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Ceasefires as State-Building

Marika Sosnowski

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Front Cover Image: Street mural, Daraya, Syria (Source: Hosam, a local council member)

Marika Sosnowski
University of Melbourne
msosnowski@student.unimelb.edu.au

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Abstract

This paper views ceasefires as rarely only a “cease fire”. Rather it reconceptualises ceasefires more as particular types of wartime order that can have a variety of different state-building consequences on the ground. These include ramifications for local level conflict dynamics, the development of rebel governance institutions, humanitarian access and the renegotiation of claims to territorial and citizenship rights. Thinking about the state-building implications of ceasefires in civil war is relevant not only for academia but also for peace- and policy-makers. This is because if we move beyond seeing ceasefires as simply a tool for stopping or reducing levels of violence to better understanding the diverse effects ceasefires can have on the ground we can better manage the negotiation process and build any eventual peace.

Keywords: Ceasefires, state-building, conflict resolution, Syria, civil war

1. Introduction

The concept of a ceasefire in armed conflict is old. It initially came in the form of a “truce of God” which dates back to at least the Middle Ages (Bailey 1977:461). Since this time, ceasefires have generally been defined as a humanitarian but temporary pause to armed hostilities (Cambas 2016; Fortna 2004). As the pre-eminent jurist on the laws of armed conflict, Hugo Grotius pointed out that during a ceasefire there was no need to change the legal classification of war since the conflict was ‘not dead, but sleeping’ (2005 ed. [1625]:434). Even today, international humanitarian law has no specific laws relating to the negotiation or application of ceasefires. This perhaps attests to the fact that ceasefires are still thought of primarily as a temporary *non sequitur* to armed conflict.

But, as I hope this paper will show, Grotius’ metaphor perhaps does not imply that nothing happens while the conflict is supposedly sleeping. As is the case with sleep, much can happen while our minds are elsewhere. The potential for ceasefires to alter military campaigns, such as allowing warring parties the time and space to rearm, manoeuvre troops, or resupply, is well-known. Likewise, it is understood that conflict parties do not always negotiate in good faith but rather use “strategic deception” in ceasefire negotiations to their own advantage (Stedman, Rothchild, and Cousens 2002:12). My contention here is not that these things do not occur but rather that when we take a closer look at how ceasefires play out on the ground it becomes clear that they are more than simply a “cease fire”. Actually, ceasefires are better conceptualised as spaces of wartime order (Staniland 2012) that can have both political and military ramifications. As such, they offer an important vantage-point from which to examine the state-building designs of various actors in civil wars.¹ These can include power relations and contestations at the local level, the development of rebel governance institutions, humanitarian access and the renegotiation of claims to territorial and citizenship rights.

In both conflict resolution scholarship and in practice, the diverse consequences of ceasefires have effectively been hiding in plain sight. Extensive research has been done into the makeup, ramifications, success and failure of ceasefires and peace agreements

¹ While recognising that the term state-building is usually associated with the imposed creation and development of state institutions (as was the case in Iraq post-2003, for example), in this paper I use the word more in line with Tobias Hagmann and Didier Péclard’s (2010) idea of “statehood” although in the specific sense that elements of statehood can be “built” or influenced by extraneous factors such as ceasefires and not simply to relate to all areas of contested control.

(Bercovitch and Jackson 2009; Quinn and Joshi 2016; Ramsbotham et al 2017; Stedman, Rothchild and Cousens 2002) but so far, little research has critically engaged with the conceptualisation of ceasefires or their effects on layered conflicts and contested spaces of control. I believe that by thinking about ceasefires more carefully and critically – as specific spaces of wartime order rather than purely temporary military pauses – we can further the literature on conflict resolution, political violence and state-building, as well as add to current policy debates and decisions about how ceasefires are negotiated, their use and outcomes in civil wars. Such an understanding will hopefully lead to more nuanced approaches to the resolution of armed conflict.

The paper is divided into five main parts. The first offers a theoretical discussion on how the literature on ceasefires, conflict resolution and political order can be combined. The second outlines the methodology. The next two sections are empirical. The first elaborates on how ceasefires can influence the use of violence and local governance dynamics by using the example of how the 2016 nationwide cessation of hostilities affected rebel governance networks in Syria's southern Dara'a province. The second empirical section discusses how ceasefires can be used to renegotiate territory and citizenship rights. This is illustrated with examples of local truce and reconciliation agreements from the Syrian war, using the primary case study of Daraya, a community on the outskirts of Damascus. In the final section, I offer some concluding remarks about why it is important to think about ceasefires as state-building tools and suggest policy recommendations that take into account how ceasefires can affect returns to violence, peace processes and post-conflict environments.

2. Ceasefires, conflict resolution and wartime order

There is recognition and acceptance in the conflict resolution literature that conflicts are different and therefore require tailored solutions. However, ceasefires, an intrinsic part of peace processes, have invariably been considered the same – a ceasefire in Northern Ireland is understood in the same way and is presumed to have the same characteristics and consequences as a ceasefire in Sudan or in Colombia. While the nomenclature has varied, whether ceasefires have been called a humanitarian pause or a cessation of hostilities, an amnesty or a de-escalation zone, they have tended to be conceptualised by academics, peace- and policy-makers in primarily utilitarian terms – as a temporary halt to

armed hostilities that ideally acts as a stepping-stone between war and “peace”.²

Common definitions of ceasefires currently focus on their ability to halt violence. The Uppsala Conflict Data Program considers a “ceasefire agreement” to be one of four possible ways that a conflict can be terminated (UCDP). Likewise, ceasefire negotiator Luc Chounet-Cambas’ (2016:1) definition of a ceasefire highlights that the outcome of a ceasefire is a halt to fighting. Similarly, Virginia Page Fortna (2004:45) sees ceasefires as ‘an end to or break in the fighting, whether or not it represents the final end of the war’. This has meant that in order for ceasefires to be considered “successful” they need to stop or limit violence. Fixating on this sole dimension of ceasefires has blinded us to a range of other consequences of ceasefires. As Malin Åkebo (2013:12) argues, ‘the nature of [ceasefire] agreements [is] intended to change the forms of interaction between parties to violent conflict [and therefore] becomes fundamentally important to examine and analyse.’

Additionally, the conventional wisdom is that belligerents only negotiate when they expect greater benefits from a negotiated settlement than from continued fighting (Grieg and Diehl 2012; Zartman 1995). But, as Paul Staniland (2012:244) suggests, ‘States and insurgents are not simple-minded maximizers of monopoly but instead are optimizers of authority in complex, often counterintuitive, interaction with other armed actors’. For actors in civil wars, and I would add that there are many other actors besides armed groups, the goal is not solely about the obvious benefits of winning military control, but rather it is also about the contestation of power through complex networks of control at all possible levels (Kalyvas 2006). This includes ceasefire negotiations and their ramifications.

Broadening our understanding of the consequences of ceasefires enables us to view them more as particular types of order during wartime. Or, alternatively, as a “negotiation table”: a locus where certain aspects of statehood are formalised, that have the ability to influence a wide variety of statehood dynamics (the “negotiation arena”) (Hagmann and Péclard 2010). The notional order created by ceasefires then has ramifications for the capacity of actors to rework relationships between individuals, local populations, civil society, governance actors, armed groups and state entities – in essence, any and all actors involved

² I put peace in inverted commas here to denote that the nature of peace is a disputed concept in the literature and can have varying meanings in different contexts. Understandings range from Roland Paris’ conception of the “liberal peace” to Johan Galtung’s “positive peace”, but see also Bart Klem’s discussion of peace as an unachievable utopian ideal in ‘The problem of peace and the meaning of “post-war”’, *Conflict, Security and Development* 18:3 (2018).

in ‘doing the state’ (Migdal and Schlichte 2005:14-15). Consequently, ceasefires are implicated in how emerging structures of state authority are enforced, negotiated and resisted. As Patrick Meehan (2018:12) suggests, ceasefires, ‘do not simply operate within evolving power structures, but play a role in constructing these structures.’

Charles Tilly’s (1985:170) famous formulation that states make war and ‘war makes states’ in essence recognises that violence is foundational and necessary to any state-building project. But, as Stathis Kalyvas (Kalyvas, Shapiro, and Masoud 2008:14) suggests, scholars of violence must also ‘attend to the ways in which violence and those with the capacity to use it are tamed.’ What we know already is that violence is costly and its consequences are fickle. The price and inability to discern outcomes of conflict means that parties that politically disagree often try to bound violence in attempts to control outcomes. But, as the myriad conflict resolution experiences in civil wars from Syria to Sudan show, ceasefires, however well-intentioned, can be used to delineate violence but rarely without having some calculable benefits for the signatories and down-stream consequences. As such, thinking about ceasefires as particular types of bounded violence or “wartime order” (Arjona 2014; Staniland 2012, 2017) is perhaps a more beneficial way to view these type of commitments between parties about halting violence, even if there is little or no actual ceasing of fire on the ground.

So, starting from the assumption that civil wars are about more than just winning or losing militarily, we can begin to grapple with the concept of ceasefires as particular types of bargains that produce spaces of order in civil war. Seeing ceasefires as such gives us a greater appreciation of them as just one tool combatants have at their disposal to achieve their ends. Rather than civil war being ‘all terror all the time’ (Lubkemann 2008:249), conflict opens spaces for human networks and connections to emerge and change (Boege et al. 2005). Wars frequently contain deals and bargains, such as ceasefires, that structure the violence and order that influence these human interactions.

3. Methodology

This working paper brings together a number of research articles that form part of my ongoing doctoral research into ceasefires and how they influence the microdynamics of armed conflict. It uses different ceasefires as a lens through which to interrogate the interplay between violence and the order ceasefires create, with primary case studies from

the Syrian civil war. To make its case, the paper couples existing academic literature, policy and media reports and the text of ceasefire agreements with 54 semi-structured interviews with Syrian civilians, civil society leaders, lawyers, humanitarian and development actors and conflict analysts working on the Syrian conflict. The working paper references a selection of these interviews – more detailed accounts can be found in the full articles (Sosnowski 2018 and 2019). The interviews were conducted either in person in Jordan or Lebanon or by phone, email or online chat and messaging applications. For professional and/or security reasons the identity of all respondents has been kept anonymous. Given the current risks associated with entering Syria, no interviews were conducted in-person inside Syria itself. This limited access into Syria means that an acknowledged and conscious choice has been made to locate and interview information-rich respondents that come from certain discrete “pools”. These individuals all have in-depth and/or first-hand knowledge of ceasefires and how they influenced local dynamics. In doing so I have opted for depth rather than breadth across the possible pool.

One limitation is that the decision-making process of the government of Syria has always been somewhat of a black box, and this opaqueness has only been exacerbated by the civil war. I made attempts to contact the government of Syria and Russian military personnel working at the Hmeimim Reconciliation Centre for Syria³ via an emailed set of written questions but no response was received. Therefore, any assertions about the logic of Syrian or Russian government decisions have been supported by literature that is quoted. In most cases I have triangulated information from multiple sources – for example, claims made by interviewees have been corroborated through reports or social media. That said, as with most work on armed conflict, and the Syrian war specifically, the accuracy of certain statements is sometimes difficult to discern. This is not necessarily because respondents are untruthful. Memory, emotion and internal monologues, particularly in high-pressure situations, shape and colour the re-telling of information. The future may indeed reveal that some of the assertions I have made have not been perfect. Simultaneously, research and analysis are arguably all the more necessary and important during periods of immense cultural, social and political upheaval like civil war. For the time being at least, because of access limitations into Syria and my inability to personally verify the information I was told, a ‘near enough is better than nothing’ mantra will have to suffice.

³ Website of the Russian Reconciliation Centre for Syria based in Hmeimim airbase in Latakia governorate http://syria.mil.ru/en/index/syria/reconciliation_bulletin.htm

My personal belief, articulated only recently by me but earlier by scholars such as Nancy Scheper-Hughes (1995) and Yassin al-Haj Saleh (2017:ix), is that in the midst of violent conflict, at the very least, a researcher has a responsibility to bear witness, *shahid* (v) in Arabic, equally to stories of hope, suffering and oft-times banalities of life during wartime. But, like any *shaahid* (n), the testimonies gathered, analysed and brought forth to make the arguments presented here are not without their limitations and contestations. Readers should therefore reflect critically and make their own informed judgements about the veracity of the information presented here.

4. Ceasefires and rebel governance

So far, the primary aim of a ceasefire has been seen as to reduce levels of overt violence. However, while it is difficult to establish causality, there is little doubt that ceasefires have knock-on effects that can also recalibrate relationships, centres of control and power at the micro, meso and macro levels. Literature on heter- and polyarchic networks of governance points to the phenomenon of how power and control often become dispersed away from the state to diverse actors during wartime (Doyle and Dunning 2018; Duffield 1998:97; Hinnebusch 2018). Ceasefires have the ability to influence these power structures. In an in-depth study of state-militia dynamics in the Myanmar borderland areas, Meehan (2018:16) suggests that a series of ceasefire agreements signed between the central government and armed groups in the late 1980s and early 1990s, ‘became a continuation of war by other means’. The irony was that in the case of Myanmar, and as I will argue below, the ceasefires created a paradox: while overt violence may have been reduced, they generated a particular type of stability that was the harbinger for a ‘violent restructuring of social relations around access to and control over territory, resources and populations’ (Meehan 2018:7).

Scholarly literature on so-called hybrid political orders also points out and elucidates the interaction between top-down and bottom-up processes, between the state and various local actors (Boege et al. 2005; Mac Ginty 2010). Arguably though, most current work in this field does not think far enough about variance in these relationships nor has it yet developed a language that is adequate to describe that variation.⁴ Likewise, when thinking

⁴ For a critique on the current state of the hybridity literature see Roger Macginty and Oliver Richmond, ‘The fallacy of constructing hybrid political orders: A reappraisal of the hybrid turn in peacebuilding’,

about conflict resolution in the context of hybrid or polyarchic networks of governance, an important preliminary question becomes who solves disputes and/or has the authority not only to negotiate but impose a ceasefire? In broadening our understanding of ceasefires to include different types of wartime order, understanding who loses and who wins or benefits militarily is less important than appreciating who is obligated to whom and what this social/power network looks like. Ceasefires can provide disproportionate benefits of authority to certain groups i.e. they have distributional consequences. The creation of these messy hierarchies is founded upon, ‘aligning networks at large in one’s own interest, rather than [only] about exercising territorial power’ (Amin 2004:36).

In my case study about how the February 2016 nationwide cessation of hostilities influenced the use of violence and governance provision in Syria’s southern Dara’a province (Sosnowski 2018), I found that rather than simply ending or freezing hostilities the ceasefire altered the use of violence and recalibrated the dynamics between a range of rebel governance providers. The ceasefire allowed the Syrian government to reallocate troops and resources away from the south and begin to target rebel-held areas that it had so far been unable to recapture, such as Aleppo and communities around Damascus. Additionally, a specific feature of the violence in Dara’a during the 2016 ceasefire was that rather than being indiscriminate, the Syrian government specifically targeted local leaders involved with governance efforts.⁵ Assassinations occurred most frequently by small sleeper cells using Improvised Explosive Devices (IEDs) that were not at all taxing on the Syrian government’s resources. A safety and security officer for a cross-border organisation told me that, ‘The targeting became so frequent during the ceasefire that many members of armed groups took to driving around in civilian vehicles rather than their usual, more noticeable and common four-wheel drives. This allowed them to travel with more obscurity’.⁶ Simultaneously, the ceasefire saw a spike in attacks against the same high-ranking opposition military leaders and governance providers by armed groups linked to the Islamic State in the south, primarily the Army of Jihad, the al-Muthanna Movement and the Yarmouk Martyrs Brigade.⁷

International Peacekeeping 23:2 (2016) 219-239 and their suggestions about where the concept can be of value to researchers.

⁵ Interview 7: personal interview with safety and security officer, Amman, Jordan, 1 August 2017 and Interview 9: Skype interview with conflict analyst in Amman, Jordan, 16 June 2017.

⁶ Interview 7: personal interview with safety and security officer, Amman, Jordan, 1 August 2017.

⁷ These groups merged to form the Khalid ibn al-Walid Army shortly after the February 2016 cease-fire came into force) (al-Tamimi 2016). Interview 9; Interview 14: personal interview with medical and humanitarian professionals, Amman, Jordan, 31 July 2017.

Additionally, the 2016 ceasefire recalibrated the dynamics between a range of rebel governance providers in Dara'a. Arguably, the ceasefire consolidated a type of "hybrid" rebelocracy (Arjona 2014) that had emerged as a result of the civil war that was comprised not just of armed groups (as much of the literature on rebel governance suggests), but also tribal leaders, a Shura council, local councils and the main rebel court, the *Dar al-Adl*. In the case of Dara'a, tribal leaders (sheikhs) come from a relatively moderate religious base of influential families and have played an important role in governance in the area even before the Syrian uprising began. Since 2011, armed groups have also been integral to the provision of security in the area, but are deeply linked to the tribes and operate in a nexus with other governance actors. The main judicial providers, the *Dar al-Adl* and the Shura council, are supported and legitimised by the tribes and their affiliated armed groups, although, in the case of the court, staffed with judges and lawyers not necessarily linked to them. The *Dar al-Adl* was established in 2014 but after the 2016 ceasefire, its new head devolved power away from the court to the local councils so that they could partner with NGOs in order to provide aid to the people. As such, the local councils increased in importance and because of this, tribal leaders increased their depth of involvement by nominating and vetting many local council members. After the 2016 ceasefire, the Shura council also evolved to not just include the sheikhs but also other notable individuals from the area such as lawyers and doctors, many of who were seen as "cultural leaders" as a result of the prominent role they had played during the civil war (Roborgh 2018).

What these dynamics surrounding the 2016 cessation of hostilities show is that ceasefires are more than just military tools. In fact, they are both military and political instruments that have the ability to influence both the use of violence by armed actors and also alter the trajectory of rebel governance efforts. Even when ceasefires do not completely "cease fire" they interject into complex and militarised contestations for control and public authority at the local level. In this way, ceasefires are more akin to violent tools of state-building than purely military instruments used in war.

5. Ceasefires, territory and citizenship

Because of their purported ability to temporarily pause armed conflict, ceasefires have often been justified in the name of human welfare or to ease human suffering. As such, they supposedly have some inherently positive humanitarian potential. However, what is

less well discussed is the crucial role and agency the same citizens needing the “help” of ceasefires have in armed conflict. Arguably, citizen populations are not inconvenient obstacles in the conflict zone but central in the strategic calculus of warring parties. The objective of these parties is not just about winning the “hearts and minds” of these people but rather their presence is fundamental to the functioning of the state government and/or governance in rebel-controlled areas.

Christian Lund (2016:1200) has argued that, ‘public authority is always in the making’ and that this authority is formed around control over central resources, most often property and citizenship rights. He adds that public authority and citizenship rights are mutually constitutive and that ‘citizenship is therefore shorthand for people’s agency and recognized political subjectivity’ (Lund 2016:1205). As such, states have established concepts (in addition to codified laws) that constrain the notion of what it means to be a good citizen (Ansoms and Cioffo 2016). By engaging with these dynamics in times of civil war, we can not only question how public authority is imposed and how political identities constructed, but how a ceasefire may affect these relationships. Unfortunately, in the Syrian civil war context, the supposed humanitarian help offered by ceasefires has often become a prerequisite for access amid siege and the forcible reassertion of government control over both territory and citizenship rights (Sosnowski 2019).

In the Syrian civil war, local truces and reconciliation agreements⁸ have been a way for the Syrian state to delineate the citizenship rights of its population and triage them into what Stathis Kalyvas (2006:87-110) terms “collaborators” and “defectors”. The ability of the Syrian government to impose ceasefire terms was brought about largely through Russia’s involvement in the civil war. Russian man and airpower gave the Syrian government the ability to more tightly enforce siege environments, ratchet up the pressure on those inside through greater aerial bombardment and eventually force communities into making what was effectively a very one-sided ceasefire deal – more akin to a highly asymmetrical contract known in Europe as a strange contract, where one powerful party in contract negotiations, in this case the Syrian state, is able to enforce undesirable terms on the other, rebel-held communities.⁹

⁸ I refer to local truces (*waqf itlaaq al-naar*) and reconciliation agreements (*tasniat al-musalaha*) generically throughout this paper as local ceasefire agreements or just local ceasefires.

⁹ The term “strangle contract” that I use here is a loose translation from a type of legal contract commonly known in Europe that diametrically favours one party over the other. In Dutch it is known as a *nurgcontract*, in German it is a *Knebelvertrag* and an *interdiction de parler* or *contrat de complaisance* in French. Under the

Through the use of these “siege, bombard and starve” tactics (Amnesty International 2017; Independent International Commission of Inquiry on the Syrian Arab Republic 2018) the Syrian government has manufactured a situation where it is able to impose the scope of public authority on the population in the form of the terms of the local ceasefire agreements. In these written agreements there was virtually always a term relating to “regularising (or reconciling) one’s status” (*taswiyat al-nad*).¹⁰ This term supposedly offered citizens a choice about whether to stay or leave their communities post-ceasefire, but in reality anyone even half active in the rebellion – political leadership, civil society actors, armed groups – would choose to leave, usually to rebel-held Idlib. Those that “chose” to remain however, must still go through a number of security checks to reconcile their status, in the process allowing the government an additional layer of control to triage the population into those that it would accept back into a relationship with the state (“collaborators”), albeit with highly diminished rights, and those that it would not (“defectors”) – whom it would arrest and detain. In complex civil war environments where loyalties are difficult to discern, when populations and territory under rebel control are once again brought back under state control local ceasefire agreements have proven an ingenious tool to parse the population in order to work out who is able to possess citizenship rights, and who is not.

In the case of the ceasefire agreement signed between the Syrian government and the Negotiating Committee in Daraya, a rebel-held town on the outskirts of Damascus, one conflict analyst I interviewed said that ‘the Syrian government is very good at symbolism’.¹¹ For Daraya’s citizens, the Syrian government made a point of not allowing anyone from the community to rejoin the Syrian state because they were all considered defectors. This is predominantly because many in the community, led by prominent local leaders such as Ghaith Mattar and religious cleric Abdulakram al-Saqqa, had a history, spanning many

Australian Consumer Law, the closest we have to this type of asymmetrical contractual relationship is known, less eloquently, as an “unconscionable” or “unfair” contract. In the common law the arrangement is epitomised in the seminal case of *Commercial Bank of Australia v Amadio* (1983) 151 CLR 447; [1983] HCA 14.

¹⁰ See the PA-X database compiled by the University of Edinburgh for a non-exhaustive list of local ceasefire agreements in Syria:

https://peaceagreements.org/search?SearchForm%5Bregion%5D=&SearchForm%5Bcountry_entity%5D=131&SearchForm%5Bname%5D=&SearchForm%5Bcategory_mode%5D=any&SearchForm%5Bagreement_text%5D=&s=Search+Database#

¹¹ Interview 8: Skype interview with conflict researcher, Greece, 24 January 2018.

years even before the Syrian war, of promoting the ideals of freedom and equality.¹² A local council member from Daraya said, ‘Even after the regime opened fire on protesters ... we gave out roses and water to the soldiers in a gesture of non-violence.’¹³ Daraya fell outside state control in July 2012 and citizen-students of Mattar and al-Saqqa developed a complex local council structure to manage the community. It was one of the only areas in Syria where the armed group that sprang up from local ranks, the moderate Free Syrian Army aligned Martyrs of Islam Brigades, remained subordinate to the democratically elected local council throughout the conflict. For the Syrian state, the point of the eventual ceasefire agreement, which came after almost four years of tightening siege and escalating starvation, was to crush the rebel-controlled institutions of governance that had risen up in Daraya and were considered some of the most promising of the revolution because they posed a strategic and ideological challenge to the state.

About ten of the ubiquitous green buses full of people “chose” to be transported to Idlib under the terms of Daraya’s ceasefire agreement. These people continue to face daily hardship. Ten members of Daraya’s Martyrs of Islam Brigades were kidnapped by an al-Qaeda affiliate shortly after arriving.¹⁴ Rents are expensive, and while there is moral support from Idlibis for the freedoms Daraya stood for this has not translated into practical help. A member of Daraya’s Negotiating Committee said that, ‘we are living in chicken pens that they have divided into rooms. Rent is expensive and if you don’t pay for a month you can be kicked out immediately’.¹⁵

Another 20 odd bus-loads of people “chose” to go to Harjala, a government-run displacement camp on the southern edge of Damascus. For these people, medical and humanitarian service provision remains minimal and they cannot leave for fear of security checks. While the terms of the ceasefire agreement stipulate that the status of citizens would be finalised within three days, some months after the evacuation this had still not

¹² al-Saqqa was arrested for the third time in July 2011 by the Syrian government and has not been heard of since. See Human Rights Watch <https://www.hrw.org/news/2013/09/11/abdul-akram-al-sakka-peaceful-activist>

¹³ Interview 3: Skype interview with Negotiation Committee member from Daraya, Idlib, Syria, 22 December 2017.

¹⁴ Interview 3: Skype interview with Negotiation Committee member from Daraya, Idlib, Syria, 22 December 2017.

¹⁵ Interview 3: Skype interview with Negotiation Committee member from Daraya, Idlib, Syria, 22 December 2017

occurred.¹⁶ The government apparently still wanted to know more about the citizens that had chosen to relocate to Harjala, such as whether they had been active in an armed group or part of the Local Council. Additionally, many citizens that have attempted to leave have been arrested at checkpoints.

What these dynamics around local ceasefires in Daraya and elsewhere in Syria show is that these types of ceasefires follow a very distinct pattern. First sieges, then bombardment, then forced negotiation of the ceasefire and the subsequent pseudo-“choice” citizens have about whether to stay or leave. Essentially, a forcible renegotiation of territory and citizenship rights through the terms of the local ceasefire agreement.

6. Conclusions and policy implications

6a. Conclusions

Richard Reid, a conflict negotiator who was involved in ceasefire negotiations in Lebanon and South Sudan, says that ‘if people stop shooting at each other for one day, they have broken the habit. Perhaps they might find that it feels pretty good’ (quoted in Hay 1990:29). However, while a nice sentiment, this somewhat idealistic and systems approach to ceasefires, fails to adequately appreciate not only the range of immediate effects a ceasefire can potentially have, but second and third line effects. Within quotes such as this, there is often a sense that academics, policymakers and practitioners are sitting above the fray in some sort of grand framework of control without any real sense of the complex intermeshing of the international and domestic, customary, tribal and religious concerns not to mention local governance efforts and citizens. The varying nature of conflict and belligerents inevitably means that ceasefires, and their effects, differ and that halting violence is not a panacea for layered and political struggles.

Ceasefires are not created in a vacuum. The process matters and ceasefires are a big part of the process of moving belligerents away from violence. In this paper, I have presented a view that ceasefires do more than only halt violence. Rather, they are better conceptualised as types of wartime order and as such, they can influence various state-building dynamics, including the use of violence, rebel governance and the renegotiation

¹⁶ The text of the reconciliation agreement in Daraya was never published due to a non-disclosure clause stipulated by the government of Syria. The main points of the agreement were told to me by a member of the Negotiation Committee in Interview 3: Skype interview with Negotiation Committee member, Idlib, Syria, 22 December 2017.

of territory and citizenship rights as well as any eventual political settlement. In practice, as the Chinese proverb goes, the signing of the contract is the beginning of the negotiation. Likewise, the signing of a ceasefire is seldom the end of the matter and while violence or the broader conflict may be nominally “sleeping” for a time, it is more often than not, ‘replaced by the new, amorphous violence of dissenters, “organised criminals” or increased inter-personal violence’ (Bell 2013:502). This suggests that peace agreements are not created in a vacuum. The process matters and ceasefires are a big part of the process of moving belligerents away from violence. If violence is intrinsic to armed conflict and the state-building process and ceasefires are necessarily linked to that violence then what they contain can have a very real effect on subsequent events of both the peace process and of the conflict.

For these reasons, I believe that the different dynamics created by ceasefires discussed here challenge basic, frequently unstated assumptions about ceasefires and order in civil war more broadly. Ceasefires are not simply a “cease fire” but rather interject into complex contestations for control of the state. As such they should be seen not only as military tools but political tools actors in civil wars use for their own ends. These ends are invariably much broader than winning or losing militarily but can include control over institutions of governance, citizenship, territory or personal power dynamics. Taking these dynamics into account when negotiating or analysing the “success” of ceasefires brings into stark relief how ceasefires can be used by actors in civil wars as a tool of violent state-building.

6b. Policy implications

Implications for viewing ceasefires as different types of wartime order has a number of important policy implications:

1. For conflict negotiators:

Acknowledging that there are different types of ceasefires and that their consequences are broader than just potentially reducing levels of violence has ramifications for the way ceasefires are negotiated, what their terms contain and whom they are made with. Rather than operating from path dependency that proscribes the inclusion of particular ceasefire terms as being “successful” in reducing levels of violence or stopping conflict recidivism (Fortna 2003; Joshi and Quinn 2015), negotiators can think both more broadly and more specifically about

what they want ceasefires to achieve and some of the consequences they may have on the ground. For example, do ceasefire terms relating to territorial delineations really reduce violence? The consequences of the 2016 ceasefire in southern Syria suggest that the type of violence and actors simply morphed in response to the ceasefire. Or, do terms purportedly aimed at reintegrating citizens or combatants back into the state actually achieve that end, or are there other consequences, such as forced displacement or access to services, that need to be taken into account when drafting the terms of a ceasefire?

2. For policymakers:

In the Syrian civil war, the rights to property and citizenship have been weaponised (Clerc 2014; Unruh 2016). This has serious demographic and reconstruction ramifications. Because they are not purely military instruments, ceasefires have been used in many instances (e.g. Syria, Myanmar, Israel/Palestine) as a way to justify territorial, citizenship or demographic engineering (PAX for Peace 2014; Yazigi 2017). Ceasefires have given the state government a pretext, and in many cases created a reality on the ground, that facilitates the enacting of discriminatory laws, the destruction of property documents (such as land titles) and the administering of prejudicial reconstruction projects. Because of this kind of state-building potential, it is imperative that policymakers look to the nature of ceasefire agreements to better understand the politics of the peace process and/or post-conflict environment. That way they can better understand how, where and why their policies and/or funding will be utilised.

3. For humanitarian organisations:

Humanitarian aid is used by many actors in civil war for strategic and military purposes or to gain political support within a given area among local communities. Effectively, the ability to distribute aid gives legitimacy and power to those that control it. It can also help or hinder rebel governance efforts or can shift power around between governance providers (e.g. states, courts, councils, armed groups). Therefore, it is imperative that we understand war, 'not [only] as a state of societal standstill but as a period of transformation which sets the preconditions for later peace' (Meininghaus 2016:1455) but also how ceasefires interject into these dynamics. Humanitarian organisations interact with and rely on strategic

negotiations with different parties in the war zone for access, local partners for staff recruitment, needs assessments and aid distribution. As a result, humanitarian organisations become linked to governance systems. By being tied into emergent or pre-existing forms of state-building, humanitarian organisations will, often unintentionally, either strengthen or undermine the system in place. As such, having a better understanding and appreciation about how ceasefires may affect the fragile conditions under which humanitarian access is negotiated and delivered is imperative for providing citizens better and greater relief in times of war.

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