

PERCEPTIONS AND FACTS



The effect of **legal factors** on **Social cohesion**
In the northern Syria Amid the host community and the **IDPS**.

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Context

01



The judiciary in Syria has had many stages since the independence to the present time: Syria had a pluralistic parliamentary system since its independence



THE JUDICIARY IN SYRIA

The judiciary in Syria has had many stages since the independence to the present time:

Syria had a pluralistic parliamentary system since its independence, which maintained the independence and stability of the judiciary despite it being a novel experience, until the stage of coups began, especially the Ba'ath Party coup in **1963**, when the constitution was suspended and a state of emergency was imposed on the country until the coup of Hafez al-Assad occurred in **1973**. He made himself the head of judiciary in the country, cancelled the principle of judiciary independence, and created the newest exceptional judiciary (military and security). He also released its powers at the expense of the ordinary judiciary to eliminate his opponents. As a result, Corruption and favoritism were rampant, and the those with influence interfered in the judiciary. This situation sustained during the rule of his son Bashar al-Assad without any modification until The revolution took place in **2011**

After the revolution's progress and liberation of large areas of the country, the judiciary of the forces controlling the different regions, and a so-called factional judiciary appeared. Each faction had a court called the Sharia Commission.

The legal judges who adjudicate the cases and conflicts, solved them without applying a specific law, and this situation has continued, despite the efforts made by legal authorities to unify judiciary work within a single body and organize it until the situation was relatively stable between the parties, where each of them has established courts to serve as the judicial authority, and these courts vary according to the diversity of authority ¹

In Idlib and its environs, there are the Salvation Government courts, where legal and jurists work, and laws and circulars issued by the Ministry of Justice are drawn from the unified Arab law or from the Syrian law in the Salvation Government. the litigation is on several levels of first degree, appeal and cassation

As for the northern regions (Al-Daraa - Al-Ghosn - Al-Nabaa), the judiciary belongs to the Syrian Interim Government, and only human rights workers work and apply the Syrian law

As for the areas under the control of the Qasd, there are courts called the People's Courts, and those in charge of the judiciary are jurists and people of all specializations. They apply a law called the People's Law enacted by the Judicial Council in the Autonomous Administration

These are the most important types and models of courts in the country, and there is no doubt that they are all not independent and are subject to the influence of the controlling powers in their region, whether in the areas of the regime or areas outside the control of the regime ²

1- Models of the judiciary and the form of laws in areas outside the control of the Syrian regime - Daraa .. The model of the judiciary and the form of laws in it after liberation - Enab Baladi – 2015

2- An interview with Mr. Abdul Razzaq Razzouq - a lawyer and I was a public prosecutor at the Unified Judicial Council in Aleppo, 2019

About Door Organization:

Door organization is a civil society organization licensed in Turkey since mid-2018, working with the Syrian community structures



structures in order to reach its vision of a decent society, which is capable of overcoming its challenges, by investing its resources creatively. Therefore, Door organization works within community development programs and economic empowerment, on building the community strength to effectively organize and assemble its resources through capacity building projects, self-sufficiency projects, and microfinance

Door is motivated by its belief in community work and the importance of building strong relationships between the Syrian people parts, in addition to adopting the dialogue and advocacy principle in promoting community cohesion. Door has worked on a number of projects which seek to increase community cohesion, activate dialogue and distribute roles among the various segments of Syrian society. In addition to building the community events capacities, enhancing their self-sufficiency opportunities and enhancing their ability to launch initiatives using their local resources

About the Youth of Change Foundation:

Youth of Change is a voluntary community-based organization established in northern Syria in late 2015. The organization works to enhance the role of community



initiatives and volunteer work, to reach their vision of an empowered and effective society capable of making a change and contributing to decision-making. Therefore, Youth for Change worked through its community committees -spread in Idlib, western and northern countryside of Aleppo, and parts of Hama countryside-, to launch many community initiatives which serve the Syrian community and increase its strength to face the harsh conditions created by bombardment and displacement. The Foundation consists of: 27 community development committees in addition to 7 specialized teams: the training team, the research team, the campaigns and advocacy team, the women team, the self-sufficiency projects team, the forcibly displaced team, and the media team. The Foundation has launched many campaigns, initiatives and trainings in the fields of education, community cohesion, psychological support, safety and security, and public interest services.

introduction

03



More than 3 million civilians live in the north of Syria, in Idlib region, Hama countryside and western Aleppo countryside, more than a million of them are children

More than 3 million civilians live in the north of Syria, in Idlib region, Hama countryside and western Aleppo countryside, more than a million of them are children, and more than half of them are internally displaced from several areas in Damascus, Daraa, Homs, Hama and Latakia.

An introduction :



A camp for displaced Syrians at Khirbet al-Jouz in the west of Idlib province near the border with Turkey. Photograph: Aaref Watad/AFP/Getty Images

This sharp increase in the population led to some aspects of disagreement between the host community and the IDPS. This has prompted Door Organization and the Youth of Change Foundation to conduct this study as part of a series of studies that examine the causes of these manifestations, and how to enhance social cohesion between the two societies. Where a field researchers team in the northwest of Syria conducted a number of focused discussion sessions, individual interviews, and questionnaires, with the aim of studying economic, social and legal factors, and organizations' methods of intervention and their effect on the manifestations of disagreement between .the two societies, and whether they increased or decreased

These studies were accompanied by a number of discussion sessions and meetings that included representatives of the community development committees in northern Syria, aiming of making .use of their community experiences in developing tools in the best way

<https://www.unocha.org/story/syria-%E-98%80%2world-watching%E-99%80%2humanitarian-leaders-stand-civilians-under-fire-idlib>

It should be noted that the process of data collection in these studies extended between August 2019 and December 2019, so it took place before the recent wave of displacement in southern Idlib regions in the city of Maarat al-Numan and its countryside, which witnessed a wave of mass displacement that exceeded 235,000 new internally displaced persons IDPS. (2)

In this research, the focus is on the impact of legal factors only, as the work was carried out through a number of focused discussion sessions and a number of questionnaires for studying the most important societal issues and the most important societal roles that affect community cohesion, between the IDPS and host communities, in addition to studying the Conflicts frequency, the .rate of resolving these Conflicts and to whom families turn to for resolving their Conflicts



This study comes within four studies carried out by Door organization and the Youth of Change Foundation as part of the project to enhance community cohesion among the "Grassroots" community structures in northern Syria.

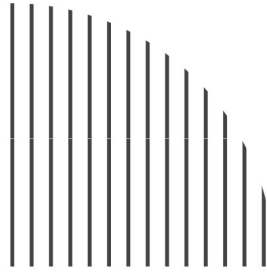
Where 20 researchers were trained on scientific research methodologies and data collection tools, facilitating focused discussion sessions, and using the "KOBO" application in data collection.

<https://www.theguardian.com/world/2019/dec/27/more-than-235000-people-have-fled-idlib-region-in-syria-says-un>

04



This research aims to study the most important causes that negatively or positively affect societal cohesion amid the host community and the IDPS community in northwestern Syria



This research aims to study the most important causes that negatively or positively affect societal cohesion amid the host community and the IDPS community in north-western Syria

This study focuses on assessing the impact of legal factors on community cohesion, starting from the following assumptions:

There is a moral effect on the perceptions of people from both societies on the social cohesion / conflicts between the two parties.

There is a moral effect of the social relations between people from both societies, on the social cohesion / conflicts between the two parties.

Based on these hypotheses, this research aims to study the most important social issues of concern to people from both sides, and to study the most important roles played by society in relation to resolving conflicts or increasing community cohesion, and to whom people turn to in order to resolve conflicts. And whether there is a role for customs and traditions or the future outlook on the situation in Syria in increasing communication and cohesion amid both societies?

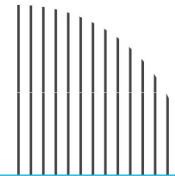
Research Methodology:

This study was preceded by an opinion poll that gathered 350 participants from the host and diaspora communities in more than 50 geographical areas, to identify the most important perceptions and impressions on community cohesion issues. This was followed by a number of focused discussion sessions with specialists in the field of study and community work, aiming to develop research tools

Based on the previous phase, research tools were developed, and researchers were trained to use them, as 10 new focus group discussion sessions were held, in addition to 200 questionnaires and 10 key individual interviews

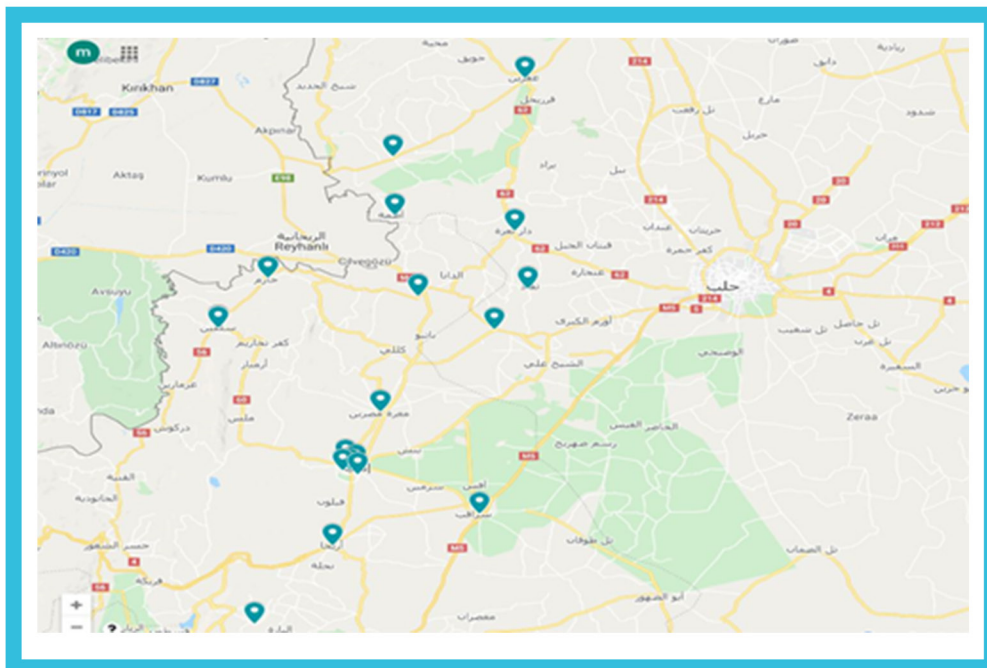
This study was preceded by an opinion poll, which gathered 350 participants, from both communities: the host and the IDPS, in more than 50 geographical areas, to identify the most important perceptions and impressions on community cohesion issues. This was followed by conducting a number of focused discussion sessions in the field of study, and working with the study. Societal to develop research tools





Geographical distribution:

The current study was conducted in twenty geographical locations, and the sample was randomly selected, as the researchers were provided with a list of 30 geographical areas in order to select 20 of them to achieve the appropriate distribution, and at the same time insure the safety when collection data.







In order to ensure the **search quality**, the locator feature was used using KoBoCollect program to verify and control the quality, and to ensure that the questionnaires were filled out by randomly .distributed people within the same geographical area

As for focus group discussions, 10 geographic regions have been defined so that equal representa- .tion of the study community is ensured, whether from immigrants or residents

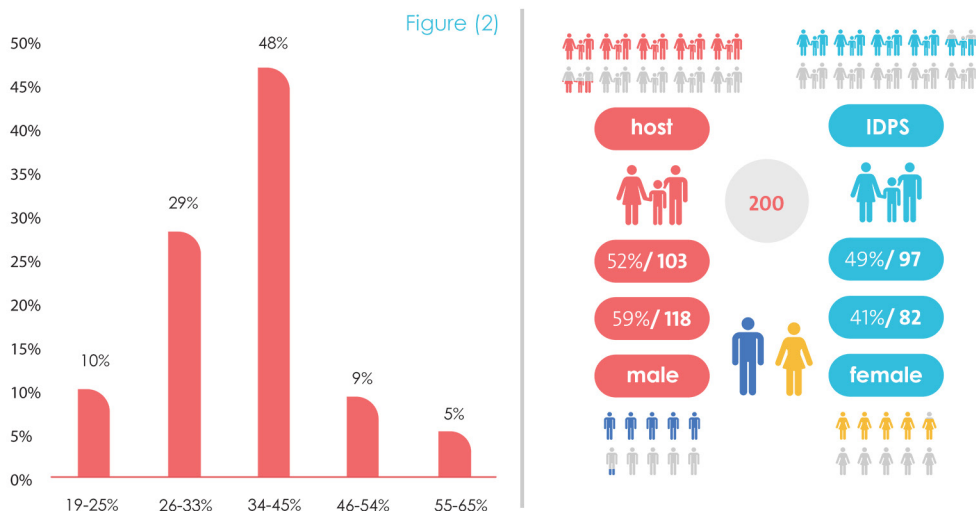
Regarding the key individual interviews, the interviews were conducted with persons working in

Research sample

The sample size for focus groups was 68 participants who are specialists in social issues. Among them were 27 IDPS and 41 hosts. The sample was also distributed on gender basis between 48 males and 27 females. The number of sessions in Idlib and its countryside was 6 sessions, compared to 4 sessions in Aleppo countryside.

place	Community type		Gender	
				
Idlib - Atma	4	4	4	4
Aleppo - Al-Atareb	1	5	4	2
Aleppo - Al-Atareb	2	5	6	1
Aleppo - Al-Atareb	1	6	4	3
Aleppo - Al-Atareb	4	3	4	3
Idlib - Termanin	0	6	4	2
Idlib - Sarmada	4	4	4	4
Idlib - Ma'rat Misrin	3	3	5	1
Idlib	0	7	3	4
Idlib - Aqrabat	1	5	3	3
Total	20	48	41	27

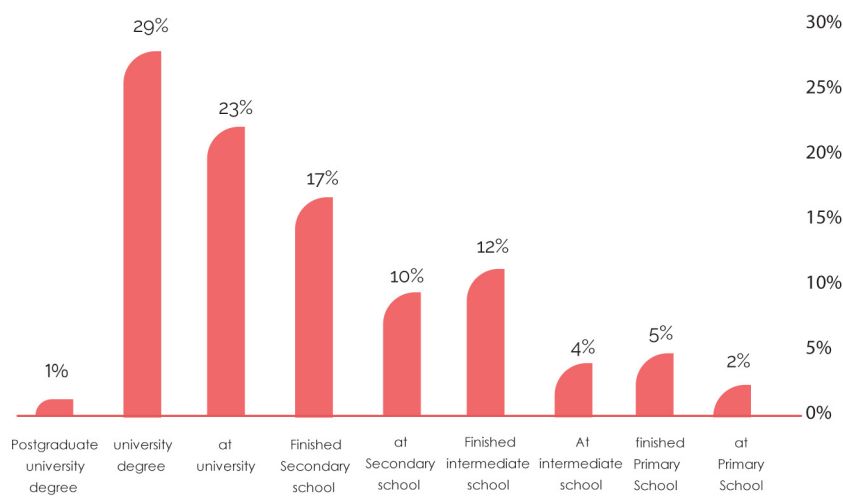
Regarding the questionnaires, data were collected from 200 persons, including IDPS and hosts, males and females, as shown in the graph.



Educational level:

The percentage of those who finished university was 29%, while the majority of the participants were either high school diploma holders, or still at university stage. And there is a percentage of 7% of the community members who are below intermediate education. And 1% of those with a higher university degree.

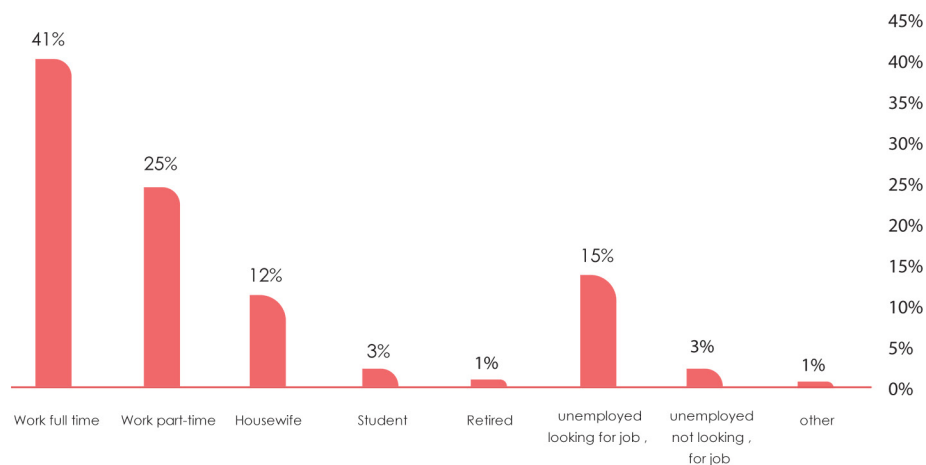
Figure 3: Educational level



Employment status

The largest percentage of the study sample by 67% were full-time or part-time workers, while the percentage of unemployed participants was 18%, and 12% were housewives.

Figure 4: Employment status



Results 05



Findings :

conflicts frequency in society:

The first aspect of the study deals with the relations between the host and IDPS communities, the general trend of answers among both societies was close to some extent, as the research did not show any fundamental difference in the way which the host and IDPS community responded. Both parties have indicated that there are conflicts among them, but they cannot be generalized or projected on one side without the other.

Most of the answers indicate that conflicts are infrequent, or of little frequency, as we can see in Figure (5), where 41% of study participants answered that conflicts are not frequent to some extent, and 15% indicated that conflicts are not frequent at all. Whereas 41% indicated that conflicts are to some extent frequent, while only 3% indicated that conflicts are constantly frequent.

Whereas the answer for the recurrence of conflicts is persistence, between both communities, 78% answered that conflicts do not recur frequently, while 21% answered that conflicts do recur constantly.

These results indicate a clear tendency among participants from both societies that conflicts are not characterized by persistence and recurrence.

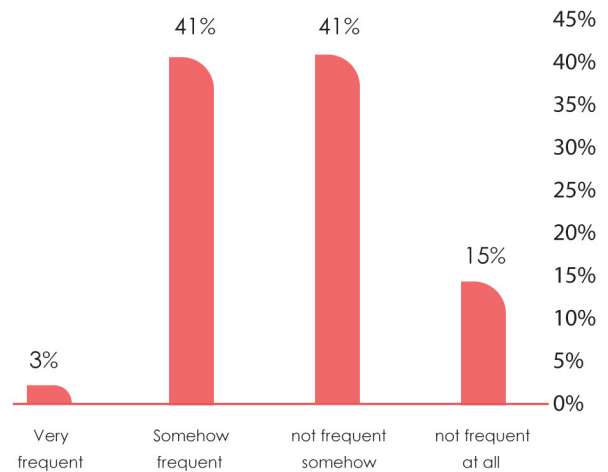
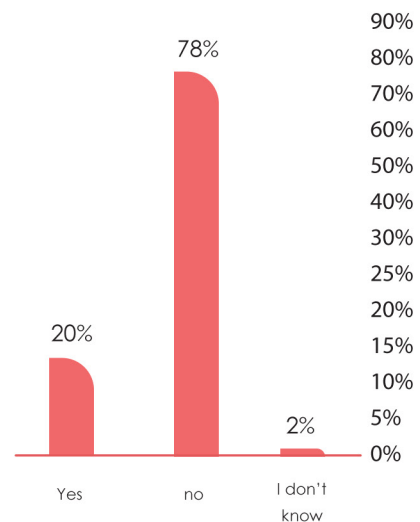


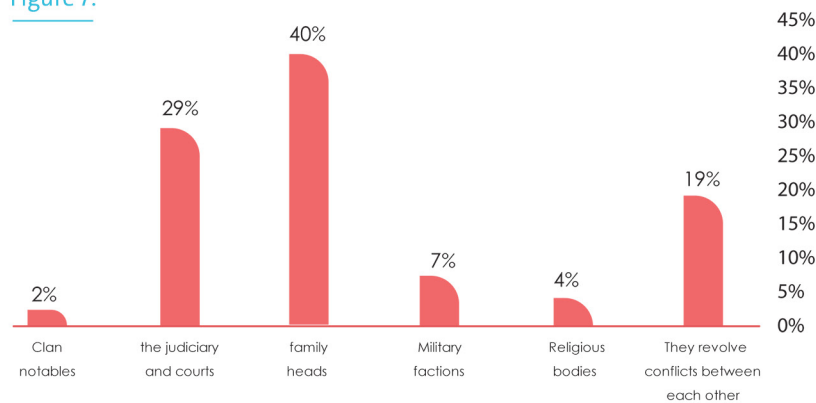
Figure 6:



Perceptions about the parties to which society turns when conflicts arise.

When participants were asked about their opinion about the authorities: The answers were distributed among several bodies, as 40% of the respondents resort to families and family heads, followed by the judiciary and courts, at a rate of 29%, as shown in the following figure (9).

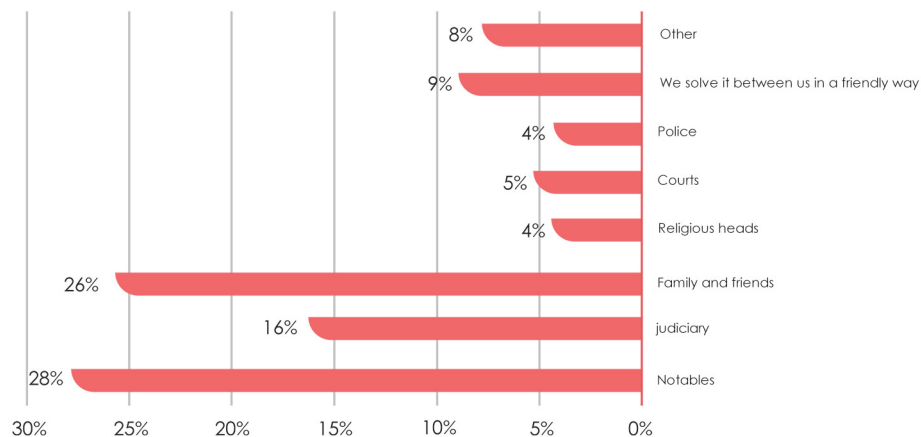
Figure 7:



parties to which participants –in the study- turns when conflicts arise

The following figure shows that the majority of participants personally turn to noblemen, by 28%, while 26% said that they turn to family and friends, while the percentage was distributed among the rest of the authorities, as shown in Figure (11

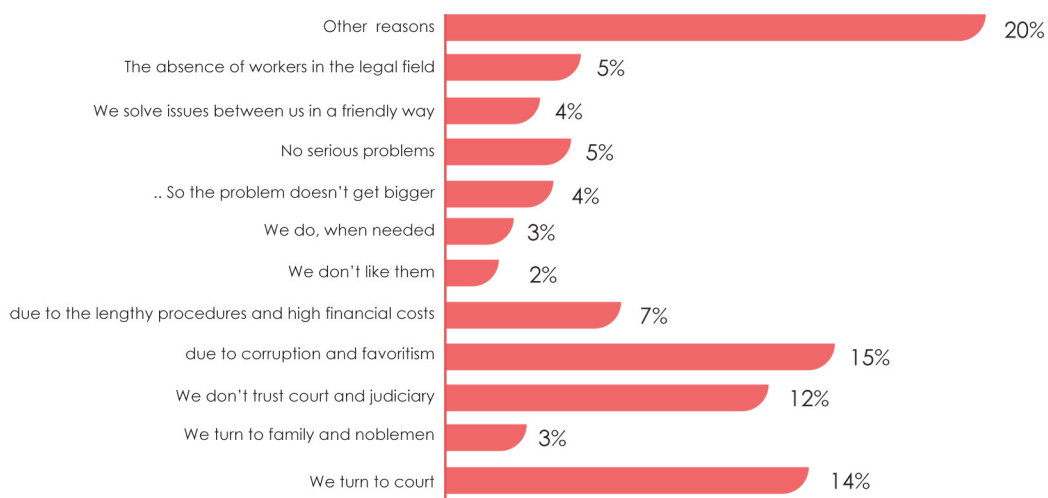
Figure 8:



Reasons for not turning to the court.

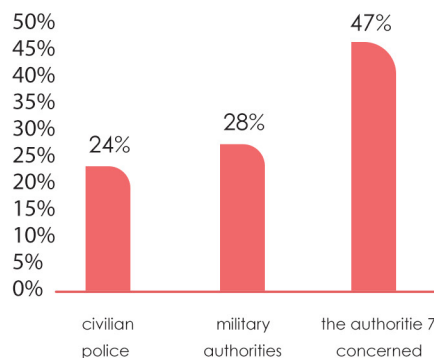
There was 14% of those who turn to courts, while the largest percentage, 86%, did not, and the most important reasons for this were 15% due to corruption and favoritism, while 12% for not trusting the courts and judiciary, and 7% due to the lengthy procedures and high financial costs.

Figure(9):



Perceptions about bodies that implement rulings and decisions

Participants believe that the largest percentage of decisions are implemented by the authorities concerned, while 28% believe that decisions are implemented by military authorities, and 24% believe they are implemented by the civilian police [Figure\(10\):](#)



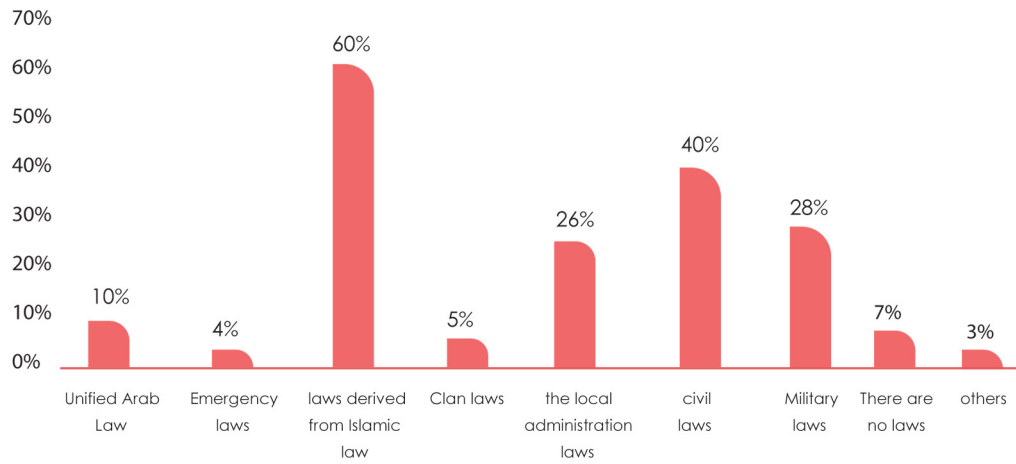
And when analyzing the answers of focus sessions participants The answers did not turn to courts because of favoritism - lack of trust - procrastination - and the weakness of the judiciary As the side diagram also shows



The governing laws

The study showed that the laws that are most followed in society are the laws derived from Islamic law, as they were selected by 60% of the participants, while 40% of the participants chose civil laws, and 28% chose the laws and then the local administration laws. Chosen by 26% of the participants

Figure(11):



The governing laws

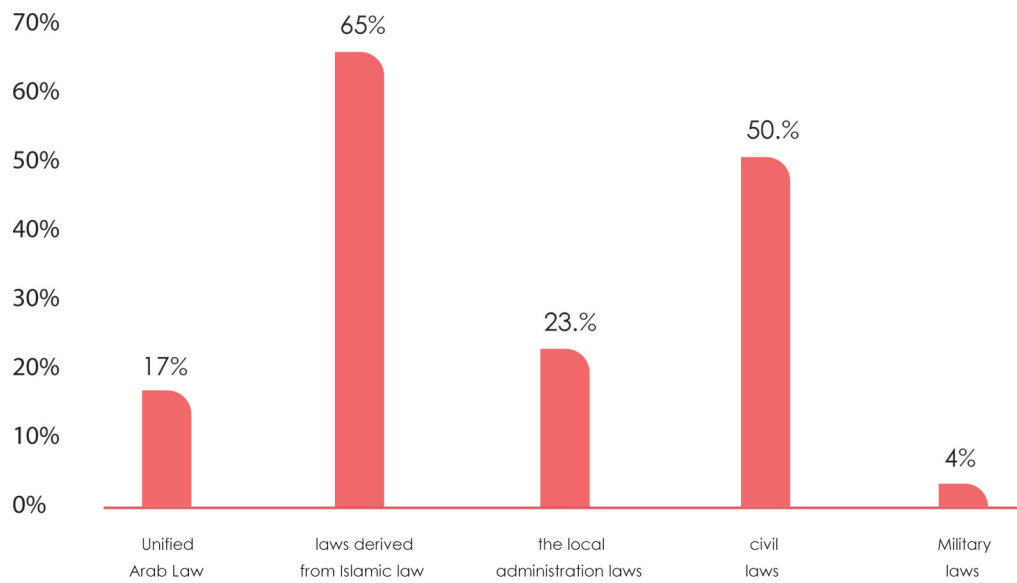
The following diagram illustrates the participants opinions in focused discussion sessions regarding the laws that govern their societies



Laws that society prefers to be ruled by

Whereas, the society's preference was to rule by laws derived from Islamic law, by 65% of the participants, 50% referred to civil laws as one of the options they preferred.

Figure(12):



Laws that society prefers to be ruled by

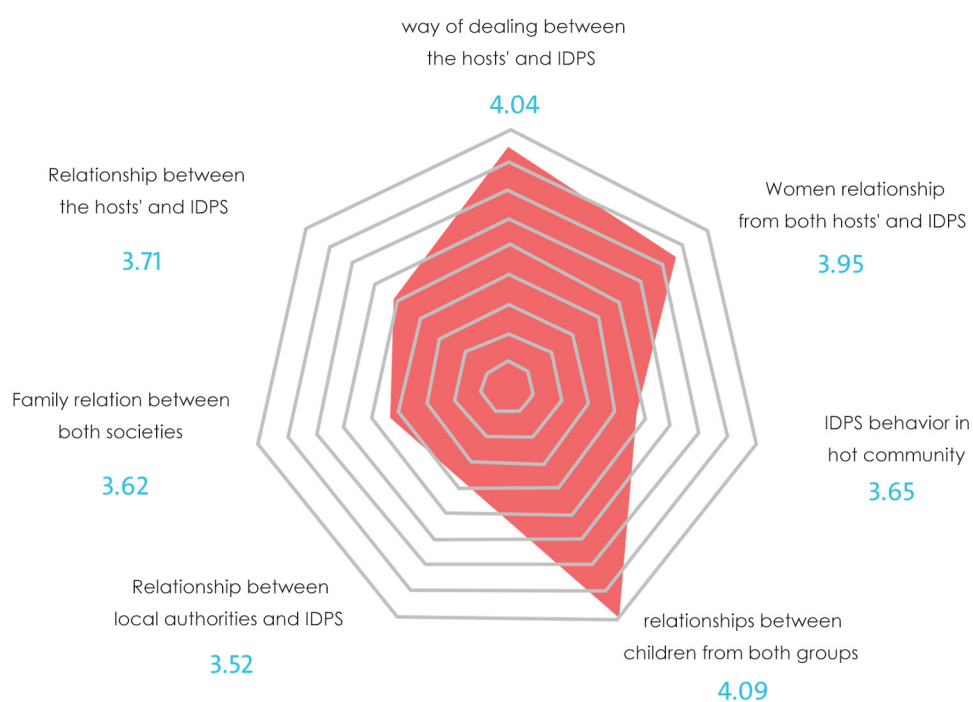
Whereas, the focused discussion sessions participants preference was for Sharia laws and the Arab law, as the following figure shows



Factors affecting the recurrence of conflicts

The study showed that the participants average answers indicate that relationships between children from both groups in the schools are positive to some extent and tend to be very positive, as the average was 4.09. Hence, the average way of dealing between the hosts' and IDPS was 4.04, which also indicates that the way is somewhat positive.

Figure(13):



Regression analysis results:

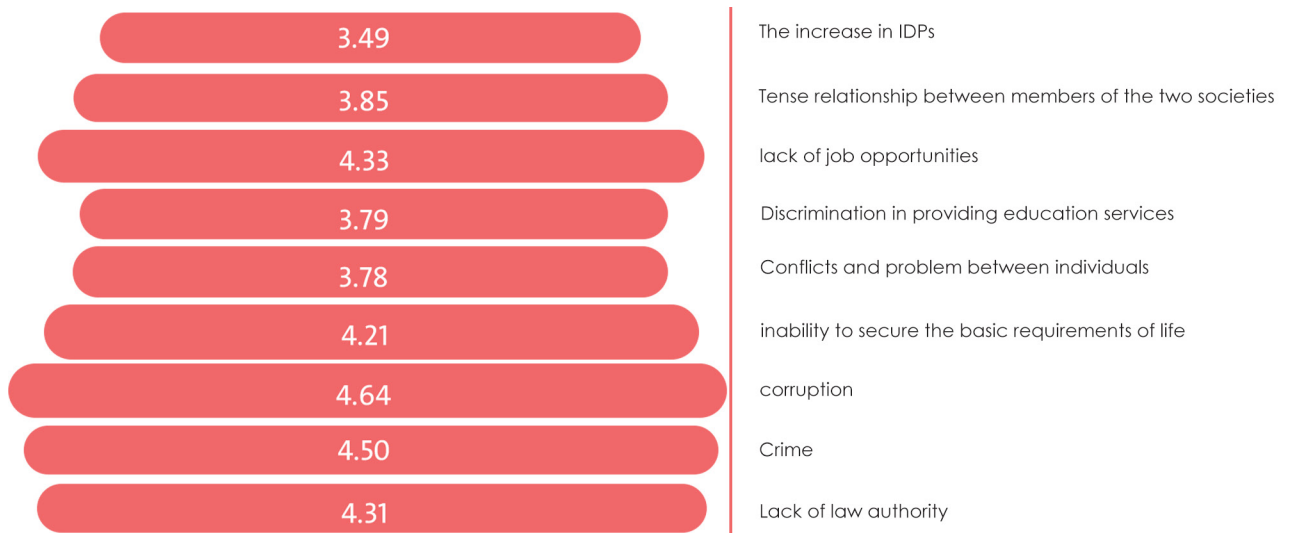
The positive behavior of the IDPS in the host communities leads to a lower conflict recurrence rate

The results of the regression analysis indicated that the most influential factor on the conflict recurrence rate was the relationship between the IDPS and the hosts, meaning that the better relationship they have, the lower the rates of conflict is.

The most important social issues

As for the most serious societal issues, corruption and crime were the most serious with an average of more than 4.5, noting that number 5 indicating extremely serious. Next, there were the lack of job opportunities and the inability to secure the basic requirements of life

Figure(13):



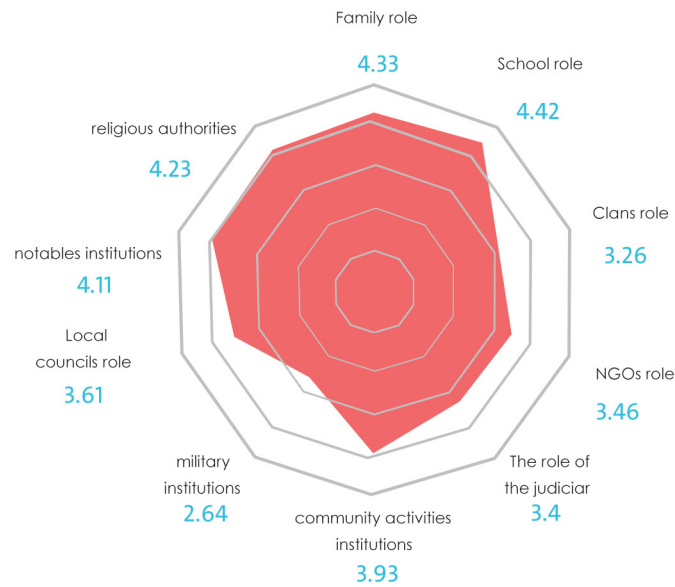
Regression analysis results:

The decrease in the tension between both societies, as well as the decrease in conflicts recurrence between individuals, leads to a decrease in conflict recurrence rate in general

The most important social roles.

The role of school and family was the most important, with the participants' average answers being 4.42 and 4.33, respectively. Whereas, the impact of religious authorities and notables was closer to the positive effect to some extent, with a value of 4.23 and 4.11, and then came the role of community activities with 3.93. The role of military institutions was the least important, at 2.64

Figure(15):



The most important social roles.

As for analyzing answers result of the focus sessions

Participants, most of them focused on the importance of school and the family role as shown in the side chart.

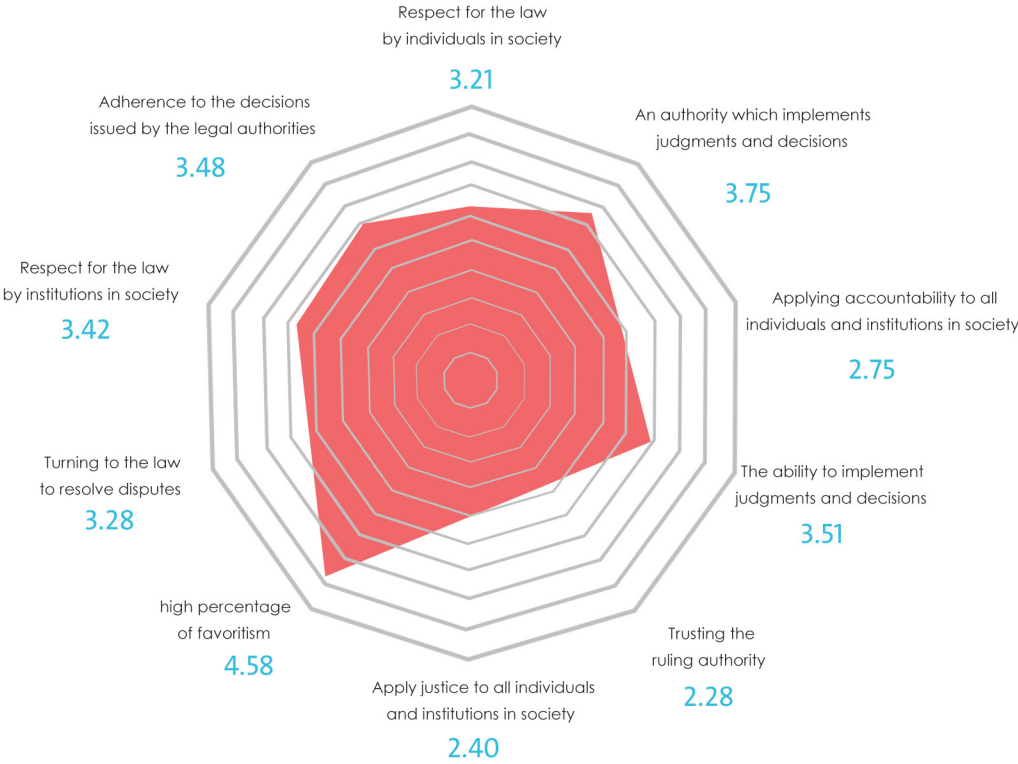


The results of the regression analysis were:

1) The existence of a positive family role leads to conflicts non-recurrence.

legal environment Availability.

When asked about legal matters related to the legal environment, the answers of most respondents were that most of the them are available to some extent. While there was an indication of a high percentage of favoritism, and it has a negative impact on the legal environment. [Figure\(16\):](#)

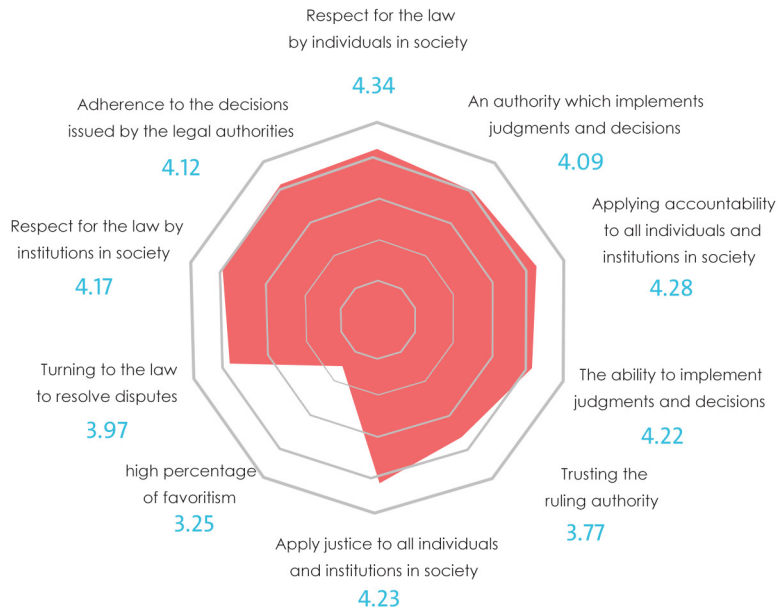


The regression analysis results were:

- 1) Increasing the obedience for decisions and laws issued by legal authorities leads to a reduction in conflict recurrence rates.

Legal environment Availability impact

As for the question related to matters related to the legal environment effects, the participants indicated that there was a high impact on most matters, in particular, the average responses regarding individuals respect of the law. In addition to justice application on individuals and institutions, and the negative impact of favoritism was also indicated.



The focus sessions participants see that respecting the law, its authority, and application have a positive impact on societies and societal cohesion



The results of the regression analysis were:

1) The justice application on individuals and institutions has a negative impact that leads to an increase in conflict recurrence rates while the ability to implement decisions and judgments has a positive effect that leads to a reduction in conflict recurrence rates.



Recommendations

- 1- Carrying out legal awareness campaigns urging society to abide by and respect the law
- 2- Opening free legal services and consultations offices in the targeted areas
- 3- Printing and distributing brochures that include legal advice and guidance for the most important issues facing citizens in the targeted areas
- 4- Carrying out media campaigns such as seminars and meetings through live broadcast on social media sites and follow-up TV channels that address the most important legal issues facing citizens
- 5- Hiring lawyers to defend citizens' rights, especially those who are unable to do so due to lack of money
- 6- specialized teams carrying out visits to the courts and prisons to assess the extent of compliance with the law and provide the necessary instructions.
- 7- Visiting large population centers and holding seminars to spread legal awareness



Report



Within the project of enhancing community cohesion

At the societal structures in northern Syria

Partnership between

Door Organization and Youth of Change Foundation

Syria
2019