

1

Beyond Violence

Towards a More Nuanced Understanding of Ceasefires

The concept of a ceasefire as offering a temporary pause during armed conflict dates back at least 1,000 years and has religious provenance – ceasefires were originally known as a ‘truce of God’.¹ The founding father of the laws of armed conflict Hugo Grotius assumed a ceasefire to be a temporary state of affairs that did not alter the legal state of war. He wrote that if hostilities resumed after a ceasefire is declared, there is no need for a new declaration of war to be made since the legal state of war is ‘not dead but sleeping’.² Even today, the majority view is that ceasefires are generally a relatively fleeting interregnum on the road between war and ‘peace’, or perhaps more war.³ This means that at best, ceasefires are seen as humanitarian and positive, or at worst, benign.

This book, however, presents a broader view. While the official legal state of war may be ‘sleeping’, Grotius’ metaphor perhaps does not imply that nothing happens. Even during sleep, much can and does occur that we are temporarily unaware of. So far, ceasefires have tended to be seen as something that happens while we are busy thinking about peace. While over the past few decades, the conflict resolution field has moved towards more encompassing and nuanced theories about how violence is resolved and transformed and the dynamics surrounding peace agreements, the literature specifically on ceasefires has only

¹ Sydney D. Bailey (1977), ‘Cease-Fire, Truces and Armistices in the Practice of the UN Security Council’, *American Journal of International Law*, 71.3, 461–73.

² Hugo Grotius (2005 ed.), *On the Rights of War and Peace: An Abridged Translation* by William Whewell (Cambridge: Cambridge University Press [1625]), 434.

³ I put peace in inverted commas here to denote that the nature of peace is a disputed concept in the literature and can have varying meanings in different contexts. Understandings range from Roland Paris’ conception of the ‘liberal peace’ to Johan Galtung’s ‘positive peace’, but see also Bart Klem’s (2018) discussion of peace as an unachievable utopian ideal in ‘The Problem of Peace and the Meaning of “Post-war”’, *Conflict, Security and Development*, 18.3, 1–23.

recently begun to flourish.⁴ Yet despite the increased attention, with only a handful of exceptions,⁵ ceasefires continue to be largely considered in relation to how to better bring warring parties to the negotiating table, hostilities to a halt and/or their influence on peace processes.⁶ The argument advanced here is that ceasefires, in fact, rarely only ‘cease fire’. Rather, ceasefires do more than only affect violence but create particular types of wartime order that can have diverse consequences for other contested areas of control that have statebuilding potential. It is therefore important that we redefine what ceasefires are in order to understand their ramifications, not just in terms of how they may assist in stopping violence or resolving civil wars more broadly but also for potentially helping to make more practical and realistic decisions about ceasefires and their implications at international, national and local levels during wartime.

The point of this book is not to pass judgement on whether ceasefires are good or bad or what it means for them to be successful or not. Rather, the book offers a more nuanced examination of two core

⁴ The increase in academic attention paid specifically to the role ceasefires play in the transition from war to peace has largely been brought about through the ‘Ceasefire Project’ that began in 2017 led by researchers based at the Center for Security Studies ETH Zurich, the Peace Research Institute Oslo and Uppsala University. Available at: <https://css.ethz.ch/en/research/research-projects/ceasefires-mediation.html>

⁵ See, for example, Åshild Kolås (2011), ‘Naga Militancy and Violent Politics in the Shadow of Ceasefire’, *Journal of Peace Research*, 48.6, 781–92; Margaux Pinaud (2021), ‘Home-Grown Peace: Civil Society Roles in Ceasefire Monitoring’, *International Peacekeeping*, 28.3, 470–95; Alex Waterman (2021), ‘Ceasefires and State Order-Making in Naga Northeast India’, *International Peacekeeping*, 28.3, 496–525; Kevin Woods (2011), ‘Ceasefire Capitalism: Military-Private Partnerships, Resource Concessions and Military-State Building in the Burma-China Borderlands’, *Journal of Peasant Studies*, 38.4, 747–70; Shalaka Thakur and Rajesh Venugopal (2018), ‘Parallel Governance and Political Order in Contested Territory: Evidence from the Indo-Naga Ceasefire’, *Asian Security*, 15.3, 285–303.

⁶ Corinne Bara, Govinda Clayton and Siri Aas Rustad (2021), ‘Understanding Ceasefires’, *International Peacekeeping*, 28.3, 329–34; Govinda Clayton, Laurie Nathan and Claudia Wiehler (2021), ‘Ceasefire Success: A Conceptual Framework’, *International Peacekeeping*, 28.3, 341–65; Govinda Clayton and Valerie Sticher (2021), ‘The Logic of Ceasefires in Civil War’, *International Studies Quarterly*, 56.3, 633–46; Valerie Sticher and Sinsia Vukovic (2021), ‘Bargaining in Intrastate Conflicts: The Shifting Role of Ceasefires’, *Journal of Peace Research*, 58.6, 1284–99; Stein Tønnesson, Min Zaw Oo, and Ne Lynn Aung, ‘Non-inclusive Ceasefires Do Not Bring Peace: Findings from Myanmar’, *Small Wars and Insurgencies*, published online, 10 November 2021.

questions: what ceasefires are and how they create what I define here as wartime order that then affects particular statebuilding dynamics during civil war. Both the terms wartime order and statebuilding need some initial clarification upfront. First, the idea of ‘order’ may seem to have little to do with violent conflict. But as Stathis Kalyvas, Ian Shapiro and Tarek Masoud have convincingly argued, violence and order are, in fact, two sides of the same coin where ‘order is necessary for managing violence as much as the threat of violence is crucial in cementing order’.⁷ How violence and order interrelate in civil war environments has been described by authors in various ways: as ‘wartime political order’,⁸ ‘wartime social order’⁹ or ‘armed order’.¹⁰ While these (or other) terms could potentially also have been adopted for this book, I have opted instead to use the particular term ‘wartime order’ as a way to try to capture the particular grey zone that ceasefires create between war and peace and to hint at the diverse possibilities that this space of order brings forth.¹¹ Next, the idea of statebuilding also has quite a history that requires additional explanation. Previously, the term has been used to describe expensive, hard-security interventions aimed at imposing an idealised Western state model on supposedly failed states in order to build what US President George H. W. Bush termed ‘the new world order’.¹² Iconic examples of this form of statebuilding are encapsulated in the interventions in

⁷ Stathis Kalyvas, Ian Shapiro and Tarek Masoud (2008), *Order, Conflict and Violence* (Cambridge: Cambridge University Press), 1.

⁸ Paul Staniland (2012), ‘States, Insurgents, and Wartime Political Orders’, *Perspectives on Politics*, 10.2, 243–64.

⁹ Ana Arjona (2014), ‘Wartime Institutions: A Research Agenda’, *Journal of Conflict Resolution*, 58.8, 1360–89.

¹⁰ Paul Staniland (2017), ‘Armed Politics and the Study of Intrastate Conflict’, *Journal of Peace Research*, 54.4, 459–67.

¹¹ Marika Sosnowski (2020), “‘Not Dead but Sleeping’: Expanding International Law to Better Regulate the Diverse Effects of Ceasefire Agreements”, *Leiden Journal of International Law*, 22.3, 731–43; Cindy Wittke (2019), ‘The Minsk Agreements: More than “Scraps of Paper”?’’, *East European Politics*, 35.3, 276.

¹² Mark Bradbury and Sally Healy (2010), ‘Whose Peace Is It Anyway? Connecting Somali and International Peacemaking’, *Conciliation Resources Accord* (Issue 21), 11. See also, for example, Lakhdar Brahimi (2007), ‘State-Building in Crisis and Post-Conflict Countries’, 7th Global Forum on Reinventing Government: Building Trust in Government; Jennifer Milliken and Keith Krause (2002), ‘State Failure, State Collapse, and State Reconstruction: Concepts, Lessons and Strategies’, *Development and Change*, 33.5, 762.

Somalia, Afghanistan and Iraq post-2003. Thankfully, both scholarship and practice has moved on somewhat since then from considering war as a military situation to be won or lost to something more akin to a 'complex political emergency' that requires social and culturally specific analyses in order to comprehend and respond accordingly.¹³ This book adds to this more critical lineage of approaches to understanding conflict and peacebuilding by putting a different spin on the word 'statebuilding' that is more in line with authors such as Christian Lund and his idea of the ever-evolving nature of the state and public authority¹⁴ and Tobias Hagmann and Didier Péclard's idea of 'negotiated statehood'.¹⁵ However, I use the term here in the specific sense that elements of the state can be 'built' or influenced by extraneous factors such as ceasefires and not only to relate to all areas of contested control. Patrick Meehan perhaps comes closest in conjoining the ideas generated by scholars such as Lund, Hagmann and Péclard with those in the field of conflict resolution when he discusses how a ceasefire in Myanmar affected dynamics between the central state and militias operating in its margins. In his analysis, Meehan recognises that ceasefires 'do not simply operate within evolving power structures, but play a role in constructing these structures'.¹⁶ Åshild Kolås also gets to the heart of the matter when she discusses a series of ceasefires between the Indian government and the Nationalist Socialist Council of Nagalim when she argues that 'ceasefires should be understood as part of the dynamics of conflict'.¹⁷

Following these examples, this book proposes that ceasefires intersect into the complex and fragile architecture that exists between a variety of actors jostling for authority in civil wars. They create particular types of wartime orders, and these types of orders have statebuilding

¹³ Jonathan Goodhand and David Hulme (1999), 'From Wars to Complex Political Emergencies: Understanding Conflict and Peace-Building in the New World Disorder', *Third World Quarterly*, 20.01, 13–26.

¹⁴ Christian Lund (2006), 'Twilight Institutions: Public Authority and Local Politics in Africa', *Development and Change*, 37.4, 685–705.

¹⁵ Tobias Hagmann and Didier Péclard (2010), 'Negotiating Statehood: Dynamics of Power and Domination in Africa', *Development and Change*, 41.4, 539–62.

¹⁶ Patrick Meehan (2018), 'The Militia Fix: Ordering Space at the Margins of the Myanmar State', Paper Presented at the *EWIS Conference*, 6–7 June, Groningen, The Netherlands.

¹⁷ Åshild Kolås (2011), 'Naga Militancy and Violent Politics in the Shadow of Ceasefire', *Journal of Peace Research*, 48.6, 781.

potential. The chapters of this book show that a broader reading of ceasefires is needed to, firstly, redefine what exactly ceasefires are and, secondly, to explain more fully the ramifications they can have not just for levels of violence and the peace process but for much more diverse relationships and dynamics. I suggest that the text of ceasefire agreements is better understood as the codification of a particular moment of order during wartime. Consequently, what ceasefires contain represents the formalisation of certain aspects of the ever-changing phenomenon of the state for a variety of players. This then has implications for how power and authority are dispersed on the ground. Rather than defining ceasefires primarily in relation to violence, the new, broader definition I propose is that ceasefire agreements are *the codification of a certain military and political state of affairs during wartime*. Although not technically legal documents,¹⁸ the mere fact of their negotiation and codification lends ceasefire agreements an air of officialness and legitimacy. This officialness then acknowledges and endorses a particular status quo that can activate rivalries, machinations for control or create particular opportunities for different parties. This is the wartime order the ceasefire creates.

Violence and order are used by conflict parties in civil wars not only to contest the boundaries of the existing state but to maximise their power and authority in ways that best benefit themselves. This could mean using the relative order that a notional pause in violence creates to rearm and manoeuvre troops so as to militarily defeat a rival, but it may also include developing local systems of governance and economic schemes (such as taxation programmes or control over smuggling routes), managing or consolidating access to humanitarian networks, asserting rights to land and property and triaging citizens into those considered loyal or traitors. Likewise, defining ceasefires in the broader way I propose has implications for what we mean by success, clues as to the strategic calculus of conflict parties, what opportunities they represent for those involved, ramifications for peacekeeping mandates or deployed missions and what the relative vagueness or precision of the terms tells us about the processes and power relations

¹⁸ Christine Bell (2013), 'Peace Settlements and International Law: From Lex Pacificatoria to Jus Post Bellum' in *Research Handbook on International Conflict and Security Law*, ed. Nigel White and Christian Henderson (Cheltenham, UK: Edward Elgar), 499–546.

around the ceasefire. As Malin Åkebo argues, ‘the nature of [ceasefire] agreements [is] intended to change the forms of interaction between parties to violent conflict [and therefore] becomes fundamentally important to examine and analyse.’¹⁹ Ceasefires are purportedly a liminal space between war and peace; however, this does not preclude the presence or creation of ‘regimes of order’.²⁰ Ceasefires (may) create a lull in violence and within this lull are possibilities and opportunities.

The book uses evidence from the most critical conflict of our times, the Syrian civil war, to better interrogate what ceasefires are and how they affect the dynamics of conflict. While the Syrian civil war has many important, and potentially unique, scope conditions such as the existential fight of an autocratic regime against a popular uprising, the internationalised nature of the conflict and the splintering and radicalisation of the opposition movement, it is precisely the nexus of so many elements that makes Syria an ideal case from which to extrapolate more discrete lessons about ceasefires that are relevant to other conflict arenas. For example, while I remain cautious about drawing direct causal links between ceasefires and statebuilding, using different ceasefires from the Syrian civil war as primary case studies bolsters hypotheses about the role ceasefires potentially play in other contemporary wars such as Ukraine where Russia is also a major protagonist; Myanmar where an autocratic junta has and will continue to seek ceasefires with a range of opposition movements; or the war in Yemen which is also highly internationalised.²¹

The book examines ceasefires in Syria over a 10-year period – from the beginning of the uprising in March 2011 through to the spring of 2021. Undertaking research over this longer period offers the ability to see how different ceasefires in Syria have influenced both military phases and strategic dimensions of the war. Over this 10-year time span, I collected primary documents of the text of ceasefire agreements and conducted 89 long-form interviews with respondents from three

¹⁹ Malin Åkebo (2013), *The Politics of Ceasefires: On Ceasefire Agreements and Peace Processes in Aceh and Sri Lanka*, PhD dissertation, Department of Political Science, Umeå Universitet, 12.

²⁰ Keebet von Benda-Beckmann and Fernanda Pirie (2007), ‘Order and Disorder: Anthropological Perspectives’ in *Order and Disorder: Anthropological Perspectives*, ed. Keebet von Benda-Beckmann and Fernanda Pirie (New York and Oxford: Berghahn Books), 4.

²¹ Alexander George and Andrew Bennett (2005), *Case Studies and Theory Development in the Social Sciences* (Cambridge, MA: MIT Press), 26.

discrete pools. They are: Syrians with first-hand knowledge of the conflict such as those involved in local governance initiatives and/or who negotiated ceasefires (42); members of cross-border organisations that deliver humanitarian and development programmes inside Syria but are primarily based in Turkey, Lebanon or Jordan (these people are also predominantly Syrian) (10) and Syrian and international conflict and humanitarian analysts (37).²² Many of these interviews were conducted in person in Lebanon and Jordan or over electronic communication methods such as Skype, WhatsApp or Telegram. The names of the interviewees have been anonymised, and their specific timing and location have been generalised where applicable to ensure the security and privacy of the interviewees, many of who are in, or have family members living in, Syria. I include the broad occupation type of each interviewee so readers can get some idea of the scope of the interview pools.

It should be acknowledged upfront that the interview data is not representative of the gender, ethnic and sectarian diversity of Syria or the professional community as a whole. I did not collect ethnic or sectarian information of interviewees due to privacy and sensitivity concerns (and also because this was not an explicit focus of the research). I also did not ask specifically about gender, so this is only able to be inferred from an individual's characteristics and how they referred to themselves. To be as explicit as I am able, of the 89 respondents interviewed, I estimate that 23 were female. Of these 7 (of total 42) were Syrians with first-hand knowledge, 2 (of total 10) were from cross-border organisations and 14 (of total 37) were analysts. I also estimate that 58 interviewees were ethnically Arab (42 from pool 1; 10 from pool 2 and 6 from pool 3). I also suppose the majority of these to identify as Sunni Muslims; however, that is purely a guess based on things like an interviewee's name, where they are from and what role they played in the uprising.

Another limitation of the book is that during the research period, the ongoing civil war meant that fieldwork inside the territory of Syria became highly risky and therefore inappropriate for me as a Western, female researcher. Nevertheless, as some of the accounts contained in this book no doubt testify, the violence of the Syrian civil war remains ever-present, if not in a physical way, then certainly in emotional and psychological ones. The focus of this book is about discerning how ceasefires create wartime order that affects statebuilding dynamics. I

²² See Appendix 1 for more detail regarding individual interviews.

have attempted to do this in no small part through examining the lived experience of individuals in certain areas of wartime Syria. But, physical access to these people has been impossible in some cases or has come about as a result of their displacement. This fact, in and of itself, says something about the general opposition of these figures to the ruling Assad regime. However, their displacement also meant that these people could be accessed in locations outside Syria (e.g. Turkey, Jordan, Lebanon and, in some cases, Europe) where I travelled numerous times over the 10-year period this book covers. Additionally, the decision-making process of the Syrian regime has always been somewhat of a black box, and this opacity has only been exacerbated by the civil war. I contacted current regime members for their comments and to request interviews but no response was received. Therefore, the logic for regime decisions stated in the analysis is supported through interviews with former regime members, by policy and academic literature, as well as via social media posts of regime supporters.

The types of methodological challenges mentioned above relating to access and expertise, gender and political and religious affiliation are far from unique. I agree with Stephen Lubkemann when he writes that ‘violence should not be treated a priori as the sole or sometimes even primary force that shapes war-time living’.²³ At the same time, I have found that researching war *during* war has a particular pallor. Notwithstanding those directly affected by the war, for both Syrian and non-Syrian scholars, it has struck me that a form of collective trauma is evident in thinking about, following and analysing violence while that violence is ongoing. In a way how could it not when confronted on a daily level (albeit at a distance for some) with the intricacies of the worst humanitarian crisis since the Second World War?

But, research and analysis are also arguably all the more vital during periods of immense cultural, social and political upheaval like civil war. I share the belief of scholars such as Nancy Scheper-Hughes²⁴ and Yassin al-Haj Saleh²⁵ who articulate that, at the very least, a researcher has a responsibility to bear witness to the diverse stories war can spawn.

²³ Stephen C. Lubkemann (2008), *Culture in Chaos: An Anthropology of the Social Condition in War* (Chicago: University of Chicago Press), 36.

²⁴ Nancy Scheper-Hughes (1995), ‘The Primacy of the Ethical: Propositions for a Militant Anthropology’, *Current Anthropology*, 36.3, 409–20.

²⁵ Yassin al-Haj Saleh (2017), *The Impossible Revolution: Making Sense of the Syrian Tragedy* (London: Haymarket Books), ix.

At times these can be filled with hope, sometimes suffering and often-times the banalities of how life functions in this changing environment. This witnessing is done in the full knowledge that the testimonies that are gathered, analysed and brought forth to make arguments are not neutral. As Kevin Toolis wrote about Northern Ireland, ‘Who can tell the truth in a world filled with double deceptions, handlers, confused loyalties, liars, self-loathing, professional deceivers, disinformation, black propaganda and betrayers?’²⁶ While each interview has its own limitations and contestations that the author and reader must be aware of, the interviews also provide unique documentation, and a broader appreciation, about how war and ceasefires shape the contours of people’s lives. Unsurprisingly, it is often ugly and terrifying, although also not without hope, dignity and ingenuity.

While the Syrian war and the people’s stories gathered for this book are unique, I have used them as a base from which to draw larger lessons and theoretical arguments about ceasefires that have relevance well beyond Syria’s borders. As such, Chapters 4 through 7 move between framing levels (e.g. international and local, state and society, Syria’s civil war and civil wars generally) to offer a middle ground between theory, unique empirical data and depth and arguments that transcend the specificities of topic and site. This has necessitated a trade-off between deep analysis of one specific area or time period with broader theoretical discussions.

This brief introductory chapter simplifies complex debates and their implications in order to offer the reader an overview of the aims and contours of this book. Chapters 2 and 3 aim to more deeply conceptualise and contextualise the theoretical and empirical chapters that follow. Chapter 2 further clarifies the concepts upon which this book is based through the articulation of two keystone debates: the first is centred around violence and the state, and the other on order beyond the state. Chapter 3 offers context regarding the statebuilding process in Syria, the primary case study used in this book and how different types of conflict resolution processes, including ceasefires, have interjected into this environment.

Drawing on a range of empirical examples of ceasefires in Syria and the reading of over 180 additional ceasefire documents from civil wars

²⁶ Kevin Toolis (1997), *Rebel Hearts: Journeys within the IRA’s Soul* (London: Picador), 255–56.

around the world, Chapter 4 presents an abductive, embryonic theoretical framework for classifying ceasefires. The framework proposes that we can use the level of precision of the text of ceasefire agreements and the military and political power disparity between conflict parties to hypothesise four different types of ceasefires and their consequences not just for levels of violence but other areas with statebuilding potential. It tests this idea with examples of ceasefires from a range of other conflicts including Afghanistan, the Philippines and Sri Lanka. As with all early academic theory-making, the explanatory propositions of the typology need further in-depth case study research and iterative testing in order to further bolster their credibility.²⁷

Chapters 5 through 7 begin that project by analysing different ceasefires from Syria that are contained within the typology and their consequences. These empirical chapters find three areas of statebuilding that can be affected during the period of wartime order ceasefires create. They are: (1) the development of local governance institutions and economic networks (Chapter 5); (2) the manipulation of citizenship and property rights (Chapter 6) and (3) authority over areas normally considered the purview of the sovereign state such as territory, diplomacy and security (Chapter 7).

More specifically, Chapter 5 examines the consequences of the February 2016 Cessation of Hostilities in Syria, classified as a symbolic ceasefire in the typology, for the development of rebel governance institutions in Syria's southern Daraa province. It finds that while the ceasefire did alter the use of violence for a period of time, the notional break in conflict and wartime order the ceasefire created enabled many local actors to recalibrate their involvement in complex systems of layered governance. These included not just armed actors but local councils, courts and tribal leaders as well as economic systems linked to smuggling and humanitarian access.

Chapter 6 adds to existing scholarship about the importance of citizenship and property as sites for the assertion of authority by including the dynamics ceasefires can generate. It uses three primary case studies of local ceasefire agreements, classified as coercive ceasefires

²⁷ Dietrich Rueschemeyer (2003), 'Can One or a Few Cases Yield Theoretical Gains?' in *Comparative Historical Analysis in the Social Sciences*, Cambridge Studies in Comparative Politics, ed. James Mahoney and Dietrich Rueschemeyer (Cambridge: Cambridge University Press), 309.

in the typology, from the Syrian communities of Old Homs, Daraya and towns in the southern de-escalation zone to show how these types of coercive ceasefires were used strategically by the Syrian regime not only as a way to halt violence but also to violently reassert control over property and triage the population into those that can be subsumed back into the state from those exiled from it.

Chapter 7 combines micro- and macro-views through an examination of how international negotiation processes influence on-the-ground dynamics. Through the example of the Syrian de-escalation zones, a substantive ceasefire per the typology, negotiated as part of the Russian-led Astana process, the chapter suggests that these specifically worded, territorially bounded ceasefires not only affected the use of violence but recalibrated relations between international and local actors for control over diplomacy, security and territory.

Finally, Chapter 8 weaves the ideas contained in this book together to show how thinking about ceasefires more broadly has major practical implications not just for researchers but also for policymakers, humanitarians and conflict negotiators, particularly when we think about who is negotiating ceasefires and the processes they are part of.