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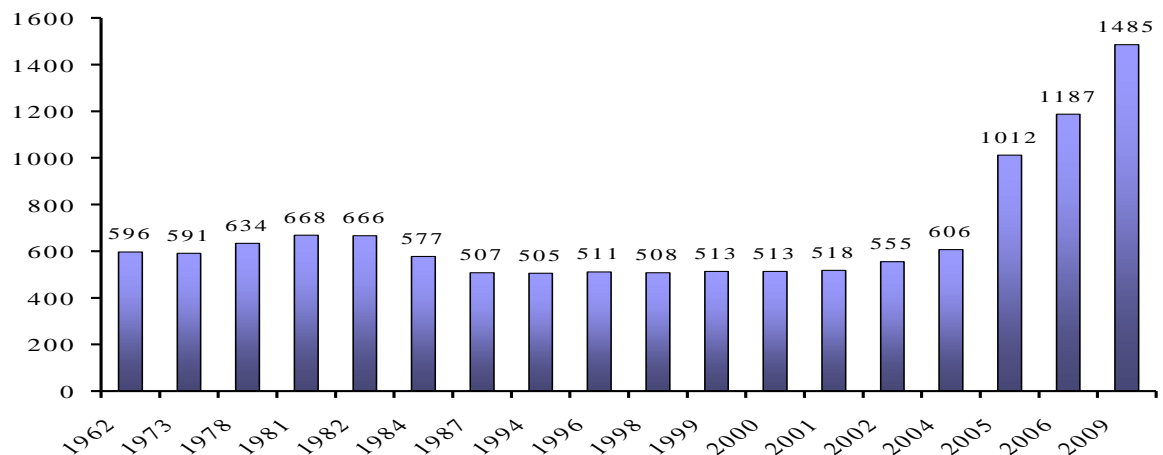
State-Charities Relations in Syria: between Reinforcement, Control and Coercion

By Laura Ruiz de Elvira

Introduction¹

Like other policy areas, the field of Syrian associations experienced several important changes during Bashar al-Asad's first decade in power (2000-2010). In only five years the number of organisations registered with the Ministry of Social Affairs and Labour (MoSAL) almost tripled,² going up from 555 in 2002 to 1,485 in 2009 (see Graphic 1). The first lady herself announced in 2010 an increase of 300% in a few years.³ A “new generation” of NGOs emerged,⁴ tackling different areas: development, environment protection, culture and, in a few cases, even advocacy (Le Saux 2006). All these elements pointed to a real rebirth of the associative sector (Ruiz de Elvira 2010), while in the period between 1963 (the year of the Baathist coup d'état) and the year 2000 no more than fifty organisations had been authorized by the MoSAL.⁵

Graph 1: Number of associations registered with MOSAL



¹ I would like to thank Raymond Hinnebusch, Thomas Pierret and Tina Zintl for their helpful comments on earlier versions of this paper.

² These figures include all kind of organisations: cultural, charitable, developmental, environmental etc.

³ Participant observation, Damascus, January 2010.

⁴ On the idea of generations of NGOs see Korten (1990), Nefissa (2002).

⁵ Ministry of Social Affairs and Labour bulletins, consulted at the Central Bureau of Statistics, Damascus.

Source: Statistical Abstract, Central Bureau of Statistics, Damascus and statement of the former Minister of Social Affairs and Labour.

From our point of view, the revitalization and renewal of civil society in Syria – civil society understood as the constellation of associational forms that occupy the terrain between individuals and the state (Wiktorowicz 2000) – reflects a clear restructuring of the previous politics of the Baathist regime towards non-state actors: while during several decades the latter had been oppressed, from 2000 onwards they have been boosted up. In the 21st century Syria has entered a “post-populist” era, characterized by a reconfiguration of actors and lasting transformations (e.g. Picard 2005, Heydemann 2000). The transformation of the associative sector has indeed taken place in the context of a readjusting state. This evolution is clearly in keeping with a broader process of economic and social change in which old paradigms and policies have been partly modified.⁶ Actually, the state’s support for civil society projects – and for charitable projects, more precisely – has taken place in a context whereby public institutions could no longer meet the needs of the population despite a real increase in their budgets⁷. This difficulty has been exacerbated by population growth and a corresponding increase in the demand for social services.⁸

In this context, the number of charities increased,⁹ especially in Damascus and Aleppo, but not exclusively, where rich merchants and businessmen finance countless philanthropic projects.¹⁰ According to official numbers, they represented in the year 2008 more than 60% of the whole associative sector (Barout: without year), while in other countries of the region they are far less numerous.¹¹ Likewise, the volume of these associations’

⁶ On this process see Álvarez-Ossorio (2009) and Donati (2009). See also the previous Saint Andrews Papers on Contemporary Syria: Sottimano/Selvik (2009); Abboud/ Arslanian (2009); Hinnebusch/Schmidt (2009); Seifan (2010); Hinnebusch/ El-Hindi/ Khaddam/ Ababsa (2010).

⁷ The official estimated expenditure in “social welfare” has increased from 7 thousand million in 2004 to 9 thousand million in 2009; as for the official estimated expenditure in “education”, it has increased from 23 thousand million in 2004 to 53 thousand million in 2009. Central Bureau of Statistics (2009).

⁸ 1970: 6,3 million; 1993: 14 million; 2011: estimated at 23 million.

⁹ By charities we mean all kinds of organizations established to help the needy.

¹⁰ Syria does not have a monopoly on this resurgent charity. Studies show other countries in the region have equally seen a revival of their charity sectors. In Saudi Arabia, for instance, the rapid growth in the number of charities has taken place within the framework of the “National Strategy for Remedying Poverty”, which, instead of bringing about the creation of new state aid programs, has led to the establishment of charitable foundations, financed in particular by members of the royal family, see Le Renard (2008). In this regard, Jonathan Benthall asserts that at the regional level “even the most ardent defenders of state intervention in a society’s activities increasingly seem to recognize the legitimacy and necessity of the complementary role played by private charity” (Benthall 2004 : 183).

¹¹ According to Amani Kandil’s study, at the beginning of the 1990s the percentage of charities comparing to the global number of NGOs was: 9,7% in Tunisia, 68% in Kuwait, and 30% to 50% in

services strongly increased in this period. The Sunduq al-‘Afieh (the Health Fund) for instance, a charitable project of the Damascus Charities Union,¹² experienced a spectacular evolution: the number of beneficiaries increased from 536 in 1997 to 4,455 in 2006. Because of this initiative, during one decade 29,823 sick people had their medical care paid for (with 60,000 surgical treatments carried out), at a total cost of 953 million Syrian pounds (some 17 million USD).¹³ In the same way, the number of beneficiaries of the Sunduq al-Mouwawada wa-l-Rahma (the Love and Mercy Fund), a fund that also depends on the Damascus Charities Union, increased from 44 in 1999 to more than 550 in 2007.¹⁴ Hence, these charitable structures have become key actors both within the Syrian civil society and within the field of social welfare provision during the last ten years.

The aim of this paper is to provide a better understanding of the state / charities relation in Syria during Bashar al-Asad’s first decade. In order to do so, this paper will be divided into four parts. In the first part it will be briefly defined what the term “charities” means in the Syrian context. In the second part it will be shown how between 2000 and 2010 these charities have been actively encouraged, through different mechanisms (registration facilities, land donations, official visits, etc.), by the Syrian authorities, who conceived these social structures as an efficient way for the state to “off-load” at least a part of its welfare responsibilities. Notwithstanding, it will be argued, the state / charities relation during this period has not limited itself to the reinforcement of these organizations owing to the contraction of the public administration of welfare services. In the third part it will be thus demonstrated that the expansion of this sector has been accompanied by the attempt to redeploy the state and to upgrade the mechanisms that permit it to control and discipline these activities (registration of previous non-registered charities, creation of GO-NGOs,¹⁵ etc.). Finally, in the fourth part, some examples will be given of the repressive and the coercive measures that, in extraordinary cases, have been undertaken against charities (banning religious leaders from the boards of directors, dissolution of boards of directors, etc.).

The ethnographic data analysed here is based on two years of fieldwork, consisting of almost a hundred interviews and “participant observation” sessions undertaken between

the rest of the countries. See Kandil (1995). Since then these percentages have probably decreased given the significant creation of “new generation” NGOs.

¹² There are two unions of charities in Syria: one in Aleppo and one in Damascus. Both of them are private initiatives.

¹³ Annual report of the Damascus Charities Union, 2007.

¹⁴ Idem.

¹⁵ Governmental Operated – Non Governmental Organisation.

November 2007 and November 2009. The paper covers practices observed mainly in Damascus and Aleppo, where two thirds of the registered organisations deploy their activities. However, we have also paid attention to the associative sector in smaller cities such as Homs, Tartous and Palmyra, or villages such as Maaloula. This material is part of a larger research project to understand the role of the Syrian charities in the context of a readjusting state characterized by the reconfiguration of social policies.

I - What does the term “charities” mean in Syria?¹⁶

In Syria, charities have traditionally been the mainstay of associative life. Their roots date back to the Ottoman period. The allegedly first Muslim charity to see the light of day in the *Bilad al-Sham* region, Jam‘iyyat al-Makassed al-Khayriyya al-Islamiyya (the Islamic Charitable Works Association), was founded in Beirut in 1878 and has today branches in several Syrian cities.¹⁷ However, it post-dated the first Christian Syrian charity, the Association Saint Vincent de Paul, founded in Damascus in 1863.¹⁸ Later on, other charities were created in the country at the start of the twentieth century. In Damascus these included the Jam‘iyyat al-Is‘af al-Khayriyya (the Relief Charitable Association, 1907), an organisation for 6 to 13-year-old orphans that provided, and still provides today, housing and a teaching centre accredited by the Ministry of Education;¹⁹ the Orthodox Association Saint Grégoire (1912) which, as well as housing and educating orphaned children gave material support to those who needed it most;²⁰ and the Jam‘iyyat al-Ihsan al-Islamiyya (the Beneficent Islamic Association), a Shia organisation that looked after poor families from the Shia community and today runs a training centre for women. Most of these ancient associations are still active today although, in many cases, have extended their field of operations.

However, the fabric of Syrian charities only really began to be woven under the French mandate (1920-1946). Organisations such as al-Tammadun al-Islami (the Islamic Civilisation, 1932) – which distinguished itself by not only being active in the charity sector but giving itself an intellectual mission as well – date from this period. As its former president puts it, its founding was part of a vast Islamic association movement, which emerged in the mid-1920s as a direct result of French colonisation (al-Khatib 2008/2009). It was at this point

¹⁶ Some passages of this section are based on Ruiz de Elvira (forthcoming in 2012).

¹⁷ For more information see its website: <http://www.makassed.org.lb/home.html>.

¹⁸ Association Saint Vincent de Paul’s brochures.

¹⁹ For more information see its website: <http://eko-sy.org/>.

²⁰ For more information see its website: <http://www.st-gos.com/>.

that numerous organisations were created as vehicles to put political demands to the Western occupier. This phenomenon was, however, also accompanied by the creation of less politicised charities, such as al-Maytam al-Islami bi-Halep (the Islamic Orphanage in Aleppo, 1920) or the Jam‘iyyat Nuqtat al-Halib (the Drop of Milk Association) in Damascus (1922). Founded by a group of women, Nuqtat al-Halib was chiefly intended to procure milk for poor women unable to breastfeed their infants. Besides, Christian charities developed in parallel to this in the 1930s and 1940s, linked to religious institutions (Boukhaima 2002). Among them was the charity al-Qadis Lawndius al-Khayriyya, founded in 1944, or the Damascus clinic al-Moustawsaf al-Khayri (the Charitable Clinic, 1946), which was created on the initiative of a group of physicians wishing to give free medical care to the underprivileged.²¹

The golden age for charities, however, was the 1950s. Between January 1952 and April 1954, the number of charities registered in the country rose from 73 to 203 (Pierret 2009). This expansion was due to a more favourable environment characterised by flexible legislation, a liberal economic system and new religious leaders asserting their authority (ibid.). Some of the expansion consisted of charities, such as the Dar al-Hadith al-Nabawi al-Sharif (1953),²² which provided for the needs of religious schools. However, the majority were neighbourhood organisations that restricted themselves to distributing financial and material aid once or several times a month. An example of this is the Shaykh Mahhi al-Din association, which opens its doors only on Fridays before prayers. Generally, these charities were linked to the mosque in the neighbourhood where they were based. In other words, they were strongly localised organisations based on neighbourhood solidarity, a solidarity which in fact corresponded to a clientele relationship in the form of redistributing wealth. Their antecedents were the *lajnat kibar al-hara*, or committees of a neighbourhood’s notables and *zaim*.²³ Many of these charities are still working today, but as they have not evolved since being founded, they lag behind new MoSAL trends. Finally, it was also in the 1950s that the first charities with a wider scope, such as the networks Jam‘iyyat al-Nahda al-Islamiyya (the Islamic Awakening Association, 1954) and Jam‘iyyat al-Birr wa-l-Khidmat al-Ijtima’iyya (the Charitable Works and the Social Services Association, 1955), were created.

When the Baath Party took power and declared a state of emergency in 1963, the new regime began a process of bringing civil society “into line” (Seurat 1980: 122). In this

²¹ Author’s interview, May 2008.

²² For more information see its website: <http://www.daralhadith.com/index.htm>.

²³ Author’s interview with an associative leader, November 2009.

context, civil-society initiatives were no longer welcome inasmuch as they were likely to contribute to challenges to established authority. The associative sector was penetrated and led by “popular organisations”, a means of controlling popular mobilisation. Hence, very few charities were founded during this period. Government control reached its peak at the end of the 1970s and start of the 1980s, when Islamist protests endangered Hafez al-Asad’s regime. Between 1962 and 2000, the number of charities dropped from 596 to 513 (see Graphic 1).

At the same time, the almost systematic refusal to authorise the founding of new charities led to “informal” organisations being developed, organisations that were not declared and were active behind the scenes, either through informal networks linked to charismatic individuals, or under the protection of Christian religious institutions, or else under the aegis of already registered charities, which functioned as umbrella organisations. It was only at the very end of the 1990s that the associative sector finally saw restrictions relatively loosened (Sottimano 2009: 25).

Therefore, the charities that have proliferated during the last ten years are only the prolongation of a long tradition of both Muslim and Christian beneficence. Their ideological, historical, sociological and political foundations – strongly linked, as Amy Singer shows, to the religious beliefs and practices (Singer 2008) – are essentially based on a denominational, political-geographic and often clientele-orientated structure (Karam 2002). Their evolution, as we have just exposed, is intrinsically linked to the country’s political and social history. Like in Jordan and Lebanon, they typically rely upon the urban, professional middle class for voluntarism and donations (Baylouny 2010; Clark 2004).

Today the charity sector is characterised by heterogeneity. Its fields of activities are extremely varied. To traditional charitable activities – looking after orphans and the elderly, supporting poor families, providing medical care or financing religious education – have been added projects of a new kind seeking to integrate a “development” dimension. Among the latter are assistance for young couples wishing to marry; countering unemployment through training courses and launching for-profit activities; the attempt to eradicate begging using centres to help people get back into the job market; literacy and IT courses for illiterate mothers; and more recently the granting of micro-credits. Clearly, charities have tried to adapt and seize the zeitgeist. The line between charity and development has thus become increasingly blurred and given way to new hybrid organisations.²⁴ Under MoSAL pressure,

²⁴ This new sector is called “charity +” by the European Commission delegation in Syria.

their role has in many cases evolved from simply collecting and redistributing money to the poor within a community or neighbourhood, to a more sophisticated and diverse specialised activity. According to those interviewed, these organisations no longer seek to “give fish to the poor to feed them for a day, but rather teach them how to fish.”

Above all, these structures respond to real needs of the population. They are the manifestation of a still-fragile civil society that has been shaped by its difficult relationship with the government and the Baathist regime. By no means are they inactive empty shells intended merely to collect funds from international sponsors or the Syrian state.²⁵ Actually, through a complex and permanent process of negotiation punctuated by intermittent repression, the social activists who now constitute this sector have profited from several years of relative tolerance (mainly between 2004 and 2008) by deploying their own strategies (involving notables, religion, socialisation, etc.), either through founding new charities or through developing already existing ones. Whilst trying to escape, circumvent or use to their own profit the disciplinary mechanisms established by the Baathist regime, Syrian charities have succeeded in creating leeway within a very restrictive political system. Their significant contribution to social welfare together with their “apolitical” approach and their great popularity has been their main asset to do so. Furthermore, they are far from being puppets of the government. The Hefth al-Ni‘me association (Preservation of Grace), for instance, established in 2002 and registered with MoSAL in 2006, has become one of the main charities in the country even if (or, rather, thanks to the fact that) its founder, Shaykh Sariya al-Rifa’i, a leader of the powerful Zayd movement,²⁶ is not a regime-friendly religious leader²⁷ as the Syrian revolt of 2011 has proved.

Yet, although the charity sector in Syria (and in the Arab world, more generally) is a stimulating subject for analysis, studies of this kind of associations are rare.²⁸ From our point of view, the interest of this topic in the Syrian case is twofold. First, it constitutes an empirical approach to analyze the transformations that have taken place during the last ten years in the associative field itself, in terms of the renewal of actors, new balances of power, revision of

²⁵ The aid provided by foreign donors is extremely controlled by the MoSAL and the Syrian Ministry of Foreign Affairs. As for the aid given by the Syrian state, it is insignificant and unequally distributed.

²⁶ On the charitable activities of this movement see Pierret/ Selvik (2009).

²⁷ Thomas Pierret and Kjetil Selvik (2009: 608) point out that, in the aftermath of the Islamists’ confrontation with the Baathist regime (1979-1981), Shaykh Sariya al-Rifa’i and his brother, Shaykh Osama al-Rifa’i, were forced into exile in Saudi Arabia, where they remained until the 1990s.

²⁸ For the case of Saudi Arabia see Le Renard (2008); for the Palestinian case see Challand (2008); for a general overview see either Benthall (2002) or Bonner/ Ener/ Singer (2003).

strategies and approaches, introduction of new methods and new rhetoric, etc. Secondly, it represents a good method to grasp the real impact of the switch from a centralised economy to a “social market” model in which the previous social politics of the Baathist regime have been reconsidered by the Syrian authorities.²⁹

II - The reinforcement “from above”

Seeking to guarantee economic growth and social welfare provision, Syria’s successive governments have undertaken since the eighties a series of liberalization efforts, with one major wave occurring between 1986-1991, and others following at various intervals ever since. As Raymond Hinnebusch explains: *“the rent-driven expansion of the state during the seventies exceeded Syria’s economic base and when rent and growth declined in the eighties, patronage dried up and the state began to shed some of its economic responsibilities. Private business had to be given concessions to fill the economic gap, notably by the curbing of state intervention and widening of space for the market”* (Hinnebusch 1995: 231). The most recent of these efforts took place in 2005 with the introduction of the term “social market economy” at the Tenth Regional Congress of the Baath party. However, whilst in the previous periods the liberalization had only benefited the private sector,³⁰ Bashar al-Asad’s liberalization policies have equally targeted civil society and the associative sector.³¹

Thus, in the 21st century’s Syria, responsibility has officially become, more than ever before, “multilateral”. Indeed, as the Tenth Five Year Plan emphasized:

*“Social market economy entails that development process responsibilities should not be limited to the central government with the blame put on the state for plan implementation tasks. Responsibility must be multilateral and will have to include the private sector, provincial governments, NGOs and civil society groups.”*³²

²⁹ Resembling the Chinese model, the “Social Market Economy” aims at economic reforms at the same time that it rejects political changes. According to Samer Abboud (forthcoming), “the ‘social market economy’ strategy is one that is aimed at shifting underlying economic structures to foster greater accumulation through the marketization of the economy. At the same time, despite the rhetoric of social protections, this strategy has resulted in the withdrawal of the state in key areas of social welfare provision, aggravating already existing socio-economic problems.”

³⁰ On this topic see, for example, Bahout (1994).

³¹ See also Tina Zintl’s article in this volume.

³² The Tenth Five Year Plan (2006-2010), <http://www.planning.gov.sy/files/file/FypChapter1En.pdf>.

Non-state actors have been urged by the public authorities to play a new role and to strongly contribute to the national development process. The purpose, the government has argued, is to

*“encourage civil society organizations’ contribution to local development efforts, and provide incentives to the development processes based upon collective efforts, and offer them financial, technical and human resources.”*³³

Moreover, as it can be perceived in the following passage of the same document, the notions of “participation” and “partnership” have become keywords in the renewed governmental discourse:

*“Transition to social market economy adopted by the state, with the FYP undertaking the task of providing a conducive environment for its successful launch, will certainly require forging a new social contract among the vital forces in the Syrian society. These are comprised of the state, private sector, and civil society organizations bounded through healthy dialogue and interactive participation in formulating and implementing the Plan. Such partnership is the only route to win the societal transformation and meet the associated challenges.”*³⁴

In this context, although the governmental authorities have repeatedly declared their wish to see the traditional charities evolve toward “more developmental structures”,³⁵ charities have been *de facto* particularly favoured as compared to developmental, cultural and, obviously, advocacy organizations. We can thus address the following two questions: why and how charities have been favoured during Bashar al-Asad’s first decade?

Why have charities been favoured?

During the last ten years, the charity sector has gradually become a “partner” of the state. The principle of cooperation with civil society, on which the Tenth Five Year Plan (2006-2010) was supposed to be based, has gone from words to deeds, via the ‘*uqud tasharukiyye*’ (association agreements). Through these agreements, the maintenance, management and often financing of certain public institutions – such as schools, health centres and other welfare structures – have passed into the hands of certain charities in order “to better guarantee a good service to the population and share welfare responsibilities

³³ Ibid.

³⁴ Ibid.

³⁵ Declarations of Diala al-Hajj Aref, former Minister of Social Affairs and Labour.

between the public and the private sector.”³⁶ There is no shortage of examples – they have been held up as the key to success in the development process.

The Qaws Quzah association (Rainbow, in English), for instance, founded in 2002,³⁷ signed several years ago an agreement with the MoSAL according to which the management of the only public Damascene orphanage, the Dar Zayd Ben Haretha which hosts around 160 orphans,³⁸ became its responsibility. The magazine Syria Today gave some details of this partnership in one of its articles:

*“Rainbow’s ‘sponsor a child’ programme was launched in 2003. By paying SYP 300 (USD 6,50) monthly, sponsors can visit Zayd bin Haretha’s orphans and take them out on trips, under the supervision of Rainbow staff. Before the exhibition, Rainbow had around 100 sponsors. At the DIF [Damascus International Fair], the charity recruited an extra 15 sponsors, as well as a number of volunteers”.*³⁹

Thanks to this agreement, the MoSAL managed to outsource for several years the financing, administration and management of this public institution that has remained nevertheless “public”. Moreover, in 2009, for reasons that we cannot detail here, the management of the Dar Zayd Ben Haretha passed into the hands of a new association, the Jam‘iyyat Sunduq al-Raja’ (the Fund of Hope Association), founded in 1970 and registered with MoSAL in 2004. At the present moment this association runs simultaneously two public institutions: the orphanage Dar Zayd Ben Haretha, on the one hand, and the center Rawdat al-Sum wa-l-Bukum (the Oasis of Deaf and Dumbness), for the deaf and dumb persons, on the other hand.⁴⁰

Likewise, the Jam‘iyyat al-Khayriyya bi-Haleb (the Charitable Association in Aleppo) signed in 2009 an agreement with the Ministry of Religious Endowments.⁴¹ According to it, the administration and the management of the institution Moubarra al-Awqaf al-Islamiyya (the Charitable Institution for the Islamic Religious Endowments) from Aleppo, founded in

³⁶ Ministry of Health’s website, 18th April 2010, <http://www.moh.gov.sy/ar/%D8%AA%D9%81%D8%A7%D8%B5%D9%8A%D9%84%D8%A7%D9%84%D8%AE%D8%A8%D8%B1/tabid/258/smld/461/ArticleID/150/reftab/258/Default.aspx>. (dead link, last accessed in September 2010).

³⁷ For more information on this organisation see its website: <http://www.rainbowculturalpr.com/>.

³⁸ For more information on this structure see its website: <http://www.darzaid.com/>.

³⁹ Syria Today, July 2009.

⁴⁰ See the association’s website: http://alrajaa-fund.com/index.php?option=com_content&view=article&id=49&Itemid=70.

⁴¹ Al-Thawra, 24th November 2009, http://thawra.alwehda.gov.sy/print_veiw.asp?FileName=27738600720091124005230.

1961 as a specialized center for the elder, became the responsibility of this private charity. In addition to it, the Charitable Association from Aleppo agreed to restore the existing premises, provide and train the new medical staff and, finally, pay the employees.⁴² In exchange for these services, the Ministry of Religious Endowments (to which the above-mentioned institution belongs) committed itself both to grant the charity every year a certain amount of money and to give it the required permission to raise funds in the mosques of Aleppo.

As for the charity Jam'iyat al-Bustan al-Khayriyya (the Garden Charitable Association, 1999), founded by Rami Makhlouf – first cousin of Bashar al-Asad and probably the richest man in Syria – in the city of Latakia, it has too signed several '*uqud tasharukiyye* with the Syrian state, with the Ministry of Health to be specific. One of these agreements consisted in restoring the public hospital of Jable as well as other medical centers in the Latakia governorate. Another one consisted in financing the entire construction of the hospital al-Shahid Ibrahim Ni'ma al-Watani al-Jadid, of which the first stone was placed by the Minister of Health himself.⁴³ On that occasion the Minister underlined the great importance of these agreements in improving the public services and infrastructures in all the regions of the country.⁴⁴ Indeed, according to SANA, Syria's official press agency, al-Bustan al-Khayriyya paid out more than 90 million Syrian pounds in only two years in order to develop and improve the existing health centers in Latakia's region.⁴⁵ Moreover, in 2010 this charity was planning to spend about 160 million Syrian pounds in the coming period.⁴⁶ Lastly, in 2011, once the Syrian revolt had started, Rami Makhlouf, who was the first target of the protesters, promised to increase its charitable activity *via* its association al-Bustan al-Khayriyya. Nevertheless, this promise didn't convince the opposition, who accused him of being the family banker and, above all, highly corrupt.⁴⁷

In a context of increasing economic difficulties, it is clear that thanks to this kind of agreements the Syrian state has partially outsourced the spending and the management of several public institutions whilst they have supposedly remained state-owned. Therefore, these contracts are, from our point of view, the evidence of the implementation of a strategy that follows a logic of partial "off-loading" by the state ("décharge de l'Etat" in the French

⁴² *Syria News*, 24th November 2009.

⁴³ *All4Syria*, <http://all4syria.info/content/view/35138/113/>, (dead link, last accessed in September 2010).

⁴⁴ Sana News Agency, 19th April 2010, <http://www.sana.sy/ara/2/2010/04/18/283533.htm>.

⁴⁵ *Idem*.

⁴⁶ *Idem*.

⁴⁷ "Syria's richest man promises massive charity giveaway", *The Guardian*, 17th June 2011, <http://www.guardian.co.uk/world/2011/jun/17/syria-richest-man-promises-giveaway>.

literature), a formula at work in many countries.⁴⁸ According to Béatrice Hibou, one of the main characteristics of this logic is the alteration of the relations between the “public” and the “private” as well as between the “political” and the “economical” (Hibou 1999: 7-8). The example of al-Bustan al-Khayriyya is particularly clear in this respect. In fact, while al-Bustan is a private charity, it has been supporting and financing numerous public institutions and projects in the last years. Moreover, while most of the funds of this charity have been provided by Rami Makhlouf, that is a private entrepreneur, the fortune of this man has been built thanks to his links with the regime and the Syrian state itself.

Finally, besides the financial and utilitarian reasons, the reinforcement “from above” of the Syrian charities during Bashar al-Asad’s first decade has probably also been motivated both by the desire to co-opt the powerful religious leaders who, until late 2008, were at the head of these initiatives, as well as by an attempt to attract the foreign funds meant for civil society-promotion programs in the Middle East. Likewise, it is worth pointing out that the period in which these structures have been promoted the most (between the years 2004 and 2008), coincides with a moment of major international isolation of Syria due to its positioning against the Iraq war and to the assassination of Rafiq Hariri.⁴⁹ Hence, by giving some leeway to domestic civil society actors the regime intended most likely to find at home the support that it had lost abroad.

How have they been promoted? Through which mechanisms?

Among the different channels that the Syrian state has been employing during the last ten years in order to support and promote charities we will point out five here: the media campaign, the presidential couple’s and government officials’ personal visits to associations, the normalization process undertaken by the MoSAL so as to register the “informal” structures, the privatization of former public structures and, finally, the sale or the rent of public land to charities at preferential prizes.

First, mostly since the year 2004, state-run newspapers – such as *Tishreen* or *Al-Thawra* – and newly created “independent” magazines – such as *Syria Today* – have carried on an effective campaign to support Syrian charities. Through focused articles these newspapers and magazines have underlined the important role of these organisations in

⁴⁸ On this idea, see Hibou (1999); and Hibou (2004).

⁴⁹ For a comparison between foreign and domestic policies in Bashar al-Asad’s Syria see Wieland(2010).

providing social welfare, in fighting poverty or in carrying out developmental projects. These articles have greatly contributed to make Syrian charities known by announcing the newly created ones or by covering public events organized by them. The following paragraph, extracted from Syria Today, constitutes a typical example:

“Like a growing number of Syrians, Mohammad Fathy Qawadri has turned to a third source of life-saving help: the newly created NGOs and charities that provide free care, medicine and social support for the needy. “Without these charities, my family and I would not be able to cope,” he said. [...] A number of NGOs that specialise in health care and drug provision are now running in Damascus. One of them is Sunduq al- Afieh, the “health fund”, a Syrian charity established by Damascene philanthropists. It uses a flexible and efficient system to help poor patients requiring fast treatment – something the state-run system cannot easily provide. Rather than stand in month-long queues at a government-owned hospital, the patient can drop in at the charity’s headquarters in Midan, a Damascus suburb, and fill in an application for help.”⁵⁰

Second, the First Lady as well as some governmental personalities and local figures have directly supported charities by paying them official visits. These visits have, first, contributed to legitimize these structures and, second, increased their symbolic and media visibility. These visits have generally been broadcasted in official TV channels and newspapers thus publicizing their work. The fact that pictures of these official visits are generally visibly exposed in the headquarters of these associations illustrates the importance of this kind of support in the eyes of the social actors. Likewise, some associations highlight these visits on their websites. Hefth al-Ni‘me, for instance, had in 2008 an entire section on its website where pictures of the official visits that it had received were displayed.⁵¹ Among them there were three pictures with the Minister of Religious Endowments, with the Minister of Social Affairs and Labour and with the Governor of Damascus, respectively. Furthermore, these same pictures were equally exhibited in some of the leaflets of this association (see Picture 1).

Picture 1: Official visits to Hefth al-Ni‘me

⁵⁰ Syria Today, March 2008.

⁵¹ The address of this website was: <http://www.hifz.org/>, but since then it has been shut down.



Source: Leaflet of Hefth al-Ni‘me, without year.

But the state support for charities has gone well beyond media articles and official visits. In fact, and this is the third channel, the Ministry of Social Affairs and Labour has encouraged, especially around the years 2004 and 2005, the normalization and formalization of pre-existing informal networks committed to social works. In this context, letters were sent to non-registered charities asking them to normalize their situation by registering with this ministry. The al-Safine association (the Ark), for example, a Christian charity that supports young handicapped people and operates under the patronage of the Latin Church, received one of these letters from the MoSAL several years ago.⁵² Likewise, several Christian religious leaders were contacted in order to discuss the same issue regarding other associations. In addition, the accreditation procedure for new associations became more flexible from 2004 onwards. As a result, non-authorized charities – that had been working during several years, or even decades, without being registered with the MoSAL – were finally allowed to “formalize” their legal status. All this led many to affirm that “they opened the door to create new associations” (*fatahu bab ta’sis al-jam’iyyat*),⁵³ “they” referring to the MoSAL and, ultimately, to the regime.

⁵² Author’s interview with one of the members of this association, April 2008.

⁵³ Author’s interviews, 2007-2009.

Indeed, either willing to grab this opportunity or, in some cases, feeling obliged to do so, most informal charities decided to register. Only some associations, most of them Christian, preferred and were tacitly permitted not to do so. In the case of Christian structures, this decision has sometimes been motivated by the conviction that remaining under the sponsorship of the religious institutions will preserve the autonomy of the association. This was the case of al-Safine, for instance. In other cases, this decision has rather been the consequence of internal conflicts: while the secular administrators of these associations wanted to “legalize” them, the religious “patrons” – who desire to preserve their centrality and their authority on them – refused.⁵⁴

As for the fourth channel used to promote charities, we can mention the privatization (or more precisely, de-nationalization) of several formerly state-managed structures. As Thomas Pierret and Kjetil Selvik account: “*In Hama, for instance, the Maktab al-Ri’aya al-Ijtima’iyya (Social Care Bureau), that was born from the 1983 nationalization of Al-Nahda al-Islamiyya (the Islamic Awakening), the city’s most powerful charitable association, was turned into a private body in 2003 and became Al-Jam’iyya al-Khayriyya li-l-Ri’aya al-Ijtima’iyya (Charitable Association for Social Care), which opened several sections in the villages of Hama’s countryside*” (Pierret/Selvik 2009: 602). Likewise, two years earlier, “*the former Jam’iyyat A’mal al-Birr al-Islamiyya (Islamic Association for Charitable Works), the oldest organization of its kind in the city (1925), had been re-established as a private body under the name Jam’iyyat A’mal al-Birr*” (ibid.). Thus, some associations which had been nationalized in the 1980s (the worst period for the Syrian civil society) have recovered their legal autonomy during the last decade.

Finally, the state’s support for charities has sometimes been channelled through the sale or the transfer of public land to charities at preferential prices. Even if this kind of transfer is not new – the Jam’iyyat al-Moubarra al-Nisa’iyya (the Feminine Charitable Works Association), for instance, received a big piece of land from Damascus governorate in the 1970s⁵⁵ – it has become more frequent since the arrival of Bashar al-Asad into the presidency in the year 2000. There are many examples. Among them, the Jam’iyyat al-Birr (the Association for Charitable Works) in Palmyra was granted a 3,000 m² piece of land by the local administration for which it only paid 5 Syrian pounds per square meter.⁵⁶ Similarly, in 2005, the Damascus Charities Union received a huge piece of land from Damascus

⁵⁴ For more details on this topic see Ruiz de Elvira (forthcoming).

⁵⁵ Author’s interview with the president of the board, October 2009.

⁵⁶ Author’s interview with the secretary of this charity, November 2009.

governorate in order to build its charitable al-‘Afie hospital; the transaction was determined by a presidential decree. The total cost of the sale was 990,000 Syrian pounds,⁵⁷ a symbolic price for a big ground located in the neighbourhood of Midan, in the very center of Damascus.⁵⁸

These five examples are evidence of an active reinforcement of charitable associations “from above”. Furthermore, they give a sense of the mechanisms through which the Syrian state has been promoting these charities during the last years. At the end of the day, we can say that the regime has favoured developing this “primary” kind of organisation over other bodies which are less easy to control and potentially cause more political activism, such as lobbying organisations.

III - The redeployment of the Syrian state: control and disciplinarization

Notwithstanding, the state / charities relation does not limit itself to the reinforcement of these organizations “from above”. Actually, the expansion of this sector has been accompanied by the attempt to upgrade the mechanisms that permit the state institutions and the regime to regulate, control and disciplinarize these activities. Therefore, we argue, the strengthening of the charities “from above” during the last ten years should not be interpreted as a sign of the retreat of the state, as some analysts have considered,⁵⁹ but rather as a sign of its redeployment. In the following section we will point out three of these mechanisms: the above-mentioned normalization process, the strengthening of the role of the MoSAL and, finally, the creation of GO-NGOs.

The first of these mechanisms is the normalization or formalization process of pre-existing “informal” networks. As mentioned above, by this process dozens (and probably hundreds) of previous “informal” associations, most of them charities, have indeed registered with the Ministry of Social Affairs and Labour during the last decade. This arguably results from the desire to eliminate spaces that are not under the state’s surveillance. In fact, once those activities are registered with the MoSAL, the security apparatus together with the employees of the MoSAL can more easily control/direct them as they become visible

⁵⁷ About 17,700 USD at the rate of January 2012.

⁵⁸ Annual report of the Damascus Charities Union, 2007.

⁵⁹ The Syrian journalist Abdelrizaq Diyyab is one of them. See Diyyab, “750 charities registered between 2004 and 2006, but...”, *Al Hiwar al-watani*, available at the following website: <http://alhiwar-sy.org> (in Arabic).

structures. Manipulation and influencing becomes likewise possible, as by being legalized, they also tacitly accept the rules of the game. Quintan Wiktorowicz has observed the same mechanism of what he calls “social control” in Jordan. He describes how organizations, once they were legally registered in this country, found themselves “*embedded in a web of bureaucratic practices and legal codes which allows those in power to monitor and regulate collective activities*” (Wiktorowicz 2000: 43). In Syria, these “bureaucratic practices” can be permissions needed to organize an excursion or an activity, or to collect donations, as well as regular visits made by the employees of the MoSAL. Along the same lines but from a different perspective, Steven Heydemann has interpreted the opening of the civic sector in several countries of the Arab world as a mark of a broader process of “authoritarian upgrading”. According to him: “*the hallmark of authoritarian upgrading is the ability of Arab regimes to exploit rather than resist broad social, political, and economic trends [...]. Rather than shut down civil societies entirely, however, regimes gradually adopted a range of complex strategies to reassert state control over burgeoning civic sectors*” (Heydemann 2007). Thus, the strategy of easing the restrictions on the authorization process is one that ultimately aims at and permits to better co-opt, monitor and regulate these associations via the MoSAL.

Linked to the preceding idea, the second of these mechanisms is the strengthening of the role of the MoSAL, which has become a central institution in the daily life of Syrian associations. This ministry opened several years ago a new section which is exclusively in charge of dealing with the associations’ affairs. According to Diala al-Hajj Aref, former Minister of Social Affairs and Labour, the role of this ministry is not to give material or financial support to associations but rather to plan and dictate the general lines that must be followed by them and to coordinate and harmonize the different projects they undertake; it is a role of *ishraf* (supervising) and *moutaba’a* (monitoring), she says.⁶⁰ Besides having a clear function of political marketing (so as to improve the public image of the MoSAL and, ultimately, of the regime in the eyes of the Syrian population and of the foreign actors), these declarations by Diala al-Hajj Aref seem especially interesting since they underline at once not only the central role which the MoSAL claims to play but also the determination to set up new tools and principles for the social action of the public agencies and structures. Furthermore, in order to preserve its centrality, the MoSAL has monopolized all the information regarding the associative sector. Since 2008, for instance, the statistics concerning the number of the

⁶⁰ Diala al-Hajj Aref’s declarations, participant observation, Damascus, June 2009.

registered associations in the country have not been disclosed by the MoSAL and are, consequently, unavailable in the Central Bureau of Statistics. Finally, besides reinforcing the role of the charities it has created new social institutions like the National Social Aid Fund or the High Institution for the Integration of Handicapped People.

The former, the National Social Aid Fund, is active only since January 2011,⁶¹ although the project was launched jointly by UNDP, the Ministry of Social Affairs and Labour and UNFPA already in 2007 based on the available statistics in 2004's "Income and Expenditure Survey."⁶² As officially exposed, its main purposes are: to "protect and nurture targeted individuals and families through providing regular or emergency aid", "enable the beneficiaries economically, socially, and in the fields of health and education", and "promote development and investment in human capital."⁶³ In order to do so, the National Social Aid Fund is meant to implement its own programmes as well as to network with private and associative institutions. In principle, funds can be collected from any of the 167 government distribution centres – mostly post offices – countrywide. Speaking at the fund's launch in January, the Minister of Social Affairs and Labour, Diala Hajj Aref, said that "in 2011, 10 to 12 billions Syrian Pounds (213m to 256m USD) will be distributed to 420,000 households eligible for benefits."⁶⁴

Finally, the third mechanism of control and disciplinarization we will highlight here is the creation of several GO-NGOs.⁶⁵ These organizations, which have rapidly developed in the last years, are intimately linked to the First Lady although other governmental figures, such as Diala al-Hajj Aref, have created their own GO-NGO as well. They represent the societal project of the president al-Asad and his wife, which is supposed to be based on the idea of "partnership" with and "responsibility" of citizens. GO-NGOs have succeeded in monopolizing certain activities and networks in a quasi-corporatist fashion through a *de facto* monopoly of representation, thereby reproducing old patterns of authoritarian rule at the same time that the regime officially pretends to endorse civic pluralism. They can actually be considered as real centres of power or, using the terminology of Philippe Droz-Vincent, as

⁶¹ Although the National Social Aid Fund has been in the pipeline for years, its implementation has been clearly accelerated after the revolutions in Tunisia and Egypt.

⁶² See the United Nations Population Fund in Syria's website: <http://www.unfpa.org.sy/en/newsd.aspx?n=83>.

⁶³ See the National Social Aid Fund's website: <http://www.nsaf.gov.sy/forms/cms/viewPage.php?id=40>.

⁶⁴ *Syria Today*, March 2011.

⁶⁵ On this topic see also Tina Zintl's article in this volume.

“lieux du regime”,⁶⁶ since they are used as mechanisms of control, disciplinarization and patronage. Through them the regime has aimed at shaping the civil society. At the same time, they have served as useful channels to co-opt social actors, coordinate projects and depoliticize the civil society. The Syria Trust for Development in particular, the biggest GO-NGO launched by the First lady in 2007, describes itself as being

*“at the forefront of the emerging NGO sector in Syria, at a time when the country is actively pursuing a substantial agenda for change. We are setting standards, encouraging professional development, and fostering effective collaboration between NGOs, government and the private sector.”*⁶⁷

By organizing “The first international development conference in Syria” in 2010 or by launching an NGO network, the Trust has aimed to emerge as the pioneer of the associative sector in Syria, a sector that it has tried to control and manipulate according to its needs. Finally, GO-NGOs have had a privileged access to the state’s resources and to foreign actors, an access they have tried to monopolize. They have participated in most of the workshops and projects managed by foreign institutions. By doing so, they have prevented independent associations from participating in these kind of activities. Hence, the tactic of creating GO-NGOs has been an effective method to perpetuate the regime’s power and to control the associative sector.

Finally, the *‘uqud tasharukiyye* – that we mentioned before both as a way for the state to outsource the spending and the management of some of the public institutions and as a way of reinforcing the role of the charities – can also be considered as an instrument of control of these associations and as a channel for the state to redeploy itself via new channels.

These few examples confirm from our point of view that the state / charities relation during Bashar al-Asad’s first decade has not limited itself to the reinforcement of the latter by the authorities. They show as well how the Syrian state has tried to redeploy itself throw new mechanisms such as the partnership with the private charities or the strengthening of the role of the MoSAL.

IV - Repressive and coercive measures

⁶⁶ On this notion see Droz-Vincent (2004) quoted in Fioroni (2010).

⁶⁷ See the Syria Trust for Development’s website: <http://www.syriatrust.org/site/>.

This fourth and last part aims at providing some examples of the repressive and coercive measures that have been taken against charities in the last years. This sort of measures has aimed ultimately at strengthening the state's control over charitable activities as well as over Islamic movements and, in some cases, at punishing actors who have crossed the red lines. We will point out very briefly three of them: the prohibition of the *mawa'id al-rahme* ("Tables of Mercy", that is, public fast-breaking where food is provided for the poor), the removal of religious individuals from the charities' boards and, finally, the dissolution of boards.

In August 2008, the recently appointed Minister of Religious Endowments Muhammad Abd al-Sattar al-Sayyid announced the end of "the era of anarchy" (Pierret/Selvik 2009: 609). In this framework, he took two important decisions regarding the charitable activities in Syria:

First, he forbade charities and mosques to hold the *mawa'id al-rahme* during Ramadan. These events – which had become very successful in previous years in Syria as in other countries of the region, e.g. Lebanon or Egypt,⁶⁸ – were financed by rich merchants and famous charities. In 2006, for instance, the Hefth al-Ni'me association had offered the *iftar* (fast-breaking) to 10,000 people in the Omayyad mosque *via* the project *iftar al-sa'im*. The reasons the Ministry of Religious Endowments gave for prohibiting these events were confusing and officiously linked to the desire of protecting the mosques from being dirtied and profaned with this kind of practices. Furthermore, the authorities argued both that the people benefiting from these tables were not "poor people" but rather profiteers and that the *zakat* (alms giving) and *sadaqa* (voluntary giving) were meant to be paid in secret and not publicly.⁶⁹ Yet, in reality this decision resulted mainly from the determination to prevent merchants, rich businessmen and religious men from using these public celebrations for their own benefit (in terms of notability, visibility, publicity, etc.) as well as from the will to stop collective mass gatherings. That is the reason why, although the *mawa'id al-rahme* were indeed forbidden, charities were actually allowed to keep on distributing *iftar* individually. Instead of eating the *iftar* collectively in a public space (mosque, square or street), the beneficiaries were given doggy bags to take food home. During the Ramadan of the year

⁶⁸ For an analysis of the Egyptian *mawa'id al-rahme* see Farag (2007).

⁶⁹ *Akhbar al-Sharq*, 3rd September 2008.

2010, for instance, the charity Hefth al-Ni'me distributed more than 22,000 meals per day to the destitute families of Damascus.⁷⁰

Second, at the end of 2008 anyone working in a clerical role – such as imams or prayer leaders at mosques and teachers at religious institutions – was compelled to step down from any official post he might hold in a charitable institution. In fact, as Thomas Pierret and Kjetil Selvik describe,

“on September 27, a car-bombing killing seventeen in a suburb of Damascus provided the Ministry with the opportunity to widen the scope of its plan by imposing complete ministerial control over private Shari'a institutes and dismissing the country's Muslim clerics, including Sariya and Osama al-Rifa'i, from the charitable associations' boards of directors. Substitutes were chosen by the authorities from lists of three candidates that each of the concerned 'ulama' was asked to provide” (Pierret/Selvik 2009: 609).

These candidates, chosen by the clerics among their loyal clients, had to be secular. Thus, while historically clerics had always been heads of charitable initiatives in Syria, in 2008 they found themselves suddenly banned from practicing this activity, at least legally. Salah Kaftaro, for instance, the former administrator of the Shaykh Ahmad Kaftaro Foundation, chose the engineer Mouhannad Alloush, married to his niece, to replace him at the head of the Jam'iyyat al-Ansar al-Khayriyya (the Supporters Charitable Association), which belongs to that foundation. Furthermore, while Muslim religious men were then dismissed from their positions at the head of Muslim charities, Christian associations were still allowed to remain legally under the patronage of the Church and some of them are even presided by Christian religious leaders. The reasons of this decision, from which the government never backed down, were clearly linked to the regime's desire to prevent Sunni religious men from increasing their social capital, their influence and their visibility *via* those charities.

Finally, we can mention another measure that has been taken by the MoSAL from time to time: the decision to dissolve a charity's board of directors. This practice is authorised by the Law number 93 of 1958 (that is, the Law of Associations), which establishes that the MoSAL can dissolve the board of any charity at any moment.⁷¹ In June 2009, for instance, the board of directors of the Aleppo Charities Union (founded in 1961) was dissolved by the MoSAL one day before its re-election; it was replaced by a “temporary” board nominated by

⁷⁰ *Champress*, 7th September 2010, <http://www.champress.net/index.php?q=ar/Article/view/70932>.

⁷¹ Article number 36 defines the framework in which the decision of dissolving a board can be taken.

the minister Diala al-Hajj Aref.⁷² By this decision the MoSAL actually cancelled the annual meeting of this union thus preventing it from choosing a new “independent” board. The members of the new board, who were still on duty in 2011, were chosen by the MoSAL among regime-friendly candidates.

These three examples prove from our point of view that besides reinforcing the work and the role of the charities, the Syrian regime has equally tried to limit the autonomy and the strengthening of this sector by putting important restrictions to its activities and, in some occasions, by side-lining regime-hostile personalities.

Conclusion

This paper has provided some analytical keys to understanding the state / charities relation in Syria since the arrival of Bashar al-Asad at the presidency. In the first place it has been shown how the revitalization of this sector has been significantly promoted “from above” by the Syrian authorities through different methods. In the second place it has been demonstrated that the expansion of this sector has been accompanied by the attempt to redeploy the state and to upgrade the mechanisms that permit to control and disciplinarize these activities. By new legislation, by dictating red lines and domains of action, by normalizing previous informal structures, by adopting the role of an arbiter, by selecting the projects that are authorized to flourish, and finally by developing partnerships with charities and NGOs, the Syrian leadership has attempted to reorganize the state while increasing social control over non-state actors. Furthermore, it has been evidenced here that this strategy follows a logic of partial outsourcing by the state. Finally, some examples have been provided of the repressive and the coercive measures that have been taken against charities in order to restrict their activities and their autonomy. In conclusion, the state / charities relation in Bashar al-Asad’s Syria is one that has been characterized by a double dialectic: on the one hand, the need to promote non-state actors because of their important contribution to development and welfare; on the other hand, the need to restrict and control these actors in order to preserve the supremacy of the regime. Therefore, periods of relative openness and relaxation towards charitable organizations have been interrupted by repressive measures whenever needed.

⁷² *Suriyya al-Hurra*, www.free-syria.com/loadarticle.php?articleid=35066 (dead link, last accessed in September 2010).

All these changes reflect, from our point of view, the renegotiation and redefinition of the tacit and inclusive “social pact” that, five decades ago, had been concluded between the Syrian regime and the different social forces.⁷³ Although the state has certainly remained the dominant agent of redistribution and the main provider of social welfare, non-state actors – that is the private sector and the associative sector – have become increasingly important in ensuring economic growth and social welfare provision to a rising and impoverishing population. In the short term, Bashar al-Asad’s policies have generated a new situation of interdependence between the public sector and social actors in which new patron-client networks have developed. We have been able to observe in the field a gradual shift of state / society relations and resources in which the Syrian regime has been forced to find some accommodation with successful and well-rooted players, such as al-Rifa’i’s network, even if they were not totally politically pliant. Furthermore, by outsourcing part of its former responsibilities the Syrian state and, ultimately, the regime have lost much of their legitimacy and credibility. In the medium-term, with the aid of the spark of the “Arab Spring”, the new balance of power has degenerated in a popular revolt whose end is still unknown.

⁷³ For the idea of the Social Pact see Heydemann (1999).