The 8th ACRPS Conference on Democratic Transition

Transitional Justice and Democratic Transition in the Arab Countries
Politics, History and Memory

Tunis, November 21 – 23, 2019
The 8th ACRPS Conference on Democratic Transition

**Transitional Justice and Democratic Transition in the Arab Countries**
Politics, History and Memory

Timetable  |  Participants  |  Abstracts
Conference Theme
In the aftermath of conflict, civil war and authoritarian rule, several options to address the legacy of human rights violations exist. Since the end of World War II, transitional justice has evolved and, in the past three decades, been applied as a political platform to deal with the legacy of the past. The world has experienced diverse experiences of transitional justice, based on a structure of national laws as well as international humanitarian and human rights law. Transitional justice programs aim to reconcile and restore harmony, with radical change, not only at the legal level, but also primarily at the political, cultural and economic levels, using a comprehensive approach. The purpose of national reconciliation is to safeguard the unity of society, to lay the foundations of the desired democratic system, to establish a constitutional and human rights structure that ensures human dignity, as well as treating the wounds of memory by finding a balance between reliving the past and ignoring its pain.

Transitional justice, a fundamentally political process, is founded on the cooperation of politicians, human rights activists and wider civil society. In addition, traditional justice relies on assistance from non-governmental organizations and the international community. Accumulated experience over time has helped to better define the features of transitional justice: criminal prosecutions for the most serious human rights violations; fact-finding or truth-seeking processes into previous human rights violations; reparations for human rights violations in a variety of forms: individual, collective, material, and symbolic; and reform programs of institutions, including the military, police, the judiciary and intelligence agencies. Furthermore, in a number of cases, far-reaching, comprehensive reconciliation between warring parties have allowed for a democratic transition, combined with the social reconciliation which follows long years of civil strife and internal conflicts.

Arab experiences of transitional justice have been limited. These were rung in 2004 in Morocco; but the need for Arab approaches to transitional justice has increased sharply since the popular revolutions of the Arab Spring, beginning in 2011. Since that time, Tunisia has pioneered post-revolutionary transitional phases; added to this was the short-lived experience of Libya during the rule of the Libyan National Council. While a “Ministry for Transitional Justice” was formed in Yemen following the revolution there, the descent into a civil war has ended the operation of that institution and put its mission on hold. Elsewhere, in Lebanon, Syria, Iraq and Algeria there have been limited experiences, while others have not been able to move forward, such as in Yemen, Egypt, Libya and Mauritania, whose attempts have failed after having been hampered by legal constraints and political conditions.

In many cases it has been interesting to see the extent of criticism and objection to this form of justice, and questions about the mechanisms used, as well as pockets of traditional repression and reluctance, shown by the actors and elites who feared the repercussions of their violations. The limited steps, or those that failed to meet social expectations, also provoked feelings of alienation and frustration, particularly among victims and their families, who fear a relapse into injustice and marginalization.
The Arab Spring has not only revealed the urgent need for transitional justice to be applied in Arab countries that have suffered from division, civil war, and a heavy repressive and discriminatory legacy. It has also revealed the need for research on these experiences and to provide explanations for many aspects of transitional justice programs such as the requirements, challenges and pitfalls, as well as the study of internal and external contexts and the culture of political elites. It is also important to deepen research beyond the procedural aspects of transitional justice that have been applied in the Arab world, to understand their value and cultural content, as well as to understand their outcomes at the political and economic levels, and to assess their social implications. These include collective memory, the writing of the history of pain, an understanding of the legacy of an authoritarian and violent past, in order to provide Arab societies with the right to know the truth, to investigate ambiguous abuses and to attach historical responsibility for them.

Hence, the Arab Center for Research and Policy Studies has devoted the 2019 annual conference on the Arab Democratic Transition to the theme of “Transitional Justice and Democratic Transition in the Arab Countries: Politics, History and Memory”. The meeting is being held in the Tunisian capital between November 21-23, 2019, providing participants the opportunity to explore both Arab and foreign experiences of transitional justice. The aim will be to identify the political and legal foundations of the transitional justice system and learn about the lessons learned from situations outside the Arab world, as well as to examine the various Arab experiences and attempts to understand the contribution, if any, which transitional justice can play not only in the resolution of conflicts, but also in the transition to democracy. The conference pays special attention to the Tunisian experience, as this can benefit the countries experiencing a new wave of revolutions.

During the conference, three sessions will be held to hear Arab and foreign experts and heads of official bodies who participated in or were close to the Arab experiences discuss their assessment of the experiences of Arab countries where transitional justice or reconciliation programs were implemented. The session will also discuss international experiences that could concern the Arab region. It will explore the following questions: What are the requirements for establishing a system of transitional justice in countries undergoing political transitions in Latin America, Eastern Europe and Africa? What lessons have been learned from the experience of transitional justice in South Africa, particularly with regard to balancing forgiveness, accountability and justice? How can the experience of international justice in Sierra Leone, for example, be used to strengthen the national justice system in the Arab region? How can transitional justice be placed on the political transition agenda that many Arab countries are going through today? Is it possible to repeat the Latin American example of tracking arrests and enforced disappearance in the Arab political scene?
Timetable
# Day One: Thursday, 21 November 2019

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<td>8.30–9:00</td>
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| 9:00–9:15     | Welcoming Speech: Mehdi Mabrouk  
Conference Opening: Abdel-Fattah Mady |
| 9:15–10:00    | **Keynote**  
Siham bin Sadreen  
The Tunisian Experience of Transitional Justice: Reality and Horizons |
| 10:00–11:30   | **First Session**  
Experiences and Testimony of Transitional Justice 1: Arab Cases  
Chair: Ghanim Al Najjar  
Mahjoub El Heiba  
Former Secretary-General of the Advisory Council on Human Rights (now the National Human Rights Council of Morocco)  
Mustafa Bouchachi  
Algerian Lawyer and Human Rights Activist  
Moataz El Fegiery  
Secretary-General of the Egyptian Human Rights Forum  
Mustafa Omar Al Tir  
Libyan Academic working on National Reconciliation in Libya |
| 11:30–12:00   | Coffee break                                                          |
| 12:00–13:30   | **Second Session**  
Comparative Studies on Transitional Justice: Latin America and Africa  
Chair: Salam Kawakibi  
Mohamed Ahmed Bennis: Truth Commissions in Latin America: A Comparative Study of Founding Dynamics and the Politics of Memory  
Sidna Mousa Hananah: Transitional Justice after Civil Wars (Rwanda and Sierra Leone)  
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<td>13:30–15:00</td>
<td>Lunch break</td>
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<td>15:00–16:30</td>
<td>Third Session</td>
<td>Transitional Justice in Tunisia: Context and Progress</td>
<td>Mustafa Omar Al Tir</td>
<td>Adnan Al Imam: Demands for Transitional Justice: Contexts and Compulsions</td>
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<td>Adnan Nouioua: Anti-Corruption in the Transitional Justice Framework in Tunisia</td>
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<td>Sofia Hanezla: The Discourse of Transitional Justice in Tunisia and the Construction of Categories: A Matrix of Time/Place/Body/Memory</td>
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<td>16:30–17:00</td>
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<td>17:00–18:30</td>
<td>Fourth Session</td>
<td>Transitional Justice in Morocco: Memory and History (1)</td>
<td>Mohamed Al Imam</td>
<td>Mohamed Saadi: The <em>Rif</em> Movement and Painful Collective Memory: Recognition as a Prelude to Reconciliation with the Wounds of the Past</td>
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<td>Said al Haji: The Moroccan Equity and Reconciliation Commission: Historiography as a Way to Address Wrongs un Morocco (the Case of Abdel Salam El-Taoude)</td>
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<td>Chafik Abdelghani: Equity and Reconciliation, and Reconstructing the Memory of Ashes and Bullets In Morocco: An Unfinished Process of Transitional Justice</td>
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<td>9:00–10:30</td>
<td><strong>Fifth Session</strong>&lt;br&gt;Experiences and Testimony of Transitional Justice 2: International Cases&lt;br&gt;<strong>Chair:</strong> Radwan Ziadeh&lt;br&gt;Jeremy Sarkin&lt;br&gt;Academic and Former Chairperson of the Human Rights Committee of South Africa&lt;br&gt;<strong>Maud Roure</strong>&lt;br&gt;Head of Programs at the Kofi Annan Foundation in Geneva&lt;br&gt;<strong>Bogusław Tomasz Czerwiński</strong>&lt;br&gt;Representative of the Institute of National Remembrance, Commission for the Prosecution of Crimes against the Polish Nation, Warsaw</td>
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<td>11:00–12:30</td>
<td><strong>Sixth Session</strong>&lt;br&gt;Transitional Justice in Morocco: Memory and History (2)&lt;br&gt;<strong>Chair:</strong> Asma Nouira&lt;br&gt;<strong>Mostafa Aref:</strong> Collective Memory between History and Forgetting&lt;br&gt;<strong>Mohammed Meziane:</strong> Historical Knowledge between Memory of Pain and Achievement of Social Reconciliation: The Case of Morocco&lt;br&gt;<strong>Abdelaziz Tahiri:</strong> Managing Memory in the Context of Transitional Justice: A Comparative Study of the Moroccan Experience</td>
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<td>12:30–14:00</td>
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### Seventh Session
**Issues of Reconciliation and Transitional Justice: Arab Cases (1)**

**Chair:** Monia Rekik

- **Haider Saeed:** Transitional Justice in its Political and Cultural Context: Iraq
- **Mahmoud Hamad:** Transitional Justice in Libya: Legislation Ineffective in Reality
- **Nouri Dris:** The Ideological and Historical Dimensions of Algerian National and Populist Reconciliation

### Eighth Session
**Transitional Justice in Tunisia: Discourse & Victims**

**Chair:** Chafik Sarsar

- **Adel Ayari:** Female Victims and Transitional Justice in Tunisia
- **Mohamed Tahir Khanisi:** Outcomes of Transitional Justice: Assessment and Looking Forward
- **Ahmed Othman:** Sociodemographic Characteristics of Victims Subject to Transitional Justice through the Truth and Dignity Commission in Tunisia
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| 9:00–10:30| **Ninth Session**  
Experiences and Testimony of Transitional Justice 3: Arab Cases  
Chair: Abdel Nasser Jabi  
Hooria Mashhour  
Former Yemeni Minister for Human Rights  
Mohamed Abdelsalam Babiker  
Sudanese Academic and Expert on International Humanitarian Law at the UN  
Radwan Ziadeh  
Human Rights Activist and Researcher at the Arab Center for Research and Policy Studies, Washington Branch  
Osama Rushdi  
Egyptian Politician and Human Rights Activist, Former Member of the Egyptian National Council for Human Rights |
| 10:30–11:00| Coffee break                                                             |
| 11:00–12:30| **Tenth Session**  
Issues of Reconciliation and Transitional Justice: Arab Cases (2)  
Chair: Abdou Moussa  
Ahmed Ndari: Mauritania between the Magnitude of the Heritage and the Intractability of Transitional Justice  
Mohammed AL-Hemyari: Transitional Justice in Yemen: Importance, Progress and Challenges  
Nabil Zegaoui: Transitional Justice Gone Astray and the Fragility of Democratic Transition in Morocco |
<p>| 12:30–14:00| Lunch break                                                              |</p>
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| 14:00–15:30  | **Eleventh Session**  
**Issues of Reconciliation and Transitional Justice: Arab Cases (3)**  
Chair: Faraj Maatouk  
Laure Abi-Khalil and Azza Sleiman: The Missing Persons Crisis after the Lebanese War and the Establishment of Transitional Justice Standards (Detainees in Israeli Prisons)  
Abdennour Mansouri: Challenges of Reconciliation in Arab States: The Problem of Model  
Mohamed Khalifa Sadiq: Arab Roles in Transitional Justice: the Doha Document for Peace in Darfur |
| 15:30–16:00  | Coffee break                                                            |
| 16:00–17:00  | **Closing Session**  
**Conclusions and Horizons**  
Chair: Mehdi Mabrouk |
Participants

Abstracts
Abdelaziz Tahiri is a Moroccan professor of contemporary history in the Faculty of Arts, Mohammed V University, Rabat. He received his PhD in 2014 from the same university. His research focuses on contemporary and current Moroccan history - in particular the problematic relationship between memory and history. He has authored numerous research and books, including a book on Memory and History during the Moroccan Colonial Period of 1912-1956-, which won the 2017 Moroccan Book Award for the Humanities category.

Managing Memory in the Context of Transitional Justice: A Comparative Study of the Moroccan Experience

The paper deals with policies that manage memory in transitional justice experiences, based on the Moroccan experience with the Equity and Reconciliation Commission, comparing this model to examples from South Africa, Argentina, Poland, Chile and Tunisia. The paper monitored the most important incidences of violence in Morocco’s contemporary history, especially those resulting in widespread human rights violations, for which the Commission sought to find closure. The Moroccan experience adopted "restorative truth", rather than "judicial truth", and was able to reveal many facts, especially related to clarifying the fate of disappeared persons, cases of arbitrary detention, torture methods and detention conditions. This Moroccan experience was political and aimed at reconciliation rather than honesty, as proceedings were marred by forgetfulness. This forgetfulness resulted not only from the absence of an archive, limited verbal testimony and the lack of cooperation on the part of some state institutions, but also from political reasons related to the context of the experience and the balance of power. In exchange for allowing transitional justice institutions to hear victims’ voices and testimonies, the identities of torturers and those responsible for abuses were concealed. Efforts were channeled into mourning and a therapeutic approach to memory, unable to attain the highest levels of historical truth.

Transformations have taken place at a historical level, with a relative interest from historians in the subject of memory, and their calls for opening and running contemporary history workshops. This experience included a set of recommendations related to the call for political and democratic reform in its final report, many of which found their way into the 2011 Constitution. The paper concludes that the Moroccan experience reflected a step towards reforms that did not come within the framework of a democratic transition but contributed to the slow and faltering democratic transformation that Morocco is undergoing.
Abdennour Mansouri

Abdennour Mansouri is an assistant professor at the Department of Political Science, Faculty of Law and Political Science, Mohamed Boudiaf University, Messila, Algeria, and a member of its New Political Sciences Laboratory. He received his doctorate in Political Science from the University of Batna I in 2019. His research interests include: reconciliation in theory and practice, with a focus on Algeria; transitional justice; reform in Ethiopia. He is the author of The Politics of Reconciliation in Algeria between a Security Solution and the Horizons of Human Security.

Challenges of Reconciliation in Arab States: The Problem of Model

This study assumes that the difficulty of reconciliation represents a challenge confronting democratic transition in Arab countries, and that a key reason for this difficulty is the absence of a model. It thus advocates both a theoretical and practical assessment of experiences with reconciliation and transitional justice as a crucial step towards formulating a model appropriate to the Arab context. The paper examines criticisms of the amnesty process in South Africa both practically and theoretically as regards the theological approach taken to it. It seeks to encourage discussion in order to move towards a model based on Arab and Islamic cultural heritage benefiting from international experience, increasing the chances of successful reconciliation and democratic transition.

Objective discussion of this kind will help to resolve the contradiction between the amnesty model and the justice model in places like Syria, Egypt, Yemen and Libya as practical case studies of the difficulties of reconciliation where the word itself is anathema as it once was in Rwanda. The theological model of reconciliation through amnesty inspired many experiences of reconciliation and transitional justice, encouraging amnesty in order to effect an "immediate" peace and impose it through top-down legislation without concern for the downtrodden victims. Islam, on the other hand, presents an independent perspective disputes, including the sort of criminal disputes dealing with which is one of the most important problems facing reconciliation and thus democratic transition. For Islam justice is the central value, while amnesty is conditional on the victims being able to secure their rights. The Islamic approach offers an expanded range of choices and content, making it more liberal than the Christian theological approach: it advocates a wider field of action between amnesty, punishment and compensation and likewise furthers a greater interest. It thus provides a basis for transitional justice and negotiable democratic transition instead of being imposed and rejected. The real challenge to any democratic transition in the Arab countries lies in what theoretical and practical model can ensure the acceptance of a democratic transformation in those countries, whether through amnesty or justice. The same applies to the pedagogical effect of reconciliation and avoiding any repeat of our painful history.
Adel Ayari is a professor of Sociology at the University of Tunis, specializing in the sociology of institutions and quality control in higher education. He has supervised fieldwork studies on victims and transitional justice and collaborated with international institutions in research on employment and unemployment. He has also supervised studies on human and sex trafficking, illegal immigration from the Sahara, the slave trade, public health facilities and youth services. He is the author of a forthcoming national study on university students.

Female Victims and Transitional Justice in Tunisia

This paper considers the experiences of female victims in the Tunisian transitional justice process. Its approach is based on several questions: what have women gained from the current transitional justice process; what are the most important contexts for this; and how do they evaluate it in light of their aspirations for the process? It also assesses the problems and obstacles that arose during the submission of statements and reports from women and which prevent the appropriate measures being taken in pursuit of justice. The paper presents a number of examples testing the effectiveness of transitional justice procedures, comparing them with analogous experiences elsewhere. It also analyses the law regulating transitional justice as a point of reference, combining the theoretical aspects of transitional justice and the concept of the victim with empirical study of interviews with a sample group of female victims. It assesses three main indices of transitional justice—compensation and making amends, revealing the truth, and accountability—in order to measure transitional justice’s ability to compensate victims and to help rehabilitate them socially, professionally and psychologically, as well as uncovering the historical truth of events.

The general observation at which the study arrives is that women victims are still waiting in limbo. The political transformation which has taken place has not changed this. Their expectations have remained the prisoner of public spaces (squares, waiting-rooms, offices), the demands of demonstrators (the objections of some organizations, the administrative detainees’ group and gatherings of the families of the dead and wounded) and the deployment of memory in symbolic, instrumental and material spaces (hearings, courts, committee rooms) which society as a whole has not participated in, which as Pierre Nora makes clear is a prerequisite for their dissemination and consolidation as a memory. Women victims have thus had to satisfy themselves with their inclusion in meeting agendas or dead-letter lists of recommendations accompanied by lists of what they should be receiving. The study concludes that the progress and success of transitional justice depend on the independence of the judiciary, the fight against corruption, the consolidation of democratic practice, and the earnest support of all political parties for its aims.
Adnan Al Imam is a former professor of Public Law and International Relations at the College of Law and Political Science in Tunis. He received his PhD in Public Law from the University of Tunis in 2008. His research interests include constitutional law, international public law, Islamic teachings on war, and transitional justice. His publications include A Handbook to the Study of Constitutional Law, The Lesser Jihad in Islam and Islam and War.

Demands for Transitional Justice: Contexts and Compulsions

This paper argues that any revolution producing a change of political regime inevitably produces a clash between the victorious revolutionary forces and their counterrevolutionary counterparts, who attempt to save what they can of the old regime. When the revolutionary clamor fails to bring forth a government that aims to bring about radical changes and hold people to account as dictated by the model of revolutionary justice, transitional justice – with its concepts and mechanisms – becomes the best mechanism for putting the legacy of past injustices to rest so that a shared future can be built under the umbrella of a state accepting all. This was the case in Tunisia. The demand for transitional justice emerged from the very beginning of the Revolution, and was adopted by the majority of active civil and political forces within the period immediately following the fall of the Ben Ali regime. But although initially nobody dared to object to it publicly, those who were opposed to it had no need to make their voices heard; their representatives, well-known figures from the old regime, remained at the head of the government and kept its reins firmly in their grip. It is thus no surprise that the government consciously adopted a passive strategy, declining to offer anything on its own initiative or to produce a comprehensive vision of transitional justice. Instead, it grudgingly dealt with the demands of the pro-revolutionary forces with the minimum level of seriousness required to deflect suspicion while attempting to limit the damage as much as possible.

The study argues that the pressure imposed by the circumstances of revolution obliged the government to take a series of measures which, although important, are nonetheless not sufficient to meet the demand for transitional justice, and do not point to any comprehensive and coherent vision driven by political will. However, things changed with the victory of forces that back transitional justice in the National Constituent Assembly elections. Diffidence gave way to political will, improvisation to a comprehensive vision, and a passive strategy to a positive and coherent approach. The new government presented transitional justice to its public, who seized on it and helped to sketch out its requirements. This led to the ratification of a law representing a major development in the global history of the concept of transitional justice, which gave it solid form and ultimately enshrined it in the constitution. The concept was thus brought down from the land of lofty ideas and grounded in reality, where it will inevitably be tied to the balance of power between different political forces.
Adnan Nouioua is an assistant professor of law, Institute of Technological Studies of Bizerte, Tunis. He received his PhD in public law from the Faculty of Law and Political Science of Tunis in 2018. His research interests span from anti-corruption to transitional justice. He has participated in many conferences including on Corruption in International Trade and International Commercial Arbitration and on the role of the Truth and Dignity Commission for the martyrs and tragedies of the revolution.

Anti-Corruption in the Transitional Justice Framework

The paper attempts to link transitional justice with anti-corruption in Tunisia and examines the impact of this relationship on the process of democratic transition. The paper examines the legal and practical difficulties that have faced the transitional justice process, especially after the promulgation of Law 53 in 2013 on the establishment and organization of transitional justice. It demonstrates the evolution of Tunisian state anti-corruption action in the field according to official reports and files from the Tunisian judiciary. Tunisia’s new constitution charged the state with the task of combating corruption, and the parliament passed a series of related legal texts, including a code of good governance and anti-corruption, a law on protecting whistleblowers and a law to regulate earnings and interests and combat illicit profits and conflicts of interest in the public sector. However, the paper indicated failures to combat corruption in the transitional justice process, highlighted by the inability to hold businessmen involved in corruption to account, and the negative repercussions of this on the process of democratic transition. The paper also demonstrated that the failure to achieve economic reconciliation allowed profits from corruption to circulate in public life, and that the businessmen involved in corruption sought protection and immunity by injecting money into financing political entities that compete for power and seek to influence public decisions. The paper studied specific cases and focused on the failure to activate the reconciliation mechanism, in the spirit of transitional justice, and concluded that the integration of anti-corruption in the transitional justice process requires moving from revolutionary solutions to reform solutions. This requires the state and all parties concerned to accept a range of solutions relative and proportionate to the logic of transitional justice that differs from traditional justice.
Ahmed Idali

Ahmed Idali is a professor in political science at Ibn Tofail University in Morocco. He received a PhD in Political Science from the University of Mohammed V in Rabat in 2006 and is a founding member of the Contemporary Legal and Political Studies research team at the Faculty of Legal, Economic and Social Sciences, Ibn Zohr University, Agadir. His research interests range from political philosophy, systems analysis and public policy, to the study of political and social transformations in the Arab world. His latest research includes a paper on the Iranian and Saudi roles in Yemen and their impact on the democratic transition process.

Forgiveness and Truth in South Africa: the Achievements and Impasses of Transitional Justice in a Post-Conflict Country

This paper explores whether and to what extent the South African Truth and Reconciliation Commission has succeeded in managing the legacy of grave human rights violations in a way that serves political stability, soothes memory and heals the scars of the past and then establishes the foundations of restorative justice that replaces the narrative of violence and blood. Furthermore, the paper asks: Has the Commission succeeded in reconciling the need to grant amnesty with the need to reveal the truth and enforce justice, or has justice been bartered for amnesty? Does an amnesty, even conditionally, not appear to be a form of immunity for the perpetrators? Is it an arbitrary oblivion that obscures truth and memory, a risk that does not guarantee overcoming evil, or otherwise seems a moral wager necessary to move from a wretched to happy memory?

The paper explained how the Truth and Reconciliation Commission sought to reconcile the urgent need to achieve political stability and civil peace, and the duty to reveal the "truth", occupying a middle position between punitive justice and universal amnesty. The Commission thus distanced itself from retaliation and has worked to re-establish an ethical system based on understanding and to replace criminal punishment with social stigma. The paper argues that the Commission was relatively successful in lifting South Africa out of devastating bloody conflicts and achieving political stability and was able to balance the need for closure with the duty not to forget. However, the experience of transitional justice in South Africa, at a more advanced level, suffered shortcomings that affected the country's ability to heal the social fabric and establish a lasting peace.
Ahmed Ndari is a Mauritanian scholar and professor at the modern University of Nouakchott. He received his PhD in public law, specialized in international law and international relations, from the Sidi Mohamed Ben Abdellah University, Fez, in 2015. He has been an associate member of the Arab Council for Social Sciences in Beirut since July 2017. His research interests range from state issues in Mauritania and the Arab world to foreign policy, civil-military relations, democratization, and women’s political empowerment. He has published several papers, including a comparative study on US and European attitudes towards the Arab Spring revolutions and the conflict of separation between state and traditional structures in Mauritania.

**Mauritania between the Magnitude of the Heritage and the Intractability of Transitional Justice**

This paper seeks to approach the issue of transitional justice in Mauritania by attempting to identify the steps taken by the state in this area and to consider whether it is suitable to the heavy legacy of human rights violations that the country has experienced, and whether it offers sufficient redress for the victims. The paper traces the legacy of abuses in Mauritania chronologically, from targeted killings of opposition and representatives of ethnic minorities to widespread persecution and the executions and arrests of those involved in the coup attempts in 1981, 1987 and 2003 in addition to the practices of torture and the remnants and legacy of slavery. The paper argues that Mauritania, despite these grave human rights violations that took place under both civilian and military rule, is yet to see transitional justice, and that it can at best be described as an experience in the making. Thus, this paper is focused primarily on the need for transitional justice, the actions taken in this regard and the obstacles it has encountered.

The paper concludes that the Mauritanian approach to the issue of transitional justice has been governed by immediate requirements, such as the need to emerge from the events of 1966, or to obtain funding or loans from Western financial institutions, or to solve crises, such as a coup d’état. In 2005 and 2008, the two major Western powers imposed numerous conditions on the leaders of the coups in order to recognize their legitimacy, and some conditions related to the transitional justice process. The paper also concludes that the involvement of external parties, including the United States, France and Senegal, in that process of transitional justice, had negative repercussions and contributed to its politicization, which led the governing authorities in Mauritania to view the issue with suspicion.
Ahmed Othman is a Tunisian academic and researcher. He is a professor and member of the Research Unit at the Faculty of Humanities and Social Sciences at the University of Tunis, where he received his PhD in 2016. His research interests range between democratic transformation and study of protest movements and elections and electoral behavior. He has published a number of studies including "The Tunisian Youth between Revolution and Elections" and "Social Movements in Tunisia".

Sociodemographic Characteristics of Victims Subject to Transitional Justice Through the Truth and Dignity Commission in Tunisia

This paper discusses the sociodemographic characteristics of the victims subject to transitional justice in Tunisia. It seeks to highlight the importance of discussing the progress of transitional justice by providing a better understanding of the reasons and contexts for the violations under study. This can be done by presenting the sociodemographic traits of the victims subject to transitional justice, the contexts within which the events that made them victims took place and the nature of the violations they fell victim to.

The paper attempts to evaluate the Truth and Dignity Commission's ability to achieve the aims and purposes that have been set out for it. Has it ensured that it is independent from political parties and calculations? Has it been able to uncover the truth and give the victims justice while maintaining sufficient distance from the logic of retribution? Does the Commission represent a historic turn in how the "troubled" historical memory of a people who labored so long under despotism is dealt with? Or is it simply another committee in a society unfamiliar with institutions of this kind? The paper presents a sociodemographic description of the victims subject to transitional justice in Tunisia. It categorizes victims by age, gender, level of education, province, the nature of the punishment and its consequences (execution, life imprisonment, psychological and physical consequences), and methods of torture. The paper shows the vast scope of the files and the number of victims subject to transitional justice through the work of the Truth and Dignity Committee. It shows that "fragile" democratic transition has allowed for a relatively successful implementation of transitional justice, and that this Commission has managed – considering the limited time and resources available – to accomplish the goals for which it was created, at least in theory. It is now the responsibility of the institutions to which the Commission has referred complaints to adjudicate them and prosecute those responsible, and then to move on to whatever reconciliation is "possible".
Azza Sleiman is a professor at the Faculty of Law and Political Science, Lebanese University. She received her law degree from the University of Paris II in 2009. Her research focuses on governance, social responsibility, legal culture, women's rights and civic systems. She has published several research papers, the latest of which looks at the effectiveness of judicial institutions in attaining justice and reducing violent extremism, published in the Journal of the Social Sciences Institute, June 2019, and is a member of CEDREF Paris Diderot.

The Missing Persons Crisis after the Lebanese War and the Establishment of Transitional Justice Standards (Detainees in Israeli Prisons) (co-authored with Laure Abi Khalil)

The paper focuses on the missing persons crisis following the Lebanese civil war, starting with the amnesty act for the perpetrators of crimes related to events that took place during the war. The paper argues that this law, which constituted the threshold of transition from war to peace, was one reason that no transition to peace was initiated and for the perpetuation of impunity for war crimes. The missing persons of the civil war are a testimony to the deterioration of the rights of victims and their families during the different political periods that have passed from 1990 until 2018. The experience of the families of missing persons constituted a civil model of providing a peaceful mechanism to seek the various rights enshrined in the concepts of transitional justice, besides their demand that the kidnappers be punished. These rights were represented in the right to know and preserve memory in order to prevent future crimes and to demand a strong state of law and strong institutions to protect democracy and re-establish legitimacy. These people have consolidated a special type of transitional justice based on the Lebanese conflict and its sectarian environment.

The paper showed how lawmakers viewed the amnesty adopted to end the civil war as a quick fix to establish peace and not to heal the wounds, nor did it take into account the rights of the families of missing persons who were excluded from any solution. In doing so, the legislator built on the right to self-determination. In this context, the principle of collective right is gone, and the political vision is unfair. The feeling of injustice and institutional abandonment prevailed under the umbrella of coexistence. The paper concludes that access to the foundations of good governance for building the Lebanese state must be based on the concepts of "conflict governance". It is based on the foundations of transitional justice of democratization, social rebalancing, social justice and national bonding. The legitimate forces of transitional justice were found to be the basis for nation-building.
Chafik Abdelghani is a professor of sociology at Ibn Tofail University in Morocco. He received his PhD in Sociology from the Mohammed V University in Rabat in 2013. He is the Director of the Ibn Khaldun Centre for Studies and Research on Values and Society. His research interests range from studying elites and social movements to identity, values, youth, migration and integration. He has published a number of papers as well as a book on the Sociology of Moroccan Elites, which studies the local political system and its functional mechanisms.

**Equity and Reconciliation, and Reconstructing the Memory of Ashes and Bullets in Morocco: An Unfinished Process of Transitional Justice**

The paper explored - through criticism and evaluation - the dimensions of the Moroccan attempt to establish the tumultuous history and move forward through the collective memory. It looks at the so-called "years of lead" in Morocco’s social and political history and the resulting initiative that sought to restore wounded memories, and move beyond the state of "amnesia," disturbing the collective memory. The paper argues that as long as reconciliation was intended to prepare victims for peaceful coexistence with those who had abused them, the Moroccan State had to take responsibility for its mistakes. By acknowledging their grave violations of the rights of victims, while encouraging victims to reveal their suffering in public sessions, it intended to break the silence and uncover taboos that remained silent in the social and political history of modern Morocco. The paper sought out the most important constraints and impediments to transitional justice in Morocco, asking: To what extent has the Equity and Reconciliation Commission achieved its objectives? What are the legal and political effects? Are there institutions to ensure transitional justice in Morocco? To what extent did they succeed? What obstacles did they face?

The paper concluded that the equity and reconciliation process in Morocco revealed a political pragmatism that prompted the state to seek an alternative to punitive justice, in a context where those responsible for serious human rights violations could not be punished. This happened in an atmosphere where the state itself was seeking to rebuild a political legitimacy that erased the memory of the past. The option of truth and reconciliation was then presented as a practical preference, supported by the state and some political parties under the rationale of facilitating democratic transition, justified by through alternative means of punishment, replacing punitive with "transitional" justice.
Haider Saeed is a researcher and the head of the Research Department at the Arab Center for Research and Policy Studies and chief editor of the Center’s Siyasat Arabia journal. He received his PhD from the University of Baghdad in 2001. He contributed to the Iraqi National Human Development Report from 2018-2014. He is the author of several books, including Arab Shi’a: Identity and Citizenship (2019, forthcoming), The Politics of Symbols: The End of State Culture in Iraq (2009), and Literature and Representation of the World (2002). He oversaw a research team that produced a 2008 study of the state of the social sciences in Iraqi universities.

Transitional Justice in its Political and Cultural Context: The case of Iraq

This paper gives a survey of transitional justice legislation in Iraq and the development of the concept since the Iraqi opposition first made it an explicit project in 2002. It begins with the Debaathification Law passed by the US Occupation Administration in 2003 before moving on to the Accountability and Justice Law implemented by the Iraqi parliament in 2008. The development of these laws does not only represent an elaboration of the concept of transitional justice but also shows how the program has gradually become a tool in sectarian conflict.

The paper examines the extent to which the transitional justice project in Iraq has been able to move beyond a retributive philosophy based on the Islamic concept of qisas to a modern philosophy based on deterrence. The paper finds that the collapse and failure of the state have contributed to the victory of the retributive idea. Theoretically, it concludes that the experience of transitional justice is ultimately inseparable from the cultural and political context in which it is implemented. The paper also examines some fundamental gaps in the transitional justice program implemented in Iraq. As well as its role in sectarian conflict and the fact that it has been understood by some groups as specifically targeted at them – and in addition to the fact that it has been implemented not within a context of reconciliation but in an atmosphere of conflict (contextual problems which have stymied the program) – there are also gaps in its content. One of these, perhaps the most important, is that it has been presented as collective punishment of particular beliefs and political choices. The paper shows that transitional justice in Iraq – a program feted internationally – cannot be effected either generally or theoretically without a context that provides the full package: national reconciliation, a common management of memory, etc.
Laure Abi-Khalil is a professor at the Faculty of Law and Political Science and the Institute of Social Sciences, Lebanese University. She received her PhD in Political Science from the Lebanese University in 2015. Her research focuses on governance, violent extremism, social policies, and the role of civil society. She has published several papers, including on political discourse and its impact on the social structure in Iraq and on the civil movement in Lebanon. She is a member of the political social sciences laboratory of the Institute of Social Sciences.

The Missing Persons Crisis after the Lebanese War and the Establishment of Transitional Justice Standards (Detainees in Israeli Prisons) (co-authored with Azza Sleiman)

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Mahmoud Hamad is an Egyptian associate professor in the department of political science, Cairo University. He received his PhD in Political Science from the University of Utah, US in 2008. He has published extensive research on democratic transition and the political role of the judiciary and constitutional reform. One of his most recent books is Judges and Generals in the Making of Modern Egypt: How Institutions Sustain and Undermine Authoritarian Regimes, published in English by Cambridge University Press in 2018.

Transitional Justice in Libya: Legislation Ineffective in Reality

This paper deals with transitional justice in Libya after the fall of Gaddafi in three sections. The first reviews the various legislation related to transitional justice since the outbreak of the February 2011 uprising. It concludes that, unlike many countries that suffer from the scarcity of legislation on transitional justice, quite a few constitutional declarations, laws and decisions directly related to transitional justice have been issued in Libya. The second section analyzes the reasons behind the failure of legislative efforts to activate an integrated program of transitional justice, concluding that some of these reasons were generally linked to the stalled post-conflict political transition process, while others were related to the inadequacy of transitional justice legislation itself. Successive Libyan governments have failed to unify state institutions and have also failed to disarm the numerous militias and integrate them into the state’s security and military apparatus.

The obstacles hindering the legislative drafting process are evident in the Libyan case, most notably the absence of legislative planning and strategizing, the lack of effective dialogue between the parties to the legislative process, in addition to the low quality of legislative drafting. The third section outlines the requirements for implementing a transitional justice program in the short and medium term. It concludes that comprehensive transitional justice in Libya depends on consensus among the regional and international actors involved as well as four requirements. These are identified as: a stable constitutional system that prioritizes transitional justice; the unification of state institutions; achieving reconciliation on the ground, and finally a national consensus on the most appropriate transitional justice program.
Mohamed Ahmed Bennis is a Moroccan researcher at the Regional Center for Education and Training Professions in Tangier (CRMEF). He received a PhD in political science from the Mohammed V University in Rabat in 2004 and a university qualification from Abdelmalek Essaâdi University in Tétouan in 2019. His research interests range from democratization to political elites and transitional justice. He has published numerous papers, including on Human Rights and the performance of the Moroccan state in the field of rights and freedoms, and on liberalization without democracy, looking at the role of external factors in the stability of Moroccan authorities.

**Truth Commissions in Latin America: A Comparative Study of Founding Dynamics and the Politics of Memory**

This paper discusses the roles played by Latin American truth commissions in establishing transitional justice, comparing the three main experiences of Argentina, Chile and Peru. It explores the contexts that have allowed these experiences to accompany democratic transition, by detailing the dynamics behind the establishment of truth commissions and identifying the roles of actors in managing the tension between the demands of the victims and the requirements of reconciliation and civil peace.

The establishment of truth commissions was linked to the nature of the challenges faced by Latin countries undergoing democratization and overcoming the legacy of past abuses. While these challenges reduced the crisis of legitimacy that engulfed these regimes and led them to engage in this transition, they also highlighted the potential that these commissions provided for actors to manage the tensions of this transformation. Their establishment was therefore part of dynamics closely linked to confronting the problem of impunity and formulating a new political narrative. These commissions worked on the formulation of general memory politics to accommodate their problems, both regarding the suffering of victims and national reconstruction and worked hard to react to these problems within their capacity. The arguments of truth, justice, forgiveness and civil peace in these experiences reveal the multifaceted nature of transitional justice. The paper also demonstrated how the truth commissions in these countries have made a relative adjustment in the power relations between the elites of the former regimes, and those aspiring to formulate a new social contract that will help establish democracies to protect against the repetition of past violations.
Mohamed Khalifa Sadiq is a Sudanese researcher and assistant professor in the Department of Political Science at the International University of Africa in Khartoum. He received a PhD in Political Science from Omdurman Islamic University in 2015. His research focuses on the topics of elections, political communication and Islamist movements in East Africa and Sudan. Specialized in security and outlook studies. He has published several studies and books on Border Security Management and Political Communication.

**Arab Roles in Transitional Justice: the Doha Document for Peace in Darfur**

This paper examines the Arab role in dealing with a conflict in Sudan and the legacy of the violations that accompanied this conflict. The Doha peace agreement - sponsored by Qatar and bringing all parties to the Darfur conflict together - was an exceptional Arab experience. The paper questioned the extent to which Arabs can contribute to the development of integrated programs in transitional justice and serve as a reference at a global level. The paper introduces different aspects of the Doha Document for Peace in Darfur and the mechanisms it used for transitional justice, such as the special court for Darfur. It also looks at the traditional justice and reconciliation mechanisms in Darfur society. It discusses transitional justice institutions based on the Doha Document, such as the Commission for Justice, Truth and Reconciliation, Truth and Reconciliation Commissions, the future of the Document and its relevance to similar problems.

The paper demonstrated that the Doha Document differs from most of the experiences of transitional justice that were conducted according to the initiative of the state itself, or with Western or international mediation. It originated in an Arab context and was free from the pressure and suspicion of the mediator. Transitional justice mechanisms that were theoretically well established and produced accountable institutions were adopted. The paper concluded that the Document gained the satisfaction, acceptance and support of all parties, given that it addressed the problem at its roots, and responded to the aspirations of the people of Darfur for justice and reconciliation. However, despite the framework’s quality, it encountered numerous setbacks due to the failure of parties to the conflict to fully meet their obligations and the failure of international donors to fulfil their commitments to the peace process.
Mohamed Saadi

Mohamed Saadi is a professor of political science and human rights at Mohamed Premier University in Oujda, Morocco. He received PhD from the same university in 2002. A member of the International Society for Political Science and the Arab Council for Social Sciences, his research interests range from studying developments of the Arab Spring to new youth political expressions and the social and human rights of vulnerable groups.

The *Rif* Movement and Painful Collective Memory: Recognition as a Prelude to Reconciliation with the Wounds of the Past

This paper examines the issue of memory in rural Morocco. The people of northern Morocco, generation after generation, agreed upon the duty to preserve memory. This memory, tainted by experiences of injustice, oppression and excessive violence used by the establishment is almost unified among all rural people, transcending time and space. The paper shows how the collective memory in the countryside is constantly at work and constitutes a source of psychological and physical purification and release. It is actively used to build a coherent identity for mobilization that spontaneously coalesces with current-day issues, and forms an intimate connection between this memory and its moments of production, reproduction and evocation. The paper argues that a problem, as a memory, is difficult to heal and mourn, but it is also a self-explanatory memory of a range of historical events that the region has experienced. Therefore, rural people tend to fence in their symbolic historical imagination and shut the lid on their own tragedy.

The paper notes the systematic economic marginalization of the region, which is no longer sufficient alone to gain a deep understanding of the dynamics generated by the rural movement that started in November 2016 after fishmonger Mouhcine Fikri was tragically crushed in a garbage truck. It is not possible to understand the extent of the rural youth’s frustration, discontent and apprehension towards state institutions without invoking the self-history and memory of the countryside. This paper seeks to reveal the representations of rural youth in popular movements, and how they identify with the narratives of collective memory. It also identifies reasons behind the iconic presence of the historical leader of the countryside and Morocco, Abd el-Krim el-Khattabi in marches and slogans. It concludes by evaluating ways to achieve genuine recovery and reconciliation of the rural collective memory.
Mohamed Tahir Khanisi

Mohamed Tahir Khanisi is a lecturer in Private Law at the Higher Institute for Applied Studies in the Humanities at Jendouba University, Tunisia. He holds an MA in Law and Political Science, and is currently working on a PhD thesis in Private Law. Between 2016 and 2018 he worked as a legal researcher on the Truth and Dignity Commission’s Research and Investigation Committee, heading a research team specializing in human rights violations against the Tunisian left between 1955 and 2013. His publications include "Prosecutions Against the Tunisian Left (19552013-)", published by the TDC.

Outcomes of Transitional Justice: Assessment and Looking Forward

This paper evaluates the transitional justice process in Tunisia and the ultimate outcomes of the work of the Truth and Dignity Commission, discussing the objectives of the process as set forth by the Tunisian Legislature in Law 532013/. Based on analysis of legal documents and progress reports, it approaches the issue from three different directions. The first section considers the legislative policy governing transitional justice in Tunisia. The second section assesses the TDC’s management of transitional justice. The third section evaluates the administrative and legal running and outcomes of the TDC’s activities and the extent to which it succeeded in carrying out the duties ascribed to it.

After explaining the legal and constitutional nature of the TDC, the paper reviews a series of concepts introduced by the law bringing it into being, including "violation" and "victim". It outlines the TDC’s powers and its relationships with other institutions and critiques them in light of their practical functioning. Against the problems pertaining to the internal running of the TDC, the study describes the legal conflicts it has thrown itself into in confronting other institutions, explaining the various controversies surrounding its work and its archive as well as the crisis regarding the interpretation of certain articles of its establishing law. This section concludes with an assessment of how much this confrontational environment influenced the outcome of its operations. The paper also shows that while the rising level of internal conflict within the TDC, its numerous conflicts with other state institutions and the lack of legal competence within its council have meant that most assessments of its activities conclude that it has failed, it does nonetheless have certain achievements to its name, as shown by its final report. It is clear that it is in the interest of the victims as the most important stakeholders in transitional justice for the work of the TDC to be completed. Nonetheless, the demands for transitional justice are not those of particular groups but of society as a whole. And even if the TDC is not able to uncover the full truth or hold those responsible to account, its continuing progress demands on assessing and learning from the TDC’s achievements, as well as creating opportunities to clear the national air and build the pillars of trust, tolerance, justice and law.
Mohammad Meziane is a Moroccan professor of higher education in contemporary history, Faculty of Arts and Humanities, Ibn Tufail University, Kenitra. In 2013, he received his PhD from Sidi Mohamed Ben Abdellah University in Fez. His research focuses on issues related to state development in the Arab world in general and the history and memory of Morocco. He has published research extensively, including on Moroccan collective memory and the challenges of globalization, a chapter in a book about Memory, History and Moroccan Identity, published in 2019.

**Historical Knowledge between Memory of Pain and Achievement of Social Reconciliation: The Case of Morocco**

The paper deals with the role of memories of trauma and pain — the memory of those who have suffered arrest, abduction and other abuses, to write a more objective, consensual and reconciled national history. The paper details the experience of the Equity and Reconciliation Commission, launched by Morocco in 2004 to overcome grave human rights abuses and to seek transitional justice. The paper monitored the political spillover of the debate that established the concepts of reparation, equity, reconciliation, transitional justice and democracy. It stressed that the testimonies presented during the hearings and the arrest warrants are important for historical knowledge, which benefits from the widened margin of freedom, the transformation of the individual into an actor and witness in history, hearing marginalized voices, and the decline of the centralized dominance of the main actor in historical writing. The subject is approached through samples of testimonies and memoirs of former perpetrators and detainees, with a view to assessing the extent to which their memories contribute to articulating detailed events in the history of Morocco. These memories are characterized by recovery from the experience of detention and torture but are written in a present characterized by a kind of détente and reconciliation.

The paper emphasized the responsibility of the historian to highlight the past in contrast to the present, in a manner that helps to produce historical knowledge reflecting multiple and conflicting memories. As transitional justice is based on uncovering the truth, it becomes the ultimate objective of the historian. The historian is thus most qualified, given their methodological tools enabling the scrutinization and presentation of testimonies and confessions, to objectively serve transitional justice in Morocco.
Mohammed AL-Hemyari is a Yemeni researcher working at Al Jazeera Media Network. He received his MA in Sociology and Anthropology from the Doha Institute for Graduate Studies in 2018. His research interests include political society in Yemen and the Gulf; the role of tribes in Yemen; the Houthi movement; and the demographics involved in Islamist groups. His research contributions include a paper titled "The Transformations of Modern Salafism in Yemen: the Yemeni Al Rashad Union" at the Salafism: Transformations and Future conference (Istanbul, August 2018).

Transitional Justice in Yemen: Importance, Progress and Challenges

This paper argues that despite a not insubstantial period of discussion and compromise between Yemeni political forces under the auspices of the 2011-2014 National Transitional Justice and Reconciliation project, transitional justice in the Yemeni case remained in the realm of discussion and did not become a practical reality. It then stopped abruptly with the Houthi coup and the end of the political process in September 2014, which plunged the country into a storm of internal conflict and foreign intervention from which it has not yet emerged. The paper focuses on transitional justice and national reconciliation in Yemen and is divided into three sections. The first section addresses the importance of transitional justice in the Yemeni context, examining the concept of transitional justice generally before looking at a selection of events and political conflicts from Yemen’s modern history and their political and social impact on the formation of the Yemeni state. The second section concerns itself with the progress of the transitional justice project, tracing the discussions revolving around it and the forms that they took. It begins with the first discussions held in the streets and squares around the 2011 Transfer of Power Agreement. It then considers the three drafts of the National Transitional Justice and Reconciliation Law prepared by the Ministry of Legal Affairs in the National Unity Government and the numerous debates and disagreements that surrounded the draft law in both the cabinet and the plenary meetings of the National Dialogue Conference concluded in early 2014, whose final document included various constitutional directives including transitional justice and national reconciliation. The third section discusses the challenges faced by transitional justice in Yemen, particularly with the collapse of the political process and the 2014 coup overturning the hard-won agreement that most Yemeni political forces had signed up to. The same applies to the impact of the subsequent war and the possibility of returning to the transitional justice and national reconciliation project.
Collective Memory between History and Forgetting

The central problematic of this study is the tense relationship between peoples' collective memory, history and forgetting, as well as the subjection of some of these peoples to the most radical forms of violence: wars of extermination, ethnic cleansing, expulsion, and systematic political repression. Although some of these peoples have begun processes of so-called transitional justice - either through political reconciliation processes or by implementing justice in retribution against the criminals – the problem of memory continues to rear its head because of the various roles it plays and problems it presents in its relationship with history and forgetting. This study contends that memory has occupied and continues to occupy the place of history, with historical testimonies have taken the place of historical documents. This presents a problem: what role does memory play in academic history. Memory has thrown its full weight onto both the past and present of these peoples. It has become an authority above all others because it constantly evokes the past and uses it as a lethal weapon, creating a so-called "duty to remember" – a duty that imposes itself today across Europe in general and with respect to the Jews in particular.

By tying the occupation of memory to history we make the latter no more than a meaningless process of documentation. The most famous trials have depended less on actual historical study than on testimony and memory. Despite the fact that they are both subjective and backward-looking, these two phenomena have found a home for themselves in transitional justice. In opposition to these approaches to memory and the revival and perpetualization of memory, do these victims, these people, not have the right to enjoy the blessing of amnesia? Deliberate forgetting is a social medicine for the pains of the past. What is the meaning of a life lived constantly under the weight of the past, dogged by the ghosts of executioners? What is the value of remembrance, immortalization, glorification, and constant media consumption of memory? The duty to remember forces them to reopen their wounds, to live a present marked forever by the past – or a past that is present in the present. And many victims driven by excessive glorification of memory and this duty to remember become in their turn symbolic executioners of a new kind.
Transitional Justice Gone Astray and the Fragility of Democratic Transition in Morocco

This paper raises the issue of the deviation of transitional justice in Morocco and the fragility of democratic transition. It frames the Moroccan transitional justice experience within the second generation of transitional justice and monitors its relationship with the formal structure of the state. The Moroccan experience is different from many other local experiences in that it embodies a transition from an authoritarian regime to an open one, not a transition from war to peace. Political change in the country was not the result of a revolution, but of the use of state violence, which remained the main source of abuse. The paper demonstrates the evolution of the Moroccan experience, starting with the establishment of the Equity and Reconciliation Commission conceived by the political system, which worked on it internally. But this has greatly affected its efficiency. Its capacity cannot exceed the limits defined by the regime, leaving it merely a political body, albeit with legal implications, subject to the constraints of the Moroccan political reality. The paper emphasized that, despite the initial apparent success of the Equity and Reconciliation Commission, this example of successful transitional justice in the Arab world needs a more critical review. The paper concludes that the Moroccan transitional justice experience, based on the notion of "justice to the extent that it is possible" ultimately left it incomplete, while not enjoying enough momentum to encourage broader institutional reform. It also concluded that although Morocco has, in recent years, undergone a kind of human rights recovery, it still has pockets of legal injustice highlighting the absence of the rule of law.
Nouri Dris is an Algerian researcher and lecturer in the Department of Sociology at the University of Mohamed Lamine Debaghine -Setif2, and head of political sociology in the same department. He received a PhD from the same university in 2017. His research interests include democratization, civil society, rentier economies and their impact on democratization in the Arab region, political clientelism and corruption. His published works include a paper on the army and the state in Algeria, tracing its path from a populist to a neopatrimonial state and his forthcoming translation of Addi Lahouari’s book Deux anthropologues au Maghreb: Ernest Gellner et Clifford Geertz.

The Ideological and Historical Dimensions of Algerian National Reconciliation

This paper analyzes the ideological implications of the Charter for Peace and National Reconciliation adopted in Algeria in 2005. It was intended to solve the security and political crisis that engulfed the country in the early 1990s when the Islamic Salvation Front resorted to armed violence against the political authority and the electoral process. The paper takes the premise that the Algerian crisis resulted from the clash of two ideological republics, the first based on nationalist populism, and the second on religious populism. It raises the following questions: What is the ideological and political background of the Charter for Peace and National Reconciliation? What perceptions about the crisis can be identified from the solutions the Charter proposed? What prospects does the Charter offer on the question of democratic transition in Algeria? Should it be repeated or undone?

The paper illustrates how populist perceptions of the political and social were strongly present in this charter, having been placed in the context of a military "victory". Policy-wise, the paper argues that this document enshrined the fragmented authoritarian perceptions of democratic transition and provided a legal cover for authoritarians to continue the process of undoing it. After examining the historical roots of the ideology of the Algerian political system, the paper analyzed the contents of the Charter for Peace and National Reconciliation. It concluded that the Charter for Peace and Reconciliation, which was presented as a final and irreversible solution to the crisis, played down the political dimensions of the crisis and reduced it to a security problem caused by public enemies. It also capitalized on the tragedy and turned it into a political resource to legitimize President Abdelaziz Bouteflika’s 20-year reign, which only came to an end after a popular uprising led by the new generation.
Said al Haji

Said al Haji is a Moroccan professor of contemporary history at Sidi Mohamed Ben Abdellah University, Fez. He received his PhD in Contemporary History from the University of Mohammed V in Rabat in 2015 and is a founding member of the Executive Office of the Takamul Center for Studies and Research in Morocco. He is specialized in the contemporary history of Morocco, in particular the liberation struggle against colonialism from 1912-1956 and the construction of the post-colonial Moroccan national state. He has participated several conferences and published extensively on topics such as religion and national identity and the image of the Nakba in Moroccan Society.

The Moroccan Equity and Reconciliation Commission: Historiography as a Way to Address Wrongs (The Case of Abdel Salam El-Taoude)

The paper examines the experience of the Equity and Reconciliation Commission in 2004, in providing reparations for victims of human rights abuses. It aimed at providing closure for gross violations, both immediately after independence, and in the 1970s and 1980s, during the "years of lead." The paper addresses several problems, including formulas for meaningful reparations, especially when the families of the victims demand the use of the evidence on which the transitional justice commissions were based. This paper argues that, as history, it must be written in order to secure meaningful redress for the victims.

The paper questions the impact of these measures on the victims’ families, and how effective they were in helping them achieve closure. Considering their demands for more than just material compensation, especially the history of violations to be written, historical writing is best suited to serve the collective memory. Reconciliation is thus linked to an objective history that clearly described those involved. The paper enlists the example of Abdel Salam al-Toud; a Moroccan who was kidnapped in 1956 from the city of Tetouan and whose remains were found in the Moroccan city of Ghafsai in 2010. His family has accused certain political parties of involvement and to this day demands the truth, and that the history be written in a way is fair to other victims. The paper assesses ways to achieve meaningful reparation through historical writing, from the conclusions of transitional justice commissions, and if transitional justice can reach objective conclusions that avoid confusion between memory and history, and if attaching information to political conflict prevents writing a history that is fair to the victims.
Sidna Musa Hananah

Sidna Musa Hananah is an associate professor at the modern University of Nouakchott in Mauritania. He received a PhD in political science from Hassan I University in Morocco in 2016. His research ranges from security issues in the Maghreb, Sahel and Sahara, Maghrebi integration and European-Mediterranean relations. His published research includes papers on the security dimension of Moroccan-African relations and the geopolitical factors of instability in the Sahel-Saharan region.

Transitional Justice after Civil Wars (Rwanda and Sierra Leone)

This paper examines civil war and transitional justice through the study of the experiences of Rwanda and Sierra Leone, the first of which witnessed an ethnic genocide in 1994, and the latter an 11 year civil war that broke out in 1991 against the background of the struggle for power and wealth. In the aftermath of the war, the two countries relied on transitional justice mechanisms to reduce impunity and achieve national reconciliation. Despite the horrors and grave human rights and international humanitarian law breaches in both countries, the introduction of transitional justice mechanisms appears to have contributed to the transition from war to peace and stability. Rwanda has seen significant successes in establishing a nation based on citizenship and overcoming ethnic division to become an African country known for good governance. Since the end of the civil war, it has also undertaken institutional reforms in several sectors with the aim of rebuilding the state. This calls for an investigation of the transitional justice mechanisms applied in both countries to overcome violent conflict and accomplish political and social stability.

The paper identifies the mechanisms of transitional justice that have been used in both countries and reviews their commissions. It compares the operating modes of these mechanisms and commissions and evaluates their success in achieving reconciliation and reducing impunity, detailing the difficulties encountered and lessons learned. The paper concludes that the success of the two experiences can be attributed to the political will of the new authorities, cooperation with international organizations and human rights bodies, and adopting a comprehensive approach to transitional justice that combines trials and quasi-judicial means to uncover truths and facilitate reconciliation.
Sofia Hanezla is a Tunisian researcher at the Arab Center for Research and Policy Studies. She received a master’s degree in sociology and anthropology from the Doha Institute for Graduate Studies in 2017 and a master’s degree in Arabic language, literature and civilization from the Faculty of Arts and Humanities in Sousse, Tunisia. She has contributed to several research projects, including the "Tunisia in Transition Project", in cooperation with the German Academic Exchange Service DAAD.

Transitional Justice Discourse in Tunisia and the Construction of Categories: A Matrix of Time/Place/Body/Memory

This paper examines transitional justice as a discourse within which conflicting power relations are intensified. It introduces a new conceptual matrix to approach this path in Tunisia, based on time/place/body/memory that is at the heart of the transitional justice discourse structure. Several questions are raised to this aim, including: How can the process of transitional justice be understood as a discourse with the power to produce categories? How does transitional justice create categories of times, places, and bodies? What collective memory does transitional justice produce? Is it possible to deconstruct this discourse?

The paper focuses on the techniques and structures of transitional justice discourse, and attempts to uncover disintegration within that discourse itself, using a qualitative content and discourse analysis approach. Finally, the paper attempts to consider the possibilities of deconstructing transitional justice discourse. The theoretical structure dismantles transitional justice discourse by articulating the various temporal, spatial and bodily categories within it, in order to establish a narrative of Tunisian collective memory. Transitional justice discourse relies on specific rituals overseen by specific institutions. These rituals are built through the performance of categories (temporal, spatial, body), which are transformed through repetition over time into identities that control the individual’s own performance in reality. The role played by the individual is thus the one assigned to them by the category. This theoretical structure opens up the possibility of looking at disruptions or shifts in performance through which the transitional justice discourse redefines the category or assigns it to different individuals or groups. Finally, this structure enables opens up other spaces to deconstruct or counter the transitional justice discourse in order to break or reassign/reconstruct the matrix.
Experts

**Bogusław Tomasz Czerwiński**
The prosecutor of the Institute of National Remembrance (the IPN) in Commission for the prosecution of crimes against the Polish Nation in Warsaw, Poland. He has a master’s degree in law from the University of Szczecin. He involved in conducting the most important investigations against communist perpetrators such as the martial law cases, the Massacre in ‘Wujek’ Coal Mine, the killing of Jerzy Popieluszko, the priest and the killing of Polish citizens on former Czechoslovak and Austrian border. He is the IPN’s coordinator of the investigations concerning German Nazi concentration camps. He acts as the Contact Point of the ‘Eurojust’ Genocide Network. Czerwiński wrote many articles on the crimes committed during Nazi and communist regime in Poland.

**Hooria Mashhour**
Hooria Mashhour was the Yemeni Minister for Human Rights from 2011 to 2014. She studied at the Faculty of Economy and Political Sciences at Cairo University and Karl Marx University in the GDR as well as the University of Aden. Since 2019 she has been the UN’s special envoy to Yemen. She was the senior editor of the newspaper *Yamaniyya*, and from 2015 to 2019 was a consultant at the Yemeni Center for Transitional Justice. From 2000-2010 she was deputy head and then head of the National Committee for Women. She is the author of numerous publications on gender, development, and Yemeni women's participation.

**Jeremy Sarkin**
Jeremy Sarkin is Distinguished Visiting Professor of Law and member of CEDIS at NOVA University Lisbon, in Portugal. He has undergraduate and postgraduate law degrees from South Africa, a Master of Laws degree from Harvard Law School and a Doctor of Laws degree on comparative and international law. He is admitted to practice as attorney in the USA and South Africa. He was Chairperson-Rapporteur of the United Nations Working Group on Enforced or Involuntary Disappearances. He served as National Chairperson of the Human Rights Committee of South Africa from 1994-1998. He also served as an acting judge in 2002 and 2003 in the High Court in South Africa. He is a member of a number of journal editorial boards. Sarkin has published 17 books and more than 300 articles and book chapters. He is a member of a number of journal editorial boards and serves on the boards of a number of NGOs. He regularly assists the United Nations, the European Union, African institutions, and others, on constitutional, human rights and transitional justice issues. He has worked in many countries on these issues.
Mahjoub El Heiba

Mahjoub El Heiba is a professor of higher education at Hassan II University, Casablanca, Morocco. He is a former Secretary-General of the Advisory Council on Human Rights (now the National Human Rights Council of Morocco) and a former ministerial undersecretary for human rights in Morocco. Since July 2019 he has been a member of the expert panel at the National Human Rights Council. He has also been a member of the Justice and Reconciliation Commission and the UN Human Rights Committee. He is a member of the Moroccan Organization for Human Rights.

Maud Roure

Head of Programmes, Transitions to Peace & Promoting Youth Leadership, Kofi Annan Foundation. Roure leads the work of the Foundation on the issues of transitional justice, reconciliation and justice. She coordinates the “Extremely Together” project, a youth-led initiative that seeks to support young people in their efforts to prevent violent extremism. Before joining the Foundation in 2017, Maud was the Head of Learning and Policy and a member of the Strategic Management Team at Interpeace. She brings hands-on peacebuilding experience that she collected as Interpeace’s Programme Officer for the Great Lakes Region. Maud also worked on political transitions, disarmament, demobilization and reintegration and human rights at the French Ministry of Foreign Affairs, the French Embassy in Namibia, the United Nations Development Programme (UNDP) in Niger and Amnesty International in Paris. Maud is French and holds a Master’s degree in Risk Management in Developing Countries from Sciences Po Bordeaux and an additional Master’s in Human Rights and International Humanitarian Law from the Paris-Panthéon Assas University.

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Moataz El Fegiery is the MENA coordinator at the Frontline Defenders organization which works to protect human rights defenders and treasurer and member of the board of directors at the EuroMed Rights network. He is a founder and the Secretary-General of the Egyptian Human Rights Forum and a member of the board of directors and former executive director of the Cairo Center for Human Rights Studies. He has also previously been the Deputy Director for the MENA Region at the International Center for Transitional Justice. He holds a PhD in Law from SOAS, University of London.
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Mohamed Abdelsalam Babiker is a Sudanese lawyer and a professor of law at Khartoum University. He received his PhD in Law from Nottingham University, UK in 2005. He is an expert in international public law, international penal law, jurisprudence, international humanitarian law and armed conflict. He has worked as an expert in IHL at the UN. He has been a member of the team of international experts on Somalian sanctions, of the international observation team on Somalian and Eritrean sanctions, and a consultant for the UN and African Union delegations for the Darfur Agreement. He has published various peer-reviewed works in Arabic, English and French and has participated in numerous international conferences as well as being a member of the editorial boards of a number of peer-reviewed African journals.

Mustafa Bouchachi
Mustafa Bouchachi is an Algerian lawyer, parliamentarian and academic. From 2007-2012 he headed the Algerian Association for the Defense of Human Rights. He holds an MA in Law from Southampton University in the UK. He has worked as a lecturer at the Faculty of Law in the University of Algiers. He joined the Socialist Forces Front in 1979 and represented it as its provincial deputy for Algiers in the National Popular Assembly in 2012. He is a member of the Union of Lawyers in Algiers.

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Mustafa Omar Al Tir is a Libyan professor of sociology. He received his doctorate in sociology from the University of Minnesota in 1971. He is a former director of the Arab Development Institute and member of the UNESCO Higher Education Forum. He has been a visiting professor at various US universities, including Pittsburgh and Utah, as well as the Center for Middle Eastern Studies at the University of Texas. He has a number of publications in Arabic and English including The Modernization of Libyan Society, Trajectories of Social Change: Controversy of Theory, Means and Reality and Social Ethics and its Mutual Influence on Science and Technology.

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Osama Rushdi is a politician and human rights activist and former member of the Egyptian National Council for Human Rights, a member of the British and International Federations of Journalists, and director of the Najda Association for Human Rights in Britain. He is the official spokesperson of the Gamaa Islamiyya abroad and a political consultant for the Building and Development Party.
**Radwan Ziadeh**

Radwan Ziadeh is a researcher at the Arab Center for Research and Policy Studies’ Washington Branch. He is the former executive director of the Syrian Center for Political and Strategic Studies in Washington and former director of the Damascus Center for Human Rights. He has been a visiting scholar at various US universities including Harvard and Columbia. He holds an MA in political science from Georgetown University and a Diploma in International Human Rights Law from the American University in Washington. He is the author of various books and articles.

**Siham bin Sadreen**

Siham bin Sadreen is the former chair of the Truth and Dignity Commission in Tunisia. She is a well-known journalist and human rights activist whose wide-ranging work in defending human rights and freedoms in Tunisia has won her several international prizes including the 2004 International Press Freedom Award. She subsequently joined the Tunisian Human Rights League and the Tunisian Journalists’ Union. She is a founding member of the National Council for Liberties and was its official spokesperson from 2001-2003. She holds a degree and a professorship from the University of Toulouse, France, and is the author of several publications.
Moderators

Abdel Nasser Jabi
Abdel Nasser Jabi is a professor of political sociology at the University of Algiers. His research focuses on labor movements in Algeria. He has made a number of important contributions to the analysis and historiography of political and social movements in Algeria. His books include *Algeria Mobilizes: A Sociopolitical Study of Labor Unrest in Algeria*, *Elections: State and Society* and *Algeria from the Labor Movement to the Popular Movements*. He has also published a number of articles and analytical studies in specialist journals, including: “Youth and Presidential Elections in Algeria”, “Algerian Legislative Elections: Stability or Stagnation?”, and “Algerian Presidential Elections: The Problem of Nomination and Participation”.

Abdel-Fattah Mady
Abdel-Fattah Mady is a professor of political science at the University of Alexandria, Egypt and the coordinator of Democratic Transformation and Transition Phases in The Arab Countries project at the Arab Center for Research and Policy Studies. He has worked as a visiting scholar at the Woodrow Wilson International Center for Scholars in Washington DC, a visiting professor at the University of Denver, an expert at the United Nations Development Programme (UNDP), and the research program director at the Cordoba Foundation of Geneva. He received his PhD in political sciences from Clairemont Graduate University in 2005. His research interests include comparative politics, democratic transition, the Arab-Zionist conflict, and research methodology. He recently co-edited a book titled “Youth and Democratic Transition in the Arab Countries” (2019).

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Abdou Moussa is a researcher at the Arab Center for Research and Policy Studies. His research focuses on human rights, democratic transition and public policy reform in Egypt and the Arab region. He served as a consultant at the United Nations Development Programme (UNDP) and the Canadian International Development Agency (CIDA). He has contributed to numerous conferences and is the author of various peer-reviewed articles including “The Sinai Question between Local Victimhood and Global Jihad” and “Neoliberalism and Democratic Transformation: The Effect of Financial and International Institutions’ Orientations in Strengthening Despotism (the Case of Egypt)”. He co-edited a book titled “Youth and Democratic Transition in the Arab Countries” (2019).
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Faraj Maatouk is a Tunisian researcher and academic. He is a professor of modern history at the Faculty of Humanities and Social Sciences at the University of Tunis. He is an expert in the history of international relations. He received his PhD from the Sorbonne in 1990. He has taught Islamic Civilization at Diderot University, Paris, and has been a visiting professor at the University of Massachusetts, Boston. He is currently professor of political sociology at the Higher Institute for Commercial Studies in Carthage. He is the author of various books, including *The French Left and the Palestine Question from 1948 to the Present Day* (French), *John F Kennedy, France and the Arab Maghreb* (French), and *Housing Policy in Tunisia* (Arabic).

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Ghanim Al Najjar is a professor of political science at the University of Kuwait and a former Kuwaiti parliamentarian. He was the founding president of the Center for Strategic and Future Studies at the University of Kuwait. He has been a visiting professor at several US universities including Harvard. He is particularly interested in human rights issues. He headed the Parliamentary Committee on Human Rights at the Kuwaiti parliament. He has also worked as an international commissioner at the International Committee of Jurists headquartered in Geneva and from 2001-2009 was an
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Salam Kawakibi
Salam Kawakibi is a Syrian researcher and the director of the Paris branch of the Arab Center for Research and Policy Studies. He was a participating professor at the Postgraduate Department at the University of Paris I from 2000 to 2006. He was the director of IFPO in Aleppo from 2007-2017, and director of research and deputy director at the Arab Reform Initiative in Paris. He is the chair of the Board of Trustees for The Day After, which supports democratic transition in Syria, and the board of directors of Ettijahat – Independent Culture. He is a member of the Board of Trustees for the United Nations University (Global Culture and Migration) in Barcelona. He holds degrees in higher education, economics, international relations and political science from the universities of Aleppo and Aix-en-Provence. He has a number of articles published in academic books in Arabic, French, English and German dealing with various issues, most importantly human rights, political reform, democratic transition, media and civil society.
من إصدارات المركز العربي للأبحاث

سلسلة دراسات التحول الديمقراطي

1. الجيش والسياسة في مرحلة التحول الديمقراطي في الوطن العربي
2. الشباب والانتقال الديمقراطي في البلدان العربية
3. الثورات العربية: عصر التحول الديمقراطي ومالاته
4. الانتخابات والانتقال الديمقراطي: مقارنات مقارنة
The Project of Democratic Transformation and Transition Phases in The Arab Countries

The 9th Annual Democratic Transition Conference

Constitutions and Democratic Transition in the Arab Region

In collaboration with
The Arab Association of Constitutional Law

Tunis, 25-27 September 2020
The issue of a constitution is of great importance in countries undergoing democratic transition, given the importance of constitutions within the framework of democratic states, as they form the essence of the political and social contract between the rulers and the public. This contract defines the nature of the state and the basic elements upon which its political system is based, the powers of the public authorities, the relationship between different authorities, the rights and freedoms of citizens, and the rules for the distribution of power and wealth among state regions.

The Arab countries have witnessed many kinds of unrest, during which many demands concerning the adoption of political and constitutional reforms have been raised and are necessary to the success of the democratic transition and building the rule of law. These demands were part of the “Arab Reform Projects” that flourished before the Arab revolutions in 2011. However, the widespread involvement in the issue of the constitution, involving intellectuals, civil activists, and academic and political elites, only occurred with the Arab revolutions. The demands expressed in the context of these revolutions in 2011, as well as during the popular movements in Sudan and Algeria, were very similar, and summed up by the slogans of political freedom, social justice, and the overthrow of corruption and tyranny.

Based on the above, and with the aim of clearly highlighting the status of constitution in democratic transition in the Arab region, this conference is organized by the Arab Center for Research and Policy Studies in cooperation with the Arab Association of Constitutional Law. It comes within the series of annual conferences on the issues of democracy and democratic transition, which is supervised by The Arab Center Project of Democratic Transformation and Transition Phases in The Arab Countries. The conference will track how the issue of a constitution has been managed in Arab countries that have embarked on transitions, drafted new constitutions (or constitutional documents), or made amendments to previous ones. The conference poses a central question that has occupied Arab intellectuals since the beginning of the twentieth century: How can a political authority that is effectively constrained by the constitution be established; that is, how can the modern constitutional state be achieved?

**Conference Themes**

**Concepts and Terminology**

This part explores the main concepts and terminology related to constitutional issues, during the transitional stages and beyond:
• What is a “democratic constitution” or a “constitution of democratic systems of government”? Are there minimum standards for a constitution to be considered “democratic”? Where do the current Arab constitutions fall within the framework of these criteria?

• Given the contemporary constitutions that have drafted after successful transitions to democracy over the past few decades, what is “local” and “universal” in these constitutions? Is there a “universal model” for constitutions, or do they express purely national perceptions? What constitutional foundations are essential for establishing democratic systems of government in Arab countries?

• How can other concepts related to the concept of “democratic constitution”, about which Arab political actors disagree in more than one case, be understood? These concepts include terms such as “transitional or provisional constitution”; “constitutional declaration”; “supra-constitutional principles”; “separation of powers”; “independent judiciary”; “the rule of law”; “popular sovereignty”; “sovereignty of elected political institutions over non-political and unelected institutions”; “vertical and horizontal political accountability”, and so on.

The Process of Drafting Constitutions

1. Drafting constitutions during democratic transitions

This section focuses specifically on the constitutions of the transitional stages, in terms of concepts, actors, context, and the guarantees and process of constitution-drafting. The most important questions that can be addressed here are:

• How does the political, cultural and social environment affect the constitutional process in transitional stages? Do political divisions affect this? What considerations are specific to the constitutions of religiously and/or ethnically divided societies?

• What is intended by “transitional” or “temporary” constitutions? What is their function during periods of transition? When are they drafted? And how? When should they expire? Who drafts them? How are the members of the bodies responsible for this task selected? How are these conditions applied in Arab cases?

• Who are the main actors in the constitution-drafting process of democratic systems? What is the role of both the official and unofficial forces in this process? How can citizens be involved in building perceptions about the constitution during the transitional stages? What is the role of
civil society, media and experts in this? Is there a role for international actors, such as the United Nations, and international experts?

• To what degree do the drafters of the Constitution represent and protect the will of the masses?

• What are the mechanisms of the relationship between political actors and constitutional jurists during the process of writing the constitution?

• What is the impact of regional role on the process of drafting the constitution? Can different countries learn from each other?

• What are the limits of the role played by the judiciary in drafting the constitution of democratic systems and in influencing political actors during the transitional stages? How can the challenges related to the judiciary be addressed in Arab cases?

• How does the constitution-drafting process differ in the form of the transition to democracy or the process of change itself (gradual reform from above, revolutionary change from below, consensus of political actors from the regime and opposition, imposition of change from outside)? How is the constitution-making process undertaken in the wake of civil wars and armed conflicts? What is the role of local, regional and international mediators in such cases? How can constitutional democracy be integrated into reconciliation agreements in the aftermath of war and conflict? How is this applied in Arab cases?

• What are the constitutional guarantees for the success of the democratic transition in the Arab region? What are the measures and initiatives accompanying constitutional reform to support the process of democratization in Arab countries?

2. Problems associated with Constitution-drafting in the Arab region

This section explores the urgent challenges posed by the constitutional issue in the transitional stages in the Arab countries, and how to deal with them, with a view to comparing them with other cases outside the Arab region. The most important of these challenges include:

• Issues regarding identity issues, frame of reference and regional and international covenants (the relationship of religion to the state, freedoms and rights, human rights, etc.).

• Questions of minority rights and multiculturalism (citizenship, pluralism, freedoms, rights, the management of political differences and conflicting interests, etc.).
• The legacy of Arab authoritarianism (in particular the concentration of power; the President’s absolute powers, past human rights violations; the weakness of political culture; the weakness of the party system and party organization; and the issue of stability, security and social control); and related issues such as the nature of the state (simple, federal); the shape of the political system and the relationship between legislative and executive institutions (parliamentary, presidential, mixed, consociational democracy); vertical and horizontal methods of accountability; the electoral system; the relationship between elected political institutions and non-elected state institutions such as the security, military and judicial institutions; the role of the judiciary and supervisory bodies, independent bodies and commissions; advancing political participation through information technology and communication tools; forms of direct or participatory democracy; local democracy, and transitional justice.

• Questions about wealth and income distribution and social justice (the foundations of social and economic policies, the role of the public sector, the role of the private sector, the role of the Central Bank, the integration of poor and marginalized groups, social control, the role of civil society and civil and charitable organizations).

• Questions related to Arab unity, integration and the legacy of dependency on foreign powers. Many Arab constitutions declare that the state is “part of the Arab nation and works on its unity”. Are there objective factors that necessitate cooperation or integration? What can be said about border issues between Arab countries? Does the supremacy of international conventions over the Constitution represent a kind of acquiescence to foreign values or values that could conflict with prevailing local values? Is there a constitutional mechanism to address these problems?

3. Constitutions in Democratic Systems in Practice

This section looks at questions about the outcomes of the constitution-drafting process of democratic systems, including:

• What guarantees the enforcement and continuity of the constitution of a democratic system? What circumstances are necessary for this to happen? From where does this constitution derive its legitimacy? How can comparative experiences be useful in this regard?

• What guarantees/standards/circumstances/institutions have prevented the collapse of constitutions in newly established democracies? What are the guarantees of success for the democratization process and the promotion of constitutional democracy in Arab countries?
• Which bodies have oversight powers for compliance with and interpretation of the constitution? What is the role of judicial institutions in this regard?

• How is the constitution of a democratic system amended? When are amendments raised? Who addresses these amendments? What lessons do the experiences of other countries offer?

• How can constitutional democracy itself be developed to cope with societal changes, address the flaws of representative or procedural democracy, broaden political participation, and enhance the ability of citizens to contribute to self-determination in Arab countries? What is it about constitutional culture that ensures the sustainability and effective functioning of democratic constitutions in Arab countries?

To Participate in the Conference:

• Researchers interested in taking part in the meeting should submit a brief abstract/proposal with the main outline of their proposed paper, of between 700 and 1,000 words in length. This proposal should include: the main research problematic and the question to be addressed; the research aims and its significance; the proposed research methodology and the theoretical background of the proposed paper; the proposed structure of the paper and an initial list of references.

• In addition, authors are expected to submit an up-to-date curriculum vitae with an appropriate list of previously published work relevant to the conference theme where possible.

• Only original research intended specifically for this conference will be accepted. Authors must ensure that their submissions have not previously been published elsewhere or that they were used at an earlier conference.

• Research proposals are due by December 15, 2019. Submitted proposals are subject to a refereeing process.

• Complete drafts of accepted proposals of between 7,000 and 8,000 words will be accepted up to April 15, 2020. These completed drafts must follow the general guidelines for submitted research papers and conference papers, set out separately online at: https://www.dohainstitute.org/en/ResearchParticipation/Pages/SubmissionGuidelines.aspx

• Authors are reminded that not all completed drafts will be accepted for participation in the conference, even in cases where the proposal has been accepted.
• The conference Academic Committee will accept papers submitted in Arabic and English.

• The Conference shall cover the travel and accommodation expenses of those whose papers have been selected following the peer-review process, with no reward for any research submitted.

• The research presented is the intellectual property of the Conference, most of which will later be published in a conference book.

**All correspondence and paper submission should be addressed to the Academic Committee**

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