



Institute for Social Policy and Understanding

RESEARCH MAKING AN IMPACT

TOWARDS A PEACEFUL DEMOCRATIC TRANSITION IN SYRIA

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It is now certain that the collapse of the Assad regime is imminent. Yet two questions remain: What is the cost, and how long will it take the Syrian people to enter a transitional period? The ultimate goal of the great Syrian uprising is to topple the regime in any way, shape, or form. The regime's "crimes against humanity" and massacres against unarmed civilians carried out via brutal and atrocious methods of extrajudicial killing and torture have never been witnessed anywhere else in the region.

Any country transitioning to democracy will be faced with one core question and challenge: How can the former totalitarian regime be disassembled and dismantled? Since the socialist Baath party's establishment of the Third Republic in 1963, Syria has had much in common with many of the totalitarian regimes in Eastern Europe and Latin America. Therefore, the Syrians must learn from these other countries' experiences and figure out how to bring about a safer and peaceful democratic transition. Such a process depends on two pillars:

RECONCILIATION FOR A BETTER AND MORE PROFITABLE FUTURE

Nelson Mandela used to say that "reconciliation doesn't mean forgetting, instead it means revoking revenge and retaliation without resorting to justice." In other words all Syrians, both the victims and the victimizers, must accept that any new government will be able to protect them and ensure a better future by pointing out how everyone will benefit from its establishment. Furthermore, all current officials need to understand

that the ensuing negotiations and dialogue will protect them from any future persecution or harassment. The victims, who are the majority of the Syrian people, have to realize that the country's future depends upon their ability to overcome the past and forgo their desire for vengeance in pursuit of the greater good: a partnership designed to produce a better Syria. In order for such a process to succeed, joint consultations should be held to formulate a timeline for the envisaged transition.

RELEARNING HOW TO TRUST GOVERNMENT INSTITUTIONS

The most important loss for a country is the people's withdrawal of their trust in all institutions that derive their legitimacy from the state. Therefore, the first "victims" of any transitional process are necessarily the police and the security forces, both of which often embody the dictatorship's ugly face. The easiest targets, in addition to these two, are the Parliament (the dictatorship's legislative power), the media (its propaganda arm), and the ruling party.

The Syrian National Council's (SNC) leadership will play a vital role in this process via dialogues with all opposition groups, public figures, and officials to formulate a transitional government. The necessary negotiations should result in a timeline as to when the country will enter upon this process by writing a new interim constitution that will be subjected to ratification (or rejection) by means of a national referendum supervised by the transitional government. This government's main purpose will be to ensure that all of the required

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steps, which will begin with the interim constitution's ratification by constitutional experts as well as legal and reformist politicians, have been completed. After this, the transitional government should develop a new law for elections and political parties, one that will lay out how the president and members of Parliament will be elected. After that, an independent national commission should direct and monitor the elections through judicial supervision and local and international observers. All of this will end in a multiparty system designed to allow all Syrians to make their opinions known.

Syria's current political system is untenable, since it has no room for an elected president and parliamentary members and places no limits on the president's authority. Another reason why it is untenable is because the existing Parliament can neither be controlled nor held accountable. Perhaps most important, the judicial branch and the media outlets need to become independent of government control. Given this reality, a freely elected Parliament will be faced with several major tasks: writing

a new democratic constitution, formulating new laws for elections and political parties, and ensuring that all media outlets and civil society associations are really free to pursue their missions.

SYRIA'S PATH TO CHANGE

The future democratic Syria will face four main challenges on its journey. Several suggested recommendations and solutions are advised below.

Political and Constitutional Reform

Achieving significant political reform requires major changes to the Syrian constitution; in fact, what is actually required is a new one that guarantees all citizens' fundamental rights and emphasizes the strict separation of the three branches of government (viz., legislative, judicial, and executive). This document should also include a fundamental reform of all governmental institutions, which have been corrupted and thus lost the trust of many citizens. Moreover, the state of emergency should be lifted immediately, all special and field courts led by the State Security Court should be cancelled, political prisoners should be released, and a new modern law should be issued to ensure all citizens' participation in a multiparty system. In addition, the media law should be rewritten to guarantee the freedom of media institutions, a new election law should be devised and recognized, and a national Truth and Reconciliation Commission should be formed to investigate all cases of disappeared Syrians and compensate political prisoners.

Most importantly, all of the country's Kurds should be granted citizenship so they can enjoy their basic rights. Almost 250,000 (20 percent) of them have been denied citizenship due to the government's claim that they entered the country, especially in al-Hasaka governorate, illegally from Turkey beginning in 1945. Additionally, all cultural and linguistic discrimination against them should be voided; all of their cultural, social, and artistic activities should be legalized; and their right to be taught in their

native language should be recognized. Finally, all of the systematic discrimination inflicted upon them should be eliminated, especially in the case of the eastern region, as regards development and infrastructure projects.

Economic Development

After decades of misguided economic policies, Syria has fallen into a deep dilemma that shows no sign of ending. This situation continues to worsen, for the country lacks the necessary resources and depends mainly on oil, which accounts for more than 80 percent of its budget. In the absence of other alternatives, such as creating a strong agricultural and industrial sector, today oil accounts for no more than 30 percent of its budget. In short, Syria cannot survive these crises if it continues to follow its long-standing economic policies, which also affect its internal and foreign policies. For instance, the United Nations (UN) has stated that since 2007 a drought in eastern Syria has caused more than 1 million citizens to migrate from the al-Hasaka, Der al-Zor, and al-Qamishly provinces.

After decades of negligence and corruption, accompanied by population growth, Syria's transportation, medical, and educational services and sectors have also deteriorated. Despite the shortage of energy, the roads and infrastructure projects are funded by the European Union (EU) and the Gulf countries, however its economy has been unable to develop or improve. Such failures have made it impossible for Damascus to respond to the citizens' desire for a better life. According to the World Bank, during the 1950s Syria's per capita income was the region's highest; now, it is the region's lowest. Official statistics reveal that the number of Syrians living in poverty, defined as living on US\$ 2 per day or lower, increased to 30 percent.

To deal with these various crises, a radical economic reform program based on balanced development nationwide must be applied so that everyone can attain a decent standard of living. Syrians spend more than 64 percent of their income on food, and have to work

long hours just to get enough money to fulfill their basic needs. Syrian citizens have every right to live the kind of life taken for granted in many other countries: being able to pursue one's own personal economic and other goals, as well as those of his/her family.

Rebuilding the Syrian Army

The Syrian army is entrusted with maintaining national independence, protecting national unity, and ensuring the citizens' safety and country's territorial unity.

Redeveloping Syria's military forces is absolutely necessary, especially after their role in the brutal repression of the recent peaceful demonstrations and their atrocities against those involved. Such behavior has led many soldiers and officers to defect to what is now known as "the Free Syrian Army." This new force is an expression of their faith and commitment to the army's constitutional mandate to protect, not to kill, fellow Syrians.

Ever since the October war of 1973, which featured a Syrian-Egyptian offensive against Israel, the army has been neglected more than any other institution. Its internal corruption and nepotism, known to all Syrians, have driven many affluent families to pay varying sums of cash to exempt their sons from compulsory service. As a result, the army's military doctrine has collapsed, modern training courses for officers and volunteers do not exist, and military troops are favored at the expense of others. In addition, given its financial difficulties, Damascus can no longer support very many army divisions. Thus allocations have decreased dramatically while the number of recruits has increased due to the ongoing population growth. These days, the army is more of a burden to the state than a professional modern army.

Given all of these facts, Syrians need to have their confidence in the army restored and to give the army more priority in the next phase by renewing its 1970s-era gear and equipment. Moreover, the presently corrupt military has to be transformed into a professional force that is no longer based on obligatory compulsory

service. In my opinion, the best options to achieve these goals are to increase its financial allocations, redevelop its leadership, and ensure its members' rehabilitation.

A Shift in Foreign Policy

Syrians have paid an expensive price, physically, morally, and politically, because the government's foreign policy has been formulated to serve those in power, not the people. Its focus on Lebanon and the ensuing military interventions and political intrigues have resulted in the almost complete neglect of the Israeli-occupied Golan Heights.

Diplomacy, which is based on a country's foreign policy, no longer fulfills its main purpose: to represent Syrian interests and visions, as well as the country's preservation and the safety of both it and its people abroad. Such concerns, however, do not influence its formulation of diplomatic, political, cultural, and social channels with other countries. Rather than trying to improve the reputation of the country and its people, Damascus refuses to alter its present policies.

The Syrian army's nearly thirty-year record of military intervention in Lebanon, often without understanding why it is doing so, has brought about the death of many innocent people. Due to the Syrian role in killing former Lebanese prime minister Rafiq al-Hariri, the Lebanese people staged several large demonstrations that eventually forced Damascus to withdraw its troops. But even now, Damascus continues to repeat the same policy by provoking the Lebanese sectarian structure. Yet its purpose for doing so remains unclear, and it has never explained to its own people what it hopes to gain by continually causing chaos in Lebanon.

Syrians have also suffered serious consequences due to this policy focus on Lebanon. Among them is the official abandonment and public negligence of how the international community has dealt with the Golan Heights case. Occupied by Israel in 1967, Syria has only managed to receive 5 percent of it back, due to an agreement signed in the aftermath of the 1973 war.

Moreover, and despite Syria's full commitment to the Israel-Syria Disengagement Agreement (1974), Israel has violated this agreement many times. In contrast, since 2005 the UN has adopted five resolutions on Syria's policy toward Lebanon. In addition, the UN tribunal established to investigate al-Hariri's murder still harbors a great suspicion of Syrian involvement. Syria is going to be monitored extensively until it is completely committed to the terms of these various resolutions.

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Moreover, the United States has already applied sanctions to Syria: the Syria Accountability Act and Lebanese Sovereignty Restoration (2003). These sanctions prevent it from receiving any foreign investment from major banks that play a vital role in funding road, railroad, airport, and other large infrastructure projects. For example, the Damascus airport has not been upgraded or expanded since the 1970s and the government cannot afford to build another one. The metro, as well as other significant and essential infrastructure projects that would improve the national economy and the people's life, also remain incomplete. Deprived of foreign investment, only insignificant investments are being made via private banks and quite a few real estate companies located in the Gulf countries. These service sector investments have played a very minor role in creating jobs and building the national economy. Along with these crippling sanctions, Syria's detrimental foreign policy is almost guaranteed to bring about even more sanctions.

Therefore, Syria should consider radical reforms to its foreign policy, especially in Lebanon and Iraq, because it currently lacks any systematic regional or international foreign policy. It should prioritize the Golan Heights issue

and then deal with all of the other issues that directly impact the Syrian people and their interests. Only if their country's current foreign policy is changed will the life of the majority of Syrians improve.

MOVING ON AND FORWARD

The question of how to restore the citizens' confidence and trust vis-à-vis state institutions, however, remains. Before any progress can be made in this area, all Syrians need to realize several facts, among them the following obstacles and suggested recommendations.

First, the security and intelligence forces dominated all aspects of the country's life because they controlled the judicial system. Thus they could arrest anyone without a warrant and interfere in every Syrian's life, whether it was social, economic, or even educational. Not knowing when the state would turn its attention to them, the majority of Syrians found their ability to be creative and exercise their own initiative paralyzed. After all, the security system was based on implanting fear and backing it up with mass arrests, torture, and travel bans. The four security forces, which grew out of the basic intelligence services at the end of the 1970s, are military intelligence, political intelligence, the air force's intelligence, and general intelligence (state security). Mainly entrusted with ensuring the current government's survival, it would only be normal for their officials to feel threatened by a transition to democracy. After all, any such process would deprive them of their physical, financial, and emotional leverage. Quite logically, then, they represent the greatest obstacle.

These security forces and systems must be repaired and reformed via an agreed-upon process. They should not be immediately dismantled, because that would most likely result in a permanent source of chaos. Rather, it must be entrusted with a totally different purpose: ensuring "the security of the people, not the security of the regime." Furthermore, their main goal should be to guarantee the people's security while they exercise

all of their legal and constitutional rights. Thus, the Parliament must ensure that these forces are subjected and controlled by the constitution's relevant provisions so that they cannot revert to their authoritarian past.

More importantly, those leading high-level officials who have violated the citizens' basic rights must be subjected to legal and judicial accountability. In addition, these four services must be combined into two, exactly as they were during the 1950s. The military and the air force intelligence bodies, once merged, should be entrusted with maintaining the officers and military personnel. The political and general intelligence services should be entrusted with preserving and maintaining the people's security and replenishing their leaders and personnel by means of continuous training courses. Those who engaged in torture or extrajudicial killings, and those against whom lawsuits have been brought, need to be brought to justice.

The police force must be reconstructed so that it can regain its reputation among the Syrians; otherwise, its members will be unable to fulfill their function. They must be provided with the essential equipment, tools, gear,

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and supplies so that they can keep public order. Finally, they must be rehabilitated and trained in the appropriate methods of how to deal with the people professionally so that the latter's basic and constitutional rights are no longer violated.

Second, all Syrians, including members of the Baath party, must realize that the party is no more than a frontal interface for the political party. Adhering to its role as the main pillar of the totalitarian government's structure, the

party monitors and tightens the government's authority at all levels of society: governorates and districts, cities and villages, colleges and all other schools, factories and companies, and elsewhere. Understandably, a tremendous amount of rage has built up toward the party, as its activities and methods were not so different from those of the security forces. Therefore, it must be separated from all state institutions. According to the 1973 Syrian constitution, the Baath party is the ruling party for the state and the society. Any new constitution must not contain that provision. In addition, all state institutions and party branches and divisions must be kept separate, since the Baath party finances and funds its employees from the state treasury. In addition, it directs and dictates many headquarters that belong to the state. Finally, Damascus must restore and retrieve all properties and assets that the party has confiscated in order to benefit the state's various institutions.

Currently Syria has no law that regulates political parties. Thus, the Baath party derives its "legitimacy" from the 8 March 1963 coup launched by the National Revolutionary Command Council. Although this council took over the legislative branch, the Baath party gradually pushed the other groups aside and assumed complete control. Such an entity can only be regarded as completely degraded, and its leaders cannot be allowed to have any real voice when adapting a new constitution.

It is very important to clarify two points: (1) Baath party officials have the right to remain members if they still believe in the party's goals and principles and thus attempt to establish a new party, perhaps by retaining the same name, and (2) following the Eastern Europe example, all party officials and the members of the national leadership or party branches found guilty of corruption or human rights violations should not be allowed to nominate or represent themselves for any position.

The media (viz., television networks, radio, newspapers, and others) are to be disassembled since they were core supporters of the totalitarian government. One of the most important challenges for any democratic

transition is to free all media outlets so that they no longer belong to and serve as propaganda outlets. As hundreds or even thousands of people work in these outlets, it would not be right to disband all of them and fire their employees. The best solution is to merge all media outlets into one large institution that can manage itself, exactly like the United Kingdom's BBC Network. For instance, even though the BBC depends mainly on the country's taxpayers, it is a completely independent institution. In addition, all of its components (audio, visual, and written) are based upon competition (encourages creativity) and precedence (beating others to an important news story). Therefore, it would be best to combine the current Ministry of Media and Information with a company supervised by a board of directors that is completely independent from Damascus.

CONCLUSION

The Russian veto of the U.N. resolution aimed at pressuring President Assad to halt the violent assault on the citizens of Syria was blocked the weekend of February 4th giving Assad all the reason he needed to continue. The situation is quickly deteriorating, not only in Homs but in and around Damascus where security forces are brutalizing the public with violent assaults. Even hospitals and private clinics are not safe as shelling continues. Mild pressure from the US government and others simply is not enough to deter Assad. It is time for the international community to build a coalition to oust Assad and aid the Syrian people.

The United States should play a leading role in helping Syrians in their noble struggle toward freedom and democracy. This is why the U.S should facilitate and support the deployment of humanitarian agencies to Syria to make aid available to the people with support from the U.N, work with the international community to isolate Assad through establishing International Coalition of Friends of Syria to be a permanent body, and include Arab and regional states in establishing humanitarian safe

havens to protect civilians and facilitate emergency aid.

Syrians are struggling to revive their lost republic and rid themselves of the current family-run kingdom so that they can establish a democratic government. Regardless of sect, religion, and ethnicity, the majority of Syrians agree on the priority of replacing the current government with something much better. Syria, a land of ancient civilizations, played a huge role during the dawn of Islamic civilization and has remained a source and an inspiration of ideas and creativity. Its citizens, who have diffused Arab thought throughout the Arab world, are now one of the leaders of the battle of freedom engulfing

the Middle East and North Africa. Installing democratic governments is the only way the Arabs can achieve their priorities and welfare. By overthrowing their current authoritarian and totalitarian governments, they will create an Arab geopolitical and economic atmosphere that will enable all of them to achieve a better living standard and quality of life.

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