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Peace committees, platforms and the political ordering of society: Doing justice in the Federation of Northern and Eastern Syria (NES)

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Abstract

Conflict mediation has become an important feature of the justice system of the autonomous self-administration in Rojava and north and east Syria. This conflict mediation takes place mainly through peace committees and platforms. Based on fieldwork in the region, this study addresses the question of how the peace committees and platforms provide justice and what this form of justice provision says about the model of self-administration. A main conclusion we draw is that the primary function of the peace committees and platforms is to institutionalise the new government model and give an ideological direction for the idea of a “good society”.

Keywords: Rojava; Syria; conflict resolution; peace committees; social justice

Abstract in Kurmanji

Komîte û platformên aştiyê û verastkirina siyasî ya civakê: Pêkanîna edaletê li Federasyona Bakur û Rojhilatê Sûriyeyê (BRS)

Navbeynkariya pevçûnê bûye taybetmendiyeke girîng a sistema edaletê ya xwe-rêveberiya otonom a li Rojava û bakur-rojhilatê Sûriyeyê. Ev navbeynkariya pevçûnan bi awayê sereke bi rêya komîte û platformên aştiyê pêk tê. Li ser bingeha xebata sehayî ya li herêmê, ev xebat berê mirov dide pîrsa çawa ev komîte û platformên aştiyê edaletê temîn dikin û ev forma pêşkêşiya edaletê di derbarê modela xwe-rêvebirinê de çi dibêje. Encama bingehîn ku em binxêz dikin ev e ku fonksiyona sereke ya komîte û platformên aştiyê modela nû ya rêvebirinê bi sazî dikin û rêyeke îdeolojîk ji bo fikra “civaka baş” nîşan didin.

Abstract in Sorani

Komîtekanî aşti, platform û rêxistinî syasî komellge: Encamdanî dadperwerî le fîdrasyonî bakûr û rojhellaî sûrya (NES)

Nawbijîkirdnî nakokî bote taybetmendiyeke grîngî sistemî dadperwerî le le xoserî otonomî rojava we bakur û rojhellaî sûrya. Em nawbijî kirdnî nakokîye begşîti

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lerêgay komîte û platformekani aşti rûdeden. Leser bnemay karî meydanî le herêmekeda, em twêjîneweye ew pirsyare dewrûjênêt ke çon komîtekan û platformekani aşti dabîn deken û ew şewaze le dabînkirdnî dadperwerî çî derbarey modêlî xoserî dellêt. Derencamî serekî ke ême pêy degeyn eweye karî serekî komîte û platformekani aşti bedamezraweyî kirdnî modêlêkî nwêy hkumetîye û pêdanî arasteyekî aydyolojiye bo bîrokey “cvakî baş”.

Abstract in Zazaki

Heyetê aşti, platformî û awaniya komelî ya siyasiye: Federasyonê Sûriyeya Vakur û Rojhelatî (NES) de sistemê edaletî

Xoîdareyê otonomî yê Rojawan û vakur û rojhelatê Sûriye de mabênkarîye û werêardîş biyê faktorê muhimî yê sistemê edaletî. Na mabênkarîya têkewtişan zafêrî pê heyet û platformanê aşti viraziyena. Pê xebata warî ya ê herêmî, no cigêrayîş cewabê persî dano ke nê heyet û platformê aştiye senî edalet pêşkêş kenê û boyna, no tewir hukmê edaletî modelê xoîdarekerdîşî de yeno çî mana. Yew netîceyo bingeyên o ke ma vînenîme no yo ke fonksiyono sereke yê heyet û platformanê aştiye dezgehkerdîşê modelê hukmatî yê neweyî û fikrê “komelê rindî” rê dayîşê rayîrêkê îdeolojiyî yo.

Introduction

On December 10, 2016, a ceremonial reconciliation meeting took place between four families from Xizênê, a village of 5,000 inhabitants, 15 kilometres south of Kobanê. The meeting was the result of three months of mediation by a peace committee, which had taken the initiative to try to put an end to a 29-year-old blood feud that had claimed the lives of eight people. The feud had started in 1989, when a murder case turned into a protracted conflict between families in the same tribe. The three months of intensive meetings were concluded with a ceremonial gathering in the garden of the Kobanê canton administration, where the parties pledged to end their feud in the presence of representatives from the administration as well as tribal leaders from the region.

This represents an example of Rojava peace committees at work. Such peace committees have been active in mediating conflicts, including blood feuds, and providing justice, since the 1990s (Ayboğa 2014). They have been functioning as a parallel system of justice provisioning to that of the state, in which people in the region came to have neither faith nor significant access. Such committees were not only established in Kurdistan, but also in countries with a considerable Kurdish diaspora, such as in the UK and the Netherlands (Tas 2014). After the 2012 withdrawal of Syrian army and security forces from most of north Syria, referred to by Kurds as “Rojava” or “West Kurdistan”, and the implosion of state institutions, including the judiciary, the peace committees became a principal institution for doing justice.

Today, these peace committees are an integrated part of a governance model inspired by the thought of Abdullah Öcalan and his ideas of democratic autonomy and democratic confederalism, which conceptualise the right of people to govern themselves (autonomy) in an interconnected way (confederalism) (Öcalan 2007, 2010, 2011, 2012, 2013, 2014, 2015). This idea of self-administration was part of a re-imagination of social and societal relations beyond subordination to the state as the exclusive and single form of authority and a re-imagination of community and communal relations beyond the mono-culture of nationalism (Akkaya and Jongerden 2013; Gunes 2019a, 2019b; Gunes and Gürer 2018; Gunes and Zeydanlioglu 2013; Jongerden 2016; Jongerden 2019; Karasu 2009; Knapp, Flach and Ayboga 2016; Yarkin 2015).

The central state's control over the Rojava region imploded in 2012. People's Protection Units (Yekîneyên Parastina Gel, YPG) and the Democratic Union Party (Partiya Yekîtiya Demokrat, PYD) took the city of Kobanê on July 19, followed by Amûdê and Efrîn on July 20, and Dêrik and Qamişlo in the days after. Within two weeks, regime forces had pulled back, though maintaining strongholds in Hesekê and Qamişlo (Knapp, Flach, and Ayboga 2014; Knapp and Jongerden 2016). The three regions of Efrîn, Kobanê/Firat and Cezîre, initially referred to as cantons, make up Rojava, meaning the northwest of Kurdistan. After the collapse of state control, an alternative governance model based on this idea of self-administration was forged, and local networks emerged that assumed responsibilities for a systematic provision, among other things, of security, fuel, food and justice.

Together with the constitution of the first councils throughout Rojava, the PYD initiated the establishment of an organisation that aimed to advance and cement the new idea of self-administration: the Movement for a Democratic Society (Tevgera Civaka Demokratîk, TEV-DEM). However, the precise role and responsibilities of TEV-DEM in providing cohesion and direction in the administrative structure of Rojava remained unclear (Allsopp and Wilgenburg 2019: 95; RIC 2019). At a conference organised on August 27, 2018, TEV-DEM redefined its role as organising civil society and became an umbrella organisation mainly for unions (RIC 2019: 37).

Though courts remained in place, the peace committees became a principal basis for doing justice in Rojava and other areas in north and east Syria. This was followed in 2015 by the establishment of so-called platforms which consisted of public hearings where dozens or hundreds of people participated to discuss and reflect on violations and decide together on the consequences. The main questions we address in this article concern how these peace committees and platforms provide justice and what this form of providing justice says about the governance model of the self-administration.

Data for this article was collected through field research in the period 2014-19. The authors of this article visited the region in the period 2014-17, and the first author also had access to later data collected by others in the region. We are grateful to Anja Flach and Ercan Ayboğa, who co-authored with the first author of this article the book, *Revolution in Rojava: Democratic Autonomy and Women's Liberation in Syrian Kurdistan* (Knapp, Flach and Ayboga 2016), and the jurist Lena Riethmeier, who all gave the first author access to interview material related to jurisdiction in Rojava collected between 2014 and the beginning of 2019.³

Since the peace committees and platforms are part of a network of assemblies through which self-administration is institutionalised, we will first discuss this network administration. This is followed by a consideration of the work of the peace committees and platforms. In the final part of the article we discuss the role of the regular court system and the political grounding of the justice system. The research for this article has been explorative, with a mapping of the administrative structure and the place of the peace committees and platforms within this structure. A main conclusion is that the peace committees and platforms have a political function. They serve as a means to extend what the Kurdish movement considers its fundamental principles (including gender equality), and to provide a normative grounding for behaviour.

Network Administration

Against the background of systematic discrimination of the Kurdish population in the Syrian Arab Republic, the Kurdistan Workers' Party (*Partiya Karkerên Kurdistan*, PKK) initiated the establishment of the first peace committees in Syria in the early 1990s. Under the name *Komîteya Levhatin* (Reconciliation or Peace Committee), these committees dealt with cases of theft and violence, accidents and blood feuds. One of the first members of a *Komîteya Levhatin*, Abla Xelîl, explained that she quickly found herself travelling through the whole Cezîre region to deal with cases brought to the committee, and these were not limited to those involving Kurds.⁴ She narrates an incident from 1996, in which seven women working in a cotton production facility on a farm died in a traffic accident. A conflict emerged between the families of the Kurdish victims and the Arab owner of the cotton farm, and the family of the victims appealed to the *Komîteya Levhatin*. The

³ This research is based on data collected before the invasion of northern Syria, starting on 9 October, 2019. While the October 2019 incursion and following occupation of parts of the regions of Kobanê and Cezîre by the Turkish Armed Forces and its jihadist proxies as well as the new presence there of Russian and Ba'athist troops has shifted the balances of military and political power, the system of the self-administration is still operative, including the committees for justice working within that framework.

⁴ Interview by Ercan Ayboğa; 25 February, 2017.

committee mediated a solution in the form of financial compensation to the families, gaining the consent of both parties.

The peace committees not only waited for cases to be brought but, depending on the situation, also took a proactive stance. In blood feuds, for example, which can smoulder for many years with blood spilt for blood and many back-and-forth killings, *Komîteya Levhatins* have played a mediating role in the reconciliation of many families and tribes, typically concluded with a joint meal. In a similar vein, a *Komîteya Levhatin* played an important role in the aftermath of the Qamişlo massacre in 2004, when, after a football match between teams from Qamişlo and Deir el-Zor, whose tribal population was known to have strong sympathies for the Saddam Hussein regime, Arab supporters attacked Kurds, leading to the deaths of more than 70 people and injuring hundreds. In the aftermath, the *Komîte* met with representatives of local communities in Qamişlo, Kurds, Arabs and Christians, to ease tensions and deescalate the situation.

Together with the expansion of the system of self-administration in the region after 2012, the peace committees proliferated, becoming the “go-to” places for obtaining justice (Flach, Ayboga and Knapp 2014). At that time, in 2012, the *Komîteya Levhatin* was renamed the *Komîteya Levhatin û Edaletê* (Peace and Justice Committee). Back then, a *Komîteya Levhatin û Edaletê* consisted of five to nine people, and, unlike in the 1990s (when the committees were male-dominated), these committees had a 40% gender quota.

The peace committees, and later the platforms, are part of the council structure, which comprises a complex network of local, self-administrating bodies. These councils had emerged in 2012 in Efrîn, Kobanê and Cezîre, together forming the entity called Rojava or West Kurdistan. The councils in these three regions had established the “Governing Bodies of Regions and Cities” in 2013, later renamed the “Joint Interim Administration or Interim Administration in Western Kurdistan”.⁵ Following the liberation of areas outside the Rojava region – Manbij (2016), Raqqa (2017) and Deir el-Zor (2017) – the name of the administration was changed to the “Democratic Federation of Northern Syria” (*Federalîya Demokratîk a Bakûrê Sûriyê*, DFNS) in 2016 and to the “Autonomous Administration of North and East of Syria” (*Rêveberîya Xweser a Bakur û Rojhilatê Sûriyeyê*, AANES), in 2018. Though names changed frequently, the basic idea of the administration as a network of self-administered entities did not.

The smallest unit in the network, the commune (*komîn*), is composed of a few to 200 households, equivalent to a residential street or streets or a

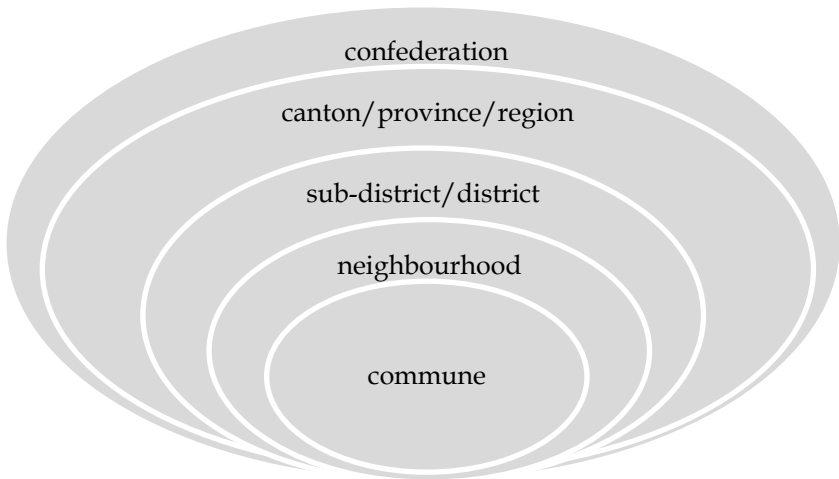
⁵ See <https://anfenglish.com/news/rojava-kurds-announce-interim-government-8594> and <https://www.kongrakurdistan.net/en/kurdistan/western-syria/> (last accessed 5 August 2020).

village. The commune meets monthly or fortnightly and all residents are entitled to participate. Each commune has an executive committee, composed of the two co-chairs and additional members from the committees working under the commune, initially the committees on economics, education, health, organising society, peace, self-defence and a women's committee. Later, this was expanded with the youth and sports committee, the committee of the families of the martyrs and the arts and culture committee. At commune level not all committees have been established, but the education, peace and self-defence committees are common (RIC 2019: 22). Moreover, in the rural areas, the economic committee may be established as an agricultural committee. If a commune peace committee (*Komîteya Sulhî ya Komîn*) cannot be established, then conflicts are dealt with temporarily by a neighbourhood peace committee (*Komîteya Sulhî ya Komîngeh*). Next to the commune, there are clusters of communes or neighbourhood councils (*komîngeh*, also referred to as *tax*), depending on the size of the city a sub-district (*belde*) and district (*navçe*), and canton (*kanton*), later renamed as province (*eyalet*) and region (*herêm*). These councils all together form the autonomous administration (see Figure 1). As an illustration, the autonomous administration in Dêrik, a small town with a population of about 20,000 in a rural setting that, with the town, totals 60,000, has the following structure (RIC 2019: 24): 125 communes, varying in size from 120 to 150 households, of which 44 are within the town and 81 are located in the surrounding area. These are again clustered in five sub-districts – the main town plus sub-districts around four smaller towns/villages – which together form the Dêrik district.

Parallel to this territorial administrative council system, women and ethno-cultural groups, like Arabs and Assyrians, have their own organisations. The result is a complex network of councils that initially developed as a working practice and has changed over time according to local needs as perceived (resulting in a fluid situation of regularly changing names and roles and emerging institutions).⁶ Thus, the council structure is not only based on a territorial logic, but also organised according to a cultural and categorical logic. While “territorial autonomy” refers to decision-making at a geographical level – from street and village to regional and confederal levels – “cultural autonomy” refers to the right of people with different religious, ethnic or cultural backgrounds to organise themselves and determine their own affairs, and “categorical autonomy” refers to the right of women and youngsters or other societal groups to organise themselves, deliberate and decide about their agendas and priorities for political action. The territorial council structure can be represented in the form of concentric circles (Figure 1).

⁶ Lena Riethmeier, Interview with Xedîca Ibrahîm, December 2018, Rimêlan.

Figure 1. Representation of the council structure.



In this council-canton-federal (confederal) system, the idea of self-administration in the region is to carry out decision-making functions as closely as possible to the people concerned, in the places where they live and according to their direct deliberation. The justice system is organised as a sector/category in parallel to and as part of the council system and therefore based on the commune as the assembly of people at the level of the village or street. Most communes have several committees, including a peace committee, whose members they elect at an assembly.

Conflict mediation through peace committees and platforms

The peace committees mainly engage in conflict mediation in the neighbourhood, concerned with matters such as theft, business, neighbour and family conflicts. The committee can start a mediation process or make binding decisions on the condition that both parties agree beforehand to bring the case to the committee. The commune and neighbourhood peace committees generally do not issue fines or punishments; they function with the intention of conflict mediation and resolution, within which context financial compensations may be agreed. After a case has been accepted, the committee hears the parties involved, organises a hearing at which both parties are present, listens to any witnesses and examines documents and any other information related to the case before it takes a decision. Decisions made can be appealed by either of the parties.

Problems within communes that their peace committees cannot solve can be taken to the neighbourhood level, where the co-chairs of the communes involved come together. Problems that cannot be solved by the neighbourhood peace committee go to the justice/peace coordination committee at city level (*Rêveberiya Komîteya Levhatina Sulhî li Bajar*) – except in the case of the two big cities Qamişlo and Heskê, where there is a justice/peace coordination committee at a wider regional level (*Rêveberiya Komîteya Levhatina Sulhî li Eyaletê*).

Members of such peace committees are elected annually, and the work is voluntary and unpaid. The work by the members of the peace committees has to resonate with the gender, cultural and political principles as they are formulated in the federation's Social Contract (see below), and they are thus supposed to receive regular education. The initial training (*perwerde*) lasts about 45 days. It involves an intense curriculum, with lessons on philosophy, an analysis of patriarchy as the main contradiction within society, the women's question in the Middle East and the principles of the justice system of the self-administration, and is grounded in the thought and writings of Abdullah Öcalan.⁷

Around three quarters of the cases brought to the peace committees reach a conclusion at the commune and neighbourhood levels (in Cezîre in 2016, some 8,000 of 11,000 cases were successfully mediated by these peace committees).⁸ When the peace committee comes to a conclusion, the case file is transferred for registration/ratification to the Justice Court of the City (*Dîwana Edaletê li Bajar*), which is also referred to as the People's Court (*Dadgeha Gel*). If the peace committee cannot come to a conclusion, the case is also referred to the Justice Court of the City. Finally, parties have the right to appeal the *Dadgeha Gel* court decisions at a Court of Appeal. There is one Court of Appeal in Cezîre, one in Kobanê and one in Manbij (there was one in Efrîn before the Turkish invasion).⁹

Table 1. Peace Committees and Civil Courts in the DFNS

Level	Institution	Appointees/Electorate
Commune (30-200 households)	Peace Committee (<i>Komîteya Sulhî</i>); 3-5 members	Participants in the commune meeting
Neighbourhood (<i>komîngeh</i>); a coordination of 5-10	Neighbourhood Peace Committee (<i>Komîteya Sulhî li Komîngeh</i>); co-chairs of	Peace committees of communes

⁷ See <https://komun-academy.com/2018/11/24/letting-society-solve-its-own-problems-developing-a-new-justice-system-in-northern-syria/> (last accessed 5 August 2020).

⁸ Interview, Ercan Ayboğa with Abla Xelil, 25 February, 2017 (unpublished).

⁹ The Turkish military and allied militias have occupied Efrîn since 20 January, 2018; the self-administration of the Efrîn Canton is working in exile in the Shahba region (centered on the city of Tel Rifet, north of Aleppo).

communes, not a deciding level	peace committees of 5-10 communes	
City/district council	Justice/Peace Coordination of the City/District (<i>Rêveberiya Komîteya Levhatina Sulhî li Bajar</i>) or Justice/Peace Coordination Committee of the Region (<i>Rêveberiya Komîteya Levhatina Sulhî li Eyaletê</i>) ¹⁰ Court of the City or Province (<i>Dîwana Edaletê li Bajar/Eyaletê</i>) or People's Court (<i>Dadgeha Gel</i>)	Peace committees in a neighbourhood Appointed, professional jurists
Canton	Court of Appeal (<i>Dadgeha Istînaf</i>)	Appointed, professional jurists
Federation	Constitutional Court (<i>Dadgeha Destûrî</i> also referred to as <i>Dadgeha Hevpeyman</i> ¹¹); 7 members Court of Justice (<i>Dîwana Edaletê</i>); 21 members (11 from Cezîre, 5 from Kobanê, 5 from Efrîn)	Appointed by the Legislative Council of the Cantons (<i>Meclîsa Zagonsaz a Kantonê</i>)

While the peace committees have a 40% gender quota, there are also complementary, gender-oriented autonomous structures. There is a women's peace committee (*Komîteya Sulhî ya Jin*) with a designated room in every Women's House (*Mala Jin*), comprising five women who work on conflicts affecting women. The women's peace committees are elected by the women's council of the corresponding neighbourhood. The cases are brought by women and often related to domestic and sexual violence, forced marriage and divorce as well as inheritance.

Although the focus is on mediation and reaching an agreement, force may be applied, as one interlocutor in the Mala Jin of Manbij relates:

A girl fell in love and ran away to the man, was with him together for four months and then became pregnant. He then kicked her out and she came here. We couldn't have brought her to the family because they'd most likely have killed her. Then we took her to the women's security forces next door. She stayed there until we sorted things out. How did we solve it? There's an

¹⁰ The province is an administrative unit introduced in 2016 with the establishment of the DFNS.

¹¹ Ayboğa refers to the constitutional court as *Dadgeha Hevpeyman*. The court may review decisions made by councils and their committees based on the constitution (Ayboğa 2004).

office for conflict solution here. We got everyone together, we discussed it, then they gave their word and took the fingerprints and we said if anything happens to this girl, if she gets beaten or killed or disappears, then you all get arrested. And so she went back to her family.

To further develop the model of social justice, in 2015, the self-administration started to experiment with forms of social conflict negotiation that had been developed and practiced before in the security forces (the Asayîş and the military YPG and YPJ).¹² This new model was referred to as a “platform” (*platform*). A platform is a form of investigation and problem resolution in which the situation is discussed within a larger group of 50 to 200 people with a connection to the conflict: people who know the parties involved or the (context of) conflict.

Around a dozen platforms took place in the Qamişlo area in 2015.¹³ One of the cases of which we have knowledge, and which was taken up in a platform, was related to the theft of bread in the summer of 2015 in Qamişlo. Around 200 people participated in the platform. The bread was stolen from initiatives (*sazî*) for food distribution and the communes,¹⁴ and the discussion extended beyond the act of taking bread to flaws in the system of food distribution.¹⁵ The event was thus turned into a reflective self-criticism, in which, in this case, not only the act of taking bread but also broader issues related to food distribution in the neighbourhood were considered.

Initially, platforms could be established by peace committees. To prevent mob justice, in 2016, the municipal council established a Board of Social Justice (*Dîwana Edaleta Civaîkî*). This submits an introductory report to the platform, moderates the discussion and can determine the movement of cases to a conventional legal setting where these invoke strong emotions, such as participation in the Islamic State. The objective of platform justice, and of the peace committee, is not to ascertain guilt and implement penalties, but rather to develop a political conscience. The organisation of platforms around particular cases is thought to contribute to the development of the ideological principles held by the PYD, and as such to political order-making.¹⁶

Peace Committees and People’s Courts

¹² YPG: Yekîneyên Parastina Gel (People’s Protection Units); YPJ: Yekîneyên Parastina Jin (Women’s Protection Units).

¹³ Interview, member of People’s Court, Qamişlo, 27 October, 2015.

¹⁴ Interview, member of Justice Council, 27 October, 2015.

¹⁵ Interview, member of Peace and Consensus Committee in Kornîş, Qamişlo, 27 October, 2015.

¹⁶ Interview, member of People’s Court, Qamişlo, 27 October, 2015.

In the Cezîre canton, something like three quarters of the civil cases were resolved at the *komîngeh* level (8,000 of 11,000 in 2016).¹⁷ In principle, cases should be dealt with in a relatively short time. If a problem is not solved within a month, the process can be prolonged for another month (if both parties accept). Practically, however, due to the high number of cases and the time needed for hearing the parties and witnesses and for arranging meetings between the members of the committee, this can take much more than the two months. If there is no mutual acceptance of the decision or the problem cannot be solved at this level because one party does not agree, the case can be taken to the regular People's Court (*Dadgeha Gel*). This can become a protracted process too, due to the severity and/or complexity of the case and/or appeals. Unresolved cases may be mediated by a peace committee at city level, but many of them end up at the court.

The standard practice is for the peace committee to submit a report of the case to the court (in which it explains the case, the facts and testimonies and how the mediation failed), after which professionals at the court (an attorney, the parties represented by lawyers, and a judge) become the main actors. Pressure is high from the *Dadgeha Gel* on the mediation-oriented peace committees not to transfer cases to the court too easily. In 2015, attorneys of the *Dadgeha Gel* in Cezîre made a call saying that more problems should be solved in the Peace and Justice Committees of the Communes.

The first *Dadgeha Gels* were established unofficially, within the People's Houses, by the Peace and Justice Committees in November 2011, and then formalised in March 2012, after the collapse of the central state in Rojava. With jurisdiction over cities and their surroundings, the people's courts have six to ten elected members (following the 40% gender quota, as for all public institutions in Rojava and the DFNS/AANES), mostly with three lawyers and three to seven judges. They deal with grave offenses (like murder) and other matters that cannot be concluded by the peace committees.

The attorney of the People's Court in Tirbespî, Celal Ebas Cemal, explains that, from the beginning, hundreds and hundreds of people came with their cases. Cemal goes on to say that the People's Court in Tirbespî worked on 3,200 cases since the end of 2011, of which 2,500 had been concluded by the end of 2015. The majority of the cases stemmed from reports by the Women's Foundation, a considerable number of cases related to domestic violence, divorce, inheritance and other issues brought to the peace committees by women. The reasons behind this are to be examined further, but it might have to do with the existence of the Women's House, which empowers women by creating a window of opportunity for them to bring their cases to the peace committees. A woman activist from Qamişlo argued thus:

¹⁷ Interview, Ercan Ayboğa with Abla Xelil, 25 February, 2017 (unpublished).

I have statistics from several bureaus of social justice that show they have received 1,032 complaints between 2015 and 2016 related either to violence against women or to them not receiving their full rights, such as cases made against polygamy, sexual assault, marriage of minors, rape, hiyar [forced marriage between cousins], inheritance, etc. Even so, these are [still] sensitive topics in our area.¹⁸

Further explanatory factors here may be related to the gender quota within government and separate women's departments, including, for example, the security force (*Asayîş*), which allows for better access to justice and law enforcement in general and the existence of Women's Houses integrated into the governance system in particular. Together, these contribute to the empowerment of women and the preparation of legal cases. The new legislative arrangement has also made a woman's testimony equal to a man's and determined that women in Rojava receive an equal status in property law. Through the strict implementation of gender quotas, women now participate actively in political and military institutions in an unprecedented way.

The work of the peace committees and platforms has to resonate with the principles laid down in the Social Contract. In its preface, the Contract states the following:

We the peoples of the areas of self-administration of Democratic Kurds, Arabs and Assyrians (Assyrian Chaldeans, Arameans), Turkmen, Armenians, and Chechens, by our free will have announced this to materialize justice, freedom and democracy in accordance with the principle of ecological balance and equality without discrimination on the basis of race, religion, creed, doctrine or gender, to achieve the political and moral fabric of a democratic society in order to function with mutual understanding and coexistence within diversity and respect for the principle of self-determination of peoples, and to ensure the rights of women and children, the protection defense and the respect of the freedom of religion and belief.¹⁹

Following the Social Contract, the democratic autonomous administration in Cezîre became the first to issue a law on equal rights for men and women in 2014.²⁰ The democratic autonomous administration also introduced civil

¹⁸ See <http://www.syriauntold.com/en/2017/03/women-rojava-laws-dream-turned-reality/> (last accessed 5 August 2020).

¹⁹ See <https://www.kurdishinstitute.be/en/charter-of-the-social-contract/> (last accessed 5 August 2020).

²⁰ It was this law that banned polygyny, gave women the same rights as men to witness in court and full inheritance rights. See <https://www.yahoo.com/news/syrian-kurds-women-equal-rights-snubbing-jihadists-193905057.html> (last accessed 5 August 2020).

marriage contracts as a way of undercutting religious authority over marriage. An activist in the women's movement commented thus:

I believe that approving civil marriage is one of the most important revolutionary legislations that were passed by the DAA [democratic autonomous administration], especially for women activists who only dreamt of achieving such a thing.²¹

The importance of these legal changes has to be assessed against the background of civil law in Syria, which, in spite of the Ba'ath party's secular outlook, had been founded upon Islamic law. A former politician and ambassador of the women's movement stated the following:

In general, Syrian laws were terrible for women. Before, men had the deciding power over marriage and children, but now that has changed and both parties have equal rights to custody over their children and to decide whether to get married or divorced. Further, in accordance with Syrian law, when you testified, you had to have two women to count as one male witness; now, one woman is equal to one man in the eyes of the law. (Ghotbi 2016: 28)

The new law was met with considerable opposition, as it was thought to undermine family values and encourage women to rebel. After the liberation of Girê Spî (Tell Abyad) in 2015, men tried to postpone the enforcement of the law forbidding polygyny and forced marriage. Yet the women's movement intervened, actively campaigning for the ban and its enforcement. The women's movement has organised hundreds of lectures and meetings to explain the law, emphasising the incompatibility of gender equality with polygyny.²² Now, ideas and ingrained behaviour that are considered problematic are not only addressed through peace committees' mediation and the problematisation and interrogation at platforms, but also through the monitoring of practices and enforcement. Polygyny may result in a maximum sentence of two years and a maximum fine of one million Syrian pounds (at the time, equal to nearly 2,000 euros), while civil employees also run the risk of losing their job.²³

Concluding remarks

We have described the system of justice in the DFNS/AANES, with a focus on its peace committees and platforms. We have argued that mediation by the peace committees and investigation and (self-)criticism through the

²¹ See <https://syriauntold.com/2017/03/25/women-rojava-laws-dream-turned-reality/> (last accessed 5 August 2020).

²² See <https://syriadirect.org/news/'we-must-set-an-example'-enforcing-the-polygamy-ban-in-syria's-kurdish-held-north/> (last accessed 5 August 2020).

²³ *Ibid.*

platforms has important political functions: they produce and reproduce the new social norms and by doing so contribute to the institutionalisation of the new society envisaged in the Social Contract and the thought of Abdullah Öcalan. The social practice of doing justice through the committees and the platforms is supposed to co-create a new political understanding of what it means to “do good”, of what is and what is not considered to be acceptable social behaviour. The peace committees and platforms’ main role therefore is not to penalise but to institutionalise the new norms around equality.

The peace committees and platforms have become a constitutive part of the network of self-governing councils. By founding their decisions on gender, economic and cultural equality, they provide an ethical foundation to the autonomous administration. While autonomy refers to self-administration, and the idea of “laws given by the self, to itself” (Adams 2014: 1), the peace committees and platforms form the main institutions through which this is done. They represent a principal form in which the idea of society institutionalising itself occurs.

Although the peace committees mediate and do conflict resolution and the platforms problematise and interrogate with the objective of advancing new norms and behaviour, these functions “do not necessarily render the courts non-functional” (Küçük and Özselçuk 2017: 190). While most civil conflicts are resolved within the context of the activities of the peace committees, the court system works as a back-up mechanism for those cases that cannot be concluded through the less formalised mediation efforts. It has been argued that although conflict mediation is a good method for the resolution of disputes in principle, there is a risk when judicial power is laid in the hands of bodies made up of laypeople.²⁴ Indeed, the risk of lynch-mob justice is a real one, recognised in the DFNS/AANES by having cases that evoke strong emotions among peace committee platform members taken to a professional legal setting, while decisions that contravene the Social Contract can be overruled by a court.

An important feature of the DFNS/AANES system revealed here is that of education. This is an education in a double meaning: both ideological, for those active in the committees, and as the role of the committees and platforms in society. It may be argued that the discussion of conflicts within a wider social context, as takes place in the case of platforms, or in the context of the principles of the Social Contract, such as gender equality, are intended to facilitate people’s understanding, acceptance and challenging of (patriarchal) norms and behaviour. Indeed, most of the cases related to

²⁴ See <http://carnegie-mec.org/diwan/55526> (last accessed 5 August 2020).

women's rights can function as important evidence for this educational function of the peace committees.

Insofar as this is the case, the conflict mediation approach operates to diminish the non-observance of norms and support the introduction of new ones, and thus in itself helps to develop a moral political order. What transpires from the work of the committees is how, by means of their mediation and judgements, and informed by education, new forms of morality are constructed. This becomes especially clear around the issue of gender equality. Doing justice in Rojava (the DFNS/AANES) is about giving direction and institutionalising the ideas of a "good society". The peace committees and the platforms are, one may argue, a crucial constituent part of a practice instituting itself (Adams 2014: 1).

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