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THE COLLAPSE OF ORDER. A MATTER OF EXASPERATION OR INSTRUMENTALIZATION? A HISTORIC RETROSPECTIVE ABOUT CONFESSIONAL DRIFT IN THE SYRIAN CONFLICT

Abstract

The Civil war in Syria with its different protagonists, scenarios and all elements that make it up can't be appropriately understood without a retrospective view on recent History. This article deals with a historic perspective about the perceptible confessional matter in Syria which is differentiated in three main periods: the end of the Ottoman Control, the Mandate and the Contemporary State- and has the goal of determining if religion plays an essential role within the conflict or if on the contrary religious beliefs have been used for all different sides as a political or social upheaval instrument. Moreover I will display elements that are considered characteristic in the context of the country's current situation which have been present in Syria process for more than one and a half century.

KeyWords

Syria, civil war, conflict, State confessionality, Islamism.

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Anā u-abūycaḥ-ibnammī,

anā u-binnammīcal-garīb.

Me and my brother against my cousin,

Me and my cousin against an stranger...

(Syrian proverb)¹

INTRODUCTION

The serious turn that events have taken during the last four years causes us to conform our analysis in line with the circumstances, which in some cases, keep us from closely analyzing some of the most significant chapters that end up being mere journalistic images saved in files. Such is the case of a scene that went unnoticed by observers: the withdrawal of milestones in the border that separate territories in Irak and Syria, which were settled there due to the Sykes-Picot agreement, signed in 1916. This actions, which has a symbolic nature, was carried on by a Sunni Islamic militia with a changeable name but currently called The Islamic State (*ad-dawla al-islāmiyya*)² which has also proclaimed Abū Bakr al-Bagdādī as an Arabic caliph.

All those factors may seem anecdotal in a context of permanent chaos like is currently the case in the Near East generally speaking and more specifically in Syrian and Iraq. However and regardless the meaning or importance that the jihadist group

1 Muhammad ad- Dīn Hajr al- Asadi , Mawsucat Halab al- muqārana , 7 vols , University of Aleppo. Aleppo from 1981 to 1988, V, 495. For transcription into the Arabic I use the Central European system, which can basically be described as follows: btgħhddrzsšsdtzcgfqlmnhywà (following the traditional order of Arab alphabet) and indicating long vowels with an upper dash.

2 Also known as EIIL in Spanish or ISIS / ISIL in English, the abbreviation for Islamic State of Iraq and Syria (or Levant), the English translation for the original group name, acronym TATS (*ad-Dawla al-Islāmiyya fī Irāq wa š-Šām*). The reivindicative name aš -Sam includes inland Syria, Mount Lebanon, Palestine and Jordan territories, despite their complexity, they have always been a unit in the minds of the Arabs. Cf. ad-Dīn Muhammad Hajr al-Asadi, Mawsucat Halab al-muqāranaIV, 417-418 ; Philip S. Khouri, Syria and the French Mandate. The Politics of the Arab Nationalism, 1920-1945, Princeton: Princeton Univ. Press 1987, 536; Daniel Pipes, Greater Syria. *The History of an Ambition*, Oxford: Oxford University Press 1992 31.

may acquire in the fight for those territories (a matter which is not considered of interest in this study) this symbolic actions reflect a discomfort and a Sunni claim that date back at a concrete time in Contemporary and Modern History in that region. The war in Syrian which began as a social protest against the regime³ it has been used subsequently by a well identified faction that defends faith-based vindications as well as for those who aim to maintain the status quo by all means. Both sides diverted the meaning of clash by transmuting its political and social meaning into a fight for confessional ascription. This cannot however be properly interpreted if we simply retreat to a distant period of Islamic history, such as the origins of the struggle between Shiites and Sunnis.⁴ When making a socio-religious map of the region, even if in detailed, it might not clarify much in this respect.⁵

Precisely for that reason, in this article I will reflect hindsight, it is therefore articulated in three landmarks or milestones that can help us better understand the current complicated situation and determine if religion is an essential part of the conflict; or, on the contrary, if it has been used by different parties as mere political and social upheaval instrument. I will also show some elements that can be currently considered characteristic in the political and social situation and which have also been present for more than a century.

A look at recent history also allow us to identify specific demands and frustrations of conservative *sunna* are: the return to a situation in which Islam was traditionally dominant regarding social confession and religion, and the end of the Western influence , manifested in different episodes which contemporary Syria.⁶ Has elapsed.

3 Recall that the two main slogans that were heard in the first demonstrations against the regime, during March 2011 were: “No religious sectarianism” (*lālit-tayfīyye*), and “the Syrian people are one” (*aš-Sabb as-sūrīwāhid*). These references have disappeared from the Syrian scene to make way for some, like “Alawites to the coffin and Christians to Beirut” (*il-calāwīcat-tābūtul-msīhīca-Bayrūt*). Furthermore, the initial or *hurriyya u-bass!* (“Freedom and Enough!”) Has given way to new variants in which you play with the components of Allah enumeration, Suriya, Hurriyya SC u-bass (“God, Syria, Freedom and enough”), as ideology who utters it. The circumstances that led to the protest in Syria, cf. FouadAjami, *The Syrian Rebellion*, Stanford: Hoover Institution Stanford University, 69-82.

4 I mean the struggle to control the power of the caliphate that took place in the seventh century among different Muslim factions and led later to the sunna and the SICA (Cf Encyclopaedia of Islam, Leiden. Brill 1986, I, 382-386. This is a story that while it may be brought to bear on different analysis, those are still distant events, even for Muslims themselves. Moreover, it begins to be questioned in any published work by several historians Cf. Patricia Crone and Michael Cook, *Hagarism The Making of the Islamic Word*, Cambridge. CambridgeUniv. Press 1977.

5 See in this regard the description presented in my thesis: Alejandra Alvarez Suarez, non-Muslim communities in a Muslim environment. The survival of Ottoman Syria in the current model, Madrid: Cantarabia 2012, 7-53 and Id & Francisco River, “popular The current Syrian view of the Jews “ The Levantine Review 2/2 (2013), 108-109.

6 A recent analysis on Modern and Contemporary History of Syria from a more general perspective,

The crucial matter is that these vindications, which are shared by many, have been capitalized on by regime opponents who are religious radicals. Their approach is that the return has to be done through the armed struggle, in the form of Salafism; and even associated with “Takfirism”.⁷ Although the Syrian regime has capitalized radical conservative vision of Islam for their own benefit.

It would be a great mistake to consider that there is only one existing faction within the Syria *sunna* which has always been dominated by a moderate conservatism.

1839-1876: THE END OF THE TRADITIONAL ORDER AND THE SUNNI INDIGNATION

Up to this precise moment in history the social order within the western Arabic provinces in the old Ottoman Empire where ruled by certainly well delimited laws that were entirely accepted by social and religious groups within society.

Those rules were characterized by the *šarīca* where broadly the following:

- 1) the Sunni Islam is the domineering religion,
- 2) thus both Sunnis and non-Muslims need to recognize its superiority,
- 3) Restrictions must be applied to different religions other than Sunni Islam propagation,
- 4) the difference between the domineering religion and others need to be clearly present even in ordinary life,
- 5) Sunni Muslim need to prevail in their domineering position politically in regards to the rest.⁸

aiming to understand the current conflict, was presented by John McHugo, Syria . *From the Great War to Civil War*, London: Saqi Books, 2014.

7 Salafism, ie, the movement that posits *tawīd* or absolute monotheism, rejecting any kind of popular veneration (remember the episode of the Islamic State destroying the tomb of the prophet Jonah in Mosul, and sometimes explained referring to an anti-Christian action) and any act of religious devotion or affection addressed to the Prophet or his family; and secondly, the rejection of any *bidca* or innovation in religion it was back to the third century AH. Meanwhile, followers of Takfirism (*Arabic takfīr*) understand that everyone who does not share their interpretation of Islam must be considered unfaithful (*kāfir*).

8 Cf. Abdullah Saeed, “Rethinking Citizenship Rights of the Non-Muslims in an Islamic State: Rashid al-Ghannushi ‘s contributions Issue to the Evolving debate”, *Islam and Christian-Muslim Relations* (1999), 308-309. For a detailed description of what the Islamic law was in this regard see Antoine Fattal classic, *Le statutlégal des non-musulmans in paysd’Islam*, Beirut: Dar el-Machreq 1995.

When taking that into account no inconvenient will be exposed when showing respect to both juridical and religious autonomy for subjects of all faiths, as a matter of fact the religious coexistence was generally pacific somehow due to a practical sense inherited by the ottoman governors with the exception of certain concrete periods included in the 18th century.⁹

Nevertheless this system was little by little deteriorating due to two main reasons: the western meddling, the internal collapse that can be attributed to the widespread corruption amongst the ruling class of such a vast empire as it was the Ottoman Empire. Another element could also be the decentralizing tendencies and the endemic economic crisis due to an inappropriate use of land.¹⁰ The juridical protection system deterioration (*imtiyâzât in ottoman turkish*) which was conceived as an extraterritoriality and which was firstly designed for western residents that inhabited within the Empire was the first step to the social and religious order crisis inside the Arabic provinces.

This protection system was allowing foreigners to be ruled by their own laws, own their own courts and enjoy economic exemptions which started to distort from the first third of the 18th century. Western powers launched with a clear political objective the right to protect non-Muslim minorities and conquering thus the same privileges for ottoman subjects and achieving the governor's acquiescence.¹¹

After a short period of time the Muslim majority noticed that non-Muslim who had traditionally enjoyed less prerogatives were conversely enjoying important advantages that they actually weren't, therefore benefiting disproportionately from this protection.¹² Several attempts appeared in order to correct abuses of this nature. The Turkish youth decided to end unilaterally this system in 1914,¹³ but after the Big War

9 Cf. Bernard Heyberger, *Les chrétiens du Proche-Orient au temps de la catholique réforme* (Syrie, Liban, Palestine XVI -XVII s.), Rome: École Française 1994, 51; Abraham Marcus, *The Middle East on the Eve of Modernity. Aleppo in the Eighteenth Century*, New York: Columbia Univ. Press 1989, 41.

10 Cf. Ignacio Gutierrez de Terán, *State and Confession in the Middle East: the case of Syria and Lebanon. Religion, Taifa and representativeness*, Madrid: Cant Arabia Autonomous University of Madrid 2003; Kemal H. Karpat, *social Studies on Ottoman and political story: selected articles and essays*, Leiden: Brill, 2002, 329-344.

11 Cf. Timur Kuran, "The Economic Ascent of the Middle East's Religious Minorities: The Role of Islamic Legal Pluralism", *Journal of Legal Studies* 33/2 (2004), 501-502.; Bruce Masters, *Christians and Jews in the Ottoman Arabic World: The Roots of Sectarianism*, Cambridge: Cambridge University Press 2001, 79.

12 Cf. Fatma Müge Göçek, *Rise of the Bourgeoisie, Demise of Empire. Ottoman Westernization and Social Change*, Oxford: Oxford Univ. Press 1996, 34, 96-97. V For a more detailed description of the protection system cf. Alejandra Álvarez Suárez, *Non-Muslim communities in a Muslim environment. The survival of the Ottoman model in today's Syria*, Madrid: Cantabria 2012, 85-99.

13 Cf. Edward A. Van Dyck, *Capitulations of the Ottoman Empire. Report of Edward A. Van Dyck*,

it was newly restored by the conquerors through the signing of the Treaty of Sévres which was finally abolished through the signing of the Lausanne Treaty in 1923.

The crisis of the traditional system of religious organization didn't just took place due to the above mentioned abuses. All attempts to avoid the decay of the empire culminated with the creation of the Tanzimat (Reforms), this specific period ranged from 1839 to 1876 and mainly aimed the legislation and the administrative structure of the Ottoman Empire modernization.¹⁴ In the same vein, the 1856 imperial decree that was signed at the end of the Crimean war proclaimed equality among the ottoman citizens regardless of their religion therefore breaking apart the religious traditional order while rooting out all sort of discrimination supported by faith-based criteria.¹⁵ But the problem was that most of the Empire's inhabitants weren't ready for the collapse of this traditional order. In regards to Muslims the truth is that there was an erudite minority who supported this reform, but the conservative majority who was echoing the population's discomfort and attributed the decree to the European influence maintaining the fact that they wanted to go against the Islam laws since it was putting a level of playing field among "governing nations" (*millet-i hâkime*) in other words the Islamic *umma* and the "governed nations" which were the other religions¹⁶. In this way Abdülmeçid I the caliph was called "disloyal sovereign" (in Ottoman Turkish *gâvur Padişah*).

Within the Arabic provinces, indignation due to these reforms was even greater.¹⁷ In some Syrian cities local governors refused implementing those new provisions. Finally displeasure culminated in the slaughter of Christians in both Syria and Lebanon in 1860. This massacre was after all the first social's change bloody episode that resulted in the effort to eradicate the Islam's supremacy in within the territory. In the *Hiğâz* a

consular clerk of the United States at Cairo, upon the Capitulations of the Ottoman Empire since the year 1150. Part I. Washington: Government Printing Office 1881, 96-97; George Young (ed.), *Corps de Droit Ottoman. Recueil des Codes, Lois, Règlements, Ordonnances et Actes les plus importants du Droit Intérieur, et d'Études sur le Droit Coutumier de l'Empire Ottoman*, Oxford: Clarendon Press 1905, II, 226-229.

14 Cf. Carter Vaughn Findley, "The Tanzimat", *The Cambridge History of Turkey* (Faroqhi, Suraiya N. Faroqhi, Kate Fleet y Reşat Kasaba), Cambridge: Cambridge Univ. Press 2008, vol. 4, 11-37.

15 George Young (ed.), *Corps de Droit Ottoman. Recueil des Codes, Lois, Règlements, Ordonnances et Actes les plus importants du Droit Intérieur, et d'Études sur le Droit Coutumier de l'Empire Ottoman*, Oxford: Clarendon Press 1905, II, 3-9.

16 Cf. Roderic H. Davison, *Reform in the Ottoman Empire, 1856-1876*, Princeton: Princeton Univ. Press 1963, 57; Kemal H. Karpat, *The Politicization of Islam: Reconstructing Identity, State, Faith, and Community in the Late Ottoman State*, Oxford: Oxford Univ. Press 2001, 77.

17 Cf. Moshe Ma'oz, "Communal Conflict in the Ottoman Syria during the Reform Era: The Role of Political and Economic Factors", *Christians and Jews in the Ottoman Empire. The Functioning of a Plural Society* (Benjamin Braude y Bernard Lewis, eds.), 2 vols. New York-Londres 1982., vol. 2, 91-92.

place with a strong Wahhabi influence the name of the caliph/sultan was deliberately omitted in the solemn prayer sermon all Fridays;¹⁸ raising therefore the expectations of what later would be an open vindication in favor of a purely Arabic caliphate.

Let's take up for a moment the image we alluded at the beginning, the desire of installing an Arabic and salafist¹⁹ caliphate that gathers the ottoman territories' subjects which refers to that specific period. As a matter of fact the idea that Arabs are more deserving than others to start the Islam regeneration through an Arabic caliph already appears in authors such as 'Abd ar-Raḥmān al-Kawākibī (m. 1903) or Rašīd Riḍā even though the root cause for this proposal seems to come from Great Britain with the goal of debilitating the Ottoman Empire.²⁰

The breakdown to the traditional religious organization would turn into a long-lasting problem that involved a vindication that endures until today. There is no way to know what could have happened if after the Ottoman defeat in 1918 the ephemeral initiative of an Arabic kingdom in Syria with the emir Faysal and his son Husay as Sharif of Mecca would have been successful. Anyhow, the Arabic nationalism that inspired this initiative was understood by many as a simple way to reform the Islam and not an end of itself. Both the Muslim identity and the Arabic identity often became two concepts that went hand in hand.

1919-1946: RELIGION AS A POLITICAL TOOL DURING THE MANDATE

The landing of the French troops in Beirut along with the dismantlement of the Emir Faysal Arab states after the defeat of Maysalūn in 1920 allowed the French to take possession of the Lebanese-Syrian territories as a result of the secret agreement Sykes-Picot in 1916. All those facts marked the implementation of faith-based politics which worsen the Sunni uneasiness which was carried around since the Ottoman Empire. The French strategy aimed at weakening this Sunni majority that appeared to be contrary to the European presence in the area, by claiming support among religious minorities that supposedly were Francophile. This faith-based strategy not

18 Cf. Kemal H. Karpat, *The Politicization of Islam: Reconstructing Identity, State, Faith, and Community in the Late Ottoman State*, Oxford: Oxford Univ. Press 2001, 77.

19 The term comes from Wahhabi Muhammadibnc Abd al-Wahhāb (1703-1792) founder of the precursor movement of Salafism in their search for a primitive and Arabic Islam.

20 As the poet Wilfred Scaven Blunt in his book *The Future of Islam* (1881). Cf. Maxime Rodinson, *The Arabs*, Madrid: Siglo XXI 2005, 85-86.

too different from the one used by British in their Mandate²¹ was developed in three directions:

- 1) by creating self-governing territories according to faith-based criteria,
- 2) by favoring non Sunni minorities collaborations and
- 3) by creating an statute that would equal all citizens regardless their religion. As we will later understand the consequences of those actions will be envisage nowadays due to the fact that the new Syrian State that was created in 1946 inherits , in large part, the French order.

When explaining French politics within Syria and Lebanon we need to take into consideration the fact that head of states faced two determinant factors: a preconceived idea of the territory and the population, and the previous experience they had in Africa. On one side French were totally convinced that they would be well received by Levantines,²² but they encountered the Arab nationalist's opposition. Besides they applied their colonial experience in northern Africa, which in religious and social terms, this experience was quite different.²³ The Syria-Lebanon society under the French perspective was mainly divided according to faith -based criteria (a Middle East idea that is still stated by western analysts). Sunni group which is the largest confessional one within the Syrian territory (the French were reluctant towards prior to the arrival),²⁴ were classified almost as a nationalistic compact block and due to that fact they were the Mandate opponents while other religions would be likely to swing in this regard. The most important initiative to conspire this "Sunni nationalism" was to divide the territory in confessional states according to the Ottoman administrative reorganization order in 1864.²⁵ French counted on three main goals: strengthening all

21 Cf. David Kenneth Fieldhouse, *Western Imperialism in the Middle East 1914-1958*, Oxford: Oxford University Press 2006, 258-259. I have already addressed the French religious policy during the Mandate in two publications: cf. Alejandra Álvarez Suárez, *Non-Muslim communities in a Muslim environment. The survival of the Ottoman model in today's Syria.*, Madrid: Cantarabia 2012, 158-182, and more summarized Id. "Confesionalism and Modernity: The origins of the Syrian paradox", *Awraq* 8 (2013), 94-98.

22 Despising the survey data of American King-Crane Commission of 1919. Full text in "King-Crane report on the Near East", *Editor & Publisher Co.* 55, nº. 27, 2º Sección, 2 de diciembre de 1922, XVIII + map. Cf. James L. Gelvin, "The Ironic Legacy of the King-Crane Commission", *The Middle East and the United States: a historical and political reassessment* (Lesch, David W., ed.), Boulder: Westview Press 2007, 13-29.

23 Cf. David Kenneth Fieldhouse, *Western Imperialism in the Middle East 1914-1958*, Oxford: Oxford Univ. Press 2006, 253-254 y 257-258.

24 Cf. Daniel Pipes, *Greater Syria. The History of an Ambition*, Oxford: Oxford Univ. Press 1992, 153.

25 Cf. George Young (ed.), *Corps de Droit Ottoman. Recueil des Codes, Lois, Règlements, Ordonnances et Actes les plus importants du Droit Intérieur, et d'Études sur le Droit Coutumier de l'Empire Ottoman*,

religious minorities, to turn them into sympathizers of the Head of State and isolating the Sunni population without an exit to the sea. Note how the French division largely exists nowadays (as a matter of fact some analysis about the future in Syria with different variations replicate the Mandate map). The new French organization of the territories constantly benefited the “religious minorities” and would be detrimental to the Sunni population.

This is how on August 30th 1920 French created The Great Lebanon which was conceived as a Christian²⁶ community but still added to the central core where the Christian “compact minority”²⁷ would really assembled in (Lebanon Hill) which were the wide , even, and productive territories mainly inhabited by Sunni and Druze citizens. During the same year on September 2nd the “Territory of the Alawis” was established which would be later proclaimed state in 1922 in order to protect the Sunni minority. In fact it appears that the Alawis obtained this mountainous and coastal land in the Latakia and Tartus provinces (where there was a strong presence of other confessions) due to its anti-nationalistic positions. Economic benefits and all low taxes that they enjoyed favor their collaboration with the French.²⁸

On the other hand Syrians in the inland felt finally isolated after the Alejandreta autonomous province was created (it basically coincides with the current Turkish province Hatay after the heads of state had handed over to Turkey) which was a coastal territory aimed to protect its Christian inhabitants.²⁹ The Druze another “compact minority” that refrained from confronting the French also obtained their own state located in Hawrān in 1922. Finally the remaining inland territory (where Sunni were a majority even though there also were religious minorities) became the Aleppo and Damascus states (1922) although they both merge to create the Syrian State.³⁰

Oxford: Clarendon Press 1905, I, 36-45.

26 Cf. Youssef S. Takla, “Corpus Juris du Mandat Français”, *The British and French Mandates in Comparative Perspectives. Les mandats français et anglais dans une perspective comparative* (Nadine Meouchi y Peter Slugletti, eds.) Leiden: Brill 2001, 77-79; David D. Grafton, *The Christians of Lebanon, Political Rights in Islamic Law*, Londres - Nueva York: Tauris Academic Studies, 2003, 94.

27 Cf. Itamar Rabinovich, “The Compact Minorities and the Syrian State, 1918-1945”, *Journal of Contemporary History* 14/4 (1979), 693-712.

28 Cf. Youssef S. Takla, “Corpus Juris du Mandat Français”, *The British and French Mandates in Comparative Perspectives. Les mandats français et anglais dans une perspective comparative* (Nadine Meouchi y Peter Slugletti, eds.) Leiden: Brill 2001, 79-81; Daniel Pipes, *Greater Syria. The History of an Ambition*, Oxford: Oxford Univ. Press 1992, 166.

29 Cf. Youssef S. Takla, “Corpus Juris du Mandat Français”, *The British and French Mandates in Comparative Perspectives. Les mandats français et anglais dans une perspective comparative* (Nadine Meouchi y Peter Slugletti, eds.) Leiden: Brill 2001, 80-82.

30 Youssef S. Takla, “Corpus Juris du Mandat Français”, *The British and French Mandates in Comparative Perspectives. Les mandats français et anglais dans une perspective comparative* (Nadine



Map of confessional states created by the French in Syria (JoeBurgess – New York Times).

Moreover when recruiting military personnel for troops in charge of security and defense for the Head of State of those territories, French at that point used the “dividing to rule” in order to ensure the new *Troupes Spéciales* good governance, thus using firstly religious criteria and secondarily ethnic criteria. Several authors have emphasized the confessional adscription as a recruiting technique that could have prevented the Sunni presence;³¹ however and without contradicting the aforementioned probably (according to all data) the French favoritism was driven by different matters derived from political convenience.

The fact is that the Sunni presence in the Army was drastically reduced in 1933. At that time nationalists truly started to challenge French due to having taken full control over Syria. Furthermore all through those years many Alawis joined the *Troupes* but were rarely promoted to a higher rank³² than ordinary warrant officer. The presence of many members belonging to this confession within the mandatory army would later be one of the reasons for the Alawi supremacy in the future Syrian Army.

Meouchi y Peter Slugletti, eds.) Leiden: Brill 2001, 80-85.

31 Cf. Philip S. Khouri, *Syria and the French Mandate. The Politics of the Arab Nationalism, 1920-1945*, Princeton: Princeton Univ. Press 1987, 81; Daniel Pipes, *Greater Syria. The History of an Ambition*, Oxford: Oxford University Press 1992, 153.

32 Cf. Elias Bou-Nacklie, “Les Troupes Spéciales: Religious and Ethnic Recruitment, 1916-1946”, *International Journal of Middle East Studies* 25/4 (1993), 645-660.

Finally conservative Sunni declared their indignation in regards to the religious politics carried out by France in the mandatory states, which was structured in two Decrees that entered into effect in 1936 and 1938³³ within the negotiations context that were maintained with the pro-independence Syrian National Bloc (al-kutla al-wahaniyya) which enjoyed a large majority in the Assembly. Therefore French needed to assure its interests in the area by promoting the religious divisions in order to justify their presence as protectors of minorities.³⁴ Without going into specific aspects within those Decrees it should be underline that Heads of State established in those which were the religious communities with full legal rights as well as a list of groups which currently exists and that excludes Yazidis, Jehovah Witnesses, and other religious minorities. In addition to that they decreed that all citizens, Muslims included, could freely change religions, which truly contradicted the basic principles of šarīca. These modifications triggered the rejection of many religious leaders from both Christian and Muslim sides. All without any exception felt subordinated to the Civil Power. Furthermore the fact that the new regulations would considered the Sunni Islam to have equal status to other groups, within the list of religious communities, meant an offense to the most conservative member in this confession who interpreted that as a new affront against the Muslim conception of State.³⁵ The influential Association of Ulemas declared in a signed document in 1939 that the new regulations were against God's Law when allowing marriages between Muslim and no-Muslims therefore facilitating the Islam's' Apostasy or the presence of individuals without any concrete religion. The street protests and disturbances that were caused by this initiative resulted in an inoperative rule at least temporarily.³⁶

1963-2014: THE MAINTENANCE OF A CONFLICT

The Independence meant the victory of a typical Syrian nationalist ideal, which advocated the Arab unity regardless any religious differences that date back to the end of the Ottoman Empire which had developed with Faysal an under The Mandate.³⁷

33 Cf. *Journal Officiel de la République Syrienne* ORS XI/13-3-1936, Arrêté n°. 60/L.R., 93-94 e Ibid. XLVII/29-12-1938, Arrêté n°. 146/L.R., 291-292.

34 Cf. Benjamin Thomas, "The Nation-State form and the Emergence of 'Minorities' in Syria", *Studies in Ethnicity and Nationalism* 7/1 (2007), 64-85.

35 Cf. Philip S. Khoury, *Syria and the French Mandate. The Politics of the Arab Nationalism, 1920-1945*, Princeton: Princeton University Press 1987, 576.

36 H, Cf. Benjamin Thomas White, "Addressing the State: The Syrian 'Ulama' Protest Personal Status Law Reform, 1939", *International Journal of Middle East Studies* 42 (2010), 10-12.

37 Cf. Raymond Hinnebusch, *Syria, Revolution from Above*, Londres: Roulledge 2001, 19.

Therefore the National Construction's Syrian project can't be truly understood under the perspective of a Turkish secularism of a Kemalist nature,³⁸ however it can under the practical sense of the State Construction through the idea of unity that transcends confessionalism. As a matter of fact as a sample in none of the Syrian Constitutions (except for other Arab States' Magna Carta) Islam has been considered the State or Official religion a non confessional principle which has always been present in that country.³⁹ As seen in the aforementioned since the beginning of the new Syrian state there was a confrontation among the most liberal vision and the most conservative. Historically the conservative view advocated the Islam political preponderance.⁴⁰ The birth of the Syrian branch Muslim Brotherhood (al-Iwān al-muslimūn) coincided with the end of the Mandate and the proclamation of the Independence therefore these matters shouldn't be considered accidental. (1945-1946)⁴¹

After the Syrian-Egyptian failure and the subsequent raise to power of Baath in 1963 due to a coup d'état, the conflict between those two state conceptions exacerbated the confrontation even more as a result of the noticeable hostility that The Muslim Brotherhood reciprocally professed within the Power Party. This feud between both radical forces dated back in 1950 and was precisely revealed in the debates that were held regarding the presence of religion within Syrian Constitution.⁴² The ideology maintained by Baath in regards to the role of religion in State Construction clearly exposed since the beginning a clear tendency towards socialists positions, laic, and secular, as a matter of fact one of its ideologists, the Christian Michel cAflaq expressed to be against religion and described it as a mere superstition that should be replaced by a new laic and nationalistic faith; this kind of antireligious demonstrations ensued all through the sixties decade.⁴³ Furthermore a large part of the party base was made up

38 This is the idea held by Thomas Pierret, "The State Management of Religion in Syria. The End of 'Indirect Rule'?", en *Middle East Authoritarianisms. Governance, Contestation and Regime Resilience in Syria and Iran* (Steven Heydemann y Reinoud Leenders, eds.), Standford: Standford Univ.Press 2013, 85.

39 Cf. Alejandra Álvarez Suárez, "Religion in the constitutional history of the Arab Republic of Syria" in *The Arab Spring A Regional Revolution?* (Paloma González, ed.), Madrid: University Complutense 2013, 535-545.

40 As in the drafting of the constitution of 1950, in which the latter demanded that Islam be included as an official state religion. Cf. Abdul LatifTibawi, *A Modern History of Syria*, Londres: Macmillan – St. Martin's Press 1969, 385-387.

41 Cf. Joshua Teitelbaum, "The Muslim Brotherhood in Syria. 1945-1958: Founding, Social Origins, Ideology", *The Middle East Journal* 65/2 (2011), 213-233. Different dates for the independence of Syria are given: 1945 (studies in English), the date of transfer of powers, or 1946 (Studies in French), year of the withdrawal of troops.

42 Cf. Raphaël Lefèvre, *Ashes of Hama. The Muslim Brotherhood in Syria*, Oxford: OxfordUniv. Press 2013: 44.

43 Cf. Eyal Zisser, "Syria, the Ba'ath Regime and the Islamic Movement: Stepping on a New Path?"

f young Alawi, Druze and Ismaili as well as of highly politicized⁴⁴ military members which resulted in a feeling of mistrusts in regards to its political intentions within the most conservative Sunni sectors.

In this context Baathists were labeled as atheistic and antireligious by the most radical Islamists who were specially represented by the Ihwān who had disappeared as a presence in parliament after the coup d'état⁴⁵ and who had also shown certain "semi clandestine tendencies". Baathists were also accused of being Islam enemies and responsible for creating a State devoid of religion.⁴⁶ In this context Baathist were labeled as atheistic and antireligious by the most radical islamists who were specially represented by the Ihwān who had disappeared as a presence in parliament after the coup d'état and who had also shown certain "semi clandestine tendencies". Baathists were also accused of being Islam enemies and responsible for creating a State devoid of religion. I will not go into details regarding the well-known chapters as they are the islamist riots that took place in 1964, 1965, 1967 or as Hama massacre in 1982.⁴⁷ It is however in our interest for the purpose of this work to recall the confrontation that marks the beginning of the so called "Syrian issue"; and we are facing a conjecture commonly accepted by analysts that states that Alawis with the religious minorities support would hold unlawfully the power and would exercise power against the Sunni majority. However as we will have the chance to clarify later, religion has been used by both sides as argued in order to weakening the opponent and maintain (obtain) power by all means.⁴⁸

Among all different tendencies that coexisted or ensued within the Baath party a clear military nature ended up being imposed which could be defined as a "non-ideological" practice that was based upon a personal ambition. It therefore culminated with the emergence of the general alawí Hāfif al-Asad,⁴⁹ when he definitely took power in 1970 in so called "rectification" movement (al-tashīhiyya). From that moment on the central core of power in the regime was left in the wasal-Asad family and alawi's tribe in Qalbiyya hands, this was the tribe the dictator belonged to. Thus the regime

Muslim World 95 (2005), 45.

44 Cf. Raymond Hinnebusch, *Syria, Revolution from Above*, Londres: Routledge 2001, 27-28 y 30.

45 Liad Porat, "The Syrian Muslim Brotherhood and the Assad Regime" *Middle East Brief* 2010 (47), 2.

46 Cf. Ibid, 89-90.

47 To do this please refers to the work of Raphaël Lefèvre, *Ashes of Hama. The Muslim Brotherhood in Syria*, Oxford: Oxford University Press 2013.

48 Cf. Ignacio Gutiérrez de Terán, *State and Confession in the Middle East: the case of Syria and Lebanon. Religion, Taifa and representativeness*, Madrid: Cant Arabia Autonomous University of Madrid 2003, 127-128.

49 Cf. Raymond Hinnebusch, *Syria, Revolution from Above*, Londres: Routledge 2001, 44-56.

was supported by a system of Power based on family and social relations rather than on religious reasons. It has been accurately compared with a mafia saga.⁵⁰ Under this perspective of maintenance and preservation of power as the main goal it is easy to understand the fact that the al-Asad regime has used religion in an ambiguous way and even presenting contradictory views through three different strategies.

Firstly the regime has promoted a kind of inconsistent secularism as it mainly appears on March 13 1973 Constitution.⁵¹ Syrian Carta Magna was markedly written up with a presidential tinge and was promulgated with the undeniable desire of legitimizing Hāfiḥ al-Asad as a Head of State in a State where religious differences were not important, for the sake of an Arab humanism of egalitarian nature⁵². In fact at first there was an attempt to approve a text with no written explicit reference to religion, however the Islamist reaction forced them to include rules taken from 1950 where the president should be Muslim and the Islamic Jurisprudence should be the source of any legislation. In addition to that the religious oath was included in the investiture in order to assuage the Sunni conservatives.⁵³

The paradox is that along with this allegedly secularist model, the regime chose to maintain the division in Society through the confessional communities (Hawāḥif) from previous periods in time, which owned their own Religious Courts presenting jurisdiction over civil matters. Besides the fact that religion isn't a relevant data the truth is that in the Civil Registry the confession of each individual scores, although this information is not publicly available or recorded in official statistics. Hence the difficulty in establishing the figures that clarify the religious demographics in the country.⁵⁴

50 Cf. Flint Leverett, *Inheriting Syria. Bashar's Trial by Fire*, Washington D. C.: Brookings Institution Press 2005, 24, 84.

51 With partial reforms that do not affect this issue in years: 1980, 2000 y 2012.

52 Cf. Shmuel Bar, *Bashar's Syria, The Regime and its Strategic Wordview*, Herzliya (Israel): Institute for Policy and Strategy Interdisciplinary Center 2006, 365. Paradoxically, the formation of 73 was presented to the Syrian people in distinctly religious terms. The editorial in the official newspaper al-Baath (04.03.1973) described the Quranic text with terms like "the straight path" (as-Sirat al-Mustaqim), "infallible" (al-Casim min al-Hata') and close of "the door of interpretation" (Bab al-igtiḥad). Cf. John J. Donohue, "La Nouvelle Constitution Syrienne et ses Détracteurs" *Travaux et Jours* (1973), 95.

53 Cf. John J. Donohue, "La Nouvelle Constitution Syrienne et ses Détracteurs", *Travaux et Jours* (1973), 93-III; Moshe Ma'oz, Joseph Ginat y Onn Winklet, "The Emergence of Modern Syria", *Modern Syria: from Ottoman rule to pivotal role in the Middle East* (Moshe Ma'oz et al.), Brighton-Portlans: Sussex Academic Press 1999, 8.

54 Cf. Alejandra Álvarez Suárez, *Non-Muslim communities in a Muslim environment. The survival of the Ottoman model in today's Syria* (*Comunidades no musulmanas en un entorno musulmán. La pervivencia del modelo otomano en la actual Siria*), Madrid: Cantarabia 2012, 196-199, 259.

The second strategy with religion foundations that has been used by the regime has been presenting its Head of States as good Sunnis at the expense of undermining the very own Alawi confessional identity. It seems odd to see the al-Asad going every Friday to the Mosque, fasting in Ramadan or even doing a pilgrimage to the Mecca (as the deceased Bāsil did, who was the older son of Ḥāfiẓ, who was appointed martyr by the regime's official propaganda), therefore all those religious manifestations are implausible to a faithful Alawi and are part of a misse-en scene aimed to counteract the Islamist propaganda that we will refer later.⁵⁵ Accordingly all actions taken by the regime against the Muslim Brothers (as it is the famous law number 49 in 1980 where death penalty is decreed to this group followers) has no relation whatsoever with the conciliatory attitude demonstrated to the Sunni elite more specifically the urban elite. All different stances taken by Ulemas regarding the conflict that started on 2011 expose the existing real situation within the Syrian Islam.⁵⁶

Finally, the regime presents itself as the only trustworthy option that can encompass Islam which means an attempt to ensure a permanent support for both the present religious minorities within the country as well as the most moderate Sunnis. Both groups have conveyed indications that show how terrified they feel due to this alternative, as an example: the Christian community which to a large degree is included within the coalition gathered around the al-Asad, which has a clear goal of ensuring upcoming support and tends to consider the regime as an effective protector aiming to restrain, in that case scenario a potential Islamist control that could deprive them of their rights.⁵⁷ At the same time, this strategy has entailed a conscious increase of Sectarianism and in recent years an Islamist propaganda with implied permissiveness. Due to that fact when the current conflict erupted it was quickly presented to public opinion as a sectarian Sunni riot. This is why when the riot started the regime itself allowed the release of Islamists prisoners so that they could join all protests in order to bestow upon those events a religious character.

Regarding the Muslims Brothers (the group that had best capitalized on the opposition at the Damascus regime) presented internal differences during the 60's in regards to the form to be taken within the Syrian State or with reference to the strategy to be applied in order to present a strong opposition to the Baathist Government. Meanwhile members of those tendencies supported an entirely Islamic state model and

55 Cf. Mordechai Kedar, "In Search of Legitimacy: Assad's Islamic Image in the Syrian Official Press", *Modern Syria: from Ottoman rule to pivotal role in the Middle East* (Moshe Ma'oz et al.). Brighton-Portlans: Sussex Accademic Press 1999, 23-28; "Syria, the Ba'th Regime and the Islamic Movement: Stepping on a New Path?" *Muslim World* 95 (2005), 49-51.

56 Cf. Thomas Pierret, "The Syrian Baath Party and Sunni Islam: Conflicts and Connivance", *Middle East Brief* 77 (Feb. 2014), 1-7.

57 Cf. Shmuel Bar, Bashar's Syria, *The Regime and its Strategic Wordview*, Herzliya (Israel): Institute for Policy and Strategy Interdisciplinary Center 2006, 396.

a Government; others stated that Muslim representation should be present through a Civil Government. On the other hand a splinter group supported civil disobedience and the armed struggle while the other totally refused that option. Moreover Sayyid Quṭb radical teachings while maintaining the illegitimacy of the Arab Governments that were not establishing the Islamic Law caused the young *Ihwān* followers to define the regime as heretical and as an Enemy of the Islam.

With the advent of Ḥāfiẓ *al-Asad* the Islamist objective of overthrowing the regime remained clearly defined. In order to accomplish that goal, the Muslim Brotherhood have used different strategies: on one side we need to refer to violent actions that ensued as the assaults to State Institutions (as the well-known attack on the Military Academy in Aleppo in 1979), or the attempts to take control over the main cities in Syria, or the exhortation to murder members of the Military and Government Leadership including Ḥāfiẓ *al-Asad* himself in 1980.

After the events in 1982 in Hama which reduced the possibilities to continue resorting to armed struggle, the Alliance Strategy consolidated with *al-Asad* opposing groups (including members of the Kurdish opposition, the extreme right or even and even former members of the regime). From that time on *Ihwān* propaganda through different media entirely flourishes.⁵⁸ In this regard Islamists were quite successful in their propagandistic speech. Due to that fact *al-Asad* are presented as a minority of Alawis gangsters, unrelated to Syria and enemies of the Islam that govern oppressively over a Sunni majority against the natural order according to the Islamic doctrine, by using a terminology both warlike and confessional.⁵⁹ All this would clearly explain the armed reaction. The aware use of religion in *Ihwān* propaganda with the intention of obtaining support and achieving their goal has certainly been deeply rooted in Syria's public opinion. This is clearly one of the causes that might explain the Islamist reaction.⁶⁰

58 For a detailed study on the strategy of the Muslim Brotherhood in Syria, until the beginning of the revolt, cf. Porat, Liad, "The Syrian Muslim Brotherhood and the Asad Regime" *Middle East Brief* 2010 (47), 2-7.

59 Consult this magazine *an-Nadīr* regarding this matter, the official publication of this movement, specially the nn. 66 (1884), 6-10; 122 (1990), 10.

60 Cf. Pipes, Daniel, *Greater Syria*. The History of an Ambition, Oxford: Oxford University Press 1992, 185-186; Pipes 1992: 185-186; Kedar 1999: 20 Kedar, Mordechai, "In Search of Legitimacy: Assad's Islamic Image in the Syrian Official Press", *Modern Syria: from Ottoman rule to pivotal role in the Middle East* (Moshe Ma'oz et al.), Brighton-Portlans: Sussex Accademic Press 1999, 20.

CONCLUSIONS

As we have previously presented all through these pages the idea of a confessional and Islamic Syrian State in *sunna* that exerts dominance over other religions is a claim of a social and political segment easily recognizable within the Sunni Islam in this country. This vindication is somehow present all through Syrian contemporary History more specifically at the end of the Ottoman Control over the Levantine Arabic territory. At that time the domestic institutional reforms promoted from Istanbul made all citizens within the Empire regardless their confession legally equal. French politics during the Mandate use “Confessionalism” in their own interest, therefore initiating an strategy that has continuously repeat in Syria’s recent History specially during the Baathist Period and more specifically from 1970 when *al-Asad family comes to power*.

Therefore Sunni vindications have a deep-rooted history due to that fact it shouldn’t be considered a mere topical subject. However the political use of the main sides that currently dispute power in Syria transformed it into an instrument at their service in order to seek new support against their political adversaries (now military) and to promote and ensure loyalty with their allies. Regarding the Islamist opposition, the traditional Sunni vindication, now turned into salafism (and frequently into takfirism) which is now serving the main objective: overthrowing a regime that has been qualified as heretical, anti-Islamic and atheistic.

The identification of this Alawism is one the major success coming from the propaganda of the Syrian Muslims Brotherhood. In regards to al-Asad and all those who share the power within the country, the confessional doctrine has sought different strategies that can somehow be considered contradictory: promotion of a humanist secularism that coexists with the most traditional religious organization, the use of propaganda which presents the family within power, as the Sunni Muslims traditionally do, an a calculated ambivalence with all different Sunni Islam tendencies existing in Syria.

This strategy that even today uses faiths as an element to maintain or obtain power is now leading to the worst case scenario even though both parts keep on getting benefits. The major consequence is that Civil Society in Syria has been involved in a conflict that although it began driven by social and political reasons, has acquired an undeniable religious background.

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