# TOWARDS A RENEWED LOCAL SOCIAL AND POLITICAL COVENANT IN LIBYA, SYRIA AND YEMEN

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## I. Introduction

Over a decade on from the 2011 Arab popular uprisings, people across the Middle East and North Africa (MENA) continue to aspire for change, freedom, dignified living conditions and the rule of law.[1] Since 2018 this has manifested in new or continued protests in Algeria, Iran, Iraq, Lebanon and Sudan as well as in the ongoing struggles of people in war-torn countries such as Libya, Syria and Yemen.[2]

A host of reasons underly these struggles, including long-standing class, ethnic and sectarian divisions/grievances; failed governance and lack of transitional justice; securitization of the public sphere; civil conflict; and various forms of foreign intervention.[3] Aspirations for renewed governance structures and state–society relations have, however, mostly been quashed by domestic and external counter-revolutionary forces. This has enabled a resurgence in autocratic governance—through both outright repression and populist appeasement—across the region, particularly in the countries that played host to the 2011 uprisings.[4] At the core of these ongoing struggles is the question of state–society relations and the longing for new social contracts.

This paper focuses on the domestic and external factors at play in Libya, Syria and Yemen, countries that have been mired in civil and proxy wars

## SUMMARY

● This SIPRI Insights Paper examines the domestic and external factors at play in Libya, Syria and Yemen and their impact on negotiating post-war peaceful settlements and shaping prospective social contracts. The paper's argument is twofold. Firstly, policymaking must *move beyond* a static approach to understanding these conflicts. Despite apparent stalemates, the three countries should be approached as ever-evolving *simmering conflicts*. Secondly, policymakers have to *move below* the national level in order to achieve various forms of localized social peace. Given the nature of these conflicts and the varied sub-national segmentation, the analysis concludes that community-level social and political covenants may offer a first building block towards nationwide social contracts and sustainable conflict resolution. The role of external actors, particularly the European Union (EU), is critical in paving the way for these local-level dialogues and negotiations in Libya, Syria and Yemen. In short, external powers, including the EU, should adopt policies that push for long-term resolution to achieve post-conflict stabilization rather than opportunistically taking sides.

[1] The Arab popular uprisings began at the end of 2010 in Tunisia, before spreading to other Arab countries in 2011. See Robbins, M., 'After the Arab Spring: People still want democracy', *Journal of Democracy*, vol. 26, no. 4 (Oct. 2015); and Meddeb, H. et al., 'Ten years on: Counter-revolutions in the Arab World', Carnegie Middle East Center, 6 Apr. 2021.

[2] Muasher, M., 'Is this the Arab Spring 2.0?', Carnegie Endowment for International Peace, 30 Oct. 2019; and O'Toole, M., 'Arab Spring 2.0: Five lessons from 2011 for today's protesters', Middle East Eye, 16 Dec. 2020.

[3] Falk, R., 'Rethinking the Arab Spring: Uprisings, counterrevolution, chaos and global reverberations', *Third World Quarterly*, vol. 37, no. 12 (2016); Noueihed, L. and Warren, A., *The Battle for the Arab Spring: Revolution, Counter-revolution and the Making of a New Era* (Yale University Press: New Haven, CT, 2012); and Devarajan, S. and Ianchovichina, E., 'A broken social contract, not high inequality, led to the Arab Spring', *Review of Income and Wealth*, vol. 64, no. 1 (2017).

[4] Hubbard, B. and Kirkpatrick, D. D., 'A decade after the Arab Spring, autocrats still rule the Mideast', *New York Times*, 14 Feb. 2021; Agha, H., 'The Arab counterrevolution', International Crisis Group, 12 Sep. 2011; and Ould Mohamedou, M.-M., 'Reinventing authoritarianism in the Middle East', *Global Challenges*, no. 2 (Sep. 2017).

for over a decade, and their impact on negotiating peaceful settlements and shaping prospective social contracts.[5] The paper's analysis complements previous work produced by SIPRI that used protests as a lens for understanding the dynamics shaping societies in the region.[6]

It should be noted that, in relation to these ongoing civil wars, this paper is primarily focused on exploring the potential of sub-national/localized social and political covenants and whether they can secure long-term political resolutions that incorporate the restructuring and rewriting of social contracts. While this mainly encompasses political processes and the nexus of internal/external dynamics, other aspects of conflict resolution—such as gender, environmental and socio-economic approaches—remain critical, offering opportunities for future research and analysis.

In this paper the 'social contract' is understood as 'sets of formal and informal agreements between societal groups and their sovereign (government or other actor in power) on rights and obligations toward each other'.[7]

*Social contracts represent the process by which people and the state interact with the aim of streamlining intrastate dynamics*

These agreements are for the most part informal unless codified by law or constitution, in which case they likely also have an enforcement mechanism. In other words, social contracts represent the process by which people and the state interact with the aim of streamlining intrastate dynamics, thereby making sociopolitical interactions more predictable and enabling societies to move beyond stagnant political structures. This is particularly critical in countries where governance systems have been built on ethnic, sectarian or tribal configurations and/or are plagued by elite capture or consociationalism.[8]

Political structures in MENA have largely remained static and continue to be driven by the group with the most power.[9] A social contract, however, is only effective when it is broadly adhered to and backed by applicable laws respected by all sides. Moreover, it should be understood as a dynamic process guided by the ultimate aim of providing for the population while legitimating the government's rule.

Although a social contract can be a useful framework when it comes to understanding and analysing a country's state–society dynamics, in isolation it is 'insufficient to explain the power relations between the contracting parties or to unpack the factors that affect the acceptance or rejection of the social contract'. This is particularly so in conflict-affected countries like the three explored in this paper.[10] In Libya, Syria and Yemen it is necessary to go beyond the disintegrated state structure and pursue a closer assessment of

[5] Byman, D., 'Why engage in proxy war? A state's perspective', Brookings Institute, 21 May 2018.

[6] O'Driscoll, D. et al., *Protest and State–Society Relations in The Middle East and North Africa*, SIPRI Policy Paper no. 56 (SIPRI: Stockholm, Oct. 2020).

[7] Loewe, M., Zintl, T. and Houdret, A., 'The social contract as a tool of analysis: Introduction', *World Development*, vol. 145 (2021).

[8] Loewe, Zintl and Houdret (note 7). See Salloukh, B. F., 'Consociational power-sharing in the Arab World: A critical stocktaking', *Studies in Ethnicity and Nationalism, v*ol. 20, no. 2 (2020); and Dixon, P., 'Power-sharing in deeply divided societies: Consociationalism and sectarian authoritarianism', *Studies in Ethnicity and Nationalism*. vol. 20, no. 2 (2020).

[9] Yahya, M., 'The Middle East's lost decades', *Foreign Affairs*, 15 Oct. 2019; Saouli, A. and Hinnebusch, R., 'The Arab State: A historical sociology approach', *Almuntaqa*, vol. 5, no. 1 (2022); Furness, M. and Trautner, B., 'Reconstituting social contracts in conflict-affected MENA countries: Whither Iraq and Libya?', *World Development*, vol. 135 (2020); and Loewe, Zintl and Houdret (note 7).

[10] Loewe, Zintl and Houdret (note 7).

the diverse political and social groups involved, looking at how they govern (or are being governed) and where they draw their support (both domestically and externally).

Section II surveys the complex, on-the-ground situations in Libya, Syria and Yemen, before section III zooms out to offer comparative findings drawn from the three war-torn countries, including the suitability of localized covenants and the impact of external powers. Finally, section IV provides the paper's overall conclusions as well as a set of general recommendations.

## II. Local social and political covenants: A possible way forward?

State–society relations in post-independence MENA countries were moulded by the social contracts devised by the new regimes. These were based on prioritizing the provision of social benefits (despite basic public services and social benefits being largely denied) over political participation and freedoms. Moreover, they focused on centralizing power in the hands of rulers who appeased and/or coerced non-compliant communities as part of their sovereign control over state territory.[11] Ultimately, the goal of most autocratic regimes is to survive indefinitely while dispensing patronage and power as it sees fit.[12]

This top-down system of governance created exclusionary and selective social contracts, the deficiencies of which have become starkly apparent in countries with long-standing societal cleavages, such as Libya, Syria and Yemen.[13] The system stands in contrast to a liberal, democratic and relatively representative form of governance/social contract in which the state provides protection and public goods while facilitating people's participation in public life. In return, the people recognize the state's legitimacy and actively contribute to society.[14]

In Libya, Syria and Yemen the pre-civil war social contracts were relatively populist and exclusionary, with no real accountability or legitimacy—a situation the governing regimes used to coerce and/or co-opt segments of society in order to maintain control and rule unchallenged. Moreover, despite the apparent stalemates and reductions in violence in the three countries, they are all currently experiencing simmering conflicts, with the various warring factions—both domestic and external—continuing to consolidate their positions in anticipation of the time for negotiation.

Most countries undergoing political and economic transitions struggle with underlying fault lines that divide societal groups. Societies emerging

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[11] Hinnebusch, R., 'The rise and decline of the populist social contract in the Arab world', *World Development*, vol. 129 (2020); Ayubi, N. N., *Over-Stating the Arab State: Politics and Society in the Middle East* (I. B. Tauris: London, 1995); and Ahram, A. I., 'On the making and unmaking of Arab States', *International Journal of Middle East Studies*, vol. 50, no. 2 (2018).

[12] Nakhleh, E., 'A new social contract for Arab states', *Responsible Statecraft*, 21 Jan. 2022.

[13] Heydemann, S., 'Rethinking social contracts in the MENA region: Economic governance, contingent citizenship, and state–society relations after the Arab uprisings', *World Development*, vol. 135 (2020); Cammett, M. et al., *A Political Economy of the Middle East* (Routledge: New York, 2013); and Ianchovichina, E., Mottaghi, L. and Devarajan, S., *Inequality, Uprisings, and Conflict in the Arab World*, Middle East and North Africa Economic Monitor (World Bank Group: Washington, DC, Oct. 2015).

[14] Furness and Trautner (note 9).

from civil and ethnic wars, however, face even greater hurdles in creating a new social contract, with relations between the various political and social groups usually remaining strained for some time after fighting ends. Unresolved grievances are further heightened by mistrust, elite corruption, competition for power and resources, and outbreaks of violence fuelled by an abundance of arms. These dynamics take place at both a local and state-wide level and are often compounded by foreign interference and influence.[15]

One approach to mitigating such difficulties in fragile and conflict-riven countries is to undertake negotiations among societal groups and key players at the sub-national level. These negotiations are usually referred to by practitioners and researchers as 'social covenants', and involve encouraging divided socio-economic and political groups within a particular territory or under a de facto authority to build social and political trust at the sub-national or local level.[16] Thus, whereas a social contract focuses on state–society relations writ large, social covenants focus on the coexistence of different groups within a specific social and geographic region.[17] Although societal dialogue aimed at establishing social covenants can have a positive impact, it requires a win–win approach in which all participating factions recognize the benefits of cooperation and resource sharing for their respective communities' welfare and governance. The fragility of a society, unresolved grievances and scepticism on the part of the warring factions can hinder the process, which requires not only time and incentives but the support of international actors to minimize spoilers.

*Social contracts focus on state–society relations; social covenants focus on the coexistence of different groups within a specific social and geographic region*

This paper's argument is twofold. Firstly, policymaking must *move beyond* a static approach to understanding conflicts such as those seen in Libya, Syria and Yemen. Despite apparent stalemates and recent reductions in violence, the situation in the three countries should be approached as ever-evolving *simmering conflicts* in which the warring factions are continuing to strengthen their positions. Secondly, policymakers have to *move below* the national level in order to achieve various forms of localized social peace. Given the nature of these conflicts and the varied sub-national segmentation at play, localized agreements based on negotiated community-level peace-building dialogues may be the first building block to a nationwide social contract and sustainable conflict resolution.

Hence, as outlined above, the paper introduces the concept of a social/political covenant supportive of horizontal local-level agreements that transcend individual/communal identifications while respecting difference. The approach offers a possible pathway to better societal and political engagement in war-torn, fragmented states such as Libya, Syria and Yemen, where local social covenants could eventually trickle up to create nationwide social contracts—a challenging and unlikely task in the short term.

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[15] Kaplan, S., *Inclusive Social Contracts in Fragile States in Transition: Strengthening the Building Blocks of Success* (Institute for Integrated Transitions: Barcelona, 2017). For a review of the different state-building models see Sedra, M., 'Finding innovation in state-building: moving beyond the orthodox liberal model', *PRISM*, vol. 3, no. 3 (2012); and Chandler, D., *Peacebuilding: The Twenty Years' Crisis, 1997–2007* (Palgrave MacMillan: London, 2007).

[16] Furness and Trautner (note 9); and Kaplan (note 15).

[17] Stewart, J. (ed.), *Local Governance in Fragile and Conflict-affected Setting: Building a Resilient Foundation for Peace and Development* (United Nations Development Programme (UNDP): New York, 2016); and Muggah, R. et al., *Governance for Peace: Securing the Social Contract* (UNDP: New York, 2012).

## III. Zooming in: Libya, Syria and Yemen

Libya, Syria and Yemen share a number of similarities in how they reached their current situations. All had (or in the case of Syria, still have) autocratic rulers, systemic elite capture, cronyism, and varying but limited participation in the political process and system. The decades-old authoritarian and populist social contracts employed by the regimes enabled them to rule as they saw fit, provided they delivered some socio-economic provisions and relative security to their citizens.[18] Thus, the countries' rulers legitimized themselves through a combination of populist and oppressive approaches, as well as hollow rhetoric. In order to obtain the acquiescence of the people, they took advantage of their monopoly over local economic activities; strategic rents from hydrocarbons and foreign remittances; and external aid. If such means proved ineffective at any point, they employed coercion using their sprawling security and legal apparatuses.[19]

In 2011 the three countries faced mass protests demanding change and better living conditions. The regimes in Libya, Syria and Yemen met the peaceful protests with violence, with the ensuing civil and proxy wars effectively shattering any semblance of a social contract. These wars led to the disintegration of the unitary centralized governments, created multiple (violent) domestic actors and localized pockets of authority, and opened the door to foreign interference with divergent interests.[20] This has exacerbated domestic fragmentation and hindered the prospects for resolving these conflicts. Thus, before proceeding to how localized covenants may be utilized to address these tensions, and how external actors should respond, it is necessary to explore in greater detail the social and political landscape in each of the countries.

### Libya

In February 2011 the Libyan people, inspired by uprisings in other Arab countries, revolted against the autocratic regime of Muammar al-Qaddafi. The regime's brutal response to peaceful demands for change led to a complete breakdown in order and the creation of pro- and anti-Qaddafi armed militias. Escalating violence by pro-Qaddafi forces prompted the United Nations to pass Security Council Resolution 1973 in March 2011, authorizing a no-fly zone to protect civilians. The North Atlantic Treaty Organization implemented the resolution, which eventually helped anti-Qaddafi forces advance and take control of the major Libyan cities.[21] On

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[18] For a background on the evolving role and shape of social contracts in MENA see Hinnebusch (note 11); and Loewe, Zintl and Houdret (note 7).

[19] Nakhleh (note 12); Hamzawy, A., 'The Arab world needs a new social contract', Al Jazeera, 22 Sep. 2016; and Yahya (note 9).

[20] Hamid, S. and Byman, D., *Adversity and Opportunity: Facing the Security and Policy Challenges in the Middle East* (Netherlands Institute of International Relations Clingendael: The Hague, Apr. 2015).

[21] NATO launched Operation Unified Protector on 23 March 2011, almost six weeks after the protests broke out on 17 February. The United Kingdom and France led most of the military campaign and airstrikes, depending heavily on US material support and financing from Qatar and the United Arab Emirates. Russia abstained from the UN Security Council Resolution 1973 but supported a no-fly zone over Libya. See United Nations Security Council Resolution 1973, 26 Feb. 2011; and Gazzini, C., 'Was the Libya intervention necessary?', *Middle East Report*, no. 261 (winter 2011).

20 October 2011 local militias captured and killed Qaddafi, with the National Transition Council announcing Libya's liberation and a plan to hold the country's first-ever elections the following year.[22]

Despite the democratic fervour that led to the General National Congress (GNC) being created in 2012 for an 18-month term, Libya has since descended into chaos, mired in a civil war centred around who should govern and what rules should shape the new system. The low turnout for the parliamentary elections of 2014 further exacerbated divisions and violence. Domestic clashes and lawlessness between forces loyal to the GNC and the newly elected parliament allowed Islamic State (IS) affiliate Ansar al-Sharia to establish control over key cities and ports.[23]

*Libya continues to be ruled by rival governments in the east and west backed by local militias and foreign powers*

Since 2014 Libya has been nominally governed by warring administrations in the east and west of the country, both backed by local militias and foreign powers.[24] The 2019–20 attempt by the General Khalifa Haftar-led Libyan National Army (LNA) to unify the country under one leadership failed after the internationally recognized Government of National Accord (GNA), led by Fayez al-Serraj, managed with Turkish support to push Haftar's forces back to the east.[25] The October 2020 UN-sponsored Libyan Political Dialogue Forum agreement created a pathway towards unifying the divergent parties, dismantling militias, and electing a new parliament and president.[26] While the creation of the Government of National Unity, led by Abdelhamid Dbeibeh, in March 2021 was a step forward, it faced immense challenges, including laying the groundwork for parliamentary and presidential elections; unifying parallel financial institutions and control over oil production; removing foreign mercenaries; and uniting the fragmented militias under a national army and police force. This ambitious political transition roadmap was soon derailed by personality and power posturing, as well as questions of legitimacy and foreign influence, which led to the elections slated for December 2021 being postponed indefinitely.[27]

Since February 2022 Libya has returned to being run by two rival governments: one in the east led by former interior minister Fathi Bashagha and supported by parliamentary speaker Agilah Saleh, General Khalifa Haftar and some southern tribes and militias; the other the UN-recognized and

[22] 'Since 2011, Libya has lacked not only a central authority worthy of that name, but also strong national political or military forces, as well as stable local authorities. This splintering of the political and military landscape has prevented the re-establishment of state authority since Qadhafi's fall, and frustrated attempts at brokering a sustainable solution to Libya's conflicts. Political and territorial fragmentation characterizes failing states, and is common in civil wars. Splits and divisions among armed groups often impede conflict resolution efforts.' Lacher, W., *Libya's Fragmentation Structure and Process in Violent Conflict* (I. B. Tauris: London, 2020).

[23] El Amrani, I., 'How much of Libya does the Islamic State control?', International Crisis Group, 18 Feb. 2016.

[24] Morsy, A., 'On 10th anniversary of Qaddafi's death, signs of stability in Libya', GZERO Media, 19 Oct. 2021; 'Factbox: Who's involved in Libya's war and why', Reuters, 29 May 2020; and De Bruijne, K., El Kamouni-Janssen, F. and Molenaar, F., *Challenging the Assumptions of the Libyan Conflict* (Netherlands Institute of International Relations Clingendael: The Hague, July 2017).

[25] 'Libya profile—Timeline', BBC News, 15 Mar. 2021; and United States Institute of Peace, 'Libya Timeline: Since Qaddafi's Ouster', 1 July 2019.

[26] United Nations Mission in Libya, 'Roadmap "for the preparatory phase of a comprehensive solution"', [n.d.].

[27] Bourhrous, A., 'Libya's electoral limbo: The crisis of legitimacy', SIPRI WritePeace blog, 29 Apr. 2022; and Harchaoui, J., *Libya's Electoral Impasse* (Noria Research: Oct. 2022).

Tripoli-based government led by Abdelhamid Dbeibeh, who has refused to step down until elections take place. Both sides claim to be the true representatives of the Libyan people while blaming the other for the country's increasing fragility and sporadic violence. In the absence of compromise over the terms of a political settlement, the instability is likely to continue, especially as foreign backers also disagree over the way forward.[28]

As with other countries in MENA, Libya has a deep-rooted problem with corruption in and mismanagement of political and economic institutions. The overwhelming majority of respondents in a 2021 survey stated that corruption is prevalent to a large (61 per cent) or medium (25 per cent) extent in state institutions and national agencies.[29] Even so, a July 2022 survey by Arab Barometer found that despite the problems associated with democratic governance, about 69 per cent of respondents thought that democracy remains the best system of governance for their society. This is unsurprising given that in 2021, before the elections were postponed, about 71 per cent of respondents said that free elections are an absolutely or somewhat essential part of democracy.[30]

Rather than encouraging more peaceful dynamics, the many direct and proxy international interventions have mostly aggravated rifts among Libya's tribal and regional actors.[31] Divisions among Libyans were suppressed during the long reign of Qaddafi through networks of patronage used to punish transgressors and reward supporters. The lack of formal governance structures has meant that, post-Qaddafi, Libyans have had to develop their institutions and social contracts from scratch.[32] In the meantime, this power vacuum has been filled with local militias, extremists, crime syndicates and foreign spoilers.[33]

### Personality politics and societal divisions

The personality politics, elite competition and outside influences at play in Libya mean that any political agreement must not only be approved by the 'strong men' who dominate the country's politics and command militias but also by the leaders in foreign capitals who have financially, diplomatically and militarily sponsored the different factions. The political process continues to be built around personality deals, which are inherently unstable given that these individuals often view the transition as a zero-sum game—that is, dominate the process and control Libya or risk being dominated by a rival. The presence of strong, hyper-fractured and externally supported militias has fuelled inter-tribal divisions and created vulnerabilities and fragmentation at all political levels in Libya. In turn,

*The political process continues to be built around personality deals, which are inherently unstable*

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[28] 'Libya has two prime ministers as political divisions deepen', *The Guardian*, 10 Feb. 2022; and International Crisis Group, 'Reuniting Libya, divided once more', 25 May 2022.

[29] Arab Barometer, *Arab Barometer VI: Libya Country Report* (Arab Barometer: 2021).

[30] See Arab Barometer (note 29); and Robbins, M., *Democracy in the Middle East and North Africa* (Arab Barometer: July 2022).

[31] Megerisi, T., 'Libya's global civil war', European Council on Foreign Relations (ECFR) Policy Brief no. 291, June 2019.

[32] Lacher (note 22).

[33] Geha, C. and Volpi, F., 'Constitutionalism and political order in Libya 2011–2014: Three myths about the past and new constitution', *Journal of North African Studies*, vol. 21, no. 4 (2016); and Anderson, L., '"They defeated us all": International interests, local politics, and contested sovereignty in Libya, *Middle East Journal,* vol. 71, no. 2 (2017).

these dynamics have inhibited the various attempts by the UN and other external powers to build consensus and prospects for peace.[34]

After decades of being coercively suppressed, Libya's long-standing societal cleavages boiled over following Qaddafi's ouster from power. These divisions are rooted in a historically weak sense of statehood, as, prior to Qaddafi taking power, Libya had not to any great degree developed a cohesive national identity. Until the mid-20th century Libya was ruled as separate territories rather than a contiguous state, with each territory (Tripolitania in the west, Cyrenaica in the east and Fezzan in the south) having a different domestic social and political configuration.[35] Hence, in the absence of any unifying national institution or identity, it was easy for society to splinter along kinship, regional and tribal lines after Qaddafi's fall.[36] Each group is seeking power and survival via various tools, from co-optation and coercion to violence. The domestic scene is further complicated by outside intervention and influence, which has fragmented attempts to institute a full political transition.[37]

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### Provision of security and services

Libya's small population, tribal dynamics and vast size contribute to a highly localized and fragmented form of politics. This in turn challenges centralized nationwide approaches to security and service provision, which are instead tied to the militias and other forms of localized authority. The 'maddening stew of towns, tribes and armed groups driven by as many motivations: money, oil, religion, and the manipulations of countries, like Egypt and Türkiye, that support rival sides' thwarts any attempt at finding a solution or building consensus.[38]

While analyses tend to highlight two main warring parties (mostly defined by geography or as pro-/anti-Islamist), these 'two' sides are in fact constituted by myriad smaller groups with competing identities, grievances and political objectives. At one point it was estimated that around 1700 militias with different capabilities, sizes and competing interests were fighting in Libya—or as former British foreign secretary Philip Hammond told the British Parliament in April 2016, 'If only it were so simple as there being two sides. There are about 120 sides'.[39] This multiplicity of fluid armed actors provides little security for civilians, who bore the brunt of violence and infighting during the civil war, as well as the sporadic deadly attacks between rival factions in and around Tripoli.[40] In the absence of a national-level (or even organized local-level) police force, Libyans are forced to accept

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[34] See Morsy (note 24); and International Crisis Group, 'Libya's unhealthy focus on personalities', Middle East and North Africa Briefing no. 57, 8 May 2018.

[35] Anderson (note 33).

[36] Fitzgerald, M. and Toaldo, M., 'Mapping Libya's factions', ECFR.

[37] See Arraf, S., 'Libya: A short guide to the conflict', Geneva Academy, June 2017; and Megerisi (note 31).

[38] Walsh, D., 'Tripoli, a tense and listless city with gunmen and a well-stocked Hugo Boss outlet', *New York Times*, 6 Mar. 2016.

[39] Quoted in Walsh, D., 'US penalizes Libyan politician in effort to bolster unity government', *New York Times*, 19 Apr. 2016; and UK Home Office, 'Libya: Security and humanitarian situation', Country Policy and Information Note version 3.0, Jan. 2018.

[40] 'Deadly clashes between rival armed groups erupt in Libyan capital', Al Jazeera, 27 Aug. 2022.

whatever protection is available from whichever group runs their locale.[41] This may even include paying for protection.[42]

Service provision—from electricity and water to food, gas and other goods—has been seriously impacted by the elevated levels of insecurity, with Libyans witnessing severe deterioration on all fronts. Among the outcomes of state collapse are a warlordism economy and the monopoly of certain provisions by militias rather than the state. Control over the hydrocarbon industry, which is the main source and driver of Libya's economy, is the prize most coveted by the different power structures and contending groups. Various tribes, militias and rival administrations have used oil as a tool to extract concessions and settle grievances. This has directly affected oil production and export commitments, as well as overwhelming the ailing hydrocarbon infrastructure, from oil fields and pipelines to export terminals. A possible way forward is to distribute and reinvest oil revenues in the regions where hydrocarbons are extracted and transferred, thereby providing local communities with jobs and services, and giving them a stake in this critical natural resource. This would likely lead to the local population becoming the first line of defence against disruptors.

Moreover, various illicit but lucrative businesses have flourished in Libya, including arms dealing, human trafficking and drug smuggling spanning North Africa, the Sahel and across the Mediterranean into Europe. These activities undermine peacebuilding efforts, create local groups of criminal and corrupt elites, and disincentivize capacity development for state institutions or formal economic structures.[43]

The conflict's economic dimension is further fuelled by international interventions and support. Libyan oil has long been coveted by some European states, especially Italy through ENI and France through Total.[44] The French and Italian governments have invested heavily in Libya, and throughout the past decade have been keen to maintain a balanced position that does not impact their oil investments or agreements to curb illegal migration. This has meant France and Italy, among other countries, have downplayed human rights violations and other atrocities for the sake of maintaining their favoured positions and investments.[45]

Similarly, other countries have provided financial and/or military support designed to bolster one local group over others, thereby safeguarding their interests and creating a better bargaining position relative to other regional players.[46] Türkiye's infrastructure investments and deals with the Tripoli-

[41] Florquin, N. et al., *Perceptions, Vulnerabilities, and Prevention: Violent Extremism Threat Assessment in Selected Regions of the Southern Libyan Borderlands and North-Western Nigeria* (Small Arms Survey and UNDP: Geneva, Nov. 2022).

[42] Tartir, A. and Florquin, N., 'Urban peace-building through community-based initiatives to control SALWs in Libya', *Journal of Illicit Economies and Development*, vol. 2, no. 2 (2021).

[43] Interviews conducted in July–August 2022 with civil society and researchers who had visited Libya in the past six months.

[44] See 'Italian group Eni aims invest in Libyan gas output', Reuters, 24 Aug. 2022; and Mohamed, H., 'France's total to increase investments in Libya', *Libya Review*, 26 Aug. 2022.

[45] See Mako, S., 'Exploiting dissent: Foreign military interventions in the Arab uprisings', *International Politics* (2021); AbdelShafy, E., 'Map of goals and interests: What does France want from Libya?', Egyptian Institute for Studies, 4 Aug. 2020; and Mezran, K. and Pavia, A., 'Italy found its way back into Libya', Atlantic Council, 16 Apr. 2021.

[46] Megerisi (note 31); and Badi, E., 'Libya's war of the many', Carnegie Endowment for International Peace, 17 Dec. 2019.

based governments, for example, were predicated on maintaining a long-term strategic presence in and across the Mediterranean for energy and new markets in the Sahel.[47] Egypt, Russia, Türkiye and the United Arab Emirates (UAE) all violated the UN weapons embargo on Libya in order to strengthen their respective parties (the GNA or the LNA) during the 2019–20 campaign to gain control of Tripoli.[48]

## Syria

The 2011 peaceful uprising against Bashar al-Assad's regime quickly escalated to armed conflict after the government's security forces and military violently suppressed protests. The scattered opposition took up arms to fight against the regime, which blamed the protests on foreign-backed propaganda and support. The fighting escalated, turning from a civil war between the Syrian regime and its opposition to an international proxy war, with regional and international powers taking sides, supplying weapons and money, training fighters, and some even eventually deploying boots on the ground.[49] A decade on, the war had left over half a million people dead, displaced (either internally or as refugees) more than half of Syria's pre-war population of 22 million, and destroyed cities and infrastructure that would need billions of dollars to rebuild.[50]

Rather than the regime being overthrown, the breakdown of the state led to new on-the-ground dynamics that are unlikely to change in the near future thanks to the entrenched, zero-sum approach advanced by Assad's regime and maintained by its allies. The regime under the Alawite al-Assad dynasty had long favoured the sect's supporters, creating a clique of cronyism in both Syria's political and economic spheres. While Bashar al-Assad's early years in power saw a slight opening in the public sphere compared with his father's rule, both were efficient at limiting the space in which other groups could survive.[51] As of late 2022 the politics and territory controlled by both the regime and its opposition are riven by ethnic and sectarian divisions, as well as entrenched foreign powers. These dynamics make the chances of achieving a nationwide social contract remote at best, with localized covenants, particularly in territories beyond Assad's control, a better approach in the short term.

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[47] See Wehrey, F., *This War is Out of our Hands': The Internationalization of Libya's Post-2011 Conflicts from Proxies to Boots on the Ground* (New America: Sep. 2020); Hacaoglu, S., 'In battle for Tripoli, Turkey has billions in projects at stake', Bloomberg, 8 July 2019; and Harchaoui, J. *Why Turkey Intervened in Libya* (Foreign Policy Research Institute: Dec. 2020).

[48] Lewis, A., 'Covert Emirati support gave East Libyan air power key boost: UN report', Reuters, 9 June 2017; and Lewis, A., 'Egypt's Sisi opens naval base close to border with Libya', Reuters, 4 July 2021.

[49] See Bremmer, I., 'These 5 proxy battles are making Syria's civil war increasingly complicated', *Time*, 16 Feb. 2018; and Hinnebusch, R., 'Proxy wars and spheres of influence in post-Isis Syria', *IEMed Mediterranean Yearbook 2020* (European Institute of the Mediterranean (IEMed): 2020).

[50] While the full number of deaths will likely remain unknown due to lack of sufficient data, the UN verified at least 350 209 civilians and combatants were killed between March 2011 and March 2021; see Office of the High Commissioner for Human Rights, 'Oral update on the extent of conflict-related deaths in the Syrian Arab Republic', 24 Sep. 2021. Separately, the Syrian Observatory for Human Rights (SOHR), a UK-based monitoring organization, documented 494 438 deaths by June 2021; see SOHR, 'Total death toll | Over 606,000 people killed across Syria since the beginning of the "Syrian Revolution", including 495,000 documented by SOHR', 1 June 2021.

[51] Ottaway, M., 'War and politics in Libya, Yemen, and Syria', Wilson Center, 6 Jan. 2022.

*Fragmentation, devastation and no winners*

The onset of the Covid-19 pandemic in March 2020 coincided with a Russian–Turkish agreement halting a Syrian government assault on Idlib, the last stronghold of Syrian rebels fighting Bashar al-Assad's regime and home to the jihadist Organization for the Liberation of the Levant (Hay'at Tahrir al-Sham, HTS).[52] Since then, Syria has witnessed a fragile yet significant de-escalation in the conflict, kept in check by delicate coordination among the main foreign players on the ground.[53] A decade or so of violent struggle has shown that 'a military solution is an illusion', and any political resolution—while not impossible—depends on the will of local and external parties.[54]

Syria is divided into four areas of control, with each region running its own de facto social contract, revolving around basic services and protection provided through local administrations and backed by external patrons. The biggest territorial mass, about 70 per cent of the country, is under the control of the Assad regime and includes major cities such as Damascus, Aleppo and Homs. The rest of the country is divided among three separate groups and modes of governance.

The north-western part is under the control of Turkish proxies, meaning Türkiye has de facto decision-making power. The north-eastern part is under the effective control of the US-backed and Kurd-led Syrian Democratic Forces. Although this accounts for about a quarter of the country geographically, these territories constitute approximately 80 per cent of Syria's oil resources and agricultural land.[55] There is also a symbolic Russian and Syrian military presence in the north-east that mainly serves as a buffer to the Turkish forces in the north-west. Finally, there is Idlib, which is under the control of forces opposed to President Assad, including former al-Qaeda affiliate HTS and other rebel factions, as well as Turkish forces that function as a buffer between Syrian government forces and the enclave as part of a March 2020 ceasefire agreement between Türkiye and Russia.[56]

Different external actors have intervened in Syria to advance, maintain or protect their interests, often attempting to alter the balance of power both domestically and regionally. These multi-sided interventions have 'exacerbated the militarization of the Syrian uprising and contributed to the co-optation, fractionalization and sectarianization of the 2011 pro-democracy protest movement'.[57]

The regime's key supporters are Russia and Iran, who helped turn the tide by providing weapons, mobilizing militias and keeping the regime afloat

> *A decade or so of violence has shown that 'a military solution is an illusion', and any political resolution depends on the will of local and external parties*

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[52] Solomon, C., 'HTS: Evolution of a jihadi group', Wilson Center, 13 July 2022; and International Crisis Group, *Silencing the Guns in Syria's Idlib*, Middle East Report no. 213 (International Crisis Group: Brussels, May 2020).

[53] Lund, A. *Syria's Civil War: Government Victory or Frozen Conflict?* (Swedish Defence Research Agency: Dec. 2018).

[54] Office of the Special Envoy of the Secretary General for Syria, 'Statement on the anniversary of the Syrian conflict', 14 Mar. 2022.

[55] International Crisis Group, 'Syria's Frozen Conflict', *Hold Your Fire!* [podcast], 28 Jan. 2021.

[56] Roth, A., 'Russia and Turkey agree ceasefire in Syria's Idlib province', *The Guardian*, 5 Mar. 2020.

[57] Mako (note 45).

financially. Conversely, Türkiye, Western powers and (in the early years of the war) several Arab Gulf states have backed various opposition groups.[58] Israel stands in a separate category as its intervention is mainly directed at enforcing a buffer zone between itself and the Iranian-backed Syrian regime, as well as curtailing Iran's ability to transfer weapons, money and goods to Hezbollah in Lebanon. Israel has carried out hundreds of air strikes in Syria against targets it suspects of being connected to Iran, including certain military bases and airports.[59] Similarly, the United States has used its presence in north-eastern Syria as part of the US-led coalition against IS to launch strikes against Iranian-backed militias in Syria, usually in response to attacks against US personnel in both Iraq and Syria.[60]

### A survival-based social contract

The Assad regime's 11-year campaign to regain control over Syria has caused extensive destruction of civilian infrastructure and widescale human suffering. As a recent 2022 UN Human Rights Council report highlights, 'poverty in Syria is an unprecedented 90 percent [and] 14.6 million people in Syria depend on humanitarian aid'.[61]

Despite the military support of both Russia and Iran, as well as economic, food and medical aid from the UN and other international organizations, the Assad regime faces tremendous pressure to sustain basic services. In Damascus, for example, certain neighbourhoods receive electricity for only two to four hours a day. While the regime blames Western sanctions for the country's dismal economic situation, the Syrian economy has also been ravaged by over 10 years of war and decades of rampant corruption, cronyism and monopoly.[62] In addition, limited formal revenue-generation mechanisms has forced the regime and its affiliates, including local and foreign militias, to rely heavily on extortion.[63] Those living in government-controlled areas have become increasingly frustrated with the overall situation, but their options remain limited given the unlikelihood of either regime change or reform. In short, any kind of contract with the Assad state is dependent on external support for the regime.

*The Syrian economy has also been ravaged by over 10 years of war and decades of rampant corruption, cronyism and monopoly*

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[58] On the war's regional and international context see Phillips, C., *The Battle for Syria: International Rivalry in the New Middle East* (Yale University Press: New Haven, CT, 2016); and Lynch, M., *The New Arab Wars: Uprisings and Anarchy in the Middle East* (Public Affairs: New York, 2016).

[59] See 'Israeli missile attack targets areas around Damascus', Reuters, 24 Oct. 2022; 'Syria says five killed in Israeli air attack on Damascus airport', Al Jazeera, 17 Sep. 2022; and Zitun, Y., 'IDF says it launched 200 strikes in Syria over past 1.5 years', Ynetnews, 4 Sep. 2018.

[60] See Gritten, D., 'US strikes Iran-backed groups in Syria twice in 24 hours after attacks', BBC News, 25 Aug. 2022; and 'Biden takes first military action with Syria strike on Iran-backed militias', BBC News, 26 Feb. 2021.

[61] UN, 'Fears grow for Syria amid rising violence, deepening humanitarian crisis', UN News, 9 Mar. 2022.

[62] For more background see Haddad, B., *Business Networks in Syria: The Political Economy of Authoritarian Resilience* (Stanford University Press: Stanford, CA, 2011); Heydemann, S., *Networks of Privilege in the Middle East: The Politics of Economic Reform Revisited* (Palgrave Macmillan: New York, 2004); Lawson, F. H., 'Private capital and the state in contemporary Syria', *Middle East Report*, no. 2013 (Spring 1997); and Shamaileh, A., 'This critical juncture: Elite competition in a receding civil war', Project on Middle East Political Science (POMEPS), Nov. 2020.

[63] Miller, G. and Sly, L., 'Assad's tightening grip', *Washington Post*, 4 Dec. 2021; Hubbard, B. and Saad, H., 'On Syria's ruins, a drug empire flourishes', *New York Times*, 5 Dec. 2021; and Alhajj, T., 'The Al-Assad regime's Captagon trade', Carnegie Endowment for International Peace, 6 Oct. 2022.

A similar situation is present in the north-west, where Türkiye effectively runs the region through the Gaziantep-based Syrian Interim Government.[64] Türkiye's presence and influence are clear from the Turkish flags that fly alongside Syrian opposition banners and the Turkish language taught at school, as well as the funding provided for public service salaries and police forces.[65]

In the greater Idlib region, the situation is even more complicated, with over 2.8 million people living in much more dire conditions than other parts of Syria.[66] One of the challenges here is that most of the key areas, including the border crossing with Türkiye, are controlled by HTS, which has been designated a terrorist organization by the EU, Russia, Türkiye, the UN and the USA.[67] HTS also refused to work with the Turkish-backed Syrian Interim Government and decided to create its own Salvation Front to run its territories. However, the 2020 Russian–Turkish ceasefire forced the group to adopt a more pragmatic approach and coordinate, albeit only implicitly, with Türkiye.[68] It is unlikely HTS's October 2022 incursion into Afrin could have happened without Turkish acquiescence, especially given Türkiye vetoed a previous attempt in June.[69]

The ethnically mixed north-east of Syria is primarily ruled by the Kurdish Democratic Union Party (Partiya Yekîtiya Demokrat, PYD). Its armed wing, the People's Protection Units (Yekîneyên Parastina Gel, YPG), forms the main component of the Kurdish Syrian Democratic Forces (SDF), which provides services and security for the 2 million civilian population through a mix of Syrian regime support, oil revenue, and aid from the USA and other Western states. The SDF gained recognition as a bulwark, with the support of US-led coalition forces, against the expansion of IS and other jihadists.[70]

Although the PYD enjoys US and other Western support, it understands this does not extend to the formation of an independent Kurdish structure in Syria or elsewhere. Thus, it is not calling for a federal system or full independence, but rather envisions Syria as a multi-ethnic confederation that allows more representative self-governance.[71] Similarly, despite the SDF's reliance on US military support and coordination, they have maintained open lines of communication with the Assad regime and striven to avoid one-sided measures that could place further strain on an already

[64] The Syrian Interim Government is a cabinet-in-exile created in 2013 with support from Western and Arab nations, but which effectively serves as a Turkish puppet. See 'Syrian rebel leaders to form interim government for "free" areas', *The Guardian*, 18 Mar. 2013 (note 53), p. 53.

[65] El Deeb, S., 'Blurring the border, Turkey deepens roots in northern Syria', AP News, 19 June 2018.

[66] See UN, 'Senior humanitarian describes "horror scenes" in Syria camps', UN News, 24 Jan. 2022; and 'Syrians in Idlib camps in dire condition amid economic crisis', *Daily Sabah*, 14 Apr. 2022.

[67] Lund (note 53), p. 55.

[68] Lister, C., 'Pragmatic jihadist or opportunistic warlord? HTS's Jolani expands his rule in northern Syria', Middle East Institute (MEI), 13 Oct. 2022.

[69] Amberin, Z., 'Are Syria's HTS jihadis Turkey's new friends?', Al-Monitor, 17 Oct. 2022.

[70] Kajjo, S., 'Syrian Kurds: Rising from the ashes of persecution', eds H. M.-E. Khen, N. Boms and S. Ashraph, *The Syrian War: Between Justice and Political Reality* (Cambridge University Press: Cambridge, 2020).

[71] Council on Foreign Relations, 'The time of the Kurds', [n.d.]; and Knapp, M. and Jongerden, J., 'Communal democracy: The social contract and confederalism in Rojava', *Comparative Islamic Studies*, vol. 10, no. 1 (2016).

fraught relationship.[72] This proved critical when in October 2019 the Trump administration announced that US troops would be withdrawn from the buffer area between Türkiye and north-eastern Syria and deployed to the southeast, where Syria's easternmost oil fields and the crossing with Iraq are located. An imminent Turkish incursion was averted when 'the PYD invited regime (and Russian) forces to take up positions' to guard against Türkiye.[73] This pragmatic approach attempts to balance relations with the USA, Türkiye and the Syrian regime, in the hope that it might yield a better outcome for the Kurds in any future national reconciliation process.[74]

## Yemen

The current conflict in Yemen is often dated to the 2011 mass protests that swept the Arab world and led to the removal of the country's long-time ruler Ali Abdullah Saleh. These mass demonstrations were, however, preceded by localized protests (including the 2004 clashes between the central government and the Zaidi Shiites in northern Yemen) and sit-ins against deteriorating living conditions, corruption and other grievances.[75]

Following months of mass protests involving people of various back-grounds in the capital Sana'a and beyond in 2011, President Saleh of the Gen-eral People's Congress (GPC) party was eventually forced to resign, having signed a deal brokered by the Gulf Cooperation Council (GCC).[76] The deal entailed a transfer of power to Vice-President Abd-Rabbu Mansour Hadi and the setting up of the 2013 National Dialogue Conference (NDC), which brought together political parties, social movements and civil society organ-izations.[77] However, the internationally recognized Government of National Unity that resulted failed to address many of the fundamental issues needed to build a new social contract. Above all, Hadi failed to implement security sector reform, which meant that the loyalty of those within the country's military and security institutions remained with the ousted president, Saleh.[78] At the same time, economic conditions continued to deteriorate.

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[72] See 'Kurdish-backed SDC holds talks with Syrian government', VOA, 27 July 2018; and Federici, V., 'The rise of Rojava: Kurdish autonomy in the Syrian conflict', *SAIS Review of International Affairs*, vol. 35, no. 2 (2015).

[73] Hinnebusch (note 49).

[74] See Federici (note 72); and Cemgil, C. and Hoffmann, C., 'The "Rojava Revolution" in Syrian Kurdistan: A model of development for the Middle East?', *Institute of Development Studies Bulletin*, vol. 47, no. 3 (2016).

[75] The roots of the mass demonstrations lay in a combination of pre-existing factors acting in concert: decades of autocratic rule based on divisive patronage strategies; intergroup grievances; and neoliberal development policies that further impoverished a country challenged by corruption, rapid population growth, a low-skilled labour force, and worsening climate and environmental conditions. See Lackner, H., *Yemen in Crisis: The Road to War* (Verso: London, 2019), p. 25; Glosemeyer, I., 'Local conflict, global spin: An uprising in the Yemeni highlands,' *Middle East Report*, no. 232 (Fall 2004); and Lackner, H. and Al-Eryani. A., 'Yemen's environmental crisis is the biggest risk for its future', Century Foundation, 14 Dec. 2020.

[76] 'Yemen's Saleh agrees to transfer power', Al Jazeera, 24 Nov. 2011.

[77] The dialogue conference set up 'nine Working Groups which addressed the Southern question, Saada, national issues and reconciliation and transitional justice, state building, good governance, foundations for building military and security, independent entities, rights and freedoms, and sustainable development'. See Office of the Special Envoy of the Secretary General for Yemen, 'National Dialogue Conference', [n.d.].

[78] Lackner (note 75), pp. 40–42.

The 2014 civil war was triggered by a 'slow-burning coup' that had its roots in a protest movement that started in 2004.[79] In September 2014 the Houthis (originally known as Ansar Allah, a Zaydi religious, political and militia group based in north-western Yemen) seized Sana'a with support from military and tribal groups loyal to former president Saleh.[80] While participating in the transition process, the Houthis had consolidated control over their home governorate, Saada, and expanded into neighbouring governorates.[81] Having taken control of the capital, the Houthis placed President Hadi under house arrest in early 2015, from which he escaped to the southern coastal city of Aden and then to Saudi Arabia, as the Houthis continued their march south.[82]

In 2017 the alliance between Saleh and his former enemies, the Houthis, collapsed. In the interim, the Houthis had steadily increased their influence over the security apparatus through financial compensation, coercion and personal relationship building. Despite Saleh maintaining some clout within the security services and tribal networks, the balance of power eventually shifted in favour of the Houthis.[83] In an attempt to regain control, Saleh called on his supporters to join the Saudi-led coalition to fight the Houthis that had previously been launched in 2015.[84] However, two days later, on 4 December 2017, Saleh was killed by the Houthis.[85]

*Other cleavages came into play alongside sectarian tensions, a traditional caste system and outside interventions*

Other cleavages within Yemen's tribal and historically independent regions came into play alongside sectarian tensions, a traditional caste system and outside interventions. The 1990 union of the country's north and south never managed to integrate the diverse components of Yemeni society.[86] The centralization and manipulation of power by Saleh and his patrons 'was often perceived as representing only one segment of society' while alienating others, especially in the context of a fragile and poor state 'unable to provide services, justice and security to its population'.[87]

[79] Salisbury, P., *Yemen: National Chaos, Local Order* (Chatham House: London, Dec. 2017), p. 9. An earlier Zaydi protest movement started in 2004 in northern Yemen, with spurts of violence. See Robinson, K., 'Yemen's tragedy: War, stalemate, and suffering', Council on Foreign Relations, 21 Oct. 2022.

[80] The movement originally called Ansar Allah (Party of God) became popularly known as the Houthis in reference to the movement's founder, the now deceased Hussein Badr al-Din al-Houthi. He was succeeded by his brother, the current leader, Abdul-Malik al-Houthi. See Wilson Center, 'Who are Yemen's Houthis?', 7 July 2022; and Glosemeyer (note 75).

[81] Lackner (note 75), p. 49.

[82] 'Yemeni leader Hadi leaves country as Saudi Arabia keeps up air strikes', Reuters, 26 Mar. 2015.

[83] Alley, A. L., 'Collapse of the Houthi–Saleh alliance and the future of Yemen's war', *Politics, Governance, and Reconstruction in Yemen*, POMEPS Studies no. 29 (POMEPS: Jan. 2018), p. 9.

[84] Reuters, 'Saleh's offer to "turn a new page" in Yemen is welcomed by Saudi coalition', *New York Times*, 2 Dec. 2017.

[85] 'Ali Abdullah Saleh, Yemen's former leader, killed in Sanaa', BBC News, 4 Dec. 2017; and Alley (note 83), p. 12.

[86] In 1990 the Yemen Arab Republic in the north and the People's Democratic Republic of Yemen in the south agreed to unify into the Republic of Yemen. A brief war erupted between both sides in 1994 but ended with the defeat of the south and the re-imposition of the union.

[87] Manea, E., 'Absence of violence or sustainable peace? Yemen's pathway forward', MEI, 6 July 2021; and Ottaway (note 51).

*Local divisions and governance*

The civil war has led to huge upheavals in local governance, as well as societal fragmentation and civil strife.[88] Today, Yemen's regions are divided among various groups and spheres of influence.[89] The port cities of Aden and Mukalla in the south are under the control of the Southern Transitional Council (STC), which—along with the remaining parts of the southern and north-eastern provinces—is under the nominal influence of the internationally recognized Government of Yemen (GOY). The GOY is now represented by the Presidential Leadership Council (PLC) led by Rashad al-Alimi.[90] In Marib, northeast of the capital Sana'a, tribal leaders and other officials support the GOY but operate autonomously. A similar situation applies to the Hadhramaut region, although several pockets there and in Abyan are controlled by al-Qaeda in the Arabian Peninsula (AQAP). The Houthis are the only group with a near monopoly over all matters in the territories they control—a large swathe of north-western Yemen, where around 70 per cent of the country's 29.8 million population live.[91]

This fragmentation and multiple spheres of influence create different outlooks for local governance across Yemen. The relative weakness of the GOY and its lack of legitimacy, especially among southern separatists and independence movements, stands in contrast to trends in areas under the centralized control of the Houthis, including the capital Sana'a. The overall trajectory in the south has been towards increased local autonomy at a governorate level, with the relevant governor's office exercising most power and centralized decision making. Variations exist between the south's regions depending on each governor's relationship with the GOY. The closer the relationship, the greater the support the governor receives, resulting in better opportunities for the people of that governorate. Overall, however, governance, local service provision, revenue and spending rely on the ability of the governor to strike political deals among both local groups and with the government.[92]

The Houthis, on the other hand, implemented a multi-phase takeover approach to control local institutions. By appointing supporters and affiliates to leadership positions, they were able to replace the existing patronage system (of the former ruling party, GPC) with one of their own. This was followed by a more centralized and securitized process, with the Houthis attempting to rehabilitate the state and its role in collecting revenue and offering some services. The Houthis' centralized legal and administrative

*Fragmentation and multiple spheres of influence create different outlooks for local governance across Yemen*

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[88] Berghof Foundation, *Mapping of Local Governance in Yemeni Governorates* (Berghof Foundation: Berlin, Jan. 2020).

[89] See Berghof Foundation, 'Local governance in Yemen: Resource hub', [n.d.]; and Baron, A., 'Foreign and domestic influences in the war in Yemen', PWP Conflict Studies, 2019.

[90] The Southern Transitional Council is a southern separatist body, created in 2017 with support from the UAE. See Dahlgren, S. 'The Southern Transitional Council and the war in Yemen', Middle East Report Online, 16 Apr. 2018. The PLC, led by former interior minister Rashad al-Alimi, was announced on 7 April 2022 and is made up of eight prominent leaders from different political factions with ties to Saudi Arabia and the UAE. For more information see ISPI, 'Yemen: Is the war nearing an end?', 22 Apr. 2022.

[91] Haddad, M., 'Infographic: Yemen's war explained in maps and charts', Al Jazeera, 9 Feb. 2022.

[92] Jautz, K., Basalma, M. and Rogers, J., *Changing Local Governance in Yemen: The Areas Under the Control of the Internationally Recognized Government* (Berghof Foundation: Berlin, Apr. 2022).

structures are complemented by a parallel supervisory network that main-tains oversight and involves senior Houthi leaders.[93] This stands in contrast to the relatively decentralized governance approach in the south or in the eastern Hadhramaut region.[94] These divisions and different modes of governance is further proof that in the current Yemeni conditions, focusing on sub-national and regional political and social covenants could serve the local population better while creating conditions for longer-term peace.

The war has exacerbated Yemen's fragility, and as a consequence the country is constantly on the verge of famine and under considerable public health pressure. According to the UN Refugee Agency, three out of four Yemenis require humanitarian aid and protection, 80 per cent live below the poverty line, and over 4 million are internally displaced.[95] Yemenis and their rulers remain dependent on the support of international aid organizations, particularly when it comes to food and health services.[96] Regardless of the governance approach and region, all local factions have limited options and means when it comes to generating income to cover salaries, services and other needs. The governing parties implement a mix of coercive and co-optation measures to maintain security and services in their territories, as well as to collect taxation and other levies (some of which are illicit) and monopolize revenue from sectors such as oil and telecoms.

### The external factor

Yemen has long been a site of regional power competition. During the height of Arab nationalism and socialist politics in the 1960s, for example, Egypt and Saudi Arabia competed for regional leadership and fought a proxy war in northern Yemen.[97] The internationalization of the current conflict has added another layer of fragmentation to the crisis. Although the conflict is often portrayed as a two-sided conflict between the GOY and the Houthis, both camps have numerous internal and external groups vying for power who will not easily concede control over power and resources. Each of the domestic players have ties to foreign backers that have their own agendas and plans for Yemen, which, depending on the context and situation, sometimes contradict those of their local proxies.[98]

The foreign intervention started with the GCC-led transition plan to replace Ali Abdullah Saleh while maintaining the core ruling elite. However, when the 2013 NDC failed to produce an agreeable resolution—coupled with the Houthis' takeover of Sana'a and the port of Hudaydah in 2014, and the growing role of AQAP—Saudi Arabia and its allies intervened militarily. On 26 March 2015, fearing the Houthis would gain control of Yemen and citing Iranian influence, a coalition of states led by Saudi Arabia and the UAE launched Operation Decisive Storm in order to reinstate the then-exiled

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[93] Rogers, J., *Changing Local Governance in Yemen: District and Governorate Institutions in the Areas Under Ansar Allah's Control* (Berghof Foundation: Berlin, Dec. 2020).

[94] Baron, A. and Basalma, M., 'The case of Hadhramaut: Can local efforts transcend wartime divides in Yemen?', Century Foundation, 20 Apr. 2021.

[95] UNHCR, 'Yemen: Factsheet', June 2022.

[96] Robinson (note 79).

[97] Ferris, J., 'Egypt's Vietnam', *Foreign Policy*, 3 Apr. 2015. See also Baron (note 89).

[98] Manea, E., 'Absence of violence or sustainable peace? Yemen's pathway forward', MEI, 6 July 2021.

Yemeni government.[99] France, the United Kingdom and the USA supported the coalition with weapons, refuelling and logistical support, as well as intelligence.[100]

Throughout the campaign Saudi Arabia has maintained that the Houthis are being funded by Iran and aided by Hezbollah, a similar dynamic to the one in Syria, and that they will collapse without Iranian support.[101] Saudi Arabia also accuses Iran of using the Houthis to help realize its hegemonic ambitions in the region, which Saudi Arabia views as an existential threat.[102] While Iranian influence in Yemen, and over the Houthis in particular, has historically been more marginal than the Saudis allege, some hardline factions within the Iranian government do see Yemen as a means to assert pressure on Saudi Arabia. [103] After Sana'a fell under the control of the Houthis, Ali Reza Zakani, representative of the city of Tehran to the Iranian Parliament, was quoted as saying that Iran now rules in four Arab capitals (Baghdad, Beirut, Damascus and Sana'a).[104]

Despite official denials, there is some evidence to suggest Iranian involvement, although it remains unclear whether Iran has control over Houthi actions and strategies.[105] Moreover, the relationship is not as clear-cut as that of proxy and client, with Iran continuing to advocate an end to the conflict and the reaching of a truce.[106] Prior to the current civil war, Iran was not an important player in Yemeni affairs and its 'support is not critical to sustaining the Houthis in the same way that the Saudi-led coalition has been in sustaining the internationally recognized government of Yemen'.[107] Given the Houthis' current standing in the war and their long list of grievances towards the former Yemeni government and Saudi Arabia, it is likely they would continue the war with or without Iranian support.

[99] Lackner (note 75), pp. 54–57; and 'Saudi Arabia launches Yemen air strikes as alliance builds against Houthi rebels', *The Guardian*, 26 Mar. 2015.

[100] The coalition included all the GCC states except Oman, along with Egypt, Jordan, Morocco, Pakistan and Sudan. However, not every member committed troops or was participating directly in the war. Qatar was excluded following the 2017 boycott. On 9 February 2020 the UAE announced the completion of its phased withdrawal from Yemen. See Jalal, I., 'The UAE may have withdrawn from Yemen, but its influence remains strong', MEI, 25 Feb. 25 2020.

[101] International Crisis Group, *Truce Test: The Huthis and Yemen's War of Narratives*, Middle East Report no. 233 (International Crisis Group: Brussels, Apr. 2022), p. 11; and Transfeld, M., al-Deen, M. S. and al-Hamdani, R., 'Seizing the state: Ibbs's security arrangement after Ansar Allah's takeover', Yemen Policy Center, June 2020.

[102] Nagi, A., *The Pitfalls of Saudi Arabia's Security-Centric Strategy in Yemen* (Carnegie Middle East Center: Beirut, Oct. 2022); and International Crisis Group, 'Saada, Yemen', 2 Oct. 2022.

[103] International Crisis Group (note 102), pp. 6–8.

[104] Alabassi, M., 'Iran continues to boast of its regional reach', Middle East Eye, 13 Mar. 2015.

[105] See Juneau, T., 'Iran's policy towards the Houthis in Yemen: A limited return on a modest investment', *International Affairs*, vol. 92, no. 3 (2016); Feierstein, G. M., 'Iran's role in Yemen and prospects for peace', MEI, 6 Dec. 2018; and UN, Security Council, 'Final report of the Panel of Experts on Yemen', S/2020/70, 27 Jan. 2020.

[106] See International Crisis Group, *Iran's Priorities in a Turbulent Middle East*, Middle East and North Africa Report no. 184 (International Crisis Group: Brussels, April. 2018), p. 11; Iranian Ministry of Foreign Affairs, 'Iran reaffirms support for extension of truce in Yemen', 3 Aug. 2022; and Iranian Ministry of Foreign Affairs, 'Foreign ministry spokesman dismisses British government baseless claim of seizure of Yemen-bound Iranian weapons', 8 July 2022.

[107] Stark, A., 'Prospects for ending external intervention in Yemen's war', *MENA's Frozen Conflicts*, POMEPS Studies no. 42 (POMEPS: Nov. 2020).

The UN-brokered truce announced on 2 April 2022 was a welcome step amid worsening living conditions for Yemenis.[108] The truce, the longest during the eight years of war, remained in place until 2 October, when the UN special envoy announced that negotiations to expand and extend the ceasefire had failed.[109] Nonetheless, the ceasefire did have some positive impacts on Yemenis' lives and appeared to show some promising outcomes.[110] This was despite the situation's fragility and a lack of trust among, and limited direct engagement of, the parties involved.[111]

Moreover, the April truce may have provided Saudi Arabia with an opportune moment for engineering the resignation of President Hadi and handing over power to the PLC.[112] It is perhaps the clearest signal yet that Saudi Arabia is seeking a way out of its entanglement in Yemen, while at the same time figuring out how to maintain influence in the country's affairs.[113]

## IV. Zooming out: Localized covenants, simmering stalemates and external actors

Vicious cycles of grievances, state failure and conflict dominate the respective situations in Libya, Syria and Yemen, with the civil wars in all three countries the result of a breakdown in the domestic structures governing relationships between ruling elites and one or more societal groups. The wars have prolonged and exacerbated domestic grievances and mistrust, leading to local infighting and disagreements over power and resources, further fuelled by external interference. Locally and nationally, Libya, Syria and Yemen are fragmented along multiple, sometimes blurred, lines. There is a geographical (rural/urban) component that includes a socio-economic and political class divide, as well as mixed ethnic/sectarian/tribal fissures. These divisions are dynamic and complicated by external political, economic and military support, which aims to either strengthen or weaken the incumbent regime or one (or more) of the other warring factions.[114] In the following section, the paper highlights crucial questions of governance in

*Locally and nationally, Libya, Syria and Yemen are fragmented along multiple, sometimes blurred, lines*

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[108] Office of the Special Envoy of the Secretary General for Yemen (OSESGY), 'Press statement by the UN Special Envoy for Yemen Hans Grundberg on a two-month truce', 1 Apr. 2022.

[109] OSESGY, 'Statement from the UN Special Envoy on the negotiations to extend and expand the nationwide truce in Yemen', 2 Oct. 2022. The UN had previously—through the 2018 Stockholm Agreement, among others—mediated an end to the civil war. See OSESGY, Stockholm Agreement, Dec. 2018.

[110] During the previous six months, Yemen saw 'a 60 percent decrease in casualties'; transported over 30 000 passengers from Sana'a airport; received 'over 1.4 million metric tonnes of fuel products'; and had 'face-to-face meetings of the parties under UN auspices on military de-escalation'. See OSESGY, 'Briefing to the United Nations Security Council by the Special Envoy for Yemen Hans Grundberg', 13 Oct. 2022.

[111] Salisbury, P. and Weissenburger, A., 'The surprising success of the truce in Yemen', *Foreign Affairs*, 28 June 2022.

[112] While the PLC is representative, its not cohesive and will remain subject to competition among various factions, including the southern separatist movements, tribal leaders, and AQAP. See Sana'a Center for Strategic Studies, *The Yemen Review: Changing the Guard* (Sana'a Center for Strategic Studies: April 2022); and Ardemagni, E., 'Yemen's post-hybrid balance: The New Presidential Council', Carnegie Endowment for International Peace, 9 June 2022.

[113] Said, S. and Kain, S., 'Saudi Arabia pushed Yemen's elected president to step aside, Saudi and Yemeni officials say', *Wall Street Journal*, 17 Apr. 2022.

[114] Mako (note 45).

fragmented and conflict-ridden settings such as those of the three countries, and why, in this context, prioritizing localized covenants over national social contracts may be preferable. Here, the (often negative) role played by external actors is key and requires honest reflection.

### Who governs?

Ongoing civil wars create new forms of authority and legitimation, which should be taken into consideration when attempting to resolve these conflicts. After all, armed conflicts usually end with new social dynamics and political structures, even if an incumbent regime survives, as in the case of the Assad regime in Syria. The fragile governing structures in Libya, Syria and Yemen face insurmountable difficulties in exercising effective sovereignty over the fragmented territories each currently controls, upending traditional approaches to the role of a centralized state with a monopoly over the use of force. This is clear from the growing role of (armed) non-state and parastatal actors, raising critical questions about *who governs* and to *what end*.

The expanded role played by non-state actors in MENA, even before the civil wars, points to a weakening of the state apparatus and a lack of trust in public institutions. However, these (non-state) actors do not necessarily seek to construct new or stronger state structures. In fact, many non-state actors (armed and non-armed) have appeared inclined to reaffirm the existing normative qualities of statehood, even at times of state disintegration and civil war. Pro-government militias, for instance, legitimize their position by advancing the role of the state in enforcing law and order. Meanwhile, rebel or opposition groups create state-like bureaucracies and provide services and security (such as community policing and tribal courts based on customary law) that resemble pre-existing governance systems.[115]

*The expanded role played by non-state actors in MENA points to a weakening of the state apparatus and a lack of trust in public institutions*

As such, it may be useful in the context of these conflicts to regard 'government' not as a unit that fits the mould of a Weberian nation state but rather as an entity that 'exercises a monopoly over the use of force in a given territory (even one with shifting boundaries) and which is thus able to coerce the population living in this territory into compliance'.[116] This broader description is useful in accounting for the role some non-state and parastatal actors play in times of state disintegration and civil wars (for example, the PYD and HTS in Syria; the Houthis, Southern Transitional Council and AQAP in Yemen; or the Tripoli- and Sirte-based governments, and tribal groups in Fezzan, in Libya).[117]

[115] See Lust, E., 'Roundtable: Layered authority and social institutions: Reconsidering state-centric theory and development policy', *International Journal of Middle East Studies*, vol. 50, no. 2 (Spring 2018); Revkin, M. R. and Ahram, A., 'Perspectives on the rebel social contract: Exit, voice, and loyalty in the Islamic State in Iraq and Syria', *World Development*, vol. 132 (2020); and Ahram, A., 'Roundtable: On the making and unmaking of Arab States', *International Journal of Middle East Studies*, vol. 50. no. 2 (Spring 2018).

[116] Loewe, Zintl and Houdret (note 7).

[117] The literature on governance in areas with limited statehood is useful in this context. See Risse T. et al., *Governance and Limited Statehood* (Oxford University Press: Oxford, 2018).

## Localized covenants before national social contracts

Viewed from the outside, the pre-civil war social contracts in Libya, Syria and Yemen appeared to work, with a central government providing some level of protection and services to the populace. Looking closely, however, they were dysfunctional, partisan and relatively static processes that favoured certain groups based on—among other segmentation—allegiance, class, region, sect or tribe.[118] This approach to governing prompted leaders to cement their rule through a variety of strategies, from heavy-handed policies and manipulation of intergroup identities to creating clientelist and patronage structures. This led to decades of grievances between not only the ruling elite(s) and the population but also among different sub-national and identity groups. As Lisa Anderson, professor and Dean Emerita, observes, 'the residents of the Iraqi president's natal village, the members of the Qadhadfa clan in Libya, the Alawi sect in Syria, the royal family in Saudi Arabia, all enjoy preferential access to government-controlled benefits'.[119]

Any post-war social contract should start by recognizing the conflict dynamics at play, including the diverse political and social groups that underpin the competing centres of domestic power. In times of crisis, a population will continue to seek protection and services, and are not usually afforded the luxury of choosing who provides it. Sub-national social groups play a critical role during these times and offer viable alternatives to the 'failed' nation state.[120] This, however, raises important questions concerning the ability of the divided societies to 'move on from reliance on social groups, and the vulnerability that this entails, and forge a new, more stable and inclusive peace, based on the state–society exchange of public goods for the recognition and loyalty inherent in the social contract'.[121]

*In times of crisis, a population will continue to seek protection and services, and are not usually afforded the luxury of choosing who provides it*

The analysis from Libya, Syria and Yemen reveals deeply fragmented setups that hinder achievement of national-level social contracts, especially given the limited movement made to reach an inclusive national political settlement. Although the initial attempts (2012–14) at national dialogue and electing general assemblies in Libya and Yemen were a positive step, the outcomes failed to satisfy several of the represented factions and—to some extent—their foreign backers. These groups, such as the Houthis and southern separatists in Yemen and several of the armed factions in Libya 'did not see the dialogue as a solution to their problems or an answer to their aspirations'.[122] The Assad regime, meanwhile, did not give in to any of the demands for change and instead fought back every step of the way,

[118] Hamzawy (note 19); and Hinnebusch (note 49). See also Muhlberger, W., *The State of Arab Statehood: Reflections on Failure, Resilience and Collapse* (European Institute of the Mediterranean: Sep. 2015); and Barnett, M., *Dialogues in Arab Politics: Negotiations in Regional Order* (Columbia University Press: New York, 1998).

[119] Anderson, L., 'Roundtable: The state and its competitors', *International Journal of Middle East Studies*, vol. 50, no. 2 (Spring 2018).

[120] Furness and Trautner (note 9); and Salamey, I., *The Decline of Nation-states After the Arab Spring: The Rise of Communitocracy* (Routledge: London, 2017).

[121] Furness and Trautner (note 9).

[122] Ottaway (note 51). See also El Kamouni-Janssen, F. and de Bruijne, K., *Entering the Lion's Den: Local Militias and Governance in Libya* (Netherlands Institute of International Relations Clingendael: The Hague, Oct. 2017) .

emboldened by Russian and Iranian support. The Syrian regime even went as far as amending the constitution and holding presidential and parliamentary elections despite the civil war and the government's incomplete control over Syria's territory.[123]

One way of unblocking this logjam would be to pursue a series of formal and informal social and political dialogues at the local level—especially in territories ruled by new and non-state local authorities. These dialogues could form the basis of local-level covenants, with such an approach requiring a win–win (or win–no loss) formula that secures the commitment of political elites, militia leaders and social groups within a particular territory. It also necessitates external support rather than manipulation that opportunistically incentivizes continued conflict. Otherwise, the same barriers to progress that have stalemated national approaches will play out at the local level.

*One way of unblocking the logjam is to pursue formal and informal social and political dialogues, which could form the basis of local-level covenants*

Across the three countries there has been a collapse in the full authority of central government, leading to the emergence of local armed groups that rule over diverse segments of the population. This patchwork of state-like authorities, while dependent on external support, provides some semblance of security, governance and service provision—critical elements of a social contract. In this regard, it is important to flag some of the attempts made at forging localized forms of governance in the non-state governed territories or areas of limited statehood.[124]

In Libya the Supreme Social Tuareg Council, along with other traditional tribal authorities, dominate the southern region of Fezzan. Ironically, historical ostracization, state neglect and the introduction of formal local governance after the fall of Qaddafi has only increased their strength. These informal governing structures have assumed 'responsibilities far beyond the inter-tribal roles they played during the Gaddafi era and are tasked with attempting to provide services and security to a community that has severe shortfalls in healthcare, sanitation, electricity and financial services'.[125]

In Syria, the Charter for the Social Contract in the north-eastern regions controlled by Kurdish forces aims to provide a model for sub-national self-rule within Syria without staking a claim to secession or irredentism.[126] The PYD is essentially trying to put into practice, through bottom-up management, the thoughts and theories of Kurdistan Workers' Party (Partiya Karkerên Kurdistanê, PKK) leader Abdullah Öcalan, who is currently imprisoned in

[123] Fares, Q., 'The Syrian Constitution: Assad's magic wand', Diwan, Carnegie Middle East Center, 8 May 2014; Shaar, K. and Akil. S., 'Inside Syria's clapping chamber: Dynamics of the 2020 parliamentary elections', MEI, 28 Jan. 2021; and 'Syria's presidential elections, explained', Al-Monitor, 24 May 2021.

[124] The term 'areas of limited statehood' covers different forms of failed and weak states with limited to no control over parts of their territories, meaning they are unable to effectively enforce a monopoly on the use of force and implement authoritative policies. See Risse, T. and Lehmkuhl, U., 'Governance in areas of limited statehood: New modes of governance', SFB-Governance Working Paper Series no. 1, Dec. 2006; and Risse et al. (note 118).

[125] Molenaar, F. et al., 'Traditional authorities in Libya: State neglect and alliance formation', *The Status Quo: The Legitimacy of Traditional Authorities in Areas of Limited Statehood in Mali, Niger and Libya* (Netherlands Institute of International Relations Clingendael: The Hague, Aug. 2019).

[126] See Knapp and Jongerden (note 71); and Federici (note 72). The full text of the charter can be found at <https://www.peaceinkurdistancampaign.com/charter-of-the-social-contract/>.

Türkiye.[127] The abandonment of the region by the Assad regime at the onset of the civil war gave Kurdish groups the opportunity to organize themselves and rule the territory, which then came under extreme pressure as IS intensified its attacks, particularly during the battle for Kobane in 2014. The subsequent defeat of IS in the region by US-backed Kurdish forces provided a further window for the de facto authorities to put in place the building blocks for self-government. Through the charter and subsequent efforts, the region's authorities are seeking to improve their relations with, and maintain legitimacy in the eyes of, other Kurdish and non-Kurdish groups. As such, the unclear relations and détente with the Syrian regime, as well as perceived close coordination with PKK leaders in the Qandil mountains, remain critical questions for the enclave's authorities moving forward.[128]

In Yemen, the Hadhramaut and Ma'rib governorates are examples of the mixed formal/informal bottom-up approach to self-rule and coordination seen during the war. In Hadhramaut particularly, local authorities and communities 'played a crucial role in promoting unity and consultative solutions to political tensions, while also uniting to lobby for the governorate's collective concerns with national-level authorities'.[129] One of the notable steps taken in April 2017 was to independently organize the Inclusive Hadhramaut Conference, with the aim of developing greater regional autonomy and increased authority over economic resources and social benefits. Hadhramaut is Yemen's largest governorate and where most of the oil is being extracted.[130] Although divisions remain within Hadhramaut, and broad implementation and distribution across the governorate remains uneven, creating local mechanisms for representation and dialogue are critical steps towards further decentralization and representation.

## Simmering stalemates and the role of external powers

Despite the abating violence, the conflicts in Libya, Syria and Yemen continue to evolve, with fragile ceasefires, domestic divisions and entrenchment, as well as external influence, all contributing to the ongoing situation. In each of the three states there exists a balance of weakness among the various local groups that prevents any one (or more) faction from taking full control. Hence, these conflicts should be regarded as simmering stalemates in which each side, rather than being focused primarily on defeating the other group(s), is looking to build on the new realities created by conflict. These 'new realities', notwithstanding the human suffering, destruction and financial cost, include territorial control (sovereignty), regional or international recognition, gaining a monopoly over economic resources, and developing military capabilities.[131] When the time comes to negotiate, the

[127] Öcalan, A., *Democratic Confedralism* (Transmedia: London, 2011).

[128] Marinelli, S., 'The 2016 Rojava Social Contract: A democratic experiment of civil and social rights in Northern Syria', International Law Blog, 24 Oct. 2016.

[129] Baron and Basalma (note 95).

[130] A total of 160 participants attended the conference, leading to the appointment of 52 members that make up the HIC executive decision-making authority. See al-Awlaqi, W. and al-Madhaji, M., 'Challenges for Yemen's local governance amid conflict', Rethinking Yemen's Economy no. 6, Sana'a Center For Strategic Studies, 29 July 2018.

[131] See *MENA's Frozen Conflicts*, POMEPS Studies no. 42 (POMEPS: Nov. 2020); Scheller, B., *The Wisdom of Syria's Waiting Game* (Hurst Publishing: London, 2013); and Grigas, A., 'Frozen conflicts:

conflict parties are likely to use these new realities as bargaining tools for a better outcome (or at least to avoid capitulation).

The lack of any broadly inclusive political settlement in Libya, Syria and Yemen hinders the chances for peacebuilding and, in turn, post-conflict reconstruction. After all, 'rebuilding a country after civil war is as much about building a new, inclusive social contract, as it is about the reconstructions of infrastructure, re-starting economic activity or organizing elections'.[132] The stalled negotiations over political settlements in the three countries is hindering the formation of national governing mechanisms that could provide protection, public goods and services. Moreover, the impasse has created fiefdoms controlled by unaccountable elites and armed militias who are exploiting the situation to expand their coffers and weapon depots, often aided by external actors.

Foreign interventions and influence can take many forms, whether military, financial or diplomatic. MENA has for decades been a theatre for such contestations, usually under the guise of maintaining peace and security, safeguarding political/economic interests, or promoting democracy and prosperity.[133] External players, from within the region and without, 'intervene in internal conflict to instigate, perpetuate, heighten, or settle it by providing support to political organizations, military, and paramilitary groups, taking a formal position that influences the conflict such as sanctions, embargos, providing financial and economic support or penalties to warring parties, using "volunteer" forces, or to mediate disputes'.[134] In other words, the external actor's response or intervention depends on the type of relationship it has with the country and ruling regime.

The external military, financial and diplomatic interventions in Libya, Syria and Yemen transformed the homegrown contests over better governance, increased rights and dignified living conditions into regional geopolitical contests. This polarization has not only increased tensions and human suffering but also cemented divisions and complicated the possibilities for resolving these protracted conflicts.[135] Thus, the fragmentation and simmering are a result of both the balance of weakness among local factions and the inability of external actors to either enforce UN resolutions or negotiate (in good faith) preliminary political settlements. As such, it is incumbent on all external actors—and in particular the EU—to adopt policies that push for long-term resolution rather than the opportunistic taking of sides.

A tool kit for US policymakers', Atlantic Council, 27 June 2016.

[132] Furness and Trautner (note 9); and World Bank, *Building for Peace: Reconstruction for Security, Equity, and Sustainable Peace in MENA* (World Bank Group: Washington, DC, 2020).

[133] Lynch (note 58); Anderson, N., 'Competitive intervention, protracted conflict, and global prevalence of civil war', *International Studies Quarterly*, vol. 63, no. 3 (2019); Aubone, A., 'Explaining US unilateral military intervention in civil conflicts: A review of the literature', *International Politics*, vol. 50, no. 2 (2013); and Ayoob, M., 'The Arab Spring: Its geostrategic significance', *Middle East Policy*, vol. 19, no. 3 (2012).

[134] Mako (note 45), p. 56. See also Scott, A. M., *The Functioning of the International System* (MacMillan Company: New York, 1967).

[135] See O'Driscoll et al. (note 6), pp. 51–59.

## V. Conclusions and recommendations

All wars, no matter how long they last, must eventually come to an end. When this happens, it rarely takes the form of a clear-cut military victory by one side over another—rather, it is achieved by negotiation. Following this, new forms of political organization, power structures and societal dynamics are inevitably created, which go on to shape the post-conflict social contract.

Post-conflict rehabilitation is a highly politicized and ideological enterprise, frequently complicated by local and external power dynamics. It inevitably alters established socio-economic, political and power relationships, while promising representative government and a state for all.[136] The urge to re-create a centralized authority without meaningfully addressing underlying grievances or undergoing even a semblance of transitional justice has often led to negative consequences in MENA, leaving many countries—such as Lebanon and Iraq—in a continued state of fragility.[137] Hence, state- and peacebuilding models in the region should follow a more mediated approach that is locally driven and more flexible.[138]

*The changes needed to build sustainable peace in Libya, Syria and Yemen will not be initiated by the current ruling elites or warring factions alone*

As it stands, neither the ongoing civil wars in Syria and Yemen nor the continuing instability in Libya are likely to end with one or more of the warring factions achieving outright military victory. The current stalemate in the three countries is being maintained partly by foreign pressure exerted on local proxies, reinforced by a general understanding that levels of violence need to be reduced. This is particularly critical at a time when the world is dealing with the fallout and uncertainty of the war in Ukraine.[139] However, the lack of any internationally agreed resolution or push for an inclusive political settlement in the three countries serves only to heighten simmering tensions. Moreover, research shows that while civil wars caused by ethnically polarized societies tend to last longer, external interventions are positively associated with civil war duration and can cause long-lasting damage as well as hinder possibilities for resolution.[140] This is even more problematic in cases of 'military interventions that are non-neutral and non-humanitarian'—which clearly includes Libya, Syria and Yemen—as they alter the balance 'either through direct military assistance or through incentives to raise war-related resources, or both'.[141]

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[136] For a critical review of the different state-building models see Sedra (note 15); and Chandler, D., *Peacebuilding: The Twenty Years' Crisis, 1997–2007* (Palgrave MacMillan: London, 2007).

[137] Aboultaif, E. W., 'Revisiting the semi-consociational model: Democratic failure in prewar Lebanon and post-invasion Iraq', *International Political Science Review*, vol. 41, no. 1 (2020); Dodge, T., 'Iraq's informal consociationalism and its problems, *Studies in Ethnicity and Nationalism*, vol. 20, no. 2 (2020); and Halawi, I., 'Consociational power-sharing in the Arab World as counter-revolution', *Studies in Ethnicity and Nationalism*, vol. 20, no. 2 (2020).

[138] Sedra (note 15).

[139] Alloush, B. and Rass, A., 'How Russia's war in Ukraine is impacting the MENA region', Tahrir Institute for Middle East Policy, 11 July 2022; and Pavia, A. and Fruganti, L., 'How the Ukraine war has affected the MENA region's pursuit of governance reforms', Atlantic Council, 7 Oct. 2022.

[140] Elbadawi, I. A. and Sambanis, N., 'External interventions and the duration of civil wars', World Bank Policy Research Working Paper 2433 (2000).

[141] Ianchovichina, E. and Bader, S. A., 'Unintended consequences? Foreign intervention, polarization, and conflict in MENA', Brookings, 17 Oct. 2018.

The changes needed to build a sustainable peace in Libya, Syria and Yemen will not be initiated or implemented by the current ruling elites/warring factions alone and will require more streamlined and sustainable initiatives to regain trust among the various fragmented groups. The problems are so deep-seated that it is difficult, if not impossible, to see any realistic prospect of an overall political settlement or new social contract being achieved in the short term. Given this, external powers need to play a more active diplomatic role, emphasizing the importance of sustained truces among warring factions while supporting nascent local-level social and political covenants. In short, external powers, including the EU, should adopt policies that push for long-term resolution aimed at achieving post-conflict stabilization and peaceful state–society relations. This should be prioritized over the opportunistic taking of sides, which only risks exacerbating divisions and infighting.

*The EU and other external actors should not impose notions or concepts that override or bypass local approaches*

The EU, through its manifold mechanisms and member states, has a critical role to play. Thus, the paper's overall recommendations are directed at EU officials and policymakers in relevant member states, with the aim of guiding their thinking concerning the Libyan, Syrian and Yemeni conflicts. The EU, with its long-standing relationship to MENA and several of the local parties to the conflict, is well placed to support local actors and initiatives working to build social and political covenants. By shifting the focus to longer-term sustainable solutions and creating incentives throughout the process, the EU may be able to regain some of the trust and credibility it has lost.

The EU and other external actors should not impose preconceived notions or concepts that override or bypass local approaches. Instead, the priority should be realistic and implementable actions that facilitate, strengthen and expand localized covenants/agreements addressing conflict in Libya, Syria, and Yemen. This requires a better understanding of local issues and priorities, which should not only be taken into account but—with a view to creating stability and helping resolve the conflicts—installed as guiding principles. As such, it will be necessary to regularly re-evaluate on-the-ground power dynamics, engage directly (when possible) with local leaders and groups, and coordinate with the UN and other stakeholders. Finally, the EU should support local initiatives that promote inclusivity and representation; improve people's living conditions and resilience; rehabilitate necessary infrastructure; and provide security and services. At a minimum, the diverse local populations in these territories should feel they have a say in local matters. More hopefully, these localized approaches could serve as models for a national-level social contract.

## Abbreviations

| | |
|---|---|
| AQAP | al-Qaeda in the Arabian Peninsula |
| EU | European Union |
| GCC | Gulf Cooperation Council |
| GNA | Government of National Accord (Libya) |
| GNC | General National Congress (Libya) |
| GOY | Government of Yemen |
| GPC | General People's Congress (Yemen) |
| HTS | Hay'at Tahrir al-Sham (Syria) |
| IS | Islamic State |
| LNA | Libyan National Army |
| MENA | Middle East and North Africa |
| NDC | National Dialogue Conference |
| PKK | Kurdistan Workers' Party (Partiya Karkerên Kurdistanê) |
| PLC | Presidential Leadership Council (Yemen) |
| PYD | Kurdish Democratic Union Party (Partiya Yekîtiya Demokrat) |
| SDF | Kurdish Syrian Democratic Forces |
| STC | Southern Transitional Council (Yemen) |
| UAE | United Arab Emirates |
| UN | United Nations |
| YPG | People's Protection Units (Yekîneyên Parastina Gel) |

# TOWARDS A RENEWED LOCAL SOCIAL AND POLITICAL COVENANT IN LIBYA, SYRIA AND YEMEN

AHMED MORSY

## CONTENTS

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