



POLITICAL PARTICIPATION, PLURALISM, AND CITIZENSHIP PROJECT, OCCASIONAL PAPER - JULY 2013

Syrian Minorities between Underprivileged Protection and Due Political Representation

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Since March 2011, Syria has been going through the most genuine -yet dramatic- transformation in its contemporary history.

After the Assad regime brutally and systematically oppressed a civil public uprising, pushing the entire population into a violent episode of armed conflict, it is now time to reconsider the concept of minority protection and the future substantial political representation of all Syrians regardless of their different affiliations and opinions.

The protection of minorities occupies a significant part of the discourse of both the Syrian regime and various opposition fronts, as well as the international community. The "absence of alternative" is continuously raised to justify a rigid conclusion that any successor of the Assad regime will be an extremist Islamist rule that will by default oppress minorities.

Several states and parties, led by Russia, have asserted on different occasions that their support of the Assad regime will ensure the protection of minorities. The minorities referred to in this discourse are religious minorities (Christians, forming 10% of the population before the uprising, as well as Shiites, Alawites, Ismailis, and Murshidies, forming around 13% of the population before the uprising). However, the persecution of ethnic minorities, mainly the Kurds (no official numbers available but the estimation is 2 – 2.5 million Kurds in Syria, forming 10-15% of the population before the uprising) as well as Turks, Assyrians, Armenians, and Circassians has never raised the concerns of the international community nor ignited any criticism of the Syrian regime despite numerous reports supported by facts and figures about the systematic persecution suffered by the Kurds and other ethnic minorities. Among the manifestations of the persecution of ethnic minorities was denial of citizenship (more than 300,000 Syrian Kurds do not possess citizenship and are thus deprived of state services), denial of ethnic and lingual rights (national laws prohibits non-Arabs from teaching in their own languages), and applying restrictions to the right to work (Statute of the Baath Party, the leader of state and society as per the constitution, prohibits non-Arabs from teaching in universities).

The proposition of “minority protection” by Assad supporters aims to put these minorities in a status of underprivileged protection, one that violates rights instead of enhancing them. None of these regime supporters have referred to the Syrian minorities’--or majority’s--right to live in a society free from violence, their right to development, to the maintenance of their country’s infrastructure, funds or resources, or to their rights to access justice or preserve identity, intellectual and cultural legacy. The equality of all citizens and the full realization of their human rights as stated in the treaties that Syria ratified was never addressed. Those states and the Syrian regime, only enable the preservation of the sectarian entitlement of these groups rather than the legitimate rights of their members, an entitlement that does not preserve the legacy of the group nor the identity and dignity of their members. On the contrary, it assures that their influence is confined to being a tool of political pressure, used to suppress any initiative towards effective citizenship and a pluralistic democratic society, and thus, a tool of political exploitation. In effect, sectarian entitlement grants that minorities never achieve their real aim of substantive equality and complete citizenship. This conduct is new to neither Syria nor the Middle East, having been used by colonialism and dictatorships to achieve an ever similar result: torn communities, easy to rule and deprived from claiming distinct identities.

Sectarianism is not itself the substance of the crisis in Syria, it is rather a repercussion of a congregation of factors that can turn human beings into perpetrators of genocide. Those factors include gathering all others under one category and labeling them with the characteristics of the category’s most extreme and undesirable manifestation (the opposition being all “terrorists” and all supporters of the regime being “*shabbiha*”) then denying those “others” their humanity (calling them rats, insects, germs, animals) and finally considering the systematic killing of those “inhuman” groups a noble act. Those factors materialized in Syria more than a year ago, and the sectarian dimension facilitated the identification and targeting of this other.

Fighting sectarianism begins by fighting these factors and distinguishing parties to the conflict from the different religious and sectarian groups they belong to, and most importantly by distinguishing criminals within each group from the rest of the members, even if those members -- led by fear or ignorance -- formed a hosting environment to those criminals. This distinction should not be theoretical or rhetorical, rather, it should materialize through developing an applicable mechanism to identify and isolate these criminals and hold them accountable for the crimes they committed.

The difficulty of debating sectarianism in Syria is an anticipated matter, as is the skepticism of Syrians towards sectarian rhetoric. This is understandable when one considers Syria’s surrounding environment, mainly the three tragic examples of the political formations of Syria’s neighboring countries, led by religious and sectarian drives and all being a direct or indirect result of an authoritarian colonial despot: Lebanon, devastated by civil war and then trapped in a fragile peace and governed by a system of sectarian quotas, and recently playing a major role in fuelling the violence in Syria; Iraq, the war-torn country, whose conflict Syrians experienced first hand owing to over 2 million Iraqi refugees who entered Syria over the ten years subsequent to the U.S. and British invasion, and where the passing years have failed to reduce sectarian violence as the country is destroyed and drained of resources; and certainly Israel, the religious state, whose basis is meant to be the protection of a religious group, but which in reality represents the most enormous breach of sovereignty and the most consistent manifestation of persecution, violence and human rights violation in the minds of Syrians.

From an international law perspective, minorities were never explicitly defined by human rights treaties; however, the most complete and agreed upon definition is that provided in 1977 by Francesco Capotori, Special Rapporteur of the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities. According to him a minority is:

“A group numerically inferior to the rest of the population of a State, in a non-dominant position, whose members -- being nationals of the State -- possess ethnic, religious or linguistic characteristics differing from those of the rest of the population and show, if only implicitly, a sense of solidarity, directed towards preserving their culture, traditions, religion or language.”

This may not be the definition that first comes to mind in the Syrian context but it is certainly the legal basis of human rights documents relating to minorities, especially the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. It is not enough for a group of population to be of lesser numbers to be considered a minority according to international law, and the examples of dominant groups of minor numbers who do not fall under this definition are plenty. However, it goes without saying that all individuals whether belonging to a minority or majority, dominant or not, should have all the rights associated with their humanity and may not be deprived from them due to their beliefs or affiliations.

The recent suggestion of a sect-based parliament quota system to guarantee the political participation of sects at risk of future persecution—whether in Syria or other countries in transition—threatens having a reverse effect on the one hand, and on the other hand defeating the very purpose of the quota as a temporary special measure to protect groups' rights. According to international law, temporary special measures are means to achieve equity and non-discrimination. The purpose behind them is to reverse injustice to groups that were deprived of their human rights through systematic historic persecution—for example, the apparently-neutral right to stand in elections is inequitable to members of ethnic minorities who have been deprived of education or do not enjoy citizenship; the same applies to women who suffered a long legislative persecution. The use of these measures as an excuse to reach a sect-based quota system will not only confine members of those minorities to the sectarian aspect of their identity, but will also increase their isolation and draw an unrealistic image of the majority as a homogenous group that is characterized by the destructive qualities of its most extreme figures, transforming its mostly non-extremist members to a restricted, out of context group, and limiting their impact on the political movement.

Protecting a political sect-based presence of minorities, disregarding the fundamental human rights of all Syrians, means in practice restricting minorities to the most basic aspect of their identity and consequently isolating and possibly displacing them.

Discourse on the “protection of minorities” should be replaced with that on citizen equality, and this begins with protecting all citizens' right to freedom from violence and mass killing and preventing the transformation of their country into an arms feast with no rule of law or space for democracy. People who currently possess fewer rights or are of fewer numbers (religious and ethnic minorities, women, children, people with disability and the elderly) are bearing a disproportionate share of the losses owed to the spread of arms and the state's abandonment of its administrative and security maintaining duties. Guaranteeing their political representation begins

by breaking the cycle of underprivileged protection and setting the pillars of a democratic civil society, where democracy is not limited to the strive for justice and freedom from oppression, but goes beyond that into organized political action and the ability to communicate and build strong efficient democratic institutions.

The solution begins by urging Syrians to take the position of initiators and become intellectually and politically active, even if that means learning through trial and error. This community needs to single-handedly overcome forty years of de-politicization, and this can only happen through breaking the vicious circle of military rule initiated by the Syrian government and consecrated by the Baath Party. This means taking the conflict from the battlefield to the negotiating table and pressuring the regime to accept it knowing that war criminals have no place in the future of Syria.

We shall not forget that Syrians, of whom over 100,000 have died, 1 million have become refugees and over 6 million are directly affected by violence, are still managing to keep a substantive civil action, including more newspapers, journals, grassroots organizations, associations, radio stations and civil initiatives today than Syria ever had, despite the systematic international inattention that is fostering an image of the conflict as a strictly military one. This civil action cuts across all Syria's minority groups and is a positive indicator that the basis for inclusive political representation in post-Assad Syria is definitely there and demands nurturing.