Paradoxically, the physical and political weakness of interim President Abdelkader Bensalah[10] brought the issue of elections back to the forefront; the elections were scheduled for 12 December 2019 amid severe polarisation.

Presidential Election: Unprecedented Failures

Participation in the elections came in at 41.3 percent, the lowest turnout ever in a presidential poll in Algeria. The election also made internal divisions public, and a roadmap was promoted

[10] Bensalah, the president of the National Council, succeeded Bouteflika after the latter's resignation on 2 April 2019. Bensalah's term in office was fragile both in terms of the political situation and his own health. The chief of staff of the Algerian army, Gaid Salah, functioned as the de facto head of state until his death on 25 December.

throughout the process that aimed to undermine the path to democracy and sustain the existing regime.

Voter Abstention and Unprecedented Protests

Typically voter turnout is higher in presidential elections than in legislative ones. Looking at Algerian political practice shows that the executive power, exemplified by the president, controls the reins of power and that legislative elections are less encouraging of electoral participation. Turnout in various provinces clearly demonstrates a phenomenon, which is not actually a new trend.

For the first time in decades, the regime proved incapable of mobilising support. The campaigns of the five presidential candidates did not appeal to citizens, and worse still, apathy and internal schisms hindered the operation of the traditional party machinery in the FLN and the RND, so much so that Abdelmadjid Tebboune did not stand as a candidate for the FLN, though he is a member of the party's central committee. Other parties like the Rally for Hope for Algeria and the RND were debilitated — and how could it be otherwise when both their leaders were in prison on charges of corruption, influence peddling, and embezzlement?

It was clear that these parties had become an embarrassment for the new president,[11] who seeks the legitimacy he was denied by the ballot box. But is the high level of voter abstention (see table 1) in the election the sole cause of the new president's lack of legitimacy?

A Divided Political Regime

A fundamental feature of the Algerian political system is that civilians and military personnel share responsibility.[12] The president is the civilian face of the regime, but he must share power with other actors, in particular the military chief of staff and the intelligence services. Nevertheless, since Bouteflika's ascension to the presidency in 1999, this principle has been eroded by successive shifts in the ruling power structure.

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[11] Aichoun, Abdelghani (2019) 'FLN et RND: La fin des "partis du pouvoir"', [The National Liberation Front (FLN) and the Democratic National Rally (RND): The End of the 'Parties in Power'] El Watan, 15 December, accessed 18 March 2020, https://bit.ly/2HZGJi9.

[12] Addi, Lahouari (1996) 'Algeria's Tragic Contradictions', Journal of Democracy 7 (3), pp. 94–107, accessed 20 January 2012, https://bit.ly/35UkIt7.

Bouteflika strengthened presidential powers[13] and tightened his control over the state apparatus by winning the backing of Ahmed Gaid Salah, the late chief of staff, as well as businessmen, while sidelining the intelligence services with the dismissal of their director, Mohamed Mediene, known as General Toufik. This alliance between the presidency and the chief of staff was split, however, by the presidential team's insistence on a fifth term and the eruption of the popular uprising. After Bouteflika's resignation on 2 April 2019, the army stepped in to manage the crisis and found itself facing a complex, multidimensional political predicament on its own.

Since he set himself up as the decision maker, the late Gaid Salah laid out a roadmap which essentially rejected any kind of democratisation. To put the roadmap into action, he took several steps affecting civilian, military, and security state structures. Perhaps most importantly, businessmen close to the president, ministers, and party heads were prosecuted on charges of embezzlement of public funds and corruption. Intelligence chief Mohamed Mediene, his deputy Bachir Tartag, and Said Bouteflika, the president's brother and advisor, were prosecuted in a military court on charges of conspiring against the state.

Nevertheless, the popular movement that empowered the army to cast off these political decision-making structures (the presidency, the secret police, and businessmen) also limited the chief of staff, as Algerians continued to take to the streets. Seeking to become the sole political player, the leadership took other steps as well, such as arbitrary arrests and imprisonments, which were much less popular than the anti-corruption drive. Protestors carrying Amazigh banners were prosecuted as were political leaders like Karim Tabbou, Fodil Boumala, Samir Belarbi, and many others.

It was also clear that Gaid Salah accepted changes undertaken by interim President Abdelkader Bensalah as a tactical manoeuvre.[14] Did he do this to lay the groundwork for the candidate he wanted to back in the December 2019 election? Although we do not have verified information to

[13] Dris, Cherif (2014) 'Quatrième mandat de Bouteflika: le parachèvement de la sanctuarisation du Pouvoir présidentiel', [The Fourth Term in Office of Bouteflika: Creating Sanctuary for Presidential Powers] l'Année du Maghreb 11, pp. 215–228.

[14] Boubekeur, Amel (2020) 'Demonstration Effects: How the *Hirak* Protest Movement Is Reshaping Algerian Politics', European Council on Foreign Relations, 27 February, accessed 19 March 2020, https://bit.ly/383Nave.

confirm this theory, it must be noted that Tebboune's election did not solve the most complex riddle: who possesses the real power in the country?

The collapse of the institutions of what former Prime Minister Mouloud Hamrouche[15] calls an 'anti-national' system is a heavy legacy that must be borne by the president. President Bouteflika blew up the principle of shared governance put in place after independence, leading to institutional collapse and the establishment of a supra-constitutional regime. The new president has no choice but to adapt to the system and keep certain senior officials in place, among them ministers, governors, ambassadors, and high-ranking military personnel appointed when Bouteflika was the undisputed ruler.[16] And he must maintain a distance between the presidency and the military and security establishment.

The Presidential Elections of 2019: Perpetuation of the Political System

The maintenance of the existing political system relies on two approaches: firstly, a conventional security approach and secondly, and more novel, an anti-corruption drive, which is not wholly separate from the first approach.

Invoking Security

When elections were held on 12 December 2019, Algeria had been without a president officially for eight months but in reality, for six years. Defenders of the December election argued first and foremost that the state could not be without a president, and the constitutional and institutional vacuum was described as an extreme threat to Algeria's stability. As such, the exigencies of national security dictated a presidential election as soon as possible. This national security-based argument was made largely by the military, which had become the real political authority. The deputy defence minister and chief of staff gradually imposed himself as the de facto head of state, defining the

[15] Hamrouche, Mouloud (2019) 'Le système algérien est antinational…;, [The Algerian System is anti-national] El Watan, 4 September, accessed 19 March 2020, https://bit.ly/34MtcTG.

[16] Boubekeur, p. 6.

threats, making security decisions to be implemented, drawing up the political agenda, and setting the date of presidential elections.

Believing that circumstances were colluding to maintain the status quo, the *Hirak* continued to oppose this election, although it did not object to elections in principle. Rather, protestors believed that no serious steps had been taken to guarantee electoral transparency. The presidential candidates were all figures close to the existing regime, ensuring the perpetuation of the status quo. In any case, the winning candidate was expected to be a former minister in Bouteflika's governments, ostensibly in order to preserve the state and its stability. The run-up to presidential elections saw the return of the security approach as a method of dealing with the *Hirak.* The media was shuttered, censored, and strictly controlled during the campaign, and opposition parties were unable to organise public assemblies because they were denied permits by the authorities.

International issues were manipulated for security ends, in particular relations with the European Union and events in Libya. When the European Parliament issued a resolution condemning the authoritarian practices of the Algerian authorities,[17] the regime spun the statement as dangerous international pressure and foreign meddling. Relying on Algerians' national sensitivities, the regime attempted to mobilise the public into a united front, accusing the *Hirak* of being a tool for foreign intervention. Ultimately, this approach proved fruitless, and attempts to mobilise citizens into pro-regime demonstrations failed. On the contrary, the *Hirak* itself condemned the European Parliament's initiative, calling the matter a domestic affair and saying it rejected all forms of interference. With Libya, General Khalifa Haftar's offensives in western Libya were touted as a way to target Algeria.

Restoring the *Hirak's* Demands

With the exception of the first few weeks of *Hirak* activity, senior state officials defended the popular uprising. The president repeatedly stated that he would meet the movement's demands, and the chief of staff said that the military establishment was protecting the movement. Even during the election

[17] European Parliament resolution on the situation of freedoms in Algeria, 27 November 2019, https://www.europarl.europa.eu/doceo/document/RC-9-2019-0193_EN.html.

campaign, candidates attempted to speak in the *Hirak's* name, asserting that their platforms grew out of its legitimate demands.

In tandem with this, the authorities launched an unprecedented anti-corruption campaign. Officials were arrested, prosecuted, and imprisoned in connection with political and financial corruption, among them former prime ministers Ahmed Ouyahia and Abdelmalek Sellal; former Energy and Mining Minister Abdeslam Bouchouareb (sentenced in absentia); former industry ministers Youcef Yousfi and Mahdjoub Bedda; and the former Director of National Security Abdelghani Hamel.

Businessmen were also prosecuted, including Ali Haddad, Issad Rebrab, Hassan Arbaoui, and brothers Redha, Abdelkader-Karim, and Tarek Kouninef. Charges ranged from illicit gains to abuse of power, misappropriation of public funds, money laundering, false reporting, and illegal campaign and party financing. Senior military officials were brought down as well, among them Mohamed Mediene and Bachir Tartag. The former president's brother and advisor, Said Bouteflika, and Louisa Hanoune, the president of a political party, were tried on charges of conspiring to undermine the authority of the army and state.

Politicians' repeated affirmations of support for the *Hirak*'s demands did not produce the desired results. Their promises were undercut by the gulf between discourse and reality, given actions taken to shut down outlets in the capital by security forces, the prosecution of *Hirak* activists and opinion leaders, and the exclusion of dissident opinions from the media while hate speech and racism were given ample space. At the same time, the anti-corruption campaign broke the taboo of absolute impunity. Even though the trials were conducted in courts that are clearly not independent of the political authorities, people nevertheless had the novel experience of seeing the arrest, prosecution, and imprisonment of high-level civilian and military officials.

Finally, in line with his campaign promises, President Tebboune took action to revise the constitution. The form and content of his draft, however, came in for severe criticism from the institutional opposition (parties like the Movement for the Society of Peace, the Rally for Culture and Democracy, the Socialist Forces Front, and the Workers' Party) and *Hirak* activists alike.

The criticisms were first and foremost directed at the process of revision and the reliance on experts appointed by the presidency, and the circumstances in which it was conducted — namely, amid a health crisis, quarantine, and media shutdown. Critics also pointed to the illegitimate parliament and the lack of guarantees for transparency during the referendum.

In addition, the draft constitution cemented the existing lopsided balance of power, setting up a presidential system lacking checks and balances, headed by a president with full executive power and prerogatives over the legislator and judiciary.

Conclusion

Algeria has seen several popular uprisings in its modern history, as Algerians (Amazigh) rise up to claim freedom. Although they have often failed to win this freedom, the popular uprising that began in February 2019 stands apart in several ways:

1. It is peaceful whereas previous uprisings were quasi-violent.
2. It has spanned generations whereas previous uprisings were led by youth.
3. It is national in scope whereas previous uprisings were regionally limited.
4. Its actions are self-organised for continuity whereas previous movements were spontaneous or fleeting.

These features do not necessarily mean that the *Hirak* will succeed in bringing far-reaching change to the political system, at least in the foreseeable future. For now, the *Hirak* signals that Algerian society has developed the strength to draw a clear line between the period before 22 February 2019 and the period after it. The Algerian regime must therefore be renew itself and find new energies in order to survive. Whether it can do so is a question the future will answer.

Table 1: Voter turnout in the presidential election of 12 December 2019

National turnout	**41.14% (compared to 51.7% in 2014)**	
Regime strongholds (%)	**Protest areas (%)**	
	Domestic	**Diaspora**
Adrar: 61.24	Tizi Ouzou: 0.4	Paris: 4.49
Laghaout: 56.48	Bejaia: 0.18	Lyon: 13.44
Bechar: 56.20	Bouira: 17.06	Lille: 11.33
Tamanrasset: 55.07	Algiers: 19.68	Marseille: 11.9
Tiaret: 54.68	Boumerdes: 21.32	Berlin: 5.2
Saida: 54.32	Bourj Bou Arrerijd: 32	
Sidi Bel Abbes: 53.43	Annaba: 33	
Mascara: 51.24		
Ain Timouchent: 54.34		
El Bayadh: 60.61		
Illizi: 54.76		
El Taref: 52.35		
Tindouf: 64.14		
Naama: 55.19		

The Sociology of the *Hirak*: Algerians Changed but the Political System Did Not[1]

NACER DJABI [2]

On the History of Social Protest Movements

In the post-independence period, and specifically starting the 1980s, Algeria witnessed numerous social protest movements. The October 1988 protests,[3] for instance, kicked off a series of popular protests that left a deep mark on Algeria's popular and political culture. These movements did not instigate political change given that they did not explicitly aim to do so. In turn, this allowed the political regime to easily contain these inchoate, largely oral movements[4] through a combination of political, social, and economic measures. The regime's ability to contain those movements was

[1] This paper was originally written in Arabic

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[3] The October 1988 protests were used by various power centres with the regime to settle accounts with one another, and they proved adept at directing the events to serve their own interests.

[4] Djabi, Nacer (2012) Li-Madha Ta'khkhar al-Rabi' al-Jaza'iri [Why the Arab Spring Was Delayed in Algeria] (Dar al-Shihab).

reinforced by the rentier nature of the Algerian economy, particularly when the price of oil and gas — the primary source of national revenue — was high.

Additionally, the regime resorted to replacing its civilian facade whenever it came under pressure from these movements. Even if it dealt with such movements as primarily political entities, the regime strived to stress their non-political nature, exploiting their organisational weakness and lack of recognisable spokespeople. Cosmetic changes to the constitution and the legal framework governing political and civic life, as those witnessed shortly before the 2011 Arab Spring, allowed the regime to escape the wave of political change that started in Tunisia.[5]

Beside the regime's strong resilience in the face of attempts at political reform from within, it persistently manoeuvres around social and political pressures from social movements, containing them each time at minimal cost. With time, it has become evident that the regime's civilian institutions — such as the government and parliament — have little decision making power compared to the military establishment, which exclusively controls all important decisions. However, announcing such decisions and promoting them to the public is left to civilian institutions like the presidency, government, or even the former ruling party. These institutions function as a façade; they can be abandoned under pressure, and their leadership and method of operation altered, while the real authority is left untouched. In fact, this civilian leadership is subject to a broad, near constant process of reshuffling, which occasionally takes the form of punishment after some failure for which they have been scapegoated.

Algerian social protest movements have several defining characteristics. They are spontaneous and poorly organised,[6] in part due to the noninvolvement of political elites. These elites could have helped organise the social movements and give them deeper political meanings, not only at the outset, but during the protests themselves. Accordingly, the movements persisted in the form of successive waves across various regions of the country.

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[5] Ibid

[6] Djabi, Nacer (2001) Al-Jaza'ir: min al-Haraka al-'Ummaliya ila-l-Harakat al-Ijtima'iya [Algeria: From Labour Movement to Social Movements] (Algiers: National Labour Institute).

These social movements initially emerged in the mid-1980s in the large cities in the north before proliferating across the country, passing through the Hautes Plaines to reach cities in the far south. In the early 1980s, these cities had experienced profound socio-demographic shifts as they expanded and their problems multiplied, including most significantly a housing crisis, unemployment,[7] the deterioration of services provision, and numerous manifestations of urban violence. This gave rise to many social disparities within an egalitarian culture that can not accept imbalances largely stemming from liberal economic policies initiated during this politically turbulent era.

Weak organisation was not the sole feature of these movements, which became more frequent in the mid-1980s, coinciding with declining oil prices and growing political dysfunction. The crisis of legitimacy for the regime, its institutions, and its political discourse worsened as it attempted to reform institutions absent a consensus between the institutions and various power centres. Meanwhile, the problems of large and medium cities — which had become home to two-thirds of Algerians — compounded.

These movements gave rise to a new breed of civic actors, primarily young people — specifically men from working-class neighbourhoods — who led the movements. As a generation, they were distinguished by their lack of political experience, a political culture that believes in direct action, and an upbringing in a one-party political system. This generation's first political experience was with Islamist movements, which were able to grow close and express the sociology of the social protest movements of the 1980s and 1990s, before turning violent. Algerians' first experience with political violence was related to the 1990s failed political transition, in which Islamist groups played an important role.[8]

The transition to pluralism in the 1990s focused excessively on elections and legal frameworks, absent a consensus among the political forces active on the nascent, turbulent political landscape, and in the near complete absence of a culture of power transfer and acceptance of the other. This

[7] Every opinion poll conducted in Algeria in this period confirms this. See for example: https://www.arabbarometer.org/wp-content/uploads/Algeria_Report_Arabic_Public-Opinion_2019-1.pdf.

[8] Djabi, Nacer (2012) Ma'zaq al-Intiqal al-Siyasi fi-l-Jaza'ir [The Predicament of Political Transition in Algeria]. Arab Centre for Research and Policy Studies.

political landscape was dominated by issues of culture and identity along with a near total absence of political projects, which still nascent pluralist party politics was unable to produce in such a brief time. In turn, this made it difficult to hammer out solutions and political consensus among new political elites, who had not been able to get to know one another in the period of underground politics — for the few who had party experience — or during the brief, turbulent experience with pluralism. The logical outcome was that the country entered a dark political and security tunnel from which it has still not fully exited, even after paying a high human and material cost for more than a decade.

The brief political experiment, which young people had approached more like a social movement rather than partisan politics, suffered a setback.[9] Young people who had been interested in public affairs in that brief window (according to opinion polls conducted after Algeria spiralled into political violence) subsequently disappeared from the scene. Political life in this period was characterised by increased insularity; a renewed belief in individual solutions; and a focus on the past.[10] This period additionally witnessed increased emigration by any means; a focus on advantages for oneself and one's family; and a refusal to engage in any official political activity, such as voting in regular elections or joining political parties and associations.

These social shifts coincided with a state of political stagnation,[11] illustrated by President Bouteflika's determination to seek a fourth term in 2014 and a fifth term in 2019, despite an illness in 2012 that prevented him from speaking, moving, or traveling (he first assumed the presidency in 1999). This took place as the presidency had reclaimed many of the decision-making prerogatives that it had lost starting in the 1990s following the resignation of President Chadli Bendjedid and the appointment of a five-member state council headed by historical figure Mohamed Boudiaf, who was assassinated before completing six months in office. At that point, successive presidents were appointed until the return of elections in 1997 and the election of General Liamine Zéroual, who

9 The political party that represented the radical religious current, the Islamic Salvation Front, functioned more like a social movement than a political party. For more details, see Djabi, Nacer (2008) al-Jaza'ir: al-Dawla wa-l-Nukhab [Algeria: State and Elites] (Algiers: Dar al-Shihab).

10 As evidenced in part by the emergence of Salafi currents like the Madkhalis among youth.

11 The meeting of opposition parties in June 2014 was an exception.

suddenly resigned in 1998. This occasioned early elections won by Abdelaziz Bouteflika, who held the presidency until 2019. During Bouteflika's tenure, the centrality of the presidency was restored as it enjoyed broad constitutional prerogatives[12] and even broader authority on the ground, until Bouteflika fell ill in 2012.

This important seat of political power within the Algerian political system would be captured by what were subsequently called 'non-constitutional powers' referring to the president's brother and political advisor. Bouteflika surrounded himself with a political-business oligarchy that became an important decision-making centre in this period, which saw state revenues increase and corruption of all kinds run rampant. These same forces pushed for a fifth term for President Bouteflika even as it was clear to Algerians that he was incapable of performing his constitutional duties. This was the last straw for Algerians, who were outraged and feared for the country's fate.

The Sociology and Demographics of the 22 February *Hirak*

A popular response to the political deadlock was expected, even after an official media blitz that attempted to deter Algerians by warning of the spectre of violence seen in Syria and Libya if they persisted in taking to the streets and expressing their anger. The real shock was the form of the response, first manifested on Friday, 22 February 2019. Algerians were not expected to peacefully take to the streets that day in dozens of cities and persist for more than a year in demanding a change in their political system. The sociology and demographic composition of the protests was quantitatively and qualitatively different from previous social protest movements.

The *Hirak* took the form of popular marches that set out every Friday and were joined by all segments of society. Marches organised on Tuesdays were largely made up of students until they were later joined by many ordinary citizens living in university towns. The Algerian diaspora staged their own protests in France, Quebec, and the United Kingdom on Sundays. All marchers quickly coalesced around a set of common political slogans and demands, focused primarily on demands for a break with the old political system, which by numerous measures had come to represent a threat

[12] President Bouteflika amended the constitution to allow for multiple presidential terms and give himself broad, near monarchical prerogatives at the expense of the government and executive and judicial branches.

to the nation and the state.[13] Demands centred on a more independent justice system and media, more individual and collective freedoms for Algerians, and greater efforts to combat rampant financial and political corruption surrounding elections. Other important demands included preserving the civilian nature of the state and respect for election outcomes.

During the marches, Algerians defended national unity and invoked many historical figures, whose photos they carried aloft in the demonstrations.[14] The women and men of the *Hirak* agreed to set aside all sectional demands of economic and social natures and avoid controversial issues that could exacerbate cultural and identity divides. Despite the sociological heterogeneity of protestors in terms of age, social status, and gender, the movement was defined by three characteristics throughout its more than a year of activity: its pacifism, its popular appeal, and its national reach.

Although there were limited clashes between security forces and some youth at the end of marches, later resulting in the arrest of activists, overall the movement remained peaceful. This can only be explained by looking at the social and demographic composition of the marches, which brought together Algerians from diverse classes, including the urban middle class, women, and youth.[15] In its composition, the protests were truly representative of Algerian society, drawing large crowds in many large and medium cities. The protests also saw a variety of political and intellectual discussions between participants in the weekly march, particularly youth, who again threw themselves into public affairs and expressed their positions on numerous issues. The verbal articulation of demands and slogans very rapidly evolved into written demands, starting with the first protests in March 2019, demonstrating organisational maturity.

While initially the marches were largely spontaneous, they quickly assumed a more organised form, manifested in written slogans and the organisation of discussion sessions within the marches. This

[13] These measures included the scale of financial and political corruption, made public during the trials of some of the old oligarchs in 2020.

[14] Over more than a year, and as an expression of national unity, the marches celebrated the death and/or birth of many historical figures and revolutionary fighters and leaders from around the country, including people who are not always equally esteemed by every political and ideological current.

[15] The protests often had the feel of a family gathering, at times with three generations participating.

strengthened the movement's organisation while preserving its political and intellectual diversity, as demonstrated by the various written proposals that came out of the *Hirak*'s activities over the course of more than a year.[16]

Discussions quickly spread on social media given public and private media platforms' adoption of the state's official narrative. This opened up media professionals to some harassment during marches, as young people expressed their rejection of the media's position on the *Hirak* and its demands. Activity on digital media increased substantially after the marches were suspended due to the coronavirus pandemic, which forced a curtailment of all political activity, both official and *Hirak*-related political activity.

Parties, Syndicates, and Associations in the *Hirak*

Naturally, the parties involved in the presidential coalition,[17] and even some ostensibly opposition parties, stood against the popular movement and were thus completely absent from the popular demonstrations. During marches, demonstrators demanded the dissolution of these parties and accountability for party officials accused of corruption.[18] The *Hirak*'s aggressive stance against political parties came to include some opposition or quasi opposition parties, whose national leaders were ejected from some marches and even subjected to verbal assault by demonstrators, who upbraided them for their previous political positions, including participation in elections and regime institutions.[19]

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[16] Various *Hirak* activities produced a number of policy papers and proposals that included contributions from well-known figures from across the political and ideological spectrum.

[17] The presidential coalition was made up of four political parties, the National Liberation Front (FLN) and the National Rally for Democracy in the lead, joined by the National Movement of Hope (which splintered from the Brotherhood-aligned Movement of Society for Peace) and the Algerian Popular Movement led by Amara Benyounès.

[18] In fact, several party officials were later imprisoned, including two FLN secretaries, the secretary of the National Rally for Democracy, the president of the National Movement of Hope, and the secretary of the Algerian Popular Movement—all parties involved in the presidential coalition supporting a fifth term for Bouteflika. The officials were convicted on charges related to corruption and campaign financing for Bouteflika's fifth term before the elections were cancelled.

[19] More than once I saw young people at marches in the capital verbally abuse prominent political figures and party leaders.

With time, the troubled relationship between demonstrators and parties became more relaxed, as some parties were able to organise seminars within the marches under their banners. The Rally for Culture and Democracy, for example, took advantage of its office's location in central Algiers to maintain a presence in the marches. Although most parties continued to have no presence in the protests, the *Hirak* remained politically diverse, drawing in people from across the Algerian intellectual and political spectrum. The same is true of independent associations and trade unions,[20] which supported the *Hirak* and called for a general strike, though it was not met with success.[21] Trade unions agreed to adopt the *Hirak*'s political demands instead of the socioeconomic issues they had highlighted in previous years,[22] realising that Algeria was experiencing a momentous political moment and also because they feared the regime could use sectional socioeconomic demands to undercut the political demands adopted by a broad swathe of Algerians during the *Hirak*. Independent union leaders and activists regularly and publicly participated in the protests, in contrast to the less visible presence of party leaders, who preferred that their individual members take part in their personal capacities.

The *Hirak* found it difficult to produce recognised leaders who could represent it in talks with the public authorities, as was the case in Sudan. While the idea was floated, there was no consensus around it because of the historical political and cultural hostility to Algerian elites, a trend evident in several important political moments in Algerian history. For example, during the war of liberation, and before that under the nationalist movement, and given Algeria's social and cultural history with prolonged settler colonialism, working-class figures dominated leadership positions in comparison to educated elites — a small part of Algerian society.[23] Moreover, the weak political experience of the

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[20] In contrast to the General Union of Algerian Workers, which took a hostile position on the *Hirak*.

[21] The strike was called for 29 October 2019.

[22] Djabi, Nacer (2020) 'Mapping Algerian Trade Unions in the Time of Mass Mobilization: Current Dynamics and Future Challenges', Arab Reform Initiative, 6 May, accessed 28 October 2020, https://www.arab-reform.net/publication/mapping-algerian-trade-unions-in-the-time-of-mass-mobilization-current-dynamics-and-future-challenges/

[23] In contrast to Morocco and Tunisia, the national independence movement in Algeria was led by Messali Hadj, a migrant worker in France with a primary education, while Tunisia had Bourguiba, a graduate of the Sorbonne, and Morocco had Allal al-Fassi, a professor at Karaouine University in Fez.

elite itself and the *Hirak*'s political diversity and popular momentum made it difficult to produce representative elites in such a short timespan. Forces both within and outside of the *Hirak* colluded with official political and media power centres to smear any potential representative leadership and prevent its emergence using various means.[24]

The Different Phases of the *Hirak*

From its launch on 22 February 2019 to the suspension of marches in mid-March 2020, the popular movement passed many milestones. The initial phase of the movement lasted until the postponement of presidential elections in April and July 2019 following the resignation of Bouteflika. It was characterised by an objective alliance between the military establishment and the *Hirak*, which reflected the historically popular legitimacy enjoyed by the military. The official media subsequently dubbed the *Hirak* 'the blessed movement.' This alliance explains the lack of military or security interference with the movement in the early months. This changed when the *Hirak* began to advocate a political project at odds with that of the military, which favoured early presidential elections but not a real break with the old regime and its institutions. The military's choice was to simply change the political façade, represented by President Bouteflika and his clique of oligarchs, who were arrested on charges of corruption, profiteering, and bribery.

In the next phase, the *Hirak* began to call for civilian rule and the need for a transition phase — some people even demanded a constituent assembly — before consensual elections. Military authorities rejected the demand and branded its proponents as traitors. Ultimately, the military was able to organise the presidential election on 12 December 2019, which took place without a consensus in place and with a large proportion of voters complying with the *Hirak*'s call for a boycott. Instead of the discussion of political programs that could have taken place in the run-up to elections, cultural and identity debates began to surface, threatening to undermine the cohesion of the *Hirak*. The authorities banned the Amazigh banner during popular marches in the capital in an attempt to deter participation by tribal regions, and many political figures who had emerged during

[24] The official position on the issue of representation was initially that no one could claim to represent the grassroots movement and later a rejection of any figure from within the *Hirak*, who were invariably said to lack legitimacy. Eventually smear campaigns and later imprisonment were the fate of any person who seemed to rise to prominence within the movement.

the movement in various parts of the country were arrested on charges of carrying the Amazigh banner during popular marches in Algiers.[25]

This phase of the *Hirak* was marked by the strong visibility of the so-called democratic forces in Algerian politics.[26] At this stage, more conservative forces[27] boycotted the protests to announce their disagreement with new political demands for a civil state and a transitional period, and the rejection of the presidential elections called by the actual power in charge — the military leadership, represented by the Chief of Staff Gaid Salah. Salah became the most prominent political figure in this period, in which the military's symbolic and political presence increased at the expense of other institutions. In turn, this opened him up to much criticism from some protesters who focused on the need for a civilian-led state.

This shift in the *Hirak*'s slogans did not stop other forces, including Islamist, from continuing to participate in the marches, despite their weak position from the outset of the movement. Islamists, whether Muslim Brotherhood-inspired groups, remnants of the Islamic Salvation Front, or the Islamist Rachad movement, proved unable to exploit the symbolism of the marches heading out from many mosques after the Friday prayer. The leaders of the marches persistently maintained the civilian nature of their slogans both before and after the prayer.

Within the *Hirak*, no one political force could claim to have called for it or to control participation, slogans, or organisation. It remained a popular movement par excellence that drew in all segments of society. The same was true of the student movement. Indeed, one of the surprises of the larger movement was how it reinvigorated political life on university campuses in Algeria. Every Tuesday, students organized weekly marches in many campuses, voicing the same demands and slogans as the

[25] Oddly enough, the prohibition on the Amazigh banner did not extend to the tribal region, where security forces found it impossible to intervene due to the strength of popular support for the movement.

[26] The political landscape is divided between three major currents: 1) the nationalist current, historically represented by the FLN and many newer parties; 2) the Islamist current, represented by the Brotherhood and other parties that represent the remnants of the FIS; and 3) the democratic current, represented by leftist parties and the Amazigh current, which organised themselves into a coalition of seven parties known as the Democratic Alternative.

[27] Conservatives defined themselves as a nationalist/Islamist current and were more aligned in their positions with the military leadership, both in terms of political milestones and slogans.

Hirak. The student movement also helped to legitimate the presence of women in marches. Women were a noticeable presence in the protests held on small and medium campuses given the high rate of women's enrollment in universities, which proliferated outside the larger cities after independence.

At the same time, many women's groups in the capital and other major cities like Oran and Kasantina attempted to seize on the popular movement as an opportunity for increased visibility and also to break the elitist logic that long guided their activities. This attempt was initially met with reservations by conservative and patriarchal forces, which saw it as a diversion from the urgent political nature of the *Hirak*. Much like other sectional demands, they believed these matters must wait lest they be used to weaken and distort the movement, given the religious sensitivities that were inflamed with every discussion of women's issues. The critics argued that this decisive moment required the closing of ranks to defend the *Hirak*'s main demands against a regime and media that attempted to distort them and stoke cultural and identity-based tensions, which could undermine the popular momentum or sow division in the ranks. This position subsequently shifted and these women's groups were able to express their feminist stances within the marches.[28] However, they were unable to attract many citizens to their intellectual positions, given that they are largely influenced by feminist discourses, which remain elitist, as is the case in many other Arab contexts.

Nevertheless, the *Hirak* boasted substantial participation by women from all walks of life, including housewives and educated middle-class women like doctors, teachers, engineers, and journalists. Women of all ages joined the marches as groups of friends or colleagues or as members of the same family, and they were warmly welcomed in the protests. This was another surprising development[29] in a popular movement that represented a decisive moral moment in the life of Algerians.

With the spread of COVID-19, Algerians were compelled to suspend the popular protests in mid-March 2020 having achieved only a handful of their demands: the ouster of Bouteflika, the rejection

[28] The women's corner was located by the walls of the Central University in central Algiers, where discussions were organised every Friday.

[29] In contrast to other Arab countries, there was no sexual harassment of women and girls in the marches. On the contrary, young men's courteous treatment of women was one of the surprises of the *Hirak*.

of his fifth term, and the initiation of some prosecutions for corruption. Although Algerians did not succeed in achieving the bulk of the demands they turned out for starting in February 2019, they did come to better know themselves and one another, and conquer the fear that governed their relationship with one another and their national institutions. After more than a year of political and intellectual debates, youth in particular acquired a much deeper understanding of politics in a manner that was previously unattainable.

The youth, who brought so much vitality and honesty to political discussions in Algeria in this period, also never witnessed the period of one-party and underground politics with its inflexible language, specific economic and political culture, and the suspicions and doubts that plagued those involved in it. As a strong, socially dynamic movement, the *Hirak* was able to undermine and even eliminate this culture, as evidenced by the quality of the political discussions underway and their free, unstilted nature. Algerians discovered their colloquial language, using it, as well as French and Amazigh, as a means of political communication, which fostered greater mutual understanding and clarity.

Conclusions

The movement that erupted in February 2019 constituted a qualitative shift in the political history of Algeria and Algerians. Its truly popular, peaceful nature touched every area of the country as it made political demands focused on changing the mechanisms of the political system and the nature of the relationship between citizens and the state, as well as demands for greater individual and collective freedoms, an independent media and judiciary, and a civilian state. Despite its social diversity, the movement voluntarily renounced all sectional socioeconomic demands.

After more than a year of marches, the movement was unable to achieve its demands; it was also unable to diversify its recruiting methods or produce representative political elite that could speak with the regime on its behalf. Once more, the regime proved capable of resisting reform, even as it accepted cosmetic changes to its civilian façade. With protests suspended due to the coronavirus pandemic, we await post-pandemic activity, which, if it takes place, will do so in much worse social and economic conditions, for both the regime and the *Hirak*. The movement will again confront challenges related to representation, organisation, and objectives that it was unable to surmount in its first year.

Challenges to the Political Transition in Sudan

Dynamics between Political Actors and Security Services[1]

ALBAQIR AL-AFIF MUKHTAR [2]

Introduction

Relying on a tight security grip and political and financial bribery, the regime of Sudanese president Omar al-Bashir created a patronage state par excellence, protecting itself with a vast web of official and non-official security bodies, both public and covert, as well as tribal militias, which it used to wage low cost proxy wars against what it deemed enemies of the state in Darfur, the Nubian mountains and the Blue Nile. Bashir believed he was in full control of the several security bodies, able to move them at will and play them off against one another to stay afloat, but these very agencies proved to be decisive in his deposition. The commander of the Janjaweed militia, General Mohamed Hamdan Dagalo, known as Hemetti, refused to give orders to shoot at peaceful

[1] This paper was originally written in Arabic.

[2] Albaqir al-Afif Mukhtar is a Sudanese author and researcher

demonstrators. And Bashir's Security Committee decided that he had become a liability, and removed him from power.

The Security Committee attempted to become the alternative to Bashir, thereby maintaining the regime without its head. Re-dubbing itself the Transitional Military Council (TMC), it appointed Lieutenant General Awad Ibn Auf as president and Lt. General Kamal Abdel-Marouf al-Mahi as vice-president. But the Sudanese people were not deceived by this manoeuvre and rejected the TMC, as demonstrators called for the fall of Ibn Auf as well. Ibn Auf spent less than 48 hours in office before he and his vice-president were ousted. He was succeeded by Abdel Fattah al-Burhan, but protests continued until the TMC dismissed four more generals, all of them Islamists. The period after al-Burhan assumed his post in April 2019 witnessed deep polarisation. The TMC came under pressure from both a public in revolt and the deep state, in particular the military and security wing of that state and the massive network of economic interests they protect. In the meantime, talks continued between the TMC and the Forces of Freedom and Change (FFC), which represents the protestors.

The Islamist movement did not stop its aspiration to return to power, compelling the TMC to forcibly disperse the sit-in that constituted the single largest source of pressure on the council. After the TMC decided to break up the sit-in, the Islamists used this as cover to deal a devastating blow to the revolution, carrying out a massacre. Hundreds of young men and women were killed, their bodies tossed in the Nile. Dozens of women and girls were raped, and dozens more protestors disappeared and have not been seen since.

Al-Burhan suspended negotiations with the FFC and declared his intention to form a caretaker government that would rapidly prepare for elections. In turn the FFC declared a general strike that brought the country to a standstill for three days and began preparing for a million-strong demonstration on 30 June, the date of the Islamist coup thirty years earlier. The demonstration persuaded al-Burhan to reconsider the notion of going against the revolution, and he again recognised the FFC and resumed talks with it. These talks culminated in the constitutional declaration that formed the basis of the civil government and functions as the constitution in the transitional period.

As of 26 August 2020, Dr. Abdalla Hamdok had served one year as prime minister of the transitional government.[3] These twelve months, representing about one-third of the 39-month transition, have clearly demonstrated the challenges of the transition. As the lines between parties to the political process have come into greater focus, it has become easy to identify challenges and threats to the political process in Sudan.

Challenges face both wings of the government (the Sovereignty Council and the Cabinet) and the political incubator of the government (the FFC) and include the fragility of the coalition, internal conflicts hindering its performance, and the retreat of and schisms within the Sudanese Professionals Association, which led the revolution. The foremost challenge is the heavy legacy of three decades of systematic destruction of state institutions, which destroyed the legal foundations and the regulations and norms for executive agencies and eroded the technical and moral competence of institutional staff. A variety of parallel governmental agencies had also been created, leading some to speak of a 'parallel state.'[4]

The threats come from two directions: from the enemies of the revolution, the Islamists and beneficiaries of the old regime or the 'losers' from change; and from the apparatus of the old state, particularly its military wing, which we can term 'the deep state.' The threats are seen in acts of wilful obstruction, with the goal of undermining the transitional period. Here the role of the security apparatus is paramount. Having been the recipient of massive investment under the old regime, this apparatus constitutes the biggest threat to democratisation in Sudan and is currently the object of the most important battle between the public and the military. The constitutional declaration left the task of security reform to the military, excluding civilians. As a result, no one knows exactly what is happening inside these bodies. It is known, however, that thus far people dismissed from the army have not been reinstated, including officers known for their professionalism and support of the revolution. These apparatuses are also colluding with Counter-revolutionary elements in the civil service and their covert mutiny against the civilian authority.

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[3] Al Jazeera (2019) 'La Namlik 'Asa Musa, Hamdok Yu'adi al-Yamin' [We Don't Have the Staff of Moses: Hamdok Sworn in], 21 August 2019, accessed 2 July 2020, https://bit.ly/3eSSClv.

[4] Al-Baz, Adil (2019) 'Tasfiyat al-Dawla al-Muwaziya' [Liquidating the Parallel State], Almashhad Alsudani, 26 March 2019, accessed 2 July 2020, https://almashhadalsudani.com/articles/4814/.

One Year after the Revolution: The Outcome

The constitutional declaration defined sixteen tasks to be addressed in the transitional period.[5] Naturally these tasks are the standard against which the success of the government will be measured. The following are top priority:

1. Act to conclude a just, comprehensive peace and end the war by addressing the roots causes of the war and rectifying its consequences on the affected population.
2. Repeal statutes and laws that restrict freedoms and discriminate against citizens on the basis of gender; undertake legal reform, build and develop the legal and justice system, and ensure judicial independence and the rule of law.[6]
3. Hold to account persons affiliated with the old regime for all crimes committed against citizens and communities since 30 June 1989, in accordance with the law.
4. Address the economic crisis by stopping further deterioration and take action to lay a foundation for sustainable development by implementing an emergency economic, fiscal, social, and humanitarian program to confront current challenges.
5. Guarantee and strengthen women's rights in all social, political, and economic arenas, and combat all forms of discrimination.

Reviewing efforts made on each of these five main fronts demonstrates that progress made is less than anticipated. Perhaps the biggest gain is that the people have seized the freedom to organise and express themselves without fear. All laws restricting freedoms have been repealed. Other laws were amended to bring them in line with international human rights standards. Laws were also passed that pave the way for the reform of the justice system.[7] The Empowerment Elimination, Anti-Corruption, and Funds Recovery Committee,[8] was created and has thus far reclaimed some public

[5] Abdelhalim, Ahmed (2019) 'al-Sudan: al-Nass al-Kamil li-l-Wathiqa al-Dusturiya' [Sudan: The Complete Text of the Constitutional Document], al-Ghadd, 4 August 2019, accessed 2 July 2020, https://rb.gy/sgjzgl.

[6] Ibid.

[7] Facebook page of Justice Minister Nasredeen Abdulbari, https://bit.ly/38SVZqp.

[8] Empowerment (tamkin) is the term used by the ousted government of Omar Al Bashir ti support to its affiliates in state affairs by granting them privileges, including government functions and the setting-up of various companies.

property, land, and real estate from the banned National Congress Party and some former regime leaders.

Bashir was brought to trial and convicted on charges of possession of currency; he was sentenced to two years in an elderly reformatory[9] since the law prohibits imprisonment for people over the age of 70. However, since Sudan does not have an elderly reformatory, Bashir was returned to prison.[10] By July 2020, Bashir was on trial as well in a case involving the execution of 28 army officers in 1990. Regarding the major crimes in Darfur, members of the government have apparently agreed that Bashir and other defendants will appear before the International Criminal Court, though there is some ambiguity about whether he will be extradited (defendants can 'appear' before the international court while in Sudan, whereas extradition would mean his transfer to The Hague).[11] In any case, the path has been cleared for accountability for war crimes, genocide, and crimes against humanity perpetrated by his regime in Darfur. Other than this, one year after the revolution, the Islamists' state persists untouched, a body without a head, particularly in the provinces, which continue to be ruled by Bashir's generals. The Islamist state still lives in the form of institutions, the economy, and personnel.

The constitutional declaration set a period of six months to bring peace. As of August 2020, nine months after the formation of government, negotiations are still going on, and although peace has not been achieved in the time set by the Constitutional Document, there are strong intimations that it may be achieved. Another task was to address the economic crisis, but the crisis was compounded by the economic recession resulting from the coronavirus pandemic, as well as the economic war waged by economic institutions controlled by Islamists, who are speculating in both gold and the dollar. The justice system was at a standstill for nearly a year due to gaps in the Constitutional

[9] DW News (2019) 'al-Hukm 'ala al-Bashir bi-l-Sijn 'Amayn bi-Tuhmat al-Fasad' [Bashir Sentenced to Two Years in Jail on Corruption Charge], 14 December 2019, accessed 3 July 2020, https://bit.ly/2C1OzVp.

[10] BBC Arabic (2019) 'Hukm Mukhaffaf 'ala-l-Bashir' [Light Sentence for al-Bashir], 14 December 2019, accessed 3 July 2020, https://www.bbc.com/arabic/trending-50793359.

[11] BBC Arabic (2020), "Umar al-Bashir: Hal Taslim al-Ra'is al-Sudani al-Sabiq li-l-Jina'iya al-Dawliya dimn Safqat al-Tatbi' ma' Isra'il?' [Omar al-Bashir: Is Turning over the Former Sudanese President to the ICC Part of a Normalization Deal with Israel?], 13 February 2020, https://www.bbc.com/arabic/inthepress-51490124.

Document that hamstrung the government's efforts to introduce change. Some of these gaps are being addressed at the time of the writing of this paper. The question is: why are there so few achievements after a full year in government? The answer is that the transitional process is confronting major challenges and genuine threats.

Gaps in the Constitutional Declaration

The most significant gaps are found in provisions on the armed forces and Rapid Support Forces (RSF), and the provisions governing the formation of the judiciary. Article 34(1) of the Constitutional Document states that the armed forces are subordinate to the general commander of the armed forces and the executive authority, and that the armed forces law regulates the relationship between the military establishment and the executive. The article effectively places all matters related to the army and RSF in the military's hand, excluding the executive. The army has undergone no reform, although it is known to be teeming with ideological officers and those who benefited from the old system of corruption. At the same time, officers who were dismissed from service by al-Burhan for their alignment with the revolution have not been reinstated, allegedly because they mutinied against the high command.

The second significant gap is related to the judiciary. The question of who would appoint the posts of chief justice and public prosecutor sparked a crisis between the military and civilian wings of the government; the latter represented by the FFC — a crisis concerning the Constitutional Document itself and related to a lack of trust between military and civilian political actors.[12] Harbouring doubts about the military establishment's intentions, the FFC objected to the relevant article and it was removed from the Constitutional Document. But as the parties prepared for the signing ceremony, which could not be postponed, the TMC broke its promise to its civilian partners. Having said that it would appoint their nominees for these two posts prior to the signing, the council instead rejected the FFC nominees and asked its civilian partners for new names. Therefore, the partners went to the signing ceremony of what was already a contested document.

[12] Abu Jukh, Maher (2019) 'Mahir Abu Jukh Yaktub: Azmat Ta'yin Ra'is al-Qada' [Maher Abu Jukh Writes: The Crisis of the Appointment of the Chief Justice], Taseti News, 22 August 2019, accessed 4 July 2020, https://bit.ly/3iuCLf2.

Shortly before the signing, the TMC was dissolved and the Sovereignty Council created in its stead. The FFC again submitted their nominees for the two posts to the Sovereignty Council, which rejected them on the grounds that the constitutional declaration did not give the council this authority. On this point, the council was legally correct, and so the Constitutional Document had to be amended to introduce a provision allowing for this. The new provision states that pending the formation of the Supreme Judicial Council, the Sovereignty Council shall appoint the head of the judiciary and the public prosecutor based on nominations from the Cabinet. Ms. Ni'mat Abdullah Khair was subsequently made chief justice and Taj al-Sir al-Hibr assumed the post of public prosecutor, but much time was lost with these delaying tactics.

Additionally, transitional power structures have yet to be fully built and staffed. Final decisions on provincial governors and personnel occupying the legislative body have yet to be made. The delay is largely due to partisan quotas and questions of power sharing. Armed movements insisted that no decisions be made on the appointment of governors and the formation of the legislative assembly before the conclusion of peace talks, so that they might claim their share of these appointments.[13] Another less publicly discussed reason is the conflict over candidates within the FFC. This failure must therefore be laid at the feet of the civilian half of the political equation.

Demonstrations for a Course Correction

On 30 June 2020, millions of people across Sudan turned out for a demonstration described as the largest since the beginning of the revolution in December 2018.[14] Carrying the banner of 'correcting the course,' the demonstrations were supported by most political and professional forces, opposed only by a minority that cited health or security objections. The question of whether the demonstrations were pro or anti-government, or celebratory or demand-oriented, was heatedly

[13] Al-Rakoba (2020) 'Ra'is al-Jabha al-Thawriya li-l-Rakoba: Lam Nuwafiq 'ala Ta'yin al-Wula al-Muwaqqatin' [Had of the Revolutionary Front: We Did Not Agree to Appointment of Temporary Governors], 17 April 2020, accessed 5 July 202, https://bit.ly/2YZiwhM.

[14] Awad, Abdelhamid (2020), 'Milyuniyat 30 June: Tashih Masar al-Thawra al-Sudaniya Matlab Sha'bi' [The 30 June Million-Strong Demonstration: Correcting the Revolution's Course Is a Popular Demand], Al-Araby Al-Jadeed, 29 June 2020, accessed 5 June 2020, https://bit.ly/38zNhgj.

debated, although they were clearly demand-oriented. The resistance committees (the locally based, non-partisan committees that organised the demonstration) submitted written demands to the prime minister just days before the demonstration, including demands for the completion of the transitional structures, rapid progress toward justice, emergency remedial plans for all ministries, full transparency on all proposed projects considered by ministries, and the creation of direct channels of communication between the revolutionary government and the resistance committees. All of these demands revolve around general structural reforms.[15]

The memo submitted by the resistance committees also called specifically for the dismissal of the police chief, who was known for challenging the prime minister and colluding with the enemies of the revolution.[16] Since the law does not permit the prime minister to fire the police chief, he recommended the dismissal to the Sovereignty Council, but the military establishment stonewalled, yielding only after the demonstration. It therefore became clear that the demonstrators were mobilising against the military wing of the government that is obstructing executive actions.

The Military, the Security Establishment, and the Economy

The army, the RSF, and other security agencies control the guns and with them vast financial empires and an associated network of complex interests. These financial empires are effectively a state within the state, operating wholly independently of the Finance Ministry, their budgets shielded from public scrutiny. They are part of the parallel state created by the former regime. Writers affiliated with the old regime have written about this parallel state. For example, journalist Adil al-Baz writes:

> *The Salvation regime created a parallel market of corporations, banks, and businessmen. Similarly, it created organisations, agencies, and institutions mirroring existing government organisation and*

[15] Almashhad Alsudani (2020), 'Lijan al-Muqawama Tusallim Hamdok Mudhakkira hawl al-Salam wa-l-Hukm al-Mahalli' [Resistance Committees Give Hamdok Memo on Peace and Local Government], 19 June 2020, accessed 6 July 2020, https://almashhadalsudani.com/sudan-news/sudan-now/20426/.

[16] Abdelrahman, Kamal (2020), 'Ahad Matalib 30 Yunyu: Iqalat Mudir 'Amm al-Shurta al-Sudaniya', [One 30 June Demand: Dismissal of the Sudanese Police Chief], Sky News, 5 July 2020, accessed 6 June 2020, https://bit.ly/3e2RIS3.

> *ministries to perform the same tasks, and it created organs for its own personal security, not state security, founding parallel armies. Thus the Salvation state become two states, funded by the same meagre resources that were barely enough for the needs of the first, i.e. the official state.*[17]

This demonstrates why the military establishment worked tirelessly to exclude civilians from military affairs in the constitutional declaration. The challenge facing the executive is integrating this parallel state into the official state. The prime minister and finance minister have sustained a serious dialogue with the military establishment in order to extend government control to these empires.[18]
A summary of a report on the transition in Sudan issued by the European Council, titled Bad Company: How Dark Money Threatens Sudan's Transition,[19] states, 'The civilian wing of the Sudanese state is bankrupt but unwilling to confront powerful generals, who control a sprawling network of companies and keep the central bank and the Ministry of Finance on life support to gain political power.'[20] The report goes on to lament Western states' abandonment of the Hamdok government and their failure to provide it with the necessary financial and political support. The report takes a very dim view of the fate of the transitional period unless two things happen: the balance of power is tipped in favour of civilians and the economy is reformed and stabilised. It recommends that EU states support the Hamdok government and work with Arab states within the Saudi, UAE, and Egyptian axis to forestall any intervention on behalf of the military.[21]

If the military holds the guns and the money, what does the government possess? The answer is the power of the people and the international community. Sudanese citizens turned out in the millions on 30 June demanding that the civilian government take full control of the country. Staging the biggest turnout in the history of the revolution despite the COVID-19 pandemic, the demonstrators

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[17] Al-Baz (2019).

[18] Al Jazeera Mubashir (2020), 'Wazir al-Maliya: 'A'idat al-Luhum Tadhhab li-l-Jaysh' [Finance Minister: Meat Revenues Go to Army], 15 May 2020, accessed 6 July 2020, https://bit.ly/3iQG4gQ.

[19] Gallopin, Jean-Baptiste (2020), 'Bad Company: How Dark Money Threatens Sudan's Transition', European Council on Foreign Relations, 9 June 2020, accessed 6 July 2020, https://bit.ly/3gyJ0wv.

[20] Ibid.

[21] Ibid.

managed to send the strongest of messages to the military establishment and its regional allies, telling them that a return to military rule was untenable and that sooner or later the military needed to adjust to civilian rule.

The first fruit of this popular pressure was the dismissal of the police chief, which the Sovereignty Council approved the day after the demonstrations, though the recommendation had been on al-Burhan's desk for nearly a month. The Sudanese people proved they are the faithful guardian of their revolution and the flame of the revolution still burns. They are in it for the very long haul, embodying the motto of the revolution, a line of poetry by Mohammed al-Hassan Salem: Your rights don't come to you as you stand there waiting/You claim them with a fight, by taking.

Despite the COVID pandemic, the international community lined up behind the government. The EU organised a Friends of Sudan conference on 25 June 2020, hosted by Germany.[22] The concluding statement said that the conference had opened a new chapter of cooperation between the international community and Sudan, and had strengthened the partnership by providing financial support for Sudan's economic and democratic transition. The focus was on economic reform, which naturally includes the Finance Ministry's jurisdiction over the public capital. This entails some pressure on the army. The US, too, is putting pressure on the military establishment by linking the removal of Sudan from the list of state sponsors of terrorism with civilian control of government.[23] A briefing released by the International Crisis Group affirms that without massive financial assistance from the West (the EU and the US) and Gulf states, the Hamdok government cannot succeed. It will be broken on the rocks of the economic crisis, as the military stands in the wings waiting for the right moment to strike.[24]

The economy and highly precarious living conditions are the central challenge and a genuine threat to the transition. The Islamists are betting on breaking the revolutionary wave by thwarting it

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[22] Final statement from the Sudan Partnership Conference, held in Berlin on 25 June 2020, accessed 7 July 2020, https://bit.ly/2CjjEUn.

[23] Ibid.

[24] International Crisis Group (2020) 'Financing the Revival of Sudan's Troubled Transition', Briefing No. 157, 22 June 2020, accessed 6 July 2020, https://bit.ly/2ObYdHO.

economically, after they failed to return to power through a military coup. The crisis is worsened by the Islamists' control of the banking sector and much commercial activity and their extraordinary ability to manipulate prices and manufacture scarcity. The Islamists' goal is to raze the Hamdok government's overwhelming popular support by showing it as incapable of managing the economic crisis and branding it with the failure to alleviate living conditions. To this end, they are working to make lines for fuel, bread, and transportation a permanent sight and a daily headline. Their objective has become to maintain their economic interests in light of new circumstances. This is why the Islamists are increasingly calling for a political resolution, reconciliation, national accord, and similar calls while also continuing to exert economic pressure. But among the slogans chanted by the crowds on 30 June was 'Hunger over the kizan,' a deprecatory term referring to Islamists. The meaning is clear: given the choice between hunger and the return of the Islamists, or the sabotage of the revolution, the protestors would choose hunger.

The Foreign Relations Dimension

The ECFA report also pointed to interference by regional actors in Sudanese affairs (Egypt, Saudi Arabia, and the UAE) with the goal of orienting Sudan toward their own interests, as well as tensions between the military establishment, headed by al-Burhan, and the RSF, led by Hemetti. The Sudanese army long used tribal militias as a way to fight its wars cheaply and to deny direct responsibility for the atrocities committed against civilians, giving these 'friendly forces' weapons, training, and material and logistical support and then casting them aside after they had served their purpose.

The RSF militias, however, were different from other militias. They were created by law, and seemed as a standing force, parallel to the national army. Bashir wanted to attach the RSF to the Sudanese army, but the military leadership objected on legal grounds and due to reasons connected to Sudanese army traditions. Instead, Bashir attached the RSF to the security apparatus, before ultimately attaching them to the palace and putting them under his direct control. He was confident of Hemetti's loyalty, calling the RSF commander 'my protection,' a play on his nickname. Now army commanders are watching the RSF apprehensively, given the substantial equipment and material at

the latter's disposal, its massive financial capacities, and its commander's regional ties, particularly with Saudi Arabia and the UAE.

As such, while Egypt prefers to back al-Burhan in emulation of the Egyptian model, Saudi Arabia and the UAE prefer to deal with Hemetti, whom they have used in the past and whom they hope will play a role in Libya to save their ally, Field Marshal Khalifa Haftar. In addition, Qatar and Turkey are currently waiting in the wings for the appropriate moment to assist their Islamist allies, who are enduring heavy political and economic losses.[25]

Saudi Arabia and the UAE have lost their initial appetite for backing Sudan, when they pledged financial aid of $3 billion. Although they declared that the aid was motivated by 'our duty toward our brethren, the Sudanese people,'[26] only $500 million of the promised funds has been deposited in the Sudanese Central Bank to stop the deterioration of the national currency. Hemetti hinted in a taped speech that the two states have withheld the rest of the assistance in response to continued attacks on them by revolutionaries during demonstrations and on social media.[27] More likely is that the aid was suspended due to the two states' realisation that the Sudanese people had thwarted their plans to bury the revolution and its dreams of a democratic state by installing a new dictator.

Prospects of Peace

There are signs of an impending peace agreement between the Revolutionary Front, which includes eight armed movements, and the government. The prime minister has freed up seven ministerial portfolios, preparing to absorb the leaders of these movements into the government.[28] This would

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[25] Gallopin (2020).

[26] Sky News Arabia (2019) '3 Milyarat Dular min al-Sa'udiya wa-l-Imarat li-l-Sudan wa Sha'bihi' [$3 Billion from Saudi Arabia and UAE to Sudan and Its People], 1 April 2019, accessed 5 July 2020, https://bit.ly/2Du2SCV.

[27] RT Arabic (2020), 'Hamidti Yuhadhdhir min Istikhdam al-Nisa' al-Fatinat li-Tahrib al-Dhahab' [Hamidti Warns against Using Attractive Women to Smuggle Gold], 24 June 2020, accessed 7 July 2020, https://www.youtube.com/watch?v=pDcwaOLjbcc.

[28] Abdel Munim, Bahram (2020), 'Al-Sudan: Ta'dil Wizari Yashmil al-Kharijiya wa-l-Maliya' [Sudan: Cabinet Shuffle Includes Foreign Affairs and Finance], Anadolu Agency, 9 July 2020, https://bit.ly/2Dlvii5.

mark a great stride toward fulfilling the objectives of the transitional period as laid out in the Constitutional Declaration, but the two most important armed movements remain outside of the agreement: the Sudan People's Liberation Movement-North (SPLM-N), led by Abdelaziz al-Hilu, and the Sudan Liberation Movement (SLM), led by Abdul Wahid al-Nur. While talks with the former are underway, they have not begun with the latter. The persistent obstacle to negotiations is their insistence on a secular state and the abolition of sharia laws.[29]

Without the inclusion of these two movements, there can be no claim that peace has been achieved, particularly since they are the best armed and have the most political support. The SPLM-N controls vast territory and has much popular support among Nubians of South Kordofan. The SLM is backed by the Fur, the biggest tribe in Darfur, its indigenous inhabitants, and the historical monarchs of the Fur Sultanate, which was independent until 1916.[30]

Conclusion

It appears that one of the most significant directions taken by the revolution — the decision to reject partisan quotas in the transition in favour of skilled technocrats — has been defeated. Leaders and representatives of the armed movements will be incorporated into the Sovereignty Council and the Cabinet, and other FFC politicians are expected to join as well. This will no doubt influence the government's course and perhaps make it less expressive of the spirit of the revolution. The question is whether the newcomers constitute a positive addition that will help achieve the revolution's goals or will they only make an already complicated landscape even more so?

The newcomers are a motley crew, including principled revolutionaries, warlords, and agents of some Gulf states, as well as opportunists, and profiteers in the market of resistance. The latter will

[29] Radio Dabanga Online (2019) 'al-Hilu: Khilafuna ma'a al-Hukuma Yanhasir fi 'Ilmaniyat al-Dawla wa Mabda' Taqrir al-Masir' [al-Hilu: Our Dispute with the Government Is Limited to Secularism and Self-Determination], 28 December 2019, accessed 5 July 2020, https://bit.ly/3iNdfBM.

[30] Al-Haj, Hussain Adam (2019) 'Tarikh Darfur al-Qadim Ta'ammulat wa Khawatir fi Tarikh Darfur al-Qadim' [Darfur's Ancient History: Thoughts on Darfur's Ancient History], Qalam Centre for Research, 12 February 2019, accessed 8 July 2020, https://bit.ly/2ZbzbyM.

be warmly welcomed by the enemies of the revolution and will do the job they were paid to do: obfuscating, muddling the political landscape, sabotaging politics, and fostering a climate to best serve their personal interests. Nevertheless, against these weighty challenges and real threats stand the people, the rock against which they will all break, the watchdog and guardian of their own rights. The winning bet is on the people and the continuation of Sudan's revolution.

Current Realities and Future of Peace in Syria[1]

AKRAM AL-BUNNI [2]

Nearly a decade after the onset of revolution in Syria and the attendant political and military transformations, it is possible to make several observations — assertions of fact, really — that merit analysis. As the intense conflict between local actors drew in broad foreign intervention, the conflict acquired a non-Syrian dimension that came to dominate its domestic aspect; the fate of the Syrian crisis now became intertwined with regional and international forces. The inaction of the international community and the United Nation's inability to impose a resolution sent the conflict spiralling beyond control. While the side of the Syrian regime has undergone dynamic shifts and now a clear divergence is shown in the priorities of the regime and its sponsor states, the Syrian opposition remains incapable of stopping the terrible slide towards crisis.

These facts form the broad contours of Syria's current reality and pose questions this paper will attempt to address; questions regarding the future of the conflict, the potential for transitional justice, and the role of the UN in guiding that path.

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[1] This paper was originally written in Arabic.

[2] Akram al-Bunni is a Syrian author and dissident.

Foreign Intervention Dominates Syria's Conflict

What is happening in Syria is no longer simply a local rebellion by people demanding change against the defenders of the past and the status quo. The excessive violence and the victims and destruction left in its wake, the exhaustion of military and security forces, and the decline in the economy and standard of living drew in broad foreign interference, which subsequently transformed the local conflict to a regional and international proxy war. As a matter of fact, the domestic dimension of the conflict is now secondary to, and dependent on, the foreign dimension, as the fighting is driven by the military presence of multiple regional and international parties, most significantly the United States, Russia, Iran, and Turkey, as well as incessant Israeli military interventions. In addition, there is the covert Arab presence backing various armed factions. Together, these parties jointly control the trajectory of the Syrian conflict, holding varying levels of influence over local decision makers and actors.

Just as Russian military backing fed the regime's fantasy of a decisive victory, thereby thwarting a political solution and fuelling war, Western passivity and failure to intervene to stop the violence, coupled with anaemic support for the political opposition, was key to exacerbating the conflict. Extremism and counter-violence were enabled while regional powers like Iran and Turkey were allowed to assume significant military and political roles in the conflict.

These shifts in the regional and international presence portend the resurgence of an international context similar to that of the Cold War,[3] laying the groundwork for a new struggle for global control between East and West, specifically the US and Russia. Moscow's achievements in the Syrian conflict have been key to reclaiming its political weight and military stature, and in this it was encouraged by the US's insularity and its retreat from its sole superpower status after the fall of the Soviet Union. Worse still is the emboldening of regional powers like Iran and Turkey, the return of a lethal arms trade, and increasing diplomatic and economic disputes, manifested in part by cyber-attacks, less free trade, growing protectionism, and most recently the coronavirus pandemic. In turn, all this promises the revival of the stereotypical superpower gambling with the fate of humanity and

[3] Abu Jaziya, Ibrahim (2016) 'Suriya: Tariq nawh Harb Barida Thaniya' [Syria: The Road to a Second Cold War], Sasa Post, 2 November, https://www.sasapost.com/second-cold-war/.

employing the logic of might-makes-right in the quest for hegemony and influence without consideration for the interests of vulnerable peoples and their rights.

The International Community Fails to Resolve the Crisis

The Syrian conflict seems impervious to either a military and political resolution. Oft-repeated timid statements and calls for a political solution from weak UN institutions — governed by the decisions of the superpowers and incapable of fulfilling their duty to maintain peace and security and protect civilians and human rights — do not change this fact.

The Syrian revolution has paid the price of UN incapacity, fuelling growing criticism of its passivity in the face of brutal violence and its failure to impose a political solution, which has turned Syria into an intractable crisis.[4] The UN and its envoys failed to bring the parties to the table for a fruitful dialogue and to guarantee their compliance with agreements. Time and again, the Security Council failed to agree on resolutions condemning the violence and bloodshed, after Russia and China vetoed twelve resolutions[5] and derailed dozens of other draft resolutions before they came up for a vote. The same veto prevented the delivery of humanitarian aid to Syrians at two points along the border with Turkey.[6] Nor was the Security Council able to invoke the 'use of force' under Chapter VII of the UN Charter to bring peace and security in Syria, despite evidence of the repeated use of chemical weapons by the Syrian regime. Incapable of punishing those who deployed internationally banned weapons, the Security Council limited itself to confronting and bombing the Islamic State group.

On the humanitarian front, for years the UN floundered, unable to break the siege on numerous villages and neighbourhoods, and failed or dragged its feet in getting food and medical aid to those

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[4] Abu al-Yazid, Abd al-Moti Ahmed Abd al-Moti (2020) 'Dawr Munazzamat al-Umam al-Muttahida tujah al-Azma al-Suriya fi-l-Fatra min 2010–2019' [The UN Role towards Syria from 2010 to 2019], Democratic Arabic Centre, 9 May, https://democraticac.de/?p=66232.

[5] RTE (2018) 'Russia's 12 UN Vetoes on Syria', 11 April, https://www.rte.ie/news/world/2018/0411/953637-russia-syria-un-veto/.

[6] Nichols, Michelle (2020) 'Russia, China, Veto Syria Aid via Turkey for Second Time This Week', Reuters, 10 July, https://www.reuters.com/article/us-syria-security-un-idUSKBN24B2NW.

under siege. Sufficing with laments and condemnations, it provided what the regime allowed it to provide, especially after its aid convoys were repeatedly bombed and dozens of aid workers were killed and wounded.[7]

The first serious action on Syria taken by the UN and the international community came when a working group consisting of the US, China, Russia, the UK, Germany, Turkey, and the Arab League issued the Geneva Declaration on 30 June 2012, establishing a set of interim, transitional principles to address the rising Syrian conflict.[8] Unfortunately, the vague language of the statement created space for disagreements among the parties to the conflict, Syrians and others, as to the interpretation of matters such as the fate of President Bashar al-Assad, whose ouster the Syrian people and opposition were demanding.

Since 2012, numerous rounds of talks were held under the auspices of the Geneva Declaration. Whether helmed by former international mediator Lakhdar Brahimi or Staffan de Mistura, all of the conferences were held under American-Russian auspices, but none of them amounted to anything. With the Geneva talks at a dead end, Russia and its allies were left to unilaterally determine the future of the Syrian conflict, which rapidly resulted in an agreement between Russia, Iran, and Turkey. In 2016, the three powers issued a joint statement — the Moscow Declaration — reviving the political process.[9] Talks and conferences were convened in Astana and Sochi, where Russia and Turkey played a major role in bringing about a cessation of military action and establishing so-called de-escalation zones.

The clear failure of negotiations and the inability to create an opportunity to push the regime and opposition one step closer to a political resolution, or even to the Russian vision for a settlement of the Syrian conflict, meant that not even the minimum demands of the devastated Syrian people were

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[7] Cumming-Bruce, Nick, and Anne Barnard (2017) 'U.N. Investigators Say Syria Bombed Convoy and Did So Deliberately', New York Times, 1 March, https://nyti.ms/33AotDQ.

[8] Action Group for Syria, Final Communiqué (2012), Council on Foreign Relations, 30 June, https://www.cfr.org/syria/action-group-syria-final-communique/p28652.

[9] CNN Arabic (2016) '"I'lan Musku" hawl Suriya ba'd Ijtima' Rusiya wa Iran wa Turkiya' ['Moscow Declaration' on Syria after Meeting of Russia, Iran, and Turkey], 20 December, https://cnn.it/33v2mhO.

fulfilled, particularly humanitarian demands such as the release of detainees and the disclosure of the fate of the forcibly disappeared. On the contrary, throughout the purely pro forma negotiations, the regime and its Russian and Iranian allies held to terms that served their interests and political agendas, particularly the truces and local settlements reached or imposed in some besieged areas. Some of these 'settlements' took the form of forced displacement under threat of arms, starvation, and destruction.[10]

Shifts within the Regime and its Allies

The current dismal shape of the Syrian landscape can be explained by the regime's profound inclination toward the logic of violence and domination to crush popular movements, including by undermining various opportunities to move the crisis from the security to the political arena. The regime has worked assiduously to convince itself and society that the great, final victory is at hand. It suggests to the world that it has foiled global plots hatched against it and has heroically confronted terrorism and Jihadism, without troubling itself for a moment with the destruction wrought by its determination to maintain its grip on power, even as it has utilised all manner of lethal weapons and foreign support.

The regime in Syria has a long history of repression and dominance, and is preternaturally incapable of offering political concessions. It refuses any compromise over staying in power or any changes to its composition, and typically wages its struggle to rule to the bitter end, like an existential battle, using repression to extinguish the people's desire for change. This insistent denial of the legitimacy of popular action leads the regime to portray citizens as instruments of sectarianism and conspirators to be crushed, if need be with collective punishment and random destruction, in order to annihilate the social environment that has incubated demands for change.[11]

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[10] Arfeh, Hassan (2019) 'The Institutionalization of Demographic Change in Syria' Atlantic Council, 4 April, https://bit.ly/2JfNzRy.

[11] Black, Ian (2019) 'Assad or We Burn the Country by Sam Dagher Review—Scoop-Filled History of Syria's Downfall' The Guardian, 15 July, https://bit.ly/2JpMcPZ.

Syrians have been cursed with a type of security state that derives its presence and strength from a security apparatus that extends everywhere, manages everything, and interferes in every detail of citizens' lives. Its purpose is to sow fear in society and throttle the political sphere. As a result, for decades Syrian society has been subject to the logic of those who claim to be zealous keepers of the nation and national issues. The crux of this logic is not healthy competition to choose the most capable of representing the interests of society and its constituent parts, but rather the principle of force, might, repression, and terrorism to establish dominance and reap wealth and privileges.[12]

This regime avoids altering its repressive methods and transitioning to political rather than security control, possibly because it fears opening up to the people, wary of political initiatives that could expose its weakness and fragility and strengthen society's hand and its role in oversight and accountability. Or perhaps it is because of the power of the corruption lobby, which has run rampant in its institutions and will fight to the death to preserve its interests and privileges. It may also be because the ruling elite is betting on its ability to settle things in its favour by utilising outright repression, generalised persecution, and sectarian provocations to trigger counter-reactions, inflame prejudices, and drag the peaceful uprising into a spiral of violence.

The ruling elite's ample experience with repression undergirds its faith that its continued control depends on terrorising and excluding the people rather than strengthening their political engagement. It could also be due to the false belief within the security forces that they constitute a bulwark, undefeatable and unshakeable. Or it could be the growing sense among the perpetrators of atrocities that they have reached the point of no return and they fear the hour of judgment and punishment. For them, this is a life-or-death battle, with their future and very existence hanging in the balance.

It is true that the authoritarian landscape has recently begun to shift now that the need for war mobilisation and military force has largely receded. Still extolling its victories, the regime is now faced with urgent demands, particularly on the socioeconomic front, that it cannot meet. This is in

[12] Al-Sherbini, Suheir (2018) 'Bunyat al-Nizam al-Asadi wa Milad "al-Dawla al-Mutwahhisha" fi Suriya' [The Structure of the Assad Regime and the Birth of the 'Savage State' in Syria], Ida2at, 27 March, https://www.ida2at.com/structure-assad-regime-and-birth-savage-state-in-syria/.

addition to the growing disagreements between important centres of power within the regime, most ominously between the head of the regime and Rami Makhlouf, which resulted in Makhlouf's isolation and the liquidation of most of his assets in Syrian territory.[13] There have also been reports of arrests and purges of military and security leaders from the regime's outer circles.

Nevertheless, it is folly to bet that such disputes will lead to surprising or truly significant outcomes as long as the formative structure of the regime continues to rest on security control and the concentration of wealth among a small elite bound by a regressive clannishness, corruption, and cronyism, and as long as those in power, despite their disagreements, retain their sectarian and clan-based cohesion, acting swiftly to resolve their disputes to protect their authoritarian instruments and interests. This is particularly urgent given the country's dire economic and security straits.

What we are seeing today in Syria is a manifestation of an incapacitated, spent regime that has lost its legitimacy; some of the threads holding it together have begun to fray and it has lost its capacity to reproduce itself and its presence under the same old conditions and with the same familiar figures. It is now experiencing a multifaceted crisis of rule — moral, political, economic, and social — exacerbated by its total submission to the dictates of foreign parties like Russia and Iran, which are now essential to its survival on various levels. We should also not ignore the competition for shares of the spoils. While Rami Makhlouf exploited wartime conditions to enrich himself and expand his investments in and out of the country, the Syrian president Bashar al-Assad redistributed positions of control and power safely within his inner circle, clipping the wings of certain figures whose growing influence made them potential rivals and thereby forestalling the emergence of an acceptable alternative.

In terms of the conflict, a new round of the contest between Russia and Iran for control of Syria's wealth, state, and economy has begun. There have been rumblings of a plan by Kremlin leaders to rehabilitate Syria more in line with its own vision and interests.[14] This would curtail Iran's presence

[13] Bowen, Jeremy (2020) 'Rami Makhlouf: The Rift at the Heart of Syria's Ruling Family', BBC, 19 May, https://www.bbc.com/news/world-middle-east-52705469.

[14] Khlebnikov, Alexey (2020) 'Russia and Syria Military Reform: Challenges and Opportunities', Malcolm H. Kerr Carnegie Middle East Centre, 26 March, https://bit.ly/3loA9zl.

in the country, which has become a major cause of domestic tension and disintegration, an inconvenience to regional and international parties, and an obstacle to Moscow converting its military victory into an internationally acceptable political achievement. This latter plan, feared and opposed by Iran, requires international support and financing for reconstruction. Ironically, conflict between Moscow and Tehran began to flare as the flame of battle subsided and the time for harvesting the spoils began. It will inevitably end with the empowerment of one at the expense of the other, not only because it is difficult for two competing powers to coexist in one territory but more importantly because the two powers have different conditions and motivations for intervening in Syria and opposing plans for its future.

Iranian intervention lacks any regional or international legitimacy and is driven by sectarian ambitions for a Shia crescent and the revival of the Persian empire, as well as a persistent desire to confront the Sunni Islamic bloc. In contrast, Russian intervention follows from some international understandings, primarily with the United States and European countries. Driven by political considerations, Russia's intervention tends to consider the interests of Syria's various religious and ethnic groups, seeking stability and enduring influence in the country and the region.

It was for this reason that Russia opened early lines of communication and sought broad reconciliations with Sunni Islamist opposition forces; it is also why it began removing military and economic figures produced by the chaos of war whose power had come to threaten the rule of law and state control, and reorganised the military and paramilitary forces, particularly the Iranian-sponsored National Guard groups. It also disciplined and dismissed corrupt officers or those linked to Iranian militias to prevent Tehran from leading the country into sectarian battles to change the status quo in the Levant. We should also not ignore Russia's silence — its neutrality, so to speak — on repeated Israeli airstrikes on Revolutionary Guard and Hezbollah positions in Syria.

The Responsibility of the Opposition and Jihadist Hegemony

Ordinary Syrians rebelled against oppression, corruption, and discrimination, not driven by any ideology or partisan program and in the absence of veteran political forces or charismatic figures to lead them. They were hungry for an experienced, trustworthy political leadership that could

champion and lead their revolution with as little pain and error as possible. Unfortunately, they were afflicted with an opposition that was not up to this task.[15]

Despite the magnitude of the bloodshed and sacrifice, the opposition fell into futile disputes and failed to create channels of communication with the popular movement. It was slow in remedying its deficiencies, uniting its ranks, and seizing the initiative, as well as offering reassurances to various social constituencies (national, religious, and sectarian). It presented no objective vision of the conflict's trajectory nor of political and military instruments suited to the particularity of Syria, its history, and the sensitivity of its regional and international ties.

The opposition suffered from a set of maladies left by decades of regime oppression and injustice. These hindered the emergence of leaders who could be a model of democratic conduct, perseverance, and sacrifice, instead fostering a leadership given to bickering and a pathological and counterproductive jockeying for position, and tainted by regressive methods, narrow partisan interests, and an inclination toward self-interest, monopolisation, and corruption.

To make matters worse, the opposition abandoned a peaceful approach and yielded to the militarisation of the conflict early on. With the unfortunate enthusiasm for its early 'battle victories' and the experiment of the so-called liberated areas, it fell into the regime's trap, forced to play a game the regime had long mastered. The regime was able to crush the revolution by isolating it from bases of sympathy and justified its abuse and oppression in light of the balance of military force, which was heavily tilted in its favour. At the same time, the opposition failed to take a clear stance on political Islam and its growing extremist factions.

These factors fostered a climate that attracted Jihadist groups from across the globe, enabling them to occupy a prominent position on the Syrian landscape, gradually usurp the spirit and values of the revolution, and divert broad segments of the popular movement from slogans of freedom and dignity. And this is to say nothing of Jihadis' role in repression: they arrested and assassinated activists and opponents, opened fire on any civilian attempt to protest, and turned civilians into

[15] Al-Bunni, Akram (2019) 'al-Mu'arada al-Suriya Idh Tantaqid Dhataha' [The Syrian Opposition and Self-Critique], Asharq Alawsat, 22 March, https://bit.ly/3ll2nLu.

human shields in a war they no longer had any stake in. All this eroded the revolution's democratic image and deterred sympathetic groups from joining, having seen the disfigurement of the long-awaited democratic alternative.

More than half the Syrian population has terribly suffered: hundreds of thousands dead and an equivalent number wounded and maimed; massive numbers disappeared, imprisoned, and displaced internally, in neighbouring countries, or in inhumane camps; hundreds of thousands without shelter and millions in a state of severe deprivation, waiting for gradually shrinking assistance insufficient to meet their basic needs. Add to this dire economic deterioration[16] and its social ramifications. The bombing and destruction led to the collapse of productive economic sectors and services; electricity, gas, and fuel are in short supply, and educational and health facilities are in shambles. Democracy and human rights are at a nadir.

All of this raises the question of who or what is responsible for this situation. Is it the obstinacy of a regime that cares only about staying in power? An opposition that was slow and unable to lead the broad popular movement and equip it with experience and knowledge? The disregard for the growing role of extremist religious groups that effectively hijacked the revolution, militarily and politically? Or the international community, which abandoned its ostensible role to protect human rights and proved incapable of acting to end the violence, protect civilians, and deter abuses, making do with expressions of concern, regret, and condemnation, which do nothing to stop death, oppression, and destruction? It was a conspiracy involving everyone, including those who call themselves friends of the Syrian people, all of whom bear responsibility by dint of their silence, passivity, and failure to stop the violence and protect civilians.

Future Possibilities in Syria

Contention about the causes of the current situation lead to questions about future possibilities and the potential for restoring the nation and society, protecting the gains of the revolution, and relieving the plight of Syrians.

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[16] Ultra Sawt (2019) 'Inhiyar Iqtisadi Shamil fi Manatiq Saytarat Nizam al-Asad' [Full Economic Collapse in Areas under Assad Regime Control], 21 March, https://bit.ly/39uqPb5.

One possibility is that Syria continues to disintegrate while the political and military status quo persists for several years. This could lead to territorial fragmentation and push Syrian society to a point of no return, especially with increasingly difficult security, economic, and living conditions and local forces' dangerous dependency on foreign parties, particularly Russia, Iran, Turkey, and the US, each of which today occupies some part of Syrian territory. This in turn ties the task of political change to the urgent national mission of expelling various occupying forces from the country. Meanwhile, the regime rejects and thwarts every political option. When forced into political negotiations under pressure from its saviour Russia, it spares no effort to undermine them, heedless of the magnitude of the country's tragic state, particularly after its irreversible break with a large swathe of society because of the repression, killing, and destruction it has sanctioned.

The Syrian regime therefore understands the dangers inherent in the procedures associated with any political resolution, even the most pro forma, such as writing a new constitution, calling presidential and parliamentary elections, and forming a transitional governing body. All of this represents an affront to its stature and power and opens the door to conflicts between power centres with divergent interests and goals that were forged in the conflict and had a hand in its consequences; consequences including economic deterioration and deplorable living conditions; the quagmires of destruction, security, national disintegration, and corruption; and the issues of refugees, detainees, the missing, and the maimed. Nevertheless, the Syrian regime continues to refuse to abide by the rules of political and civic conflict, unconcerned by the severe repercussions of continued stagnation and social disintegration.

A second possibility is a political breakthrough in the current impasse, spurred by Washington acting on the Caesar Act,[17] which threw a wrench in various plans and projects by Syrian and non-Syrian investors, as well as European, American, Chinese, Russian, and Iranian firms, to divide the spoils of reconstruction. This could be a strong incentive for a Russian-American consensus that would effectively end the existing model of Syrian rule and make way for a new regionally and internationally acceptable political leadership.

[17] Amos, Deborah (2019). 'Congress Authorizes Sanctions On Syria, Iran And Russia'. NPR, 19 December, https://www.npr.org/2019/12/17/788924967/congress-authorizes-sanctions-on-syria-iran-and-russia

Nevertheless, such an understanding depends on several factors, including the extent to which the crisis can influence the Syrian regime to participate in a political settlement, and whether the influence of Russia over the regime is strong enough to impose such a settlement if it involves unsatisfactory concessions or weakens elements of regime authority. Such an understanding is also dependent on the stance of Iran, which will spare no effort in derailing any political change that does not give due consideration to its influence and strategic interests.

The possibility of a political resolution imposed by a Moscow-Washington consensus raises its own questions about the limits of change, given a balance of power tilted towards the enemies of the Syrian people, and about the timeline for such a settlement, which could be years. Most importantly, it raises questions about how effectively such a resolution would address humanitarian matters such as the release of detainees, disclosure of the fate of the missing and disappeared, relief for refugees and the displaced, and fulfilment of the security and humanitarian conditions necessary for the return of millions of refugees. Without clear, acceptable answers to these questions, we will see merely pro forma political negotiations that will differ little from those of previous years, and which could end up, as usual, in conceding the legitimate rights of the Syrian people. This would undermine the great sacrifices made by Syrians and destroy the gains of their revolution, enabling Counter-revolutionary forces to again thwart opportunities for meaningful change.

Transitional Justice and the Role of the United Nations

Between the first and second scenario lies a third possibility, which has begun to take shape among Syrians, particularly among the displaced and refugees. It is mobilising around a culture of transitional justice as a tested, effective plan for rescuing the country from its current state and universalising aspirations for a historical settlement that would end communal antagonism and move the nation towards unity, coexistence, and peace.

Faith in sustainable peace and the process of development and reconstruction can only come by beginning to devise a national, integrated roadmap for transitional justice consistent with Syria's current condition. The plan should be organically linked to the process of building a modern state

guided by the concept and values of citizenship and democracy, which would help to achieve a historical settlement that would uphold genuine interests, reject every form of oppression and violence, and repair the lives of broad classes of Syrians, all based on accountability for perpetrators and redress for victims.

The instruments and application of transitional justice in Syria is a complex matter that differs from any other country due to the particularity of the Syrian condition and the general challenges hindering a political settlement. As such, the content and path of transitional justice will be particular to Syria and must combine three basic elements: a central leadership role for the UN; the imposition of a process of political change; and the traditional tasks of transitional justice. By mobilising public opinion around this set of elements, we can set Syrian society, now exhausted and destroyed, on the path to deliverance.

The role of UN agencies must go beyond the kind of international oversight seen, for example, as a means of addressing the post-World War II landscape. The UN must play an organic, decisive, pioneering, and diligent part in the application of transitional justice in Syria, combining political-humanitarian work with the well-known mission of transitional justice to expose the facts and treat the painful consequences of years of bloody war and unhinged violence. The UN should be involved in forming joint international-national courts to prosecute war criminals, vindicate the rights of those harmed, and ensure redress and compensation for victims and their families. The UN must also play a role in establishing a credible transitional authority and reforming state institutions, particularly executive agencies like the military, judiciary, police, and security forces. This could foster a climate for the attainment of justice that could lift Syria from the depths to which it has sunk and would do much to mend rifts hindering the establishment of a democratic system that would end the conflicts and crimes against humanity.

Within this context, it is vital to build a network of activists, politicians, and intellectuals to spread a culture of transitional justice and its particular application in Syria as a necessary political and humanitarian plan and to emphasise the UN's role in enforcing and leading the process. This would inspire trust in the process and ensure it moves towards established policies based on reconciliation, tolerance, and sustainable peace. If the international community and UN agencies have an

important, decisive role to play in realising transitional justice in Syria, there are also multiple opportunities for participation by cultural agencies, the media, educational organisations, artistic institutions, and civic and professional organisations, including communal, tribal, and locality-based sectors. These organisations should adopt reconciliation as a grassroots demand and advocate for the creation of genuine, interactive partnerships between the individual and society that will strengthen citizenship, identity, unity, and a shared existence.

Transitional justice accords special importance to the values of tolerance, coexistence, and social peace, as deeply rooted, experiential communal and cultural values. This is linked to a set of foundations, policies, and programs whose central concern is strengthening citizenship, democracy, pluralism, and a common destiny. In turn, this cements a sense of belonging, social cohesion, and national identity in the face of the outsized ethnic and sectarian identities that threaten society with insularity, isolation, and conflict on the basis of secondary identities and narrow interests. It also priorities addressing the urgent humanitarian issues of detainees, the disappeared, and the displaced and promoting national and civic engagement in proposed solutions and political accord, in order to mend this immense gap, advance the process of national reconciliation, and alleviate the tensions built up over years. Releasing prisoners, disclosing the fate of the missing, and ensuring safe, humane conditions for the return of refugees[18] are major steps on the path of transitional justice that would help to overcome the residue of a painful past, remove barriers to drafting sound policies for the Syrian future, and nurture the values of tolerance and coexistence anew.

This road to salvation is paved by the realisation that Syria will never again be a hotbed of social oppression and political despotism. The nature of the conflict, its duration, and its catastrophic outcomes have impressed on everyone the urgent need to embark on the tried-and-tested path of transitional justice. Though exhausted and spent, Syrian society nevertheless possesses the capacity for renewal and regeneration and can turn a new page, focused on securing safe, dignified opportunities for the return of all the displaced and refugees and offering them social protection. All this would drive the political process and is key to embarking on reconstruction and creating commonalities between all those harmed, encouraging them to build a new future of peace, justice,

[18] Yahya, Maha, Jean Kassir, and Khalil El-Hariri (2018) 'Unheard Voices: What Syrian Refugees Need to Return Home' Malcolm H. Kerr Carnegie Middle East Centre, 16 April, https://bit.ly/2KLmSUX.

and equality. Indeed, there are already flashes of hope that divides and barriers can be overcome, that the values of democracy, tolerance, coexistence, and human rights can spread, and that a national identity can be protected against fragmentation in a richly diverse country.

First, a number of intellectuals and scholars are offering critical books, research, and essays that discuss events in the country. This strengthens social consciousness and the political subject, preparing Syrians to embark on renewed efforts towards change and reviving faith in the democratic horizon towards which Syrians were striving at the outset of the revolutionary movement.

Second, there are multiple mutual support and solidarity initiatives among the Syrian elite, which have produced more than one statement signed by hundreds of Syrians dissidents, activists, and intellectuals. These include the Syria For All, Above All Declaration[19] and the Syrian National Declaration.[20] All agree on the protection of Syrians' rights and the reduction of polarisation, tension, and insular tendencies; and all disavow the logic of violence, expulsion, and accusations of treason, while encouraging a renewed spirit of coexistence and national integration based on a social contract governed by citizenship, democratic values, and human rights. In an even more hopeful sign, several intellectual and political groups have been formed to spread these values and principles, most significantly the Citizenship Current, Nation Project, the Nucleus Group, the Syrian Liberation Council, the Survivors Group, Independent Kurds Bloc, amongst others.

Third, rights groups are making organised efforts to document violations against Syrians and prosecute the perpetrators in various European countries, particularly Germany, France, and Sweden. This has galvanised many Syrians and strengthened their hope and desire for justice and restitution for victims as preliminary steps in a plan for transitional justice.

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[19] Syrian Network for Human Rights (2015) '"Suriya li-l-Jami' wa Fawq al-Jami'" Bayan al-Wihda al-Wataniya al-Kurdiya-al-Arabiya fi Suriya' ['Syria For All, Above All' Declaration of Kurdish-Arab National Unity in Syria], 27 June, https://media.sn4hr.org/blog/2015/06/27/2440/.

[20] Horrya (2020) 'Suriyun Yutliqun "I'lan al-Wataniya al-Suriya"' [Syrians Release 'Syrian National Declaration'], 16 June, https://horrya.net/archives/126030.

Fourth, hundreds of civil society organisations have a growing presence and role, particularly among Syrian refugees. Their diverse missions include aid provision, the documentation and collection of testimonies from victims and survivors, monitoring the health and educational plight of Syrian women and children, spreading a culture of human rights and democratic values, and educating the public on the tasks of the coming transitional phase. Taken as a whole, these organisations could form a supportive foundation for transitional justice, particularly since most of them are internationally recognised and supported.

Fifth, The concept and culture of transitional justice, in its Syrian iteration, is gaining currency thanks to efforts that are slowly but persistently evolving and becoming more organised. These efforts are spearheaded by a promising generation of youth who are well suited to retake the initiative, having broken with the culture of the past with all its delusions and fears in striving for the freedom and dignity of their people.

It is a mistake to define the Syrian revolution solely by the slogans of freedom and dignity or the images of awe-inspiring heroism and the costly battle between a people who rose up to claim their rights and a regime that did not hesitate to use the most heinous repression to preserve its position and privileges. Nor can it be reduced to the setbacks, disruptions, and deformations caused by extremist groups. It is a mistake to ignore the reservoir of new knowledge, concepts, and values this epic revolution has cemented — an alternative culture that opposes despotism and paternalism and is rooted in a democratic consciousness and human rights.

It is similarly mistaken to believe that a legitimate revolution cannot be defeated or derailed, or that once defeated it is no longer a revolution or worthy of the name. History holds many examples of genuine, legitimate, wholesale revolutions that were temporarily defeated and then followed by a bloody, bleak period before the rebelling people learned the lesson and rose yet again. Perhaps the most profound lesson that Syrians will never forget after coming out of this ordeal is the magnitude of their responsibility for despotism and its perpetuation. They will know that they must spare no effort to prevent the re-emergence of tyranny and discrimination in state and society — an effort that will extend to all areas of life, from politics and religion to culture, education, and civil society.

Unchecked Foreign Intervention

How a Lack of Commitment to Peace and Accountability Hijacked Libya's Transition

NADÈGE LAHMAR [1]

Over the past year and a half, Libya has suffered the consequences of a failed assault on its capital, including an unprecedented humanitarian cost, deep divisions within its social fabric, and a dangerous race to the bottom which led the country further away from the path towards stability and functional political institutions. Failed diplomacy and a lack of political will from Western powers allowed for the 2019 attack on Tripoli to take place and for actors such as Turkey and Russia to solidify their presence in Libya, thus increasing the complexity of the Libyan conflict, which has become an intractable international struggle integrating economic, geopolitical and ideological interests. The evolution and the specificities of the conflict have served to further undermine multilateral peace efforts and represent a disturbing development with the potential to threaten prospects for rule of law and accountability in the region and beyond. This evolution has

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contributed to further turning the Libyan conflict into a struggle beyond Libyans' control, and creating durable obstacles for Libyans to regain their sovereignty and find a way back to their transition.

The Libyan transition that followed the overthrow of Muammar Gaddafi in 2011 was framed by the interventions of the United Arab Emirates (UAE) and Qatar within a regional competition over the future of the Middle East and North Africa (MENA) region post-2011. Both countries' proxy interventions in Libya's post-revolutionary context contributed to entrenching local divisions, hindering the development of central institutions and building the reign of militias. With foreign backing from the UAE, Egypt, Russia, Saudi Arabia, and France, and against the backdrop of the collapse of the transitional authority — the General National Congress (GNC) — former Gaddafi regime figure Khalifa Haftar began asserting control over eastern Libya in 2014. Haftar's self-proclaimed Libyan National Army/Libyan Arab Armed Forces (LNA/LAAF) — a coalition of Libyan and foreign armed groups — launched Operation Dignity against Islamist groups in Benghazi and eastern Libya, eventually leading to the emergence of Libya's second civil war. As hostility between Libya's two main factions carried over beyond the end of the civil war, and with foreign actors increasingly investing into their proxies, the Libyan institutions that emerged in 2015 — among them the Tripoli-based and UN-recognised, Government of National Accord (GNA) — failed to form a consensus and the conflict was reignited in April 2019 through the LAAF's offensive to capture Tripoli.

A Failed Offensive Leading to a Dangerous Race to the Bottom

On 4 April 2019, while United Nations (UN) Secretary General António Guterres was in the country[2], and a couple of weeks before the holding of a National Conference meant to set up a path for elections, the LAAF launched a military offensive on Tripoli. The offensive, which took place a

[2] United Nations Press Statement (2019) 'The welfare of the Libyan people' the UN's sole agenda for the country, says Guterres in Tripoli' 4 April, accessed 18 October 2020, https://news.un.org/en/story/2019/04/1036131.

couple of weeks after Haftar's visit to Riyadh,[3] effectively put a stop to two years of mediation and diplomatic efforts.[4]

Haftar's plan to quickly take over the country failed. While the surprise element did allow Haftar's forces to quickly reach the south of Tripoli, a large mobilisation of former anti-Gaddafi fighters in western Libya led to a prolonged stalemate around the outskirts of the capital.[5] These fighters, which until Haftar's offensive were divided and openly fighting one another, united in April against what they saw as the establishment of a new dictatorship. The LAAF also struggled to bring in resources to support war efforts from territories which were not yet entirely under its control. A first and direct result of the assault on Tripoli, and the potential impact of Haftar taking over the country for Libya's future, was the zero-sum-game mentality it fostered, which helped mobilise both Libyan and international actors on both sides.[6]

While actors such as the UAE, Qatar, France and Egypt have been directly supporting competing sides of the Libyan conflict from its early stages, to various degrees, the relatively slow and prolonged conflict[7] and the lack of credible response from Western powers provided opportunities for increased engagement of external actors such as Turkey and Russia, looking to advance their own geopolitical and economic interests.

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[3] Malsin, Jared and Summer Said (2019) 'Saudi Arabia Promised Support to Libyan Warlord in Push to Seize Tripoli', The Wall Street Journal, 12 April, accessed 18 October 2020, https://www.wsj.com/articles/saudi-arabia-promised-support-to-libyan-warlord-in-push-to-seize-tripoli-11555077600.

[4] Harchaoui, Jalel (2019) 'Libya. When Haftar Obliterates Years of Diplomacy', Orient XXI, 26 April, accessed 18 October 2020, https://orientxxi.info/magazine/libya-when-haftar-obliterates-years-of-diplomacy,3056.

[5] Lacher, Wolfram (2019) 'Who is fighting whom in Tripoli? How the 2019 Civil War is transforming Libya's Military Landscape', August, Small Arms Survey, Security Assessment in North Africa (SANA) Briefing Paper, accessed 18 October 2020, http://www.smallarmssurvey.org/fileadmin/docs/T-Briefing-Papers/SAS-SANA-BP-Tripoli-2019.pdf.

[6] Megerisi, Tarek (2020) 'Geostrategic Dimensions of Libya's Civil War', Africa Center for Strategic Studies, Africa Security Brief N°37, 18 May, accessed 18 October 2020, https://africacenter.org/publication/geostrategic-dimensions-libya-civil-war/.

[7] Murdock, Heather (2019) 'Fighting Stalls After 'Final Assault' on Libya's Tripoli Fails to End War', Voice of America, 15 December, accessed 18 October 2020,https://www.voanews.com/middle-east/fighting-stalls-after-final-assault-libyas-tripoli-fails-end-war.

In September 2019, reports emerged of the deployment of around one thousand foreign mercenaries by the Russian Wagner Group, to key battleground areas in support of Haftar's forces. The Wagner Group is a private military company with close ties to Vladimir Putin, and has reportedly been active in Ukraine, Syria, the Central Africa Republic, Mozambique, and Belarus.[8] While this was not the first report of Russian involvement in Libya, it is arguably the first that helped break the stalemate, tilted the balance of the conflict and gave credence to the idea that the capital could actually be taken by the LAAF.[9]

By indirectly supporting intervention in Libya through Wagner, Russia sought to strengthen its ties with its regional partners Egypt and the UAE, while expanding its influence in Europe's oil-rich southern neighbourhood. Wagner's increasingly influential presence in Libya ensured that Russia would have a say in any future political negotiations, and allowed it to support yet another authoritarian leader in a country that suffers from international disinterest, while threatening Europe's southern border and undermining international rule of law.

The lack of meaningful support and clear policy from the EU, Italy, or the US. after the offensive meant that no international party was actively striving to de-escalate and pressure the LAAF's foreign backers. This led the GNA, now significantly weakened and diplomatically isolated, to reach out to Turkey, which was already providing minimal military support to the GNA since April 2019.[10] Turkey has an economic interest in Libya, with more than $20 billion in frozen contracts left over from the Gaddafi era. Turkey also does not want to leave Libya open to Egypt and the UAE, which would threaten its prospects in the region. Having a foot in Libya would also allow Turkey to counter its perceived isolation from the eastern Mediterranean region, where discovery of gas reserves in 2018 has deepened ties between Cyprus, Egypt, Greece, Israel, Italy, Jordan and Palestine,

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[8] Marten, Kimberly (2020) 'Where's Wagner? The All-New Exploits of Russia's 'Private' Military Company', PONARS Eurasia Policy Memo No. 670, September, accessed 18 October 2020, https://www.ponarseurasia.org/sites/default/files/policy-memos-pdf/Pepm670_Marten_Sept2020.pdf

[9] Wehrey, Frederic (2019) 'With the Help of Russian Fighters, Libya's Haftar Could Take Tripoli', Foreign Policy, 5 December, accessed 18 October 2020, https://foreignpolicy.com/2019/12/05/libya-khalifa-haftar-take-tripoli-russian-fighters-help/.

[10] 'Turkey Wades into Libya's Troubled Waters' (2020), International Crisis Group, 30 April, accessed 18 October 2020, https://www.crisisgroup.org/europe-central-asia/western-europemediterranean/turkey/257-turkey-wades-libyas-troubled-waters.

as illustrated by the creation of the EastMed Gas Forum.[11] Turkey's intervention in Libya should also be understood within the Justice and Development party (AKP)'s recent espousal of the hardline nationalist 'Blue Homeland' expansionist foreign policy[12].

Within this context, in November 2019 Turkey signed two Memorandum of Understandings (MoU) with the GNA on maritime boundaries and on security and military cooperation, the latter allowing Turkey to significantly step up its military support and to conduct it openly, and provided Turkey access to Mediterranean waters that could cut natural gas routes to southern Europe — provided Turkey can access all of Libya's Mediterranean coast, including the East. Turkey therefore distinguished itself from the start by the overt nature of its intervention.

While most international attention has focused on the increasing intervention of Russia and Turkey, the UAE has remained a key actor of the conflict, whose footprint has only grown since 2011[13] and points to cooperation with the Wagner group, as suggested by the landing of Russian airplanes in Libyan airbases operated by the UAE.[14] The UAE was largely driven by its hostility towards participatory politics and towards political Islam.[15] These ideological pursuits have made the UAE an inflexible player in Libya, to the point of hinging its bets on Haftar's total victory, even though his

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[11] Matalucci, Sergio (2020) 'EastMed Gas Forum fuels energy diplomacy in troubled region', Deutsche Welle, 8 October, accessed 18 October 2020, https://www.dw.com/en/eastmed-gas-forum-fuels-energy-diplomacy-in-troubled-region/a-55206641.

[12] Gingeras, Ryan (2020) 'Blue Homeland: the heated politics behind Turkey's new maritime strategy', War on the Rocks, 2 June, accessed 18 October 2020, https://warontherocks.com/2020/06/blue-homeland-the-heated-politics-behind-turkeys-new-maritime-strategy/.

[13] Badi, Emaddedin (2020) 'Russia Isn't the Only One Getting Its Hands Dirty in Libya', Foreign Policy, 21 April, accessed 18 October 2020, https://foreignpolicy.com/2020/04/21/libyan-civil-war-france-uae-khalifa-haftar/.

[14] 'Syrian and Russian aircraft monitored at Libyan airbase operated by the UAE' (2020) Middle East Monitor, 3 July, accessed 18 October 2020, https://www.middleeastmonitor.com/20200703-syrian-and-russian-aircraft-monitored-at-libyan-airbase-operated-by-the-uae/.

[15] Van Genugten, Saskia (2017) 'The Gulf States: Channeling Regional Ambitions in Different Directions', in Mezran, Karim and Arturo Varvelli (eds.) Foreign Actors in Libya's Crisis (Milan: Ledizioni LediPublishing), , accessed 18 October 2020, http://www.ledizioni.it/stag/wp-content/uploads/2017/10/Libia_web.pdf.
Gunet, Philippe Henri (2018) 'Les Émirats arabes unis, un acteur méconnu', Orient XXI, 12 February, accessed 18 October 2020, https://orientxxi.info/magazine/les-emirats-arabes-unis-un-acteur-meconnu,2271.

previous military achievements have largely been the result of considerable Egyptian and Emirati material and strategic support, and French diplomatic cover. A secondary and marginal motivation is the UAE's desire to oversee the economic reconstruction of an allied Libyan state at its image.

In the second quarter of 2020, Eastern forces, seemingly unable to counter Turkey's military power, suffered a series of setbacks, ultimately leading to their withdrawal from western Libya in June 2020 and to the reversal of fourteen months of territorial gains for the LAAF. In just a few weeks, the LAAF coalition and its foreign backers retreated from much of Libya's western territory, allowing the GNA to effectively break the siege on the capital launched in April 2019. New battle lines were formed around the central cities of Sirte and Juffra, gateways to Libya's oil crescent. While the conflict was virtually on stand-by as Turkey was not able to take over Sirte, the GNA rejected a ceasefire proposed by Egypt's President Abdelfatah al-Sisi on June 6th, concerned that it represented a plan designed to save Marshal Haftar after the collapse of his military assault. In the summer of 2020, battle tanks and helicopters deployed on the eastern Libyan border and a rhetorical build-up reinforced fears of a direct military intervention from Egypt.[16]

As such, the failed assault on Tripoli and its impact on local actors created the space for actors such as Turkey and Russia to establish their presence in Libya durably and become new power brokers. In doing so, these actors have furthered their own interests, including undermining international rule of law and European influence, and, along with other actors such as the UAE, have contributed to fuelling a dangerous race to the bottom. Illustrative of this is the brief truce brokered by Russia and Turkey in January 2020.[17] This new reality was in many ways fed by failed diplomacy and a lack of political will from traditional normative powers.

[16] Mourad, Mahmoud (2020) 'Egypt has a legitimate right to intervene in Libya, Sisi says', Reuters, 20 June, accessed 18 October 2020, https://www.reuters.com/article/us-libya-security-egypt-idUSKBN23R0W1.

[17] Gall, Carlotta (2020) 'Russia and Turkey Make Joint Call for Cease-Fire in Libya', The New York Times, 8 January, accessed 18 October 2020, https://www.nytimes.com/2020/01/08/world/middleeast/russia-turkey-libya.html.

A Protracted Conflict Supported by Failed Diplomacy

Overall, the past year and half in Libya was marked by a lack of substance and a lack of commitment to peace and accountability from international actors. The United States, until recently, has appeared unwilling to engage in a conflict involving its close allies, Turkey and the UAE. Its position has been unclear with conflicting messages coming from different branches of the US. government. President Trump seemed to give open backing to the LAAF, while the official position remained supportive of the GNA and the UN-led peace efforts.[18] Increased Russian intervention eventually pushed actors such as the US. Africa Command (Africom) in the summer of 2020 to be more vocal about Wagner's military deployment in Libya.[19] The US however, in the context of domestic unrest, elections and long-term disengagement from the region,[20] remains unlikely to develop a real Libya policy beyond reflexive anti-Russian positioning.

France's covert support of the LAAF, sustained by its close ties with the UAE,[21] has weakened and obstructed European action and undercut both EU and UN efforts. In April 2019, France reportedly blocked a statement from the EU that would have condemned the offensive on Tripoli.[22]

Turkey's intervention and the Russian-Turkish truce brokered in January 2020 pushed the EU to break out of its apathy, leading to Germany's attempt to relaunch the peace process and reaffirm the role of the European Union through the Berlin conference. Quickly after, in March 2020, the launch

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[18] Borger, Julian and Patrick Wintour (2019) 'No coherent policy': Trump's scattergun approach plunges Libya deeper into peril', The Guardian, 30 April, accessed 18 October 2020, https://www.theguardian.com/world/2019/apr/30/trumps-scattergun-approach-haftar-libya-deeper-into-peril-analysis.

[19] United States Africa Command Statement (2020) 'New evidence of Russian aircraft active in Libyan airspace', 18 June, accessed 18 October 2020, https://www.africom.mil/pressrelease/32941/new-evidence-of-russian-aircraft-active-in-li.

[20] David Miller, Aaron and Richard Sokolsky (2020) 'The Middle East Just Doesn't Matter as Much Any Longer', Politico, 3 September, accessed 18 October 2020, https://www.politico.com/news/magazine/2020/09/03/the-middle-east-just-doesnt-matter-as-much-any-longer-407820.

[21] Gillon, Jihâd (2020) 'France-Libya: Marshal Haftar, the controversial friend of the Élysée', The Africa Report, 20 March, accessed 18 October 2020, https://www.theafricareport.com/24823/france-libya-marshal-haftar-the-controversial-friend-of-the-elysee/.

[22] Baczynska, Gabriela and Francesco Guarascio (2019) 'France blocks EU call to stop Haftar's offensive in Libya', Reuters, 10 April, accessed 18 October 2020, https://www.reuters.com/article/us-libya-security-eu-tajani-idUSKCN1RM1DO.

of naval operation IRINI was also announced by the EU to help enforce the UN arms embargo, but drew criticism over perceived political bias against Turkey,[23] and suffered from internal tensions around the rescue of migrants,[24] and may have ended up strengthening Turkey's resolve in Libya. While Operation IRINI is said to have conducted 650 hailing as of September 2020,[25] its ability to counter embargo violations remains limited by its mandate.

The UN, despite its best efforts, has found itself incapacitated. Despite all the main foreign actors involved in Libya having endorsed a unified agenda in Berlin in January 2020, based on a commitment to peace, a rejection of foreign interference and a resumption of political negotiations,[26] what followed was an increased weapon and mercenary influx, notably the introduction of advanced Turkish weaponry,[27] which effectively shifted the course of the war by breaking Emirati air superiority. Taking advantage of international preoccupation with the COVID-19 pandemic, fighting sharply escalated, with disastrous humanitarian consequences,[28]

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[23] Scazzieri, Luigi (2020) 'The EU's new Libya Operation is flawed', Center for European Reform, 8 April, accessed 18 October 2020, https://www.cer.eu/insights/eus-new-libya-operation-flawed.

[24] MacGregor, Marion (2020) 'Stopping 'migrant wave' depends on new naval mission, EU foreign minister', Info Migrants, 13 May, accessed 18 October 2020, https://www.infomigrants.net/en/post/24718/stopping-migrant-wave-depends-on-new-naval-mission-eu-foreign-minister.

[25] EU Naval Force Med Statement (2020) 'Operation Irini inspects a vessel for suspected violation of the UN arms embargo on Libya', 10 September, accessed 18 October 2020, https://www.operationirini.eu/wp-content/uploads/2020/09/Operation-Irini-inspects-a-vessel-for-suspected-violation-of-the-UN-arms-embargo-on-Libya.pdf.

[26] United National Support Mission in Libya (2020) 'Berlin International Conference on Libya – 19 January 2020', Conference Conclusions, 19 January, accessed 18 October 2020, https://unsmil.unmissions.org/berlin-international-conference-libya-19-january-2020.

[27] Imhof, Oliver (2020) 'Libya: a year of living dangerously', Airwars, 6 April, accessed 18 October 2020, https://airwars.org/news-and-investigations/libya-year-of-living-dangerously/.

[28] United Nations Office for the Coordination of Humanitarian Affairs, UN Refugee Agency, United Nations Children's Fund, United Nations Population Fund, World Food Programme, World Health Organisation and International Organisation for Migration (2020), 'Conflict and the COVID-19 pandemic present a significant threat to life in Libya', 13 May, accessed 18 October 2020, https://www.humanitarianresponse.info/en/operations/libya/document/libya-l-joint-statement-libya-conflict-and-covid-19-pandemic-present.

leading then Deputy Special Representative to Libya Stephanie Williams to say that the 'embargo [had] become a joke.'[29]

In addition to a lack of commitment to peace and accountability, the evolution of the conflict in Libya has reflected and illustrated the erosion of the international rule of law.[30] Libya has become the first theatre of drone combat,[31] dominated by UAE-operated Chinese — and later Turkish — drones, and breaking what used to be a US monopoly in drone technology. Through the use of drones and mercenaries, foreign actors can more easily maintain plausible deniability, encouraged by the indifference or incapacity of traditional normative powers, while also making increased use of online disinformation campaigns.[32]

The use of drones and foreign mercenaries has therefore facilitated a proxy war by military action with minimal risks and costs to intervening parties. No Russian, Turkish or Emirati solider has fought in Libya. There are however over 5,000 Syrian mercenaries, including children, recruited by Turkey through its own paramilitary company Sadat,[33] and about 3,000 Wagner mercenaries and 2,000 Syrian mercenaries deployed by the Russian Wagner group in support of the LAAF, notably around major oil fields.[34] This is in addition to Chadian and Sudanese fighters, the latter suspected

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[29] Irish, John and Sabine Siebold (2020) 'U.N. says Libya arms embargo a 'joke', demands accountability', Reuters, 16 February, accessed 18 October 2020, https://www.reuters.com/article/us-germany-security-libya-idUSKBN20A09X.

[30] Lacher, Wolfram (2020) 'Drone, Deniability, and Disinformation: Warfare in Libya and the new international disorder', War on the Rocks, 3 March, accessed 18 October 2020, https://warontherocks.com/2020/03/drones-deniability-and-disinformation-warfare-in-libya-and-the-new-international-disorder/

[31] Sabbagh, Dan, Jason Burke and Bethan McKernan (2019) "'Libya is ground zero': drones on frontline in bloody civil war", The Guardian, 27 November, accessed 18 October 2020, https://www.theguardian.com/news/2019/nov/27/libya-is-ground-zero-drones-on-frontline-in-bloody-civil-war.

[32] 'A Light in Libya's Fog of Disinformation' (2020) African Center for Strategic Studies, 9 October, accessed 18 October 2020, https://africacenter.org/spotlight/light-libya-fog-disinformation/.

[33] Zaman, Amberin (2020) 'Report: Child soldiers deployed to Libya by Turkish-backed Syrian National Army', Al-Monitor, 8 May, accessed 18 October 2020, https://www.al-monitor.com/pulse/originals/2020/05/child-soldiers-libya-syria-national-army-turkey.html.

[34] 'Russian mercenaries are fighting in Libya, UN diplomats say' (2020) France 24, 7 May, accessed 18 October 2020, https://www.france24.com/en/20200507-russian-mercenaries-are-fighting-in-libya-say-un-diplomats.

to have been hired by an Emirati company.[35] The potential replication of this mode of action, which itself could be seen as a learning outcome of the Syrian conflict,[36] represents a disturbing development which threatens regional and global prospects for rule of law and accountability.

In that regard, even what seemed to be a rare positive development in the pursuit of justice and accountability — an independent fact-finding mission mandated in June 2020 by the UN Human Rights Council to investigate human rights abuses in Libya since 2016 — was hindered by delays due to the COVID-19 pandemic and now appears to have been postponed due to the UN's funding crisis.[37]

The lack of accountability, political will and overall disengagement of traditional powers in Libya allowed the assault on Tripoli to happen and then allowed for the further entrenchment of international powers and this race to the bottom to continue. In addition to sidelining the UN process, this context resulted in the sidelining of Libyan citizens and their transition. Recent civil unrest seems to indicate that Libyans across the country are trying to bring their aspirations back to the centre of the political process.

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[35] Burke, Jason and Zeinab Mohammed Salih (2019) 'Mercenaries flock to Libya raising fears of prolonged war', The Guardian, 24 December, accessed 18 October 2020, https://www.theguardian.com/world/2019/dec/24/mercenaries-flock-to-libya-raising-fears-of-prolonged-war.
Tagba, Kamailoudini (2020) 'Libya: Sudan Investigating Alleged Recruitment of Sudanese as Mercenaries by UAE Firm', North Africa Post, 29 January, accessed 18 October 2020, https://northafricapost.com/37418-libya-sudan-investigating-alleged-recruitment-of-sudanese-as-mercenaries-by-uae-firm.html.

[36] Ramani, Samuel (2020) 'Russia and the UAE: An Ideational Partnership', Middle East Policy Council Journal, Spring 2020, Volume XXVII, accessed 18 October 2020, https://mepc.org/journal/russia-and-uae-ideational-partnership.
Siegle Joseph (2019) 'Recommended US Response to Russian Activities in Africa', Africa Center for Strategic Studies, 9 May, accessed 18 October 2020, https://africacenter.org/experts/joseph-siegle/recommended-us-response-to-russian-activities-in-africa/.

[37] Lee, Johny (2020) 'UN Postpones Libyan Human Rights Investigation', Libya-Business news, 14 October, accessed 18 October 2020, https://www.libya-businessnews.com/2020/10/14/un-postpones-libyan-human-rights-investigation/.

The Interests of the Libyan People Sidelined from the Conflict

Both warring coalitions in Libya are fragile and lack popular legitimacy. While the UN recognises the GNA, it remains more of a loose coalition of ideologically diverse militias born out of necessity, rather than a national government. Like the Eastern-based House of Representatives (HoR), its mandate is expired. Internal tensions were already likely to arise within the GNA as the LAAF became less of an immediate threat and more territory needed to be controlled, and in the East, as Khalifa Haftar no longer enjoys the leading role he previously had, following his military and political failure.

Prompted by a disintegrating economy, an acute financial crisis, chronic cuts in electricity and water supplies across the country, the humanitarian cost of the conflict and both authorities' inability to stem Libya's coronavirus outbreak, calls for demonstrations started appearing in early August on social media, which were severely repressed by authorities. Libyans across the country have lost trust in authorities' ability to respond to the needs of its citizens. In response, protests started on 23 August in Sebha, Tripoli, and Benghazi, and were followed throughout the country. Demonstrators (whether in the West, East or South) have advanced demands for the right to a dignified life, the provision of basic services, and an end to corruption.

Although protests took place across Libya, anti-government demonstrations in Tripoli had a particularly destabilising effect on the GNA and were immediately met, as in the East, with a clampdown on public freedoms and a violent response from affiliated armed groups.[38] In an attempt to respond to people's grievances, the GNA's Presidential Council[39] then announced a series of measures, such as a cabinet reshuffle, the opening of an investigation into officials of the electricity

[38] Cairo Institute for Human Rights Studies (2020) 'Libya: National authorities and international community must urgently protect demonstrators and freedom of expression in Libya', 1 September, accessed 18 October 2020, https://cihrs.org/libya-national-authorities-and-international-community-must-urgently-protect-demonstrators-and-freedom-of-expression-in-libya/?lang=en.

[39] The Presidential Council acts as head of the state and supreme commander of the armed forces, and was formed under the 2017 Libyan Political Agreement.

company, an audit of the Ministry of Health's expenditures,[40] a decree granting a family benefit allowance, and a new employment and training program to hire job seekers into the public sector.[41] The suspension of Minister of Interior Fathi Bashagha[42] also illustrated growing tensions within the Prime Minister and the military groups supporting each of them, especially as Bashagha's influence has grown with international partners such as Turkey and the United States, who appreciate his perceived efforts to dismantle the militias that control the capital.

In eastern and southern Libya, people have also grown weary of prolonged blackouts, fuel shortages, and systemic corruption. The socioeconomic impact of the COVID-19 pandemic has only exacerbated the issue and helped ignite the protests. Since Marshal Haftar's defeat, HoR President Agila Saleh has become the central figure in charge of negotiations for eastern authorities, detaching the HoR from the LAAF. Support for the former regime has re-emerged publicly, in spite of authorities' heavy crackdown. Former regime supporters — whom have formed an essential section of the LAAF coalition — publicly called for their inclusion in the politics of the country; taking to the streets to demand the return of Saif Al Islam Gaddafi.

Although social divisions remain acute, the past months have provided Libyan leaders across both sides of the conflict with a reminder of the potential power wielded by the citizens they should represent. Anti-corruption measures and other announced reforms were only perceived as short-term solutions that did not address the public's concerns. Despite a violent crackdown by authorities in western, eastern and southern Libya, civil unrest has persisted and almost overshadowed the two separate statements published on August 21st by GNA Prime Minister Fayez al-Sarraj and the HoR's

[40] Decision of the Presidential Council of the Government of National Accord No. 565 ordering the establishment of a committee to review the expenditures of the Ministry of Health (2020) Presidential Council, 29 August, accessed 18 October 2020, https://www.facebook.com/GNAMedia/posts/2741185062805538/.

[41] 'The Presidency grants wife and children benefit, starting from January 2020' (2020) Al-Awsat, 29 August, accessed 18 October 2020: http://alwasat.ly/news/libya/293758.

[42] 'Influential Libyan interior minister suspended amid protests' (2020) Reuters, 28 August, accessed 18 October 2020, https://www.reuters.com/article/us-libya-security-idUSKBN25O301.

Saleh in support of a ceasefire, which marked a significant advance in international negotiations and brought new life to the political process[43].

Conclusion

Former UN Special Representative Ghassan Salamé, through the National Conference process, attempted to chart the way towards an inclusive political process that would conclude Libya's transitional period.[44] Haftar's assault on Tripoli in April 2019, facilitated by a lack of accountability and political will, prevented this initiative from bearing fruit, and ultimately contributed to escalating the stakes and complexity of a conflict beyond Libyans' control. As such, Libyan citizens found themselves durably sidelined from their own transition.

The ensuing civil unrest that has dominated the months of August and September 2020, if leveraged within political negotiations, and if there is political will to enforce accountability, could represent an opportunity for Libya to regain its sovereignty. As Libyan parties resumed UN-sponsored talks following the new negotiation process initiated on August 21, Salamé summarised the current state of affairs in a rare public intervention by declaring that 'conditions have never been as propitious as right now for a resolution of the conflict,' while also warning that the current ceasefire could well 'disappear tomorrow.'[45]

The former Special Representative's declaration echoes the deep uncertainties that remain, including on how to address the entrenched and growing presence of foreign mercenaries, notably around oil

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[43] United National Support Mission in Libya Press Statement (2020) 'Acting SRSG Williams warmly welcomes points of agreement in today's declarations by PM Serraj and Speaker Aguila, calling for a ceasefire and the resumption of the political process', 21 August, accessed 18 October 2020, https://unsmil.unmissions.org/acting-srsg-williams-warmly-welcomes-points-agreement-today%E2%80%99s-declarations-pm-serraj-and-speaker.

[44] United Nations Press Statement (2019) 'All Parties in Libya Must Seize Critical Chance to Forge Inclusive, Stable Future ahead of National Conference, Special Representative Tells Security Council', 20 March, accessed 18 October 2020,https://www.un.org/press/en/2019/sc13743.doc.htm.

[45] 'Libya and the New Global Disorder: A Conversation with Ghassan Salamé' (2020), Carnegie Endowment for International Peace [Online discussion], 15 October, accessed 18 October 2020, https://carnegieendowment.org/2020/10/15/libya-and-new-global-disorder-conversation-with-ghassan-salam-event-7439.

fields,[46] the inability of current Libyan political elites to address the needs of their citizens, and the continued involvement of long-time Counter-revolutionary actors[47] and spoilers of peace.[48] In that regard, the signing of an official ceasefire on 23 October,[49] while a positive step, will have a hard time reversing the unofficial partition of the country between Turkey, Russia and the UAE and resolving deep social fractures born of long-term impunity.

[46] Al-Hawari, Omar (2020) 'Tensions rise in Libya's Sirte as the city becomes central to the conflict', Middle East Directions Blog, 12 October, accessed 18 October 2020: https://blogs.eui.eu/medirections/tensions-rise-in-libyas-sirte-as-the-city-becomes-central-to-the-conflict/.

[47] 'Amid 'devolution' in Libyan peace process, Egypt looks to leave mark on political-military landscape' (2020) Madamasr, 12 October, accessed 18 October 2020, https://www.madamasr.com/en/2020/10/12/feature/politics/amid-devolution-in-libyan-peace-process-egypt-looks-to-leave-mark-on-political-military-landscape/.

[48] Harchaoui, Jalel (2020) 'The Libyan Civil War is About to Get Worse', Foreign Policy, 13 March, accessed 18 October 2020, https://foreignpolicy.com/2020/03/18/libyan-civil-war-about-get-worse/.

[49] 'U.N. says Libya sides reach ceasefire deal' (2020), Reuters, 23 October, accessed 31 October 2020, https://www.reuters.com/article/libya-security-ceasefire-idUSL8N2HE343.

Yemen: Conflict, Fragmentation, and Rocky Peace[1]

AHMED NAGI [2]

As the war enters its sixth year, Yemen starts another round of division and fragmentation. The war erupted on 26 March 2015 with the intervention of Saudi-led Arab coalition following the military coup by Ansar Allah (the Houthis) and its ally former President Ali Abdullah Saleh. It has devolved into a series of overlapping conflicts extending across the entire country. The coalition entered the war united, but it has fragmented into multiple alliances. Each coalition partner is pursuing its own interests in Yemen, particularly in the south. Meanwhile, Iran and the Houthis, who control most of the north, have stepped up cooperation and coordination, as Iran uses the conflict to weaken Saudi Arabia, its principal foe in the region.

As the war dragged on, it has pulled in new social constituencies that have in turn become part of the conflict. All of this has cast a long shadow over the difficult humanitarian conditions facing Yemenis, which have been compounded by the coronavirus pandemic, other epidemics, and diseases. Given such complexity, peace remains elusive. Initiatives aspiring for a partial resolution have yet to score success on the ground.

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Where Is the War Being Waged Today?

The war is geographically mobile. Its staging ground is shifting in response to enduring hostilities and changing alliances. Since each party to the war is deployed in a specific geographic region, the areas separating warring parties have become theatres for armed conflict. As the war persists, these buffer zones have hardened into internal borders[3] dotted with armed checkpoints, search patrols, and detention centres for opponents. Overall, the war theatre is divided into three main zones with some limited exceptions in a few areas.

First zone: These are regions held by the Houthis, who control the capital of Sanaa and most northern governorates. Although these areas combined constitute no more than 25 percent of Yemen's territory, they are the most populous areas, home to around 65% of the population. After mounting a military coup in September 2014, the Houthis took up positions in these regions, taking advantage of their control of state military resources, the weakness of the internationally recognised government of President Abd-Rabbu Mansour Hadi, and their partnership with former President Ali Abdullah Saleh, the head of the General People's Congress party (GPC). Saleh announced the end of this partnership in December 2017, setting off an armed conflict that culminated in his death. The Houthis subsequently induced some GPC leaders to continue the partnership, but the alliance is largely nominal. The Houthis now control all the levers of de facto power in the areas under their control.

The Houthis are ostensibly fighting against aggression and outside interference, a narrative adopted after the Saudi-led alliance launched military operations in Yemen. They wage the internal war under the same banner against those they view as local proxies for this aggression. The group carried out an armed coup that saw President Hadi placed under house arrest before he was able to flee to Aden in February 2015. The Houthis adopted numerous pretexts to justify their political and military aspirations to rule, from grievances about the oppression of Saada, the region from which the Houthis hail, to combatting corruption and terrorism.

[3] Nagi, Ahmed (2020) 'Divided Yemen Is Falling', Carnegie Middle East Centre, 10 February, https://carnegie-mec.org/diwan/80980.

Today, the war front extends from the Yemeni-Saudi border in the northwest to the governorates of al-Jawf, Marib, al-Bayda, Dhale, Taiz, and al-Hudayda. Throughout these areas, Houthis launch offensives from dozens of fronts against their opponents. In the last three years, coalition military operations along these fronts have declined markedly for three major reasons. First, the Houthis obtained advanced weaponry[4] that they did not possess at the war's outset, such as drone technology and ballistic missiles. These weapons have proved to be a relatively effective counterweight to coalition attacks. Second, the Stockholm Agreement suspended fighting in the western coastal province of Hudayda.[5] Third, there was a shifting coalition policy toward local allies coupled with emerging differences in the strategies of the main coalition partners, Saudi Arabia and the United Arab Emirates (UAE).[6] In recent months, the Houthis have stepped up their attacks in the governorates of al-Jawf, Marib, and al-Bayda, gaining ground in several areas. These fronts continue to witness heavy fighting.

Second zone: These are areas controlled by forces with the Southern Transitional Council (STC), which brings together many southern leaders and seeks southern secession, or 'disengagement from the north' in their own parlance.[7] It also includes western coastal areas held by Republican Guard forces led by Tareq Saleh, the nephew of the late President Saleh, and which formed in April 2018 — about four months after Saleh's death. This coastal area extends from the governorate of al-Hudayda in the west to Aden in the south. Despite the divergence of their declared goals, alliances between these parties and their common backing by the UAE have made them a cohesive force.

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[4] Al-Ashwal, Ammar (2019) 'Is Saudi Arabia Finally Seeking Peace with the Houthis?' al-Monitor, 26 November, https://bit.ly/2SzpQfY.

[5] Al-Himyari, Kanaan (2019) 'Ba'd 'Am 'ala Tawqi' Ayna Asbah Ittifaq Stockholm bi-Sha'n al-Hudayda?' [One Year after Signing How Is the Stockholm Agreement Working in Hudayda?], Independent Arabia, 16 December, https://bit.ly/3nuZ0UA.

[6] Reuters Arabic (2019) 'al-Imarat Tukhalkhil al-Tahaluf ma' al-Sa'udiya Ta'zizan li-Suratiha ka-Sani' al-Salam' [UAE Breaks from Saudi Coalition to Boost Its Image as Peacemaker], 28 August, https://ara.reuters.com/article/idARAKCN1VI2H5.

[7] Statements issued by the STC since its establishment in May 2017. See the STC website at https://stcaden.com/.

The Republican Guard does not recognise the authority of President Hadi although both parties share an antipathy toward the Houthis.[8] In this position, the Guard forces are an extension of the final narrative pushed by President Saleh before his death. Most Republican Guard forces hail from the northern governorates, and many served in the Republican Guard that was led by President Saleh's son before his dismissal in 2012.

In July 2019 the Joint Forces were formed by the Saudi-led coalition in the western coastal areas,[9] which includes — in addition to the Republican forces — the Giants Brigades, composed of Salafi fighters from southern regions supported by the coalition. These forces were able to advance along the western coast to the outskirts of al-Hudayda City before the United Nations intervened to end the fighting under the Stockholm Agreement in December 2018. The Joint Forces also include the Tihama Resistance, local fighters who joined the Giants Brigades to fight the Houthis. The Republican Guard has not been openly involved in fighting since signing the Stockholm Agreement, but it has supported STC forces in their war against the government in Aden and Abyan.[10]

The STC has controlled the governorate of Aden and surrounding areas since August 2019, following violent clashes with President Hadi's Presidential Guard forces deployed in Aden, which occurred in the wake of the Riyadh Agreement between the STC and Hadi government. In view of the obstacles to implementation of the agreement, the STC declared autonomous rule in Aden in April 2020,[11] a move opposed by some southern governorates that were under Hadi's authority. The STC subsequently assumed local authority in the island governorate of Socotra, also declaring autonomous rule.

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[8] al-Kamali, Zakariya (2018) 'al-Yaman: 'A'ilat Salih wa-l-Shar'iya: Dababiya Tanquluhum li-Mu'askar Thalith' [Yemen: The Saleh Family and Legitimacy: Murkiness Makes Them a Third Camp], 12 January, Anadolu Agency, https://bit.ly/3lvXxM5.

[9] See the statement from the Joint Forces, 9 July 2019, on their official website at https://menberalmukawma.net/news_details.aspx?nt=0310.

[10] Based on interviews with four local researchers who related details of Tareq's forces backing the STC in its war against the Hadi government in the battle of Aden in August 2019 and battles in Abyan in May 2020.

[11] Euronews (2020) 'al-Majlis al-Intiqali fi-l-Yaman Yu'lin al-Idarat al-Dhatiya li-l-Janub ba'd Ta'aththur Ittifaq li-Taqasum al-Sulta' [STC in Yemen Declares Autonomous Rule of the South after Stalling of Power-Sharing Agreement], 26 April, https://bit.ly/2SEBmql.

At the same time, STC forces have waged sporadic battles against the Houthis in some areas of Dhale, as well as against Hadi government forces in the Abyan governorate, near Aden. All of this spurred Saudi Arabia to revive the Riyadh Agreement, signed in November 2019. Currently the Kingdom says it is working to bring the parties closer to an understanding to move ahead with the agreement. The STC recently suspended the autonomous administration, reportedly in order to facilitate implementation of the agreement.[12]

Third zone: These are areas under control of the internationally recognised Hadi government, supported by Saudi Arabia. Although these areas have shrunk in recent years, they still cover most of eastern Yemen. Even so, the type of control exercised by the Hadi government in this area cannot be compared to that of the Houthis or the STC. The Hadi government maintains only loose control over this territory since most government members reside outside Yemen and do not carry out their functions on the ground. This may explain the emergence of a hybrid type of local governance in these regions. Local authorities in Marib, Hadramawt, Shabwa and al-Mahra enjoy substantial local power thanks to a fair degree of acceptance by local communities or direct support from regional actors. This third zone includes part of the Taiz governorate. But the area has become a flashpoint, with government forces and the local resistance fighting Houthis deployed on the outskirts of the city. There are also some currents in the south that support President Hadi, which have recently come together as the Southern National Alliance.

The regions under the control of the Hadi government are currently facing a series of military offensives from two sides: the Houthis from al-Jawf, Marib, al-Bayda, and Taiz; and the STC from the Abyan. Despite Saudi Arabia's substantial influence within the Hadi government, relations between the Kingdom and some Hadi government officials are nevertheless strained because Saudi Arabia is dealing with an ally that it did not cultivate from the beginning in contrast to the relationship between the STC and the UAE. This may explain Saudi Arabia's current efforts to build

[12] Asharq Alawsat (2020) 'al-Yaman: al-Intiqali Yu'lin Takhallihi 'an al-Idara al-Dhatiya li-l-Janub' [Yemen: STC Abandons Autonomous Rule in the South], 28 July, https://bit.ly/3lqSIU0.

a good relationship with the STC, clearly demonstrated in the accommodations the Kingdom offered to the STC when the latter assumed control of Socotra.[13]

When the coalition launched its military operations in 2015, it relied on the army formed in government-controlled areas — essentially military units that refused to surrender to the Houthis after the fall of Sanaa — in addition to tribal and political groups, primarily the Yemeni Congregation for Reform (the Islah party). But the army's effective presence has declined due to conflicting internal operational decisions; Saudi control of decision-making, which at times contradicts local military decisions; and a severe financial crisis that precluded the regular payment of soldiers' salaries.[14] The exception is a few military brigades deployed at the front lines that receive sustained, if limited, support from the coalition because of the strategic importance of their continued presence for Saudi Arabia.

The retreat of an effective military force for the Hadi government led to the emergence of local militias, which initially acted as support for the army when military operations began in 2015. In Marib, for example, clashes with the Houthis have become more localised. Local tribes have been directly engaging Houthi fighters, although this does not mean that the tribes are the sole party battling the Houthis. Fighters with the Islah party, which is ideologically linked with the Muslim Brotherhood, have joined in these battles. They are united with the tribes in their hostility to the Houthis. The defence of Marib has become a life-or-death matter, as the area is one of the most important refuges for people displaced from the north after the Houthis assumed control.

Stance of Regional Powers Involved in the Conflict

Discussing the posture of local actors does not mean that these parties have absolute control in their regions. The current conflict is a multifaceted one, driven on the surface by local actors but fundamentally managed by regional parties. In fact, a principal feature of the war in Yemen is the

[13] Television interview with Socotra Governor Ramzi Mahrous, 23 June 2020, available at https://www.youtube.com/watch?v=wxOqvdiIKnM.

[14] Abaad Studies and Research Center (2018) 'Yemen's National Army in the Hot Fighting Fronts', 27 July, https://abaadstudies.org/print.php?id=59780.

gradual migration of local decision-making out of the country. Regional powers dominate the general trajectory of events. In addition, the regional drivers of the war in Yemen — which may have nothing at all to do with local motivations — cannot be ignored. The regional drivers include national security concerns, the desire to expand influence or eliminate rivals, and avoiding domestic competition through battles fought beyond national borders.

Saudi Arabia intervened in Yemen to protect its border security and counter a perceived threat from the Houthis, in the wake of Houthi military manoeuvres near the Saudi border following the fall of Sanaa. Border security has long determined the nature of the Saudi-Yemeni relationship. Although Saudi Arabia maintained an unspoken agreement with the Houthis around the border regions, developments inside Yemen stoked Saudi fears. Saudi Arabia has other motivations as well, such as its desire to keep its hand in Yemen, a policy it has pursued since the monarchist-republican wars in the 1960s.

The UAE, the second major coalition partner, has somewhat different motivations. It considers the areas overlooking the Arabian Sea and the Gulf of Aden, including the Mandeb Strait, as strategically vital to expanding its influence in maritime shipping, particularly given its presence on the Horn of Africa, both in Somalia and Eritrea. After Dubai Ports lost management of the Aden port in 2012 due to pressure to cancel the company's contract in the wake of the 2011 uprising,[15] military intervention offered the UAE a timely opportunity to return. In recent years the UAE has presented itself as a prime player in the Arab world through interventions in numerous Arab states undertaken, it says, to combat political Islam in the region. This is one reason for its hostility to the Islah party, given the latter's ties to the Muslim Brotherhood.

Qatar intervened at the beginning of the war to extend its influence in Yemen as well as to get closer to Saudi Arabia with the goal of winning the Kingdom over following the 2014 crisis among member states of the Gulf Cooperation Council. In 2017, however, it was kicked out from the coalition following the diplomatic crisis with Saudi Arabia, the UAE, and Bahrain. While Qatar may have no presence on the ground today, its media arms are active in the conflict, serving the parties

[15] O'Neill, Brian (2012) 'Aden's Port in the Storm', 6 September, Carnegie Endowment for International Peace, https://carnegieendowment.org/sada/49291.

arrayed against Saudi Arabia and the UAE. Indeed, it is remarkable how many media channels and institutions have become propaganda outlets for the Houthis. For Qatar, the Yemeni conflict is now part of its conflict with the states blockading it. On a popular level, it is widely thought that the Islah party is carrying out Qatar's agenda given the party's links to the Brotherhood, which is allied with the Qatari regime; Islah denies this, however.

As for Oman, it chose to remain neutral from the outset. The country found itself in the eye of the storm as Saudi and Emirati influence began to extend to al-Mahra, located on its border with Yemen and an area that Oman has long considered part of its defensive national security perimeter. As the conflict approached Oman's western borders, it revived memories of conflicts in the region in the 1970s. In response, Oman implemented a defensive strategy that involves supporting tribes in al-Mahra that reject the presence of coalition troops in the area. Nevertheless, military action and rising tensions in al-Mahra are liable to explode at any moment.[16]

For its part, Iran stepped up its support of the Houthis[17] as tensions with Saudi Arabia mounted. Iran is now using the Houthis as part of its military axis in its larger regional conflict. Iran has offered various types of support, including military training and advanced weaponry. That helped turn the conflict in favour of the Houthis in early 2018, when the Houthis began using drone technology for forays in Saudi territory. The Houthis are now part of Iran's axis in the region. As a case in point, a UN report revealed that the attacks on Aramco installations did not come from Yemen,[18] although the Houthis claimed responsibility for the offensive. This illustrates the level of mutual benefit and support between Iran and the Houthis.

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[16] Nagi, Ahmed (2019) 'Oman's Boiling Yemeni Border', 22 March, Intituto per gli Studi di Politica Internazionale, https://www.ispionline.it/it/pubblicazione/omans-boiling-yemeni-border-22588.

[17] Saul, Jonathan, Parisa Hafezi, and Michael George (2017) 'Exclusive: Iran Steps up Support for Houthis in Yemen's War, Sources', 21 March, Reuters, https://www.reuters.com/article/us-yemen-iran-houthis-idUSKBN16S22R.

[18] Nichols, Michelle (2020) 'Exclusive: UN Investigators Find Yemen's Houthis Did Not Carry out Saudi Oil Attack', 8 January, Reuters, https://reut.rs/2Ia0nYE.

Roots and Dynamics of the Conflict

Locally, the currently complicated landscape is not solely the product of the war. Rather, it is an extension of the cumulative failure to manage and administer the Yemeni state. The effects of this failure have become highly visible in recent years, as wartime has fostered and fuelled numerous grievances and decades-long conflicts and resentments. Yemen is still in the process of state formation. It has a hybrid institutional structure, encompassing numerous social centres of power. The 2011 uprising exposed the state's fragility. Most political forces turned against the state due to dissatisfaction with its performance in past decades. This trend continues today. As the state recedes, parallel entities flourish.

The National Dialogue process (2012–2014) was a valuable experience insofar as it brought most Yemeni constituencies together to air their demands and visions. Yet at the same time, it opened the door to a torrent of deep-seated grievances absent any prior understanding of what to do about them. It therefore became impossible to reach a consensus on all issues, especially given the lack of genuine guarantees for the implementation of practical conclusions. The process was like cutting open a wound without an effective strategy to stop the bleeding. And just as the dialogue sessions brought conflicting viewpoints to the forefront, the side meetings of various Yemeni forces produced realignments on various issues. It gave rise to new alliances between the Houthis and President Saleh; the Houthis and President Hadi; and the Hadi coalition and Islah. Many forces and constituencies that were not represented at the dialogue also came together, providing more tinder for a future conflagration. It was therefore natural for the dialogue to culminate in a war on the ground. As political parties lined up with various militias, disagreements between them hardened into rigid conflicts.

The prolonged duration of the conflict produced new social dynamics. The institutions of the state and its economic and security systems, such as they were, dissolved. Parallel sectors and markets emerged, in a clear manifestation of a war economy. As unemployment increased, the supply of fighters exceeded demand. They became cheap and widely available. In the place of declining political and civic activity, warlords emerged as de facto rulers, many enmeshed in a network of common interest. Increasingly, the population began to rely on social mediation systems, such as

tribal authorities that offered protection for members from the ravages of outside forces. In addition, large swathes of society began to forgo involvement in any sort of peaceful political action.

In the south, the conflict cannot be understood in binary terms. It is not only a conflict between the STC and government forces or between the STC and Houthis. Nor is it a conflict between north and south, as some STC followers describe it. These are all merely aspects of the conflict, rather than its essence. Current events in the south show that this is an intense and dense conflict, subsuming multiple narratives, grievances, internecine conflicts, and rivalries between southern power centres. Above all, it is a conflict of regional interests. For example, the violent struggle underway in Abyan cannot be understood without knowledge of the roots of a south-south conflict between al-Ramza and al-Taghma in the 1980s[19] — a conflict that is still fresh in the collective southern memory today. Nor can one ignore the role of competing Emirati-Saudi motivations in these clashes. It is striking that the revival of the narrative of the independent southern state has revived other narratives associated with different conflicts during that period, bringing to the surface demands from residents of other southern governorates.

On the regional level, despite the diminished coalition between Saudi Arabia and the UAE, past years saw a covert competition between the two states. Military intervention has turned into entanglement, with each party adopting its own staple of enemies, local allies, and particular Yemeni issues. This has further complicated the landscape, particularly in the south. While Saudi Arabia dedicated itself to controlling the levers of the legitimate government, the UAE invested in social legitimacy by reviving the southern cause. Although most Yemenis consider that cause to be a just one, making it central to the narrative of the Yemeni conflict opens the door to questions about cause and effect against which the current form of the southern cause is necessarily viewed.

Saudi Arabia and the UAE remain the two primary coalition partners. Yet they are often at loggerheads on the ground despite declarations from both parties affirming their strong bilateral relationship. It is typically these states' local proxies in the south that express the actual state of their relationship. Southern governorates, divided into spheres of influence under Riyadh and Abu Dhabi,

[19] Daraj (2019) 'al-Muwajahat al-'Askariya fi 'Adin: Asrar al-Khilafat wa Khafayaha' [Military Clashes in Aden: Ins and Outs of the Dispute], 11 August, https://daraj.com/20563/.

have become post office boxes through which the ostensible allies correspond. The UAE's announcement in July 2019 that it would withdraw from Yemen was a sign that the relationship was not well, particularly after Saudi Arabia failed to persuade the UAE to reconsider.[20] Considered in this light, the STC takeover of Aden, and later Socotra, look like steps necessary to win over the UAE and prevent its exit from the coalition.

Changing up its strategy, Saudi Arabia last year opened direct channels with the STC and Tareq Saleh's forces. In light of the severe debilitation of the Hadi government, the Kingdom sought to move beyond its exclusive support for that government and cultivate other parties to ensure its continued influence. It has sought to bring southern entities not recognised by the STC under its control as well, in order to create a counterweight in the southern cause. Talks are now underway between Saudi Arabia and leaders in Hadramawt on involving the governorate in any settlements.[21] Hadramawti leaders hope to win special status whereby they will not be affiliated with the old capital of Sanaa or the new temporary capital of Aden. Al-Mahra appears to be pursuing the same approach, though with a different cast of local and regional actors.

Rocky Peace

Such a complex landscape makes any resolution difficult. Despite assiduous efforts by UN envoy Martin Griffiths, there has been little progress on the ground. The Stockholm Agreement, which provides for preliminary trust-building overtures, is stalled. The chances of its implementation grow slimmer by the day. The virtual ceasefire talks underway since the beginning of the coronavirus pandemic have not been met with a serious response by some of the parties to the war. And since the lines of the conflict in Yemen are not clear-cut, the roots of the conflict are often mistaken for consequences and vice-versa. This is perhaps why some peace initiatives in Yemen dedicate their efforts to addressing effects rather than causes, which results in failure. Back-channel negotiations

[20] Walsh, Declan, and David Kirkpatrick (2019), 'UAE Pulls Most Forces from Yemen in Blow to Saudi War Effort', 11 July, New York Times, https://nyti.ms/2Fb2ryk.

[21] Independent Arabia (2020) 'Wafd Hadramawt Yasil ila-l-Riyad li-l-Musharaka fi Mufawadat Tashkil al-Hukuma al-Yamaniya' [Hadramawt Delegation Reaches Riyadh to Take Part in Negotiations for Formation of Yemeni Government], 19 July, https://www.independentarabia.com/node/136531.

between Saudi Arabia and the Houthis seem to come and go without achieving any notable understanding.

All of this indicates the need for new approaches geared toward resolving, rather than managing, the conflict. Saudi Arabia and the UAE are attempting to shed their roles as parties to the war to become peacemakers between their warring proxies. This step may appear to be a peace initiative; but it is about repositioning themselves via a presence on the ground through their local proxies. If the relationship between the two states grows strained, these tensions will have repercussions for the conflict in Yemen. At the same time, following the example of the UAE, Saudi Arabia is engaged in unilateral talks with the Houthis to reach a settlement. No progress has yet been made. Even if it had been, this is a purely Saudi-Houthi matter. Houthi conflicts with other parties will continue as will Saudi Arabia's interventions in other areas of Yemen.

What Should Be Done?

As both a local and regional war, an approach that works toward a resolution on both of these levels could bring positive change in Yemen. The first track should involve regional parties, since they have become the prime decision makers on issues of war and peace. The second track should focus on the local parties themselves. Pressure could be brought to bear on Iran, Saudi Arabia, and other regional actors to fence off Yemen from their ongoing crises and work toward rationalising Saudi and Emirati conduct in areas under control of the internationally recognised government. Regional parties should also be pressured to refrain from incursions into Yemen. These policies give rise to new grievances and can set off another round of conflicts that may extend beyond Yemen's borders.

Domestically, the parties with the most power should not be taken as representative of Yemeni society. The Houthis do not represent everyone in the north; the STC does not represent all southerners; and the Islah party does not represent Taiz or Marib. Moreover, enabling these parallel bodies at the expense of the central state, no matter how fragile it may be, leads to greater fragmentation and exacerbates the current anarchic state of affairs.[22] These armed entities and

[22] Al-Mudae, Abdulnasser. Yemen After Five Years of War: Chaos and Stability Scenarios. Aljazeera Center for Studies, 28 April, 2020 https://studies.aljazeera.net/en/node/4650

paramilitaries must be understood primarily as consequences of the war, not as truly legitimate parties expressing the will of the communities they purport to represent. Pressuring regional parties to play a positive rather than a negative role will help bring a settlement among local parties, provided it is coupled with a roadmap for moving from the sectionalism of the war to understandings that put Yemen on a path to a constitutional order encompassing all political and social forces.

Conclusions of CIHRS 23rd Regional Forum: Prospects for Reform in the Arab Region in Post COVID-19 Realities[1]

The Cairo Institute for Human Rights Studies convened the 23rd Forum of the Human Rights Movement in the Arab region between August 31- September 7 2020, bringing together over 50 human rights defender, civil society activist, and academic expert from Algeria, Egypt, Lebanon, Libya, Palestine, Sudan, Syria, Tunisia, Yemen, Germany, France, the UK, Belgium, and the United States.

The sessions of the Forum, which were held separately online, addressed the prospects for reform in different Arab states across the region on the eve of COVID-19 and its future impact.

The following are the main conclusions of the Forum:

1. The structural challenges to governance across the Arab region are likely to exacerbate in light of the strain produced by the COVID-19 crisis.

2. The first wave of the Arab Spring witnessed in 2011 in Tunisia, Egypt, Libya, Syria, and Yemen, and the second wave witnessed in Algeria, Sudan, Lebanon and Iraq, were ruptures caused by Arab rulers' resistance to genuine reform and blocking of channels of peaceful change for several decades.

[1] This document was originally published in October 12, 2020.

3. The ruptures of the Arab Spring, and the different reactions to them by Arab rulers, political elites, and international and regional powers, led to disparate scenarios: Tunisia witnessed a political transition, Egypt faces a more brutal autocratic regime, while Syria, Yemen, and Libya risk state collapse amidst civil conflicts.

4. The grievances behind the Arab Spring remain unaddressed. The civil conflicts in Yemen, Syria, and Libya, regardless of how and when they end, will unlikely result in reformed states with better economic opportunities and political freedoms. Egypt's trajectory since 2013 produced economic and political outcomes far worse than the conditions before 2011. The political and economic elites in Lebanon, Iraq, and Palestine continue to obstruct the political and economic aspirations of their peoples, while Israeli apartheid remains a primary contributor to the suffering of Palestinians. Tunisia faces existential economic challenges while Algeria and Sudan are going through delicate processes of transition. The COVID-19 crisis will very likely exacerbate those conditions and produce a rupture far greater than those of the Arab Spring unless genuine reform takes pace; a possibility in some Arab states, albeit an unlikely one for most of them.

5. Despite that the United States and many European governments, have over the past decades been vocally supportive of democracy, human rights, and reform, they played an active role in keeping Arab regime's in their places. Their gradual loss of interest in the Arab region will likely accelerate given the pandemic and its effect on their economies. Most Arab regimes, in turn, will be far less able to uphold the decades-old bargain of providing government jobs, security, and services in exchange for absolute public acquiescence.

6. In the period after the first and second waves of the Arab Spring, entrenched political elites had an impact on enacting reforms and navigating transitions, such as the case in Tunisia, where reformists from the Ben Ali regime played a positive role. In other cases, the elites' corruption, nepotism, and incompetence constituted a major impediments to reform, such as the case in Iraq, Palestine, and Lebanon. The role of elites in transitioning countries (Algeria and Sudan) will be a potentially decisive one, especially in light of the heavy legacy of authoritarianism throughout the past decades.

7. COVID-19 had a demobilising effect on some mass protests, as was the case in Lebanon and Algeria, however in Sudan mass mobilisation persisted despite of the pandemic and managed to acquire concessions from the military wing of the transitional authorities. In some contexts, mass mobilisation proved to be one of the most influential drivers of reform and a guarantor of its sustainability. The *Hirak* in Algeria and mobilisation in Sudan remain to be the greatest points of strength to both peoples.

8. International and regional powers continue, one way or another, to hold varying degrees of influence over how ruptures unfold. The West's relative inaction in face of human rights and humanitarian crimes (in Egypt and Syria) emboldened the authoritarian rulers of both states. The indecisiveness, and occasionally conflicting goals, of Western states exacerbated the unraveling of Libya and Yemen. Russia's military support to Bashar al-Assad and Khalifa Hiftar were key to the protraction of the conflicts in Syria and Libya. Through direct military interventions or financing counter-revolutionary actors, regional players, including some Gulf states, Iran, and Turkey have seized the vacuum and consistently acted as spoilers, cutting off the way to reform in many Arab states across the region.

9. COVID-19 will likely accelerate the ongoing shifts in the global order and great powers competition, especially in light of its potentially severe effect on global trends of trade. This, along with the expected medium and long-term trajectory of global demand on oil, may fundamentally alter the policies of regional and international powers in the region. Intervening regional powers (Iran, UAE, Saudi Arabia, Turkey) may intensify their interventions, actively seek ending the ongoing armed conflicts (Yemen, Libya, Syria), or put an end to their financial support to their allies (Egypt, Libya, Syria).

10. Theoretically, transitional justice, as a technical set of steps including its economic, political, and psychological dimensions, could serve as a nation-building tool in post conflict and post authoritarian settings. However the political and realistic actualisation of transitional justice remains extremely challenging given the balances of power between different actors and the relative inability of civilian actors to work together.

11. The fluidity of the current context offers an opportunity for human rights to serve as a unifying force and a common goal for different local actors as means to establish post-authoritarian and post-conflict orders. Arab diaspora, human rights defenders, and civil society activists in exile could play an active role, especially when it comes to mobilising the international community.

12. Civil society may be well-positioned to explore new ways and mechanisms to push for reform in some post-conflict and post-authoritarian settings. However, playing such role necessitates overcoming their biggest challenge: develop the ability to organise and form shared visions to pursue such goal.