

## Lessons from the Arab Awakening

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## 1. Introduction

For decades, the Middle East has experienced persistent violence and protracted conflict. Since the beginning of the Arab Awakening in 2010—widely referred to in the coverage of developments in the region as the Arab Spring or the Arab Uprisings—the Arab world has gone through massive change. This has been on a scale not seen since the end of the Cold War and the fall of the Berlin Wall and perhaps even since the end of World War II. The lives of tens of millions of people in the region have oscillated between hope and despair, time and time again.

In periods of chaos, contradictions are the norm, and there is no place for easy predictions. We have seen too many unanticipated developments, and the early-warning signs have been ignored. The manner in which uprisings evolved took even renowned Arab and Middle East experts by surprise.

While there was democratic progress in some countries, such progress was absent in others. Across the region, ordinary people paid a high price. Many felt that the future was bleak and that they could do nothing to influence the course of future events. Authorities involved in the transitional process in different countries were unable to deal with this expectation gap.

This is why popular disappointment with the Arab Awakening is now deep. The uprisings gave millions the hope for a better future and the feeling that they could meaningfully contribute in shaping their future. Unfortunately, these expectations were not met. It is now clear that the transition and violence will continue, as will societal fragility. However, this is not unusual, since the success or failure of revolutions can only be judged in the long run.

Leaders in countries in transition faced unprecedented challenges that they were unable to manage. Devising road maps to address legacies of mass abuse and atrocities has been difficult. Drafting constitutions and building consensus is especially challenging in polarized societies.

It is clear that Tunisia has made significant achievements. The general feeling is that its transition process has been successful, despite difficulties. In Egypt, there are those who argue that the positive developments outweigh the setbacks. Others argue the opposite. A majority of people, however, feel that things would be much worse if the Muslim Brotherhood was still in power. In any case, the process of democratization in Egypt will take longer than anticipated.

Iraq, Libya, Syria and Yemen are experiencing deep polarization and violent conflict. In Iraq and Syria there is no clear end in sight. Meanwhile, in Libya and Yemen there is little hope for a breakthrough in the near future. This Discussion Paper analyses the lessons learned from the Arab Awakening. It focuses on the role played by institutions and political forces in transition processes. It also explores the role played by the League of Arab States (Arab League) in these processes. It concludes with a series of recommendations for future action.

# 2. Analysing the events of the Arab Awakening

Transition processes differ from country to country. Despite this, the events of the Arab Awakening offer many lessons. Some of these lessons have come at a high price for citizens and societies. Some apply to specific countries while others apply to the region, and perhaps even to the international community as a whole.

## Reform must come from within and not through external interference

After the September 2001 terrorist attacks on the United States, and the subsequent failure to achieve success in the war against terrorism in Afghanistan and Iraq, the USA and other Western powers began looking for an explanation for this failure. The explanation given was that the Western powers had not failed; rather, the problem was the countries of the Middle East and North Africa, which needed to undergo fundamental change. The US Secretary of State, Condoleezza Rice, also introduced a theory of 'creative chaos', which ignited huge debates (Karon 2006).

These developments coincided with the publication of a series of reports by the United Nations Development Programme (UNDP), beginning in 2002, that addressed deficiencies in the Arab world and the need for fundamental reforms. For example, the *Arab Human Development Report* (UNDP 2002) challenged the Arab world to overcome three deficits, in the areas of freedom, women's empowerment and knowledge.

The result was a heated debate in the Arab world and an intensive debate by the international community about whether reform in the region would come from within, or whether it would have to come about through external pressure. The Arab Awakening settled this debate, and it became evident that change would emanate from within.

#### The overarching influence of 'the West' is a myth

The Arab Awakening also put an end to the myth that Western powers are capable of controlling developments and influencing the future course of events. Western powers were not behind deposing the leaders of Egypt, Tunisia or Yemen. They failed to depose President Bashar al-Assad of Syria, although US President Barack Obama, as early as August 2011, indicated that Assad had to go (White House 2011). They contributed to the fall of President Muammar Gaddafi in Libya but were unable to influence the chaos that ensued after his death. Western powers also granted Yemeni President Aly Abdallah Saleh immunity (al-Qadhi 2014). This contradicted the West's position on the alleged responsibility of Sudanese President Hassan al-Bashir for war crimes committed in Darfur.

More recently, the USA concluded that the Syrian president was willing to accept the continued destruction of his country rather than give up power. It also concluded that Assad's fall would result in uncontrollable chaos that would be worse than if he were to remain in power; that his fall would also require substantial intervention, including on humanitarian grounds, which might not succeed; and that the USA is not ready at this point to shoulder this responsibility or run this risk.

The USA decided that its aim should be to take incremental steps, as ambitious initiatives will likely fail. Incremental steps may succeed if planned and executed effectively, since a political settlement will remain out of reach until both the regime and the fragmented opposition feel that they are likely to lose.

#### Deposing a regime versus building a viable new system

The speed and relative ease with which the regimes fell in Egypt and Tunisia made people feel that the transition period would also be smooth. Nothing could have been further from the truth. People learned the hard way that overthrowing a regime is much easier than building a viable new system. If this applies to Syria as well, building a new system there will be a monumental challenge.

It also became evident that, while demonstrations and opposition to the status quo are important, presenting clear and viable solutions to everyday problems that the majority of people can agree on is more important and much more difficult to achieve. This was the case in countries that had functioning institutions (e.g. Egypt and Tunisia), as well as in countries that lacked institutions and had to build them from scratch (e.g. Libya).

## Political progress does not always translate into economic and social progress

Despite years of reform efforts, Arab countries in transition have long suffered from high unemployment and relatively low levels of growth. The term 'Arab countries in transition' does not necessarily refer to transition to democracy. (Tunisia completed its transitional phase and is entering into what can be described as a consolidation phase. Iraq Libya, Syria and Yemen are countries in turmoil or in conflict.) Instead, the term describes a transition from one form of authoritarian rule to a new situation that is yet to be formulated. This is especially true in the cases of Libya, Syria and Yemen.

When the regimes in these countries fell, citizens had high expectations about socioeconomic change. On evaluating the economic and social situation five years after the Arab uprisings started, however, it is clear that these countries saw sharp economic and social decline, and their future prospects remain bleak (see e.g. al-Sharqi 2014). This will only increase the widening gap between the rich and the poor, both within and between countries in the region.

Leaders and citizens of the Arab world now realize that addressing the root causes of socio-economic problems remains a daunting challenge. Arab countries in transition need to eradicate poverty; fight corruption; achieve social justice; attract investment; improve productivity, education and health services; and create jobs. However, large

segments of the population in these countries still cannot accept that addressing these issues will take time.

At the same time, although short-term economic stability is an important goal, it is vital for these countries not to lose sight of the more fundamental medium-term challenge of modernizing and diversifying their economies, creating more jobs and providing fair and equitable opportunities for all (Ahmed 2013). Unemployment will probably be the biggest challenge facing the region as a whole in the coming decade or two: the Arab world currently has the highest level of youth unemployment in the world (Cambanis 2014). It needs 80 million new jobs by 2020 (World Economic Forum 2012).

Furthermore, income inequality in the Middle East appears to be at least as great as in the most unequal emerging or developing regions in the world (Alvaredo 2014). Political and economic development needs to advance hand in hand if these countries are to achieve the level of success that their people aspire to.

## One phenomenon but different experiences in republics and monarchies

While the Arab uprisings affected the whole region, those most affected were republics (e.g. Egypt, Syria and Yemen), while monarchies (e.g. the Gulf states) proved resistant to large-scale upheavals. This does not mean that monarchies were immune to these developments. Nevertheless, most demonstrations in monarchies demanded the establishment of genuine constitutional monarchies rather than an end to the monarchy itself.

So, monarchic states also had to react, and some even took major steps out of fear that they might face a similar fate (Gause 2013). The difficulties and complications facing Arab countries in transition, particularly Egypt, made people in other Arab countries that were not in transition fear instability and chaos and resign themselves to accepting a safer incremental approach to much-needed fundamental change.

These monarchies were also resilient perhaps because they were more flexible (Coughlin 2011). They also have a different basis for their legitimacy, including religious legitimacy in Saudi Arabia and to a lesser extent in Morocco and Jordan. They have a unique system of decision-making and an approach to consensus-building that takes into consideration sensitivities and the balance of power of different segments of society. Finally, some of these countries reflect a degree of openness towards the opposition that varies, with the highest level of tolerance demonstrated by Kuwait followed by Morocco and Jordan.

However, one of the lessons of the Arab uprisings is that if progress is not achieved, the demands of the people will increase and become more adamant.

## The reactions of member states of the Arab League to the Arab uprisings

When demonstrations started in Tunisia in December 2010, the leaders of most countries in the region, including Egypt, Libya and Syria, reacted by declaring that their countries were not Tunisia. When demonstrations started in Egypt, the leaders of Libya and Syria continued saying the same thing. The official argument was always that each country was unique, and thus immune to uprisings elsewhere.

While there are clear differences between these countries, developments in one had an unmistakable impact on others. There are countless examples that show that the events involved in the revolutions that took place in each of the above-mentioned countries were interrelated. For example, young people in one country were able to support and learn from the experiences of youth in another (al-Harazi 2011).

But the connections go beyond this. When citizens in one country appeared to be losing momentum, developments in another seemed to re-energize them. For example, in Tunisia a weakened population regained momentum when the regime in Egypt fell. Similarly, the Syrian opposition gained some momentum when Gaddafi was captured in Libya. Finally, and perhaps more importantly, Islamic political forces in Tunisia admitted that they learned an important lesson as a result of developments in Egypt when President Morsi was deposed (Marks 2015; Al Yafai 2013; Ben Solomon 2014; Batchelor 2014; Kerrou 2014).

Furthermore, when the situation became more complicated in Egypt, Libya, Syria and Yemen, some other countries in the region tried to influence developments to achieve stability or at least to manage instability. Saudi Arabia succeeded in convincing President Aly Abdallah Saleh of Yemen to relinquish power. Furthermore, the Gulf Cooperation Council (GCC) tried to act in a preventive manner to ensure the continued stability of Jordan and Morocco. Saudi Arabia even proposed that these countries join the GCC despite earlier reluctance to include additional countries in this exclusive club. Both Iraq and Yemen were eager to join the GCC earlier but the GCC's response was lukewarm.

The role of different countries also varied according to their perceived national political interest. Turkey and Qatar were supportive of President Muhammad Morsi during his short-lived rule in Egypt. When he was deposed, however, this support was curtailed, and their relations with Egypt became quite tense. Similarly, Kuwait, Saudi Arabia and the United Arab Emirates, which were unwilling to provide substantial support to Morsi, reversed their position and became the strongest supporters of the political forces deposing him and of the newly elected president in Egypt.

In addition to the political disagreements and rivalry between Iran and Saudi Arabia, the Sunni–Shia divide was a significant factor that had huge implications for developments in many countries in the region, including Iraq, Lebanon, Syria and Yemen, since they supported opposing political forces in the conflicts in these countries.

#### Looking inward

Understandably, Arab countries in transition have been preoccupied with internal developments and have not been able to focus on their interests beyond their borders, both at the regional and international levels, including on strategic issues.

This was evident in the case of Egypt, which focused on internal issues following the revolution that started in 2011. This meant it was unable to focus on other issues, including the building of the Renaissance Dam in Ethiopia, which it had considered problematic for a long time; the smuggling of weapons, particularly from Libya; and its own declining regional and international role.

Egypt also had to explain to the international community what happened on 3 July 2013 when the Egyptian Army under General Abdel Fattah el Sisi deposed President Morsi, as many countries considered this an unconstitutional regime change. The new Egyptian authorities wanted to convince the international community that deposing Morsi was a continuation of the Egyptian revolution and a reflection of the will of the people, and that the involvement of the army was necessary to avoid sliding into a chaotic situation and perhaps a civil war. Other countries in transition were also focused on internal developments.

This lack of ability to focus on external developments resulted in a vacuum and had implications for other conflicts. The Arab world was weakened and was thus unable to deal with regional challenges, including developments in Iraq, Libya, Syria and Yemen and the enduring Palestinian question. Israel's aggression in the Gaza Strip in 2014 continued for 51 days, and the Arab countries were unable to exert any international pressure to end the war, which was considered more brutal than the two previous wars that took place in 2008–09 and in 2012. It was also unable to deal with what a number of Arab countries viewed as the growing influence of Iran in the region and the constantly shifting regional balance of power.

Institutional failure was one of the main reasons for the eruption of the revolutions and of political, economic and social upheaval in the region. This institutional failure was evident to varying degrees in the countries of the region, but clearly affected the entire governance cycle, including planning, policy formulation, implementation and oversight, and accountability.

### 3. The role of institutions and political forces in transitional periods

After the revolutions in Tunisia and Egypt began, weak institutions, which were one of the main reasons for the eruption of the revolutions in the first place, bore huge responsibilities under very difficult circumstances. These included the responsibility for managing expectations in a very complicated post-revolutionary environment. While such transformations created winners, they also produced losers, many of whom were politically well connected and had significant resources. Such vested interests, institutions resisting change and other counter-revolutionary forces were ready to fight those seeking reform. What made change more difficult was the alliance between wealth and political power, as well as between wealth and the media during the rule of the previous regimes. Influential figures tried in different ways to continue to maintain their influence through the same methods after the revolution.

Both governments and transitional authorities in the region were also facing a new phenomenon—an avalanche of developments and news that they were unable to control or even shape. Moreover, it was also impossible for them to influence their interpretation and therefore the varying meaning and diverse conclusions reached by people in the wake of this avalanche of news. The media had a huge impact on developments during the Arab uprisings, and it has become obvious that the laws and regulations governing the media have become more and more important and require major reform and a much deeper examination. However, this issue will not be considered in this paper. The following sections will focus on the role of the army, the security apparatus, the judiciary, young people, women, civil society and political forces in Arab countries in transition.

#### The role of the armed forces

It can be argued that one of the lessons learned from the Arab uprisings is that when the armed forces sided with the people, explicitly or implicitly, revolutions were able to depose the regime (as occurred in Egypt, Tunisia and Yemen). If the army was divided or did not support the demonstrators, the countries involved were divided, a violent conflict erupted and the situation became much more complicated (as occurred in Libya, Syria and Yemen at a later stage).

Given the central role of the army in Arab political systems, it played a crucial role in the developments in Arab countries in transition. However, there were great differences in the nature of that role and its overall impact, which depended on various factors: force cohesion (a high level of cohesion in Egypt and Tunisia versus a lack of cohesion in Yemen and Libya); the nature of recruitment (professional in Egypt and Tunisia versus ideological, tribal or sectarian in Libya, Syria and Yemen); the degree of the army's involvement in political life before the Arab uprisings (uninvolved in Tunisia versus playing a key role in Egypt, Syria and Yemen).

The more professional and cohesive the army, and the less entangled it is in the political dynamics of the country, the more positive the role it can play in preserving the state and moving towards democracy. Preserving cohesive and politically neutral armies in the region is essential, not only for security objectives, but also for preserving a horizon for state-building and stability where conflict and turmoil are now rampant.

Many Arab countries have a long way to go in determining the role of the military in a manner that is consistent with democratic practices. The defence burden (defence expenditure as a percentage of gross domestic product, GDP) in a number of Arab countries is among the highest in the world and is a reflection of the role played by the army in these countries. In this context, the military's budget and its conduct must be subject to some form of parliamentary oversight. The United Nations has been engaged in security-sector reform (SSR) for over two decades, but efforts to develop a common, coherent and coordinated approach began in 2006 with Slovakia's initiative to put this issue on the UN agenda (see UN General Assembly and UN Security Council 2008). The UN continues to contribute to SSR through both operational activities and policy development. The African Union developed a continental policy framework, and conducts capacity-building activities on SSR.

However, civilian oversight of the military is alien to the political and institutional culture in the region in general, and the state of chaos rampant in the region pushes this issue further down the list of priorities even though steps could have been taken in this direction. This, however, will be a long process that can only be achieved in phases. Progress will be linked to the ability to balance three factors: (a) ensuring democratic oversight; (b) allowing armies to protect their own interests; and (c) improving their ability to safeguard national security in an extremely adverse environment. Success in this direction in relatively stable countries might create incentives and a foundation for the establishment of accountable institutions in other countries.

#### The role of the security apparatus

The biggest challenge facing Arab countries in transition in this area is how to transform a security apparatus that had been primarily committed to defending regimes by instilling fear and by using, in many cases, unlawful practices, including human rights abuses, into institutions that are devoted to securing public safety and maintaining public order in a consistent, fair and predictable manner in accordance with the law while ensuring respect for human rights.

Achieving this objective will require transparency and effective oversight and accountability institutions. Adequate financial benefits are also important to reduce the temptation of corruption. This will also require capacity-building and legal reform to clearly define the rights of the people to assembly and freedom of expression, as well as to clarify the regime's obligations to protect human rights. Furthermore, recruitment criteria must establish a new culture that aims at enhancing professionalism.

Several years after the Arab uprisings began, ambiguity in the laws governing citizens' rights and the use of force still prevail in a number of Arab countries in transition. For example, the security sector has shown itself to be unwilling to punish security officers for past misconduct (Wiebelhaus-Brahm 2014; Morsy 2013; Human Rights Watch 2013). Abandoning a long history of corruption, cronyism and human rights abuses is proving to be quite difficult to achieve.

Events leading to the deposing of President Morsi on 3 July allowed Egyptian security forces to partially gain the confidence of a large segment of society. The situation after he was deposed is complicated. There are growing criticisms regarding violations of human rights in Egypt, but the attitude of the security forces towards extremists is clear. Their intent is to use whatever means necessary to eliminate what they consider a clear threat.

Security-sector reform in Tunisia has not yet achieved significant progress. Although the public exerted pressure after the revolution to reform the security apparatus, as they had suffered from the security apparatus during the previous regime, successive transitional Tunisian governments have been reactive in their approach, perhaps in light of the sensitivities and difficulties associated with the requirements to achieve this objective, preferring to wait until the political process is further consolidated.

In Libya, security-sector reform represents an even bigger challenge due to the proliferation of militias and tribalism, the presence of two competing authorities that control different geographical areas and deep polarization. In Yemen, security-sector reform will face huge challenges as a result of divided loyalties and a central authority that does not control large areas that are under the control of the rebel Houthi movement or other extremist movements.

Opaque and complex organizational structures and a lack of transparency continue to undermine the accountability of the security apparatus in a number of countries. A few countries in the region have also experienced a colossal failure of their security system. Extremist groups such as the Islamic State in Iraq and Syria (ISIS) have taken control of numerous cities, including Sana'a in Yemen, and most dramatically, Mosul, in Iraq. There are two main questions facing numerous Arab countries in this regard: whether sufficient political will can be mustered to carry out security-sector reform and whether they are capable of achieving this objective.

#### The role of the judiciary

Impartial and consistent application of the law is the key requirement for an effective judiciary. To achieve this objective, the judiciary must be independent from the executive branch and from any other powerful actors in society. Independence is crucial since the law must be applied to both the rulers and the people. Despite the differences in nature and status of the judiciary in different Arab countries, they have a number of common characteristics, including the presence of the undue influence of, and interference by, executive authorities over the judiciary and the public prosecutor, the fact that exceptional and military courts try civilians in a number of countries without the necessary guarantees of fair trials and general weakness and a lack of efficiency, resulting in long delays in the judicial system (International IDEA 2014: 33–65).

Efforts to address reform of the judiciary in the Arab world predated the Arab uprisings. The aims of those advocating reform were ambitious. However, the outcome was neither significant nor far-reaching. In Egypt, an active movement was established in 2005–06 that aimed at achieving independence for the judiciary. After the revolution, many judges became even more active on the political front. For example, the Association of Judges warned President Morsi on 9 July 2012 not to implement his decision to allow the People's Assembly that was elected in November 2011 with over 70 per cent of its members from Islamic political forces to reconvene after the Constitutional Court ruled to dissolve it in June 2014 indicating that parliamentary elections should be repeated due to constitutional deficiencies in these elections.

The Association also threatened to suspend work in certain courts if Morsi did not withdraw the constitutional declaration of 21 November 2012 that gave him extraordinary powers. When Morsi refused to do so, the judges refused to work on 28 December 2012. They also threatened not to supervise elections if a number of decisions made by the government were not withdrawn. At the same time, public opinion was critical of numerous court decisions regarding trials of those associated with the previous regime, trials against young people who participated in the revolution and trials against some members of the Muslim Brotherhood. However, the judiciary felt that criticisms pertaining to the trials of those associated with the previous regime were unjustified since a decision was taken to rely on the laws on the books and not on revolutionary laws. The judges argued that the prosecution was unable to make a case against many of those accused (Wiebelhaus-Brahm 2014; Fisher and Stewart 2014).

Public opinion in Tunisia—which, like Egypt, relied on the laws on the books and not on revolutionary laws—was also critical of many rulings, which were seen as too lenient towards those accused of the murder of demonstrators during the revolution. However, the judiciary succeeded in a battle to achieve greater independence in 2013. Long awaited reform to address undue executive influence over the judiciary was achieved through the appointment by the National Constituent Assembly of a temporary high judicial council to supervise the appointment, promotion, transfer and discipline of judges in April 2013 pending the adoption of the new constitution. The Constitution adopted in January 2014 enshrined principles that guarantee the independence of the judiciary. The challenge is to ensure that this independence is ensured in practice, as many believe that the rules have improved but the judiciary has to win the confidence of society by proving and maintaining their independence (Human Rights Watch 2014, 2015).

There is a general agreement that the last four years have not witnessed meaningful reform in the judiciary in Arab countries in transition (Choudhry et al 2014; Elshinnawi 2014). This is not unusual, as judicial reform requires an extended period of time. However, a number of positive signals give rise to some hope that the judiciary may improve, particularly in Tunisia and hopefully in Egypt, but it will require political will and persistence. The situation is far from clear in other Arab countries in transition as a result of the chaotic situation that they are currently in.

#### The role of young people, women and civil society

#### Young people

The Arab world is disproportionately young. Despite the fact that more than half the Arab population is under 25 years of age (UN Economic and Social Commission for Western Asia and UN Programme on Youth 2010), many Arab governments still have not formulated a clear strategy or a comprehensive policy to deal with the various needs of young people.

Before the Arab uprisings, young people were for the most part marginalized and neglected. The general impression was that many of them were living in the virtual world, chatting, making friends on social media, watching movies and playing computer games (see e.g. Slackman 2011). During the Arab uprisings, young people, particularly from Egypt and Tunisia, proved that they were much more mature than they were given credit for. They proved to be educated despite the system and not because of it (Campante and Chor 2012; Adams and Winthrop 2011). They advocated for peaceful demonstrations, used social media in an effective manner to build networks and organize themselves to achieve their objectives. Libya, in contrast, had no Facebook generation capable of organizing protests, which made it difficult for young people to play an effective role in the transitional period.

Five years after the Arab uprisings began, young people stand fragmented, with many believing that their objectives were not achieved (see Steer et al. 2014). In Egypt, some young revolutionaries have been unduly accused of all kinds of wrongdoing, ranging from being a fifth column in society to being traitors, and some of them have been imprisoned. In Tunisia, some young revolutionaries feel that the revolution was hijacked and that those who are in power do not satisfy their ambitions or reflect the objectives of the revolution and belong to the past and not the future. This was arguably reflected in the low participation of young people in the 2014 Tunisian elections: only 11 per cent in the parliamentary elections of October 2014 and 15 per cent in the presidential elections that took place in December 2014 (Al-Araby 2015; Tavana and Russell 2014; International Republican Institute 2015; Global Network for Rights and Development and International Institute for Peace, Justice and Human Rights 2014).

Many were left in such a state of despair that they joined or attempted to join ISIS in Syria and Iraq. While no figures are available on the number of people who have succeeded in joining, Tunisia's interior minister indicated that the government had prevented some 9,000 young Tunisians from doing so (Alef Yaa 2014). Some decided to withdraw from the political scene, and a few decided to be active in civil society. More experienced Tunisian political figures feel that the young are impatient and are not ready to exert the necessary effort to achieve their objectives (Parker 2013).

The young people who initiated the revolution in Yemen were extremely active and established hundreds of movements and coalitions. There are those who believe that the GCC initiative signed on 23 November 2011 allowing the vice president to hold on to power and Aly Abdallah Saleh to step down put an end to the influence of young people in the political process (Shakdam 2011). Polarization also made it difficult for many of these movements to survive. Others believe that their role ended as soon as dissidents from the army, tribal groups and Islamic political forces joined the revolution. The

young people in Yemen feel that their role was hijacked by political, religious and tribal figures, many of which had dominated the scene for years (Gulf News 2014).

#### Women

Women played an active role in the Arab uprisings, and many of them believe that their gains were insignificant (Chulov et al. 2012). Women nevertheless have made huge progress particularly in Tunisia and Egypt in the last few decades (Arshad 2013). Some of these gains were threatened or curtailed during the transitional period or by conservative Islamic political forces that came to power after the revolutions. Egypt, for example, had a quota for women in parliament that was rescinded after the revolution.

It is expected that a patriarchal system rooted in generations of tradition would require a long time to change. Engaging with an often-unconvinced public basing their views on narrow and in some cases regressive interpretations of Islam and Islamic law continues to be a huge challenge for women's groups. Women continue to struggle to advance their cause (Esfandiari 2012). In some cases, they won and in many others, they failed. A much deeper dedicated study is necessary in order to evaluate whether women have been able to achieve overall gains or whether their situation has not advanced since the Arab uprisings began.

#### Civil society

Civil society witnessed an initial substantial expansion after the Arab uprisings began. Many people who were previously silent began to speak out, became more determined and assertive on political and economic injustices and decided to join different movements and civil society organizations (CSOs). However, the violent and authoritarian backlash that followed has disillusioned many, and societies have become more polarized, making it more difficult for civil society to operate.

A number of Arab governments supported civil society efforts on social and developmental issues. However, civil society activities and efforts aimed at political advocacy, protection of human rights and ethnic or religious minority issues were usually subjected to diverse restrictions. This made it difficult for civil society to play its role in trying to ensure that governments define and implement their policies and regulations in an impartial, rule-bound, and predictable fashion, as well as ensure that governments do not misuse public funds (Cavatorta 2012; Yom 2015).

In numerous Arab countries, the absence of a clear legal framework for civil society creates an unpredictable environment that hinders their work. Furthermore, restrictive legislation reduces the capacity of civil society and limits its role. Issues pertaining to funding their activities and the blurred line between political and social issues created tensions with the authorities (see UN Economic and Social Commission for Western Asia n.d.).

Over the past decade, civil society in Egypt has become increasingly diverse and vibrant. There was a general feeling after the revolution that political space was increasing, with civil society evolving and new emerging groups enjoying greater participation than before. More recently, as a result of polarization and political differences, a more restrictive environment may be emerging in a number of areas pertaining to activities of civil society.

Before the revolution in Tunisia, civil society had limited space and independence to operate. One day after the fall of Ben Ali, the Interior Ministry announced (Freedom House 2012) the registration of over 100 new associations. According to the Tunisia-based Center for Information, Training, Studies and Documentation on Associations, more than 1,300 new associations were created in 2011 (National Council for Voluntary Organizations 2013). Naturally, the majority of CSOs emerging after the revolution focused on elections. Civil society was almost non-existent in Libya before the Arab uprisings.

In Syria, the few organizations that existed were loosely aligned with the state. For example, the Ministry of Social Affairs and Labour encouraged CSOs active in charitable efforts (UN Economic and Social Commission for Western Asia n.d.). Today, given the chaotic situation in the region, it is very difficult to anticipate the future of civil society and how CSOs will evolve.

#### The role of political forces

It was understandably difficult for newly established political forces during transitional periods to gain the support of a critical mass, particularly since most of these political forces were not active before the transition. During the transitional period, the only forces that had an organizational structure that allowed them to leverage political influence were those associated with the deposed regimes and Islamic political forces.

At the same time, sectarianism threatened the move towards further democratization in a number of countries. Throughout the years, societies around the world reached understandings regarding the role of religion, ranging from as far as being antireligious to a few rare cases of religious states. Religion occupies a central role in the lives of the people of the Middle East. This applies to Muslims, Christians and Jews. However, societies in the region still have not reached an understanding concerning the relationship between the state and religion. Moreover, secularism has been portrayed in a negative manner in a number of countries in the Arab world, as many religious figures have argued that it carries antireligious connotations. This is why the vast majority of political figures in Arab countries in transition refer to their support for establishing a 'civil' state rather than for a 'secular' system of government.

In Egypt, the Muslim Brotherhood has been asking people to demonstrate in support of their demands for decades, but the people responded instead to the call of other anti-Mubarak protest movements like Kefaya ('Enough') and the Sixth of April Movement and then to the youth demonstrations that started on 25 January 2011. The Muslim Brotherhood in Egypt should have understood the message. Unfortunately, as soon as it came to power in June 2012, it tried to change the country's future path and perhaps even its identity. It was unable to forge alliances, work with other political forces or abandon its own victim's mentality (Brown 2013).

In contrast, the Muslim Brotherhood in Tunisia recognized that it would not be able to control society or govern the country alone and was ready to make significant concessions in the constitution and in power-sharing, particularly after president Morsi was deposed. In Tunisia, the most successful transition in the region was also the one that witnessed an ability of the political forces to reach a compromise on a power-sharing formula.

One of the main reasons for power-sharing agreements in countries in transition is the fact that political forces were untested. They tended to both grossly exaggerate their own public support and underestimate the public support of others. Furthermore, political forces were incapable of building a political platform and failed in mobilizing the support of ordinary people. At the same time, political forces were forced to rush from one election to the next with no breathing space because the majority of people were anxious to end the transitional period and to satisfy an international community that became addicted to pictures of purple fingers and transparent ballot boxes regardless of the implications of hasty elections. Another factor hindering power-sharing agreements is the fact that most of the influential personalities on the political scene in countries in transition were involved in the political polarization and there were no consensus builders.

Moreover, those in power were unable to achieve a modus operandi for transitional justice that would command consensus or even support by the majority, as the public was eager to exclude those associated with ousted regimes. Unfortunately, not enough effort was exerted to resolve this issue in an acceptable way. Inclusivity was elusive, and when reconciliation was achieved, it was temporary and extremely fragile. In addition, many countries failed to deal with minorities, resulting in deepening sectarianism nationally, with splintering groups having cross-border linkages affected regional politics as well.

Libyans elected a constitutional assembly in February 2014 that was to form an interim government to oversee the drafting of a constitution and to supervise elections based on this new constitution. The results of these elections surprised many observers, as voters supported moderate parties and candidates, reversing a regional trend in support of more conservative Islamic political forces. However, continued military action among different armed groups and militias paralysed the political process (Gall 2014).

## 4. Milestones in the process of transition

There are countless elements that affect the transitional process, and there are numerous milestones in this process. This section focuses on the most important milestones: the road map, constitution-building, transitional justice and election laws.

#### **Devising road maps**

Devising a road map is the first and most important element in any transitional period. A practical and realistic road map can make the difference between the success or the failure of the transition process.

Egypt had two road maps for the two transitional periods that the country passed through in less than three years. The first was in the Constitutional Declaration dated 30 March 2011 after Mubarak relinquished power and the second was in the constitutional declaration dated 8 July 2013 after Morsi was deposed. During the first transitional period, parliamentary elections were to be held followed by presidential elections. This approach was criticized, as many argued that the order should have been reversed (Shukrallah 2011; Elshinnawi 2013). After the first road map was completed, it became apparent that the elections had been held in the wrong order. This is why many people were extremely surprised when the second road map adopted the same order for subsequent elections (Saleh and Perry 2013). The order had to be switched at a later stage, thus stirring a debate on the constitutionality of this step.

Many believe that the success in Tunisia was partly due to the sequencing of the election and right path adopted in the road map and that the difficulties faced by Libya and Yemen are also partly due to their inadequate road maps.

#### **Constitution-building processes**

The importance of constitution-building in transitional periods cannot be overstated, since a constitution is the embodiment of the social contract between the state and the people. It represents the underlying framework that describes how a nation should be governed. Constitution-building in countries in transition is a difficult and complicated process, since in many cases it has to deal with an irreconcilable tension between what is required to secure stability in the short term and the long-term objectives and aspirations of the people.

Egypt adopted a constitution following a controversial constitutional process that culminated in a referendum in December 2012, with 63.8 per cent of voters in favour (Beaumont 2012). When President Morsi was deposed just seven months later, however,

in July 2013, a new transitional period began, and a new constitutional committee undertook the process of making extensive amendments to the previously adopted constitution. At the end of this process, another new constitution was adopted in a referendum in January 2014 with an overwhelming majority of 98 per cent (Kingsley 2014).

In Tunisia, drafting a new constitution fell to the country's interim parliament, the National Constituent Assembly, which encountered a number of difficulties. That said, Elnahda, the Islamic party that was leading the government at the time, made a number of concessions such as agreeing to step down from government and not field any candidate for the presidential elections (World Bulletin 2014), thus allowing the process to conclude successfully (Mandraud 2014; Gall 2013). The new constitution was adopted in a referendum in January 2014 with over 92 per cent of voters in favour.

In Libya, attempts to write a new constitution (with the help of the UN) have been repeatedly delayed because of political infighting within the General National Congress, which was initially elected for an 18-month term in July 2012 (Gluck 2015). The current chaotic situation is preventing the completion of the process. It is difficult to imagine the possibility of holding a referendum in Libya before progress is achieved on the political front.

In countries that have experienced different forms of public demands for reform, significant steps relating to constitutional change have also taken place. In Morocco, for example, an important dimension of the reform process was the drafting of a new constitution in July 2011. In Jordan, after a series of peaceful protests inspired by the Tunisian and Egyptian revolutions, a call for reform resulted in constitutional amendments in early 2011.

#### **Transitional justice**

Citizens in Arab countries in transition have been demanding—often to no avail justice for victims of all sorts of injustices, including various atrocities and abuses, not to mention the impact of the corruption on the part of ousted regimes. Real reconciliation will not be achieved if the history of repression is not acknowledged and effectively addressed by society. An important aspect of transitional justice is to devise legal remedies for victims of human rights violations and to provide various forms of reparations.

Each country's response to past repressions and abuses should reflect its particular history, traditions, the gravity of injustice and the context in which these violations took place. It can be argued that a delay in applying transitional justice can be beneficial to short-term national cohesion. However, this comes at a high price, as it erodes confidence and increases frustration with transitional authorities or new regimes. It may also signify continued influence by elements of ousted authoritarian regimes that consider transitional justice a threat to their interests.

By the end of 2011 the Tunisian government, led by Elnahda, established a Ministry of Human Rights and Transitional Justice to launch consultations and devise a plan to deal with transitional justice. In December 2013 the Constituent Assembly in

Tunisia adopted a transitional justice law that lays the ground for a comprehensive accountability process.

In Egypt, a minister of transitional justice was appointed in July 2013. However, he publicly indicated in a press interview that that was not the time to apply transitional justice, as there was no law for doing so, and because the constitution obliged parliament to pass such a law (el-Shorouk 2014). He also argued that the constitutional assembly had not agreed to the proposals submitted on the establishment of a commission for transitional justice.

The Libyan General National Congress (GNC) adopted a Transitional Justice Law in September 2013 establishing a process for truth-seeking, reparations, accountability and institutional reform. The GNC also adopted a Political Isolation Law in May 2013 that bars officials from the ousted regime from holding public, political or governmental posts for 10 years. However, Libya's judicial system has not been able to ensure basic legal rights for members of the ousted regime. Thousands of detainees have been held in prisons controlled by the state or by militias for extended periods, mostly in an arbitrary manner. Justice for victims of ongoing abuses by armed militias or by the authorities has been not achieved. Despite promising provisions in the law, the prevailing security crisis and the lack of a functional judicial system will most likely delay the application of this law (Westcott 2015).

Arab countries in transition have not yet undertaken a serious process of transitional justice despite the importance of such a process for national reconciliation and healing. Dealing with grievances caused by authoritarian regimes and holding perpetrators accountable for past abuses, building confidence in new regimes and consolidating the path towards respecting human rights could also help lay the foundation for a more accountable political culture. As long as there is no broad consensus among key political players, justice and accountability measures can easily turn to vengeance and thus destabilize the new political order. Successful transitional justice, on the other hand, could help build public confidence in the political process and heal the wounds caused by decades of repression.

#### **Electoral laws**

Electoral systems have a huge influence on the prospects of advancing democracy and on the outcome of elections. They greatly affect the nature, pattern and number of political parties in the electoral process. Likewise, they largely determine the number and relative sizes of political parties in legislative bodies. The electoral system can also affect the degree of internal cohesion and party discipline, the incentives for alliances between parties and the extent to which parties are likely to appeal beyond narrow interests or ethnic identities (Reynolds, Reilly and Ellis 2005).

Democratic elections are essential for establishing national and international legitimacy and for enabling effective governance. However, elections can also sharpen ethnic differences and increase tensions in society. Unfortunately, in fragile or post-conflict states, the international community sometimes expects too much of elections or applies pressure for elections to take place too soon. Moreover, sometimes in countries in transition, the same parties that are helping to foster change subsequently become obstacles to representative government and further reform. They can easily become part of the difficulties facing democratic consolidation rather than a building block in this direction.

Fragile and post-conflict states may also be especially susceptible to the development of political parties based on ethnic or religious lines. Sectarian alignments can exacerbate tensions or even renew conflict, and so it is important to support inclusive parties, as well as to encourage collaboration and coalitions among parties representing different groups.

Countless elections took place in Arab countries in transition in the last four years. These countries faced huge difficulties in drafting effective election laws that took into consideration historical circumstances while, at the same time, advancing progress towards democratization.

## 5. The Arab League and the process of transition

The Arab system has a mechanism for advancing cooperation among Arab countries in almost every area imaginable. Moreover, its network is not limited to intergovernmental bodies but also includes numerous other mechanisms that are nongovernmental in nature. These include Arab chambers of trade and commerce and their federation, syndicates of different professions (e.g. writers, doctors, journalists), and the Federation of Red Cross and Red Crescent Societies. Furthermore, there are other informal associations, mechanisms and networks in different areas and sectors, including among CSOs.

There are areas in which the Arab League has made a constructive contribution following the Arab uprisings, areas in which it could have done much more and finally areas in which it was not active for various reasons. These reasons include the absence of a mandate (some areas pertaining to military cooperation, for example), the lack of willingness by member states to address issues that they consider internal affairs that should not involve external players (e.g. some countries do not welcome the involvement of the Arab League in anything concerning political parties, constitution-building or election laws) and finally because of a low level of interest in considering some issues (e.g. a number of areas pertaining to human rights).

#### Political efforts by the Arab League

The Arab uprisings placed huge pressure on the regional system as a whole. The Arab League Secretariat initially adopted a position that supported the aspirations of the people in different Arab countries (LAS 2011a: Al-Jazeera 2011). In addition, the Arab League undertook unprecedented steps in response to the crises in both Libya and Syria, condemning repression and violent attacks against civilians and supporting the protection of Libyan civilians through the establishment of a no-fly zone (LAS 2011b). It was decisive in condemning the Syrian regime and suspended Syria's participation in Arab League meetings (LAS 2011c). It also supported the opposition in Syria, took a lot of steps to unify the opposition's efforts and worked closely with the UN, leading to the establishment of a joint UN–Arab League envoy for Syria for the first time in the history of cooperation between the two organizations. Lakhdar Brahimi was appointed as the Joint UN– Arab League Special Representative to Syria on 17 August 2012 and resigned on 31 May 2014 (UN News Centre 2014).

It is clear that the Arab League has been unable to resolve numerous conflicts in the region. However, the international community has also failed in its efforts to resolve these conflicts, in some cases actually further complicating them through its intervention, as could be seen in the recent conflicts in Iraq, Libya, Syria and Yemen. The Arab League

did establish an Arab Peace and Security Council in a decision by the Arab Summit in Sudan in 2006 (LAS 2006). However, it became obvious as soon as its statute entered into force that it was incapable of performing the role that was expected of it. The main reasons for this could be found in the fact that it has a limited membership and no decision-making ability; instead, it can only make recommendations to the Council of Foreign Ministers. This is why the Arab Summit in Sharm el-Sheikh, Egypt, in March 2015 adopted a decision to reform the Arab Peace and Security Council and extended its membership to include all the League's member states (LAS 2015).

Furthermore, the Arab League was unable to confront or even moderate the tensions that arose among Arab countries in aligning to one side or another in countries in conflict or in transition. There was no dialogue in the Arab League to address issues pertaining to the Arab uprisings. A number of Arab countries objected to even discussing the issue but then reluctantly accepted a proposal by the League's Secretary General to informally discuss developments in Tunisia at the Arab Economic Summit in Sharm el-Sheikh in Egypt on 19 January 2011, one week before the Egyptian revolution began.

The Arab League was quite forceful in indicating that reform should emanate from within and not as a result of external interference but it did not capitalize on the developments of the Arab uprisings that led to the increased recognition by major global powers of the necessity of dealing with the Arab world as a region. The League should have been more active in filling the vacuum resulting from the inward-looking policy that a number of Arab countries in transition had to adopt as a result of developments associated with the Arab uprisings.

This could have been achieved in two ways. The first way was through active engagement in the Arab world and beyond. As indicated earlier, the role of regional powers can be crucial in determining how internal developments and disputes evolve. The Arab League's Secretary General presented an initiative to the Arab Summit in Sirte, Libya, in 2010 to formulate an Arab neighbourhood policy (Ghanmi 2010), proposing that the Arab world develop a policy to advance cooperation with regional powers bordering the Arab world in Africa Asia and Europe (an initiative that was also inspired by similar policies adopted by other regional powers, particularly the EU Neighbourhood Policy). The initiative included special requirements for the involvement of a number of countries in particular contexts, for example involving Israel after resolving the Arab– Israeli conflict, and a requirement to resolve disputes between Iran and Arab countries through dialogue. The initiative was not accepted by the Summit (LAS 2010).

The second way the above-mentioned policy could have been achieved was by implementing and building upon key instruments that the League had already adopted, including the declaration adopted at the Arab Summit in Tunisia on 23 May 2004 regarding the Process of Development and Modernization in the Arab World, as well as the Covenant of Accord and Solidarity endorsed by the same Summit (LAS 2004).

The declaration regarding the Process of Development and Modernization in the Arab World stressed Arab leaders' determination to deepen and strengthen the basis for democratic rule and the broadening of participation in the political process. It also addressed improving the decision-making process in the context of the rule of law, as well as achieving justice and equality among citizens, respecting human rights and the freedom of expression in accordance with international legal instruments and the Arab Human Rights Charter, and guaranteeing the independence of the judiciary in support of all the components of society, including NGOs. The declaration also stressed the need to include men, women and all segments of society in public life to allow the foundations of citizenship in the Arab world to take root.

Furthermore, the Covenant of Accord and Solidarity emphasized the need to promote citizenship and equality, to widen the scope of participation in public affairs, to support the freedom of expression and respect for human rights in accordance with the Arab Human Rights Charter and other international covenants and instruments, and to work on strengthening the role of Arab women in building society.

Unfortunately, the Arab League Secretariat has not actively pursued the implementation of these important instruments. However, member states also failed to take any initiatives to advance their implementation.

#### **Reform of the Arab League**

#### Reform of the security apparatus

One of the bodies that fall under the umbrella of the Arab League, the Council of Arab Ministers of Interior, addresses security issues. Its aim is to advance and strengthen cooperation and coordination efforts among Arab countries in the field of security and the fight against crime. It is responsible for formulating and implementing policies that develop joint actions among Arab countries in the field of security, and it adopts collective Arab security plans. However, it has not focused on issues pertaining to security-sector reform in an effective manner.

#### The role of the armed forces

Military cooperation, except on a few insensitive issues, is addressed among Arab countries outside the purview of the Arab League. There are a number of countries that have excellent military relations. For example, a number of countries that cooperated in the war against Iraq to liberate Kuwait in 1991, the GCC countries and, to a limited extent, Arab countries (including Egypt, Jordan and Morocco) that have played an active role in UN peacekeeping operations (UN n.d.).

Addressing issues pertaining to the role of the military will be a huge challenge for the Arab world, particularly in light of the current polarization within and between Arab countries. This may change as a result of the proposal presented by Egypt and adopted in principle by the Arab Summit in Sharm el-Sheikh in Egypt in March 2015 to establish a joint Arab military force to address national security challenges in Arab countries. However, it is too early to evaluate the impact of this decision on future military cooperation among Arab countries, as well as whether it will be able to help the military in a number of Arab countries evolve into institutions that are more accountable.

#### Reform of the judiciary

The Arab League started its efforts to reform the judiciary systems of Arab member states long before the Arab uprisings (see International IDEA 2014: chapter 2). In 2006 the Council of Arab Ministers of Justice—the body mandated to develop and reform the judiciary—adopted a comprehensive plan for developing the administration of justice in Arab countries, which focuses on four components: human resources, modernizing justice mechanisms, legislation and alternatives to the formal judicial system and Arab and international cooperation.

The Council also adopted the Arab Strategy for the Development of the Judiciary in 2012 as a guiding document for the development of justice systems in the Arab world. The Council acknowledged that the current judicial systems in Arab countries suffer from a lack of effectiveness and efficiency, weakness in human resources and from problems related to the governance and management of judiciary systems, all of which adversely affect the pursuit of justice (LAS 2012).

The main objective of the strategy is to help the judiciary in Arab countries become accessible, effective, modern, transparent and reliable. It also includes regulatory aspects related to the development of the judiciary and justice systems, as well as programmes for its implementation, including good governance of judicial management systems, decentralization of the administration of judicial systems and the use of modern technology in the administration of justice to provide more efficient and effective services to citizens.

#### National political actors and the Arab League

Although a number of Arab countries accepted and even welcomed contacts between the Arab League and different political forces to address political difficulties or as a mediator—during the League's mediation efforts in Lebanon, Palestine, Iraq, Sudan, Somalia and other conflicts—a majority of Arab countries consider these contacts to be interference in their internal affairs. Contacts with political parties also take place during election monitoring but are limited to the election context. This is why relations with political forces are conflict- and election-specific and cannot be considered a continuous relationship.

#### On the economic and social front

Arab countries in transition learned the hard way that deposing a regime is one thing and building a viable new system is another and that political progress will not necessarily translate into economic and social progress. A clear vision and a comprehensive reform programme for the region was urgently needed to provide guidance for the processes of transition taking place. The Arab League has been active in a number of economic and social areas. However, it is evident that this effort cannot be considered of critical importance to the process of transition in these countries.

The Arab League has also tried to assist in the exchange of information among Arab countries in transition in their efforts to regain assets that were illegally channelled out of these countries during the rule of ousted regimes.

#### Youth, women, civil society and the Arab League

The Arab League also had activities for youth, women and civil society; however, they cannot be considered as consequential either in the lead-up to the Arab uprisings or during the transitional period.

The Arab League has been active on issues pertaining to women and established the Arab Women Organization (AWO) in 2001. The AWO has three main goals: empowering Arab women and enhancing their capabilities in different fields; raising awareness on the pivotal importance of Arab women as equal partners in the process of development; and advancing coordination and cooperation among Arab countries to raise awareness and to empower women.

The Arab League also has a Council of Ministers of Youth and Sports that was established in 1987. Since the Arab uprisings started, however, this council was disproportionately focused on sports rather than on crucial issues of interest to young people. Furthermore, the Arab League did not provide an effective platform for dialogue among young people. Similarly, the League did not provide a platform for discussions among CSOs and between CSOs and governments or more generally for exchanging experiences on issues pertaining to transition.

## The role of the Arab League in the implementation of road maps, constitution-building and transitional justice

Following the Arab revolutions, the Arab League was not involved in formulating or in assisting member states in transition with the implementation of their road maps.

As for constitution-building, historically, the Arab League assisted the Palestinian Authority in drafting the Palestinian constitution, establishing a committee of some of the best constitutional experts in the Arab world, as well as a number of international experts, in the period from December 2000 to May 2003. The Arab League was also involved in aspects pertaining to the most recent Iraqi Constitution that was adopted in a referendum in October 2005. The Arab League was not involved, however, in the constitutional process after the Arab uprisings in Egypt Libya or Tunisia. Moreover, it was not involved in the constitutional processes in Morocco or Somalia, nor was it involved in amending the constitutions in Bahrain, Jordan or in other Arab countries. The only activity that was convened by the League was a seminar to examine how Arab countries could benefit from the experience of Iraq in drafting its constitution.

The Arab League was also not involved in efforts pertaining to transitional justice or the drafting of election laws (al-Madhi 2014). However, it has been rather active in monitoring elections and referendums that took place in numerous Arab countries. In the period from 2012 through 2014 it monitored referendums and parliamentary and presidential elections in Algeria, Djibouti, Egypt, Jordan, Libya, Mauritania, Iraq and Tunisia. Around 470 observers were involved in this process.

## 6. Conclusions

After years of ad hoc policies by the international community to engineer socio-political change in Arab societies under the banner of democracy promotion, the Arab uprisings took the world by surprise, and did not follow any of the scenarios assumed by such policies. The experience of the Arab uprisings should be humbling to advocates of grand schemes of social engineering and should stimulate a new debate about policies to be adopted in and towards societies undergoing change. This is an important lesson for Arab political forces, foreign players and other societies seeking transformation. Focusing on the needs of societies and surmounting real problems is much more important than reacting to foreign positions and interests, whether real or imagined.

Democratic transition should focus on institution-building in accordance with democratic norms and principles. Unfortunately, transitional authorities in Arab countries lacked the capability and the will to achieve this objective for reasons that varied from one country to another. At the root of these failings was a lack of consensus on, or overwhelming support for, drastic change. The Arab uprisings saw genuine calls for democratization that were accepted as a general objective, but there was little agreement on what it meant and how it should be achieved. Moreover, many felt that focusing on preventing existing institutions from disintegrating should be the overriding priority.

It is worth noting that unlike the transition in Eastern Europe more than 20 years ago, during which many countries turned towards the EU and had numerous role models in the European context, Arab countries in transition over the past few years have lacked institutional support in the region and a clear role model for their final destination. Countries in transition from Eastern Europe had tested European models and relied on expertise from the EU, as well as having an incentive to join the EU. This was not available for Arab countries in transition. Furthermore, these countries do not have a forum to address their needs during transition or even for a dialogue and exchange of experiences and success stories to assist them in going through these turbulent times.

Citizens in Arab countries had huge hopes from the Arab uprisings, and it is a normal reaction that many of them are disappointed in the outcome. However, democracy is a process that has its victories and setbacks, and what was achieved should not be belittled.

A number of additional elements should be highlighted. First, the general perception in a number of Arab countries in transition is that constitution-building was rushed in a manner that may have compromised the process. It is also becoming increasingly recognized that elections are insufficient to initiate or sustain transitions to peace and democracy without adequate preparation and reform to ensure the supremacy of the rule of law. Second, no significant progress has been achieved regarding transitional justice, and under present conditions, prospects for achieving acceptable transitional justice in the near future in Arab countries in transition is rather weak. In order for transitional justice to succeed, however, it will require judicial and security-sector reform, as well as an impartial investigation into abuses that is currently lacking.

Third, the first step for any credible reform effort in the security sector must focus on rectifying the doctrine of the security apparatus and removing corrupt officials from positions of authority. Since these steps can be destabilizing in societies in transition, governments may have to take a more cautious approach. In some cases, administrative reassignment might be more prudent. However, even small steps in this direction are important, as they signal intent and begin the process of establishing professional norms of behaviour.

Security-sector reform will also require expanding civilian oversight. This will be a gradual process in Arab countries in transition and should start by establishing the legal frameworks governing such oversight relationships. Transparency provisions in budgetary and legal matters are essential even if compliance is incomplete in the initial stages. Increasing professionalism by establishing meritocratic promotional structures and training programmes will help guard against future politicization of the security sector and will contribute to efforts to ensure that it becomes a service for protecting society and not defending the ruling regime. Civil society can play an important role in safeguarding against possible relapse.

Fourth, civil society in Arab countries in transition has been unable to contribute in a significant manner to the process of transition. While it has witnessed huge growth in the last few years, this growth has not been without setbacks. Space for civil society to contribute exists, although this ability has limitations and is often subjected to significant pressure and controls.

Over the years, the Arab League has been unable to translate regional action into tangible results that have a substantial positive impact on the lives of ordinary people. This is not the sole responsibility of the organization, and is also a reflection of the political will of its member states.

While the Arab uprisings have not yet led to the outcome that millions were aspiring to achieve, they opened up avenues for change. The coming years will illustrate whether political forces in the Arab world are capable of learning the difficult art of compromise, which is not a self-evident approach in this region. They will also reveal whether they can effectively govern their countries and move away from fragility and, finally, whether their approach to governance will respect the rule of law and the rights of all segments of society. Their success will have a huge impact on the people living in the region and beyond.

## Recommendations

Arab countries in transition are yet to formulate a clear vision for long-term stability and development. This is not unusual for countries in turmoil that lived through years of political stagnation and for a regional political order that lacks experience with political development, inclusion and democratic practices and has long been zealous in its defence of an outdated concept of sovereignty.

The following recommendations vary from the practical and immediate to those requiring a political will that is perhaps currently lacking, but their implementation may have a far-reaching impact on Arab countries in general and especially countries in transition:

- 1. Conduct a systematic evaluation of progress and setbacks in reform efforts undertaken in the region. There is a striking lack of an accurate and objective assessment of the prevailing situation regarding developments in reform efforts in various sectors in Arab countries, as well as of the aspirations of the people living in those countries. An extensive and focused effort should be exerted to compile and share knowledge on good practices, success stories and failures of reform efforts and programmes in a systematic manner, and to facilitate coordination and cooperation among interested countries from the region and beyond. This is a key requirement for a meaningful contribution from regional and international organizations that should actively participate in achieving this objective.
- 2. Implement the instruments adopted by Arab League member states. In particular, the Arab League Secretariat should actively pursue the implementation of the declaration regarding the Process of Development and Modernization in the Arab World and the Covenant of Accord and Solidarity referred to earlier, as they include elements that can have a significant impact on the daily lives of ordinary people. The Arab League Secretariat should be provided with the capacity to pursue reforms particularly in the area of peaceful settlement of disputes and it should be allowed to establish forums and mechanisms that enhance dialogue to enable the integration of those marginalized in different Arab countries in their societies. Arab leaders should consider convening informal summits to address urgent conflicts, as this mechanism has never been utilized, while it was rather successful in the context of the GCC.
- 3. *Increase involvement with political parties.* The Arab League has been quite active in recent years in monitoring elections. It should build on this achievement to advance its relations with political parties in a transparent and indiscriminate manner in interested member states that do not want to limit these relations to conflicts or the election observation context.

- 4. *Engage with neighbouring regions*. It is evident that the Arab region's neighbours are becoming more and more influential in developments in the Arab world, both positively and negatively. The Arab League should engage with the Arab world's neighbouring regions in an active manner whether in the context of an Arab neighbourhood policy or other policies or mechanisms.
- 5. *Involve the Arab Parliament*. The Arab Parliament can play an important role in advancing the democratic process, in parliamentary diplomacy and in the peaceful settlement of disputes. Ideas have been presented by member states, the Arab Parliament itself and the Arab League Secretariat on how to enhance the role of the Arab Parliament, including by modifying its mandate. More ambitious ideas have also been discussed, including encouraging member states to have their representatives directly elected to the Arab Parliament.
- 6. *Provide independent advice on constitution-building processes.* There has been an unprecedented level of constitution-building activity in the Arab world over the last decade. However, these efforts have not been informed by solid and independent advice on constitutional matters. There is a need to establish a mechanism consisting of a high-level team of constitutional experts to assist Arab countries in this important field. The Arab League should play a key role in this regard.
- 7. *Ensure the accountability of institutions.* There are huge gaps in institutionbuilding efforts in Arab countries, particularly those in transition, in the areas of strategic planning and policy formulation, the enhancement of human resources for implementation and monitoring, dispute settlement and the acceptance of others. The objective should be to ensure that institutions are accountable and serve the interests of society as a whole.
  - a) *Increase the accountability of the military.* The military in a number of Arab countries should evolve in a manner that ensures that it does not act from a sectarian perspective or in a manner that is dependent on tribal affiliations. This is a huge challenge under the current circumstances. However, ideas like joint Arab cooperation in the area of peacekeeping and a joint Arab military force can help in professionalizing the military and can assist the military in a number of Arab countries to evolve into institutions that are more accountable.
  - b) *Reform the judiciary.* The reform of the judiciary is key to the reform process as a whole. The objective should be to start a process that would ensure the full independence of the judiciary, the implementation of judicial rulings, the elimination of exceptional courts, the modernization of the judicial system and the establishment of constitutional courts. The Arab Strategy for the Development of the Judiciary adopted by the Council of Arab Ministers of Justice in 2012 should be pursued and implemented in a more forceful manner.
  - c) *Invest in security-sector reform.* Security-sector reform is a difficult task, but precedent for success does exist. Mobilizing the necessary political will to address fundamental structural difficulties associated with the doctrine and

the performance of security mechanisms in numerous Arab countries will continue to be a huge challenge. Advocates for security-sector reform from within the sector who support reform efforts as part of their struggle to professionalize their services can be instrumental in this reform process.

- 8. Ensuring compliance with international human rights obligations. No democratization process and reform effort can advance without progress in ensuring consistent compliance with international obligations in the area of human rights as an integral dimension of the process, including providing redress to victims of human rights violations. The Arab Charter on Human Rights includes a number of principles and rules that aim to enhance respect for human rights and the rule of law. The Arab League should be more forceful in its pursuit of the objectives of the Charter. Moreover, the Council of Arab Foreign Ministers is considering the statute of the Arab Court for Human Rights. The establishment of this new court could contribute to the advancement of the protection of human rights and the adherence to the obligations of member states in this regard.
- 9. *Provide technical assistance on transitional justice issues.* Transitional justice involves complex legal and investigatory issues that require the commitment of adequate resources and professional expertise. Arab countries in transition can benefit from the experiences of other countries through independent expert advice and capacity-building in this important area.
- 10. *Provide greater support to specialized Arab organizations*. Numerous ideas have been presented over the years to reform the Arab Economic and Social Council. The most ambitious idea that was not accepted by member states was to convene the council at the level of prime ministers to ensure effective priority-setting, coordination, implementation and follow-up of economic and social issues. However, many other ideas have been proposed. The council should play a more active role in developing and reforming specialized Arab organizations in order for them to turn into knowledge powerhouses to assist in economic and social development and the reform of economic and social institutions in member states.
- 11. *Implement national anti-corruption strategies*. Assistance is required in the formulation and implementation of national anti-corruption strategies. Furthermore, strengthening anti-corruption agencies in Arab countries in terms of their independence, powers and financial and human resources, as well as their relationship with other regulatory and judicial bodies, the private sector and civil society, is also needed. The Arab League can assist Arab countries in transition in cooperating among themselves regarding the recovery of assets that were illegally transferred to other countries.
- 12. Enhance dialogue with young people, women and civil society. A much deeper dedicated study is necessary in order to evaluate whether women have been able to achieve overall gains or whether their situation has not advanced or even worsened in some aspects since the Arab uprisings began. Moreover, the Arab League should establish and provide a platform for dialogue among the young, and for discussions among civil society and perhaps focus on issues relevant to

youth in an Arab summit. The League should also assist Arab governments in formulating a coherent strategy to deal with the needs of youth in its different aspects. Moreover, it can play a role in improving the legal framework for the functioning of the civil society in Arab countries as well as establish networks amongst them in different disciplines to address the fragmentation in their efforts and enhance their role.

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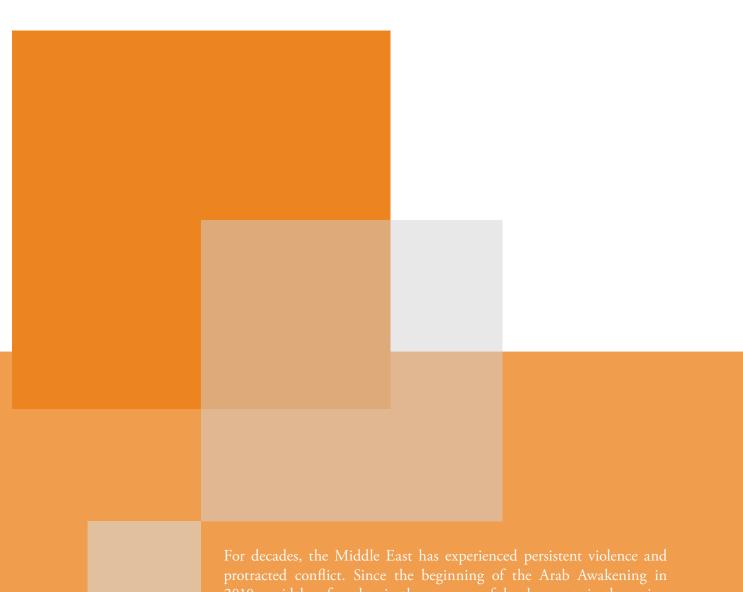
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protracted conflict. Since the beginning of the Arab Awakening in 2010—widely referred to in the coverage of developments in the region as the Arab Spring or the Arab Uprisings—the Arab world has gone through massive change.

This Discussion Paper analyses the lessons learned from the Arab Awakening. It focuses on the role played by institutions and political forces in transition processes. It also explores the role played by the League of Arab States (Arab League) in these processes. It concludes with a series of recommendations for future action.

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