DEPARTMENT OF POLITICAL SCIENCE

LOCALIZING TRANSITIONAL JUSTICE IN POST ARAB SPRING COUNTRIES

A study on the effect of using local language and implementing bodies on the public acceptance of transitional justice in the Middle East

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Abstract:

The failure of transitional justice (TJ) processes in most post-Arab Spring countries has called TJ theory into question. Most literature addressing this failure is based, primarily, on arguments of anti-Westernism and the "external" nature of TJ measures. Two main TJ characteristics are viewed as problematic regarding post-Arab Spring states: its liberal paradigm and its top-down, state-centric focus. Transformative justice (TfJ) which is a bottom-up socio-cultural theory was developed to overcome these dilemmas.

This thesis uses TfJ theory in developing research questions and hypotheses. Unlike most of the literature, which is based on qualitative methods, this thesis uses a quantitative experimental opinion poll survey, distributed in Libya, Yemen and Jordan, in order to examine whether using local religious language and implementing bodies gathers more local legitimacy for TJ's pillars.

The thesis found that, despite high mistrust in the UN, people nevertheless believe that it is more capable of enforcing TJ decisions than rijal-al-islah, indicating that the UN should still be viewed as an important player in the Arab TJ process. This thesis found limited support that the use of local religious language leads to more acceptance of TJ outcomes than the use of international language, but that this depends on the case.

This thesis suggests an important recommendation to the UN and TJ scholars: it is worthwhile to conduct further research on the possibilities of cooperation between the UN and local religious actors to achieve better TJ results in Arab countries.

Keywords:

Transitional Justice, Transformative Justice, Post Arab Spring Countries, Middle East, Libya, Yemen, Jordan, Islam, Local Language, Rijal Al-Islah, Legitimacy, the United Nations.

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Finally, I want to dedicate this work to my son "Omar". I hope by the time he is old enough to read this, the world would have become a more peaceful place to live.

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1.Introduction

1.1 Introduction

The eruption of revolutions against authoritarian regimes in several MENA region countries in 2011, in what was called "the Arab Spring", called transitional justice theory into question. The international community has a prepared formula for addressing post-conflict situations through the process of transitional justice. According to the International Center for Transitional Justice (ICTJ), Transitional Justice (TJ) is "a set of approaches which societies undertake to address past human rights violations, including severe abuses such as; mass atrocity, civil war, or genocide, in order to build peace and democracy and find durable solutions to the conflict to ensure its non-recurrence" (ICTJ, 2005:1). Although the approach varies depending on different contexts, there is a global agreement on four pillars: criminal justice, reparations, truth-seeking, and institutional reform. In most cases involving the Arab Spring where the international community tried to apply these four pillars, the results were disastrous, as countries moved toward more unrest, new authoritarianism, or civil wars. Libya, Yemen, Syria, and Egypt are examples of this.

Several criticisms are raised against the pre-packaged international formula throughout the scholarly literature on TJ. One main dilemma of TJ is its liberal paradigm which is based on two principles: top-down processes and a focus on civil and political rights. This makes positive results difficult to achieve in different world cultures and contexts (explained in more detail below). Another dilemma is that TJ is usually imposed by foreign actors, such as the United Nations (UN) or agencies authorized by UN member states. Thus, TJ is expected to be often faced with opposition and negative reactions from local societies due in-part to historical colonial memories, as was the case in many MENA and African countries.

When it comes to literature related to the Arab Spring countries and TJ, only few studies deal with these dilemmas and the failure of TJ processes in these countries. The studies are mainly qualitative, concentrate on political factors, and are built on previous assumptions of anti-western sentiment in Arab countries. Little scholarship could be found on local socio-cultural phenomena or the wants and needs of these societies (bottom-up processes).

1.2 Aim and Research Question:

This research aims at filling the afore-mentioned gap in TJ literature through an original inferential quantitative survey on people from three countries, Libya, Yemen, and Jordan. This is done in order to study whether addressing the local population of MENA countries in a way that is sensitive to local culture and Islam can promote more acceptance of transitional justice outcomes than approaches that rely on foreign terms and concepts. It also examines whether or not TJ outcomes may be viewed as more legitimate by the affected population when they are implemented by local religious actors, rather than international ones.

The study is based on transformative justice theory, which argues that consideration of culture and religion when applying TJ and allowing locals to implement TJ processes leads to more positive results. This study is also based on previous literature, which argues that: addressing local populations in a way that is sensitive to their culture (Islam in the case of Arab Muslim countries) can contribute to more legitimacy; and that TJ should be localized by providing successful examples of local implementation in some countries, such as Rwanda. It is worth to mention that by legitimacy, it is meant "a psychological property of an authority, institution, or social arrangement that leads those connected to it to believe that it is appropriate, proper, and just" (Tyler, 2006:375). Two types of legitimacy are of concern to this thesis, legitimacy of the actor, i.e. people find the implementor as "proper and just" to decide or implement certain decisions, and procedural legitimacy which argues that legitimacy for certain decisions is derived from the process of how it was decided and justified (Tyler and Sunshine, 2003; Brownsword and Goodwin, 2012). In the case of this thesis, procedural legitimacy could be linked to the source of the decision (sharia law or international law) and the process and rhetoric that follows based one either one of the two sources.

In general, the outcomes of this research are expected to contribute to the current understanding of how TJ could be applied in the unique situation of the MENA region.

The primary research question of this study is:

Can local culture and Islam promote more acceptance of transitional justice outcomes in post Arab Spring countries than using foreign/international terms and concepts of transitional justice?

The sub-research questions are:

Do local religious actors have more legitimacy than international actors to implement transitional justice in post Arab Spring countries?

Does using religion lead to more legitimacy than international laws and standards in post Arab Spring countries?

Does religion have more impact in unstable states than stable ones?

1.3 Delimitations

This study is limited to the study of socio-cultural factors and how TJ could benefit from a socio-cultural, bottom-up perspective. The study will not cover the role of several other local factors, such as Islamism in political life, as this is primarily studied through applying concepts such as "Liberal Islam" or "Political Islam" which are outside of the scope of this thesis.

Moreover, while this project acknowledges the importance of an economic perspective when studying transformative justice and the effect of economy on the success of TJ in post Arab spring countries, such a topic is too broad for this thesis to properly cover. However, a brief overview of the economic perspective will be made in the literature review. A more holistic examination of how a country could move from conflict or post-conflict situation to peace could be achieved through a triangulation of three vectors of analysis: the political top-down process of transitional justice, the socio-cultural bottom-up process, and the process of economic reformation. This research is necessarily limited, due to time and size constraints, to the socio-cultural and bottom-up process angle.

1.4 Outline of Study

This thesis is organized in six main chapters. Chapter one introduces the topic and the aim of study, as well as the research questions. Chapter two explains the theoretical framework and elaborates on the most important concepts that will be used throughout this thesis. Chapter three reviews previous literature on transitional justice in post Arab Spring countries and builds thesis hypotheses through reviewing three aspects that affect TJ implementation in MENA region countries, according to the literature. It also underscores the hypotheses which will be tested in this thesis. Chapter four explains and motivates the chosen research design and methodology.

Chapter five presents the results of the quantitative survey and describes the collected data. Chapter six discusses the results and highlights the most relevant observations of the study in light of the hypotheses and research questions. It also concludes the thesis, provides recommendation, and suggests directions for future research.

2. Theoretical Framework

This chapter elaborates on the two main theories upon which this thesis is based. Transitional Justice and Transformative Justice.

2.1 Transitional Justice (TJ)

Transitional justice (TJ) is a concept which was introduced in the mid-1980s to deal with severe human rights violations during regime changes in the countries of Latin America (Arenhövel, 2008:571). Theoretically, there is a lack of consensus over what TJ should include or what it means. Buckley-Zistel et al. (2014) in their book *Theorizing Transitional Justice* identified the problem of under-theorization of transitional justice in the current literature. They have identified several approaches of how transitional justice theory could be defined. For the purpose of this thesis, I will use the definitions which were provided by the United Nations and by the ICTJ, as follows:

TJ is: " The full range of processes and mechanisms associated with a society's attempts to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation"(UN, 2004:3), to help the society deal with "severe abuses such as mass atrocity, civil war, or genocide, in order to build peace and democracy and find durable solutions to the conflict to ensure its non-recurrence" (ICTJ, 2005:1).

In practice, TJ processes consist of four pillars, which are widely agreed upon. These are: criminal justice, reparation, truth-seeking mechanisms, and institutional reform (SIDA, 2019). In the following section, I will provide a short explanation of each pillar:

a. Criminal Justice:

An important pillar for ensuring non-reoccurrence of previous heinous crimes by holding perpetrators of the most serious crimes accountable (SIDA, 2019). Criminal prosecution also plays an important role in achieving justice for victims of severe violations. It is important to mention

that criminal TJ cannot prosecute every violation or every person having committed a crime. Rather, it concentrates on crimes that are the most symbolic, and those by which people are most affected. The criminal justice pillar also aims to prosecute the most responsible perpetrators (SIDA, 2019).

In general, under TJ, these criminal prosecutions should be practiced on a national level, using domestic legal frameworks and institutions. However, in certain cases where countries that are coming out of severe conflicts lack the necessary institutions, suffer chronic issues of impunity, or are otherwise unwilling to conduct such prosecutions, the international community intervenes in different ways: (1) through creating special tribunals at the international level (such as Criminal Tribunal for Yugoslavia (1993) and Rwanda (1995)); (2) establishing hybrid courts which combine national and international instruments, such as in the cases of Sierra Leone, Kosovo, Iraq and Lebanon; (3) or by referring the cases to the only permanent International Criminal Court (ICC) which deals with war crimes, crimes against humanity, and cases of genocide (Andrieu, 2010).

b. Reparation:

Reparation is a form of social justice aimed at compensating and restoring victims' dignity (Andrieu, 2010). The compensation may be physical or psychological, or a mix of both (SIDA, 2019). Physical compensation could take the form of money or free services, while psychological reparations includes official apologies, building memorials, or naming streets after victims (Andrieu, 2010).

c. Truth-Seeking Mechanisms:

As the name indicates, truth-seeking mechanisms aim at ensuring that true narratives are adopted and that survivors and victims can access true information and facts, such as the whereabouts of their loved-ones and what they have endured (SIDA, 2019). This can be achieved through several means, such as truth commissions, fact-finding missions, documentation by non-governmental organizations (NGOs), etc. (SIDA, 2019). This mechanism is vital in satisfying the victims through acknowledgment of their unjustified suffering.

d. Institutional Reform:

This is a vital pillar to ensure that transitional governments can work properly to address past violations and ensure non-recurrence. Any state transitioning from authoritarianism to democracy must replace the repressive institutions, which facilitated the original conflict and oppression, with new democratic institutions, especially on the judicial and security levels (UN, 2010). One step to achieving this reform is vetting, i.e. preventing officials who played a role in oppression in the previous regime from holding office or running for positions in the new institutions (UN, 2010).

It is worth mentioning that TJ is not limited to these four pillars. Other measures can be considered part of the process, such as official guarantees of non-recurrence (SIDA, 2019), support of women's rights, and creation of national consultations to ensure engagement of the public in the TJ process (SIDA, 2019). For the purposes of this study, I will concentrate only on processes and pillars which relate directly to dealing with victims, satisfying their needs, and rectifying the conflict within society. These include criminal justice, reparation, truth-seeking mechanisms, national consultation, and other practices that are related to achieving the above goals.

2.1.1 Current top-down dilemma of TJ.

Several scholars have identified the liberal background and approach of TJ as a key limitation of it. For instance, Gready and Robins (2014) work, which was cited about 247 times by TJ academics, is one of the main articles in terms of criticizing current transitional justice concept and suggesting a new paradigm for TJ by applying transformative justice instead (discussed further below). In their article, Gready and Robins argued that TJ is a liberal product of globalization. According to them, TJ in its current form is based on two fundamental principles: Firstly, it gives civil and political rights a priority over economic and social rights. In other words, TJ is "prioritizing the creation of institutions over a contextualized engagement with the welfare of the population" (Gready and Robins, 2014:341). Secondly, it leans toward interventions based on the neo-liberal economic system that draws from the "Washington Consensus"[1] which is

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[1] Washington Consensus: A concept that was firstly mentioned by John Williamson (1990) to represent a set of ten propositions that were widely agreed upon by Washington based international economic institutions, such as International Monitory Fund (IMF) and the World Bank, in order to reform the economic situation in Latin American countries as of 1989 (Williamson,2000:251). Later, the concept became used to represent a reform package provided by these institutions for addressing the bad economic situation of developing countries.

"market driven". This might be faced with deep-seated resistance in illiberal countries, as was the case in Iraq and Afghanistan (Gready and Robins, 2014).

Gready and Robins argued that this ignorance of economic, social and cultural aspects of the society hinders any actual change in the country, and "creates 'empty' institutions paralyzed by a lack of capacity rather than responding to the everyday needs of the new state's citizens" (p.341). This is so because according to the two authors, the welfare of the population and their social and cultural rights are important aspects for the international community to consider in addressing the roots of any conflict.

Moreover, Gready and Robins viewed TJ as a top-down and "state-centric" mechanism which does not allow much engagement from the public society, and from the victims who are the most affected by the conflict. Additionally, the two authors argued that current TJ is working on building states and institutions with the final goal of achieving a liberal democracy, without giving much concentration to the local culture, or integrating local society into the new mechanisms.

A similar concern was raised by Kora Andrieu, who argued that liberal TJ views any conflict as being of a political nature, while ignoring the possible economic, social or structural influences (Andrieu, 2010). She holds that almost no conflict can be successfully quelled without incorporating economic, social and cultural rights into the transitional process.

2.2. Transformative Justice (TfJ)

In broad terms, transformative justice (TfJ) is an approach that was created to respond to cases of violence, abuse or harm among societies and communities without the interference of the state, without creating more violence, and through applying principles of accountability, resilience, healing and safety (Mingus, 2018). This approach has been practiced by default within marginalized groups, migrants, illegal migrants, or indigenous communities who seek to protect themselves and solve their problems without the involvement of the state, which they often identify as a creator of more harm than good (Mingus, 2018).

In academia, the term "transformative justice" is undertheorized, and there is disagreement on what this term should mean, and what relation it should have with TJ (Evans, 2018). Several scholars have attempted to address these problems. For example, Matthew Evans (2018) has argued that TfJ should be viewed as a separate approach from TJ that requires different

instruments. He has noted that unlike TJ, which only deals with short-term violations of civil and political rights, TfJ can be applied to deal with socio-economic violations and structural violence. Evans (2013) underscores that:

> Transformative justice seeks to contribute to the wider transformation of post-conflict and post-authoritarian societies beyond the cessation or addressing of widespread interpersonal violence and violation of 'bodily integrity' rights. Crucial to this 'transformative' agenda focuses upon socio-economic structures, the ways in which inequalities may produce structural violence, and how this structural violence may effectively be addressed (p.8).

In her text, Lambourne (2014) tried to put a definition to TfJ through combining TJ with peacebuilding. She argued that TfJ should include "political, economic and psychosocial as well as legal dimensions" (p.22). Lambourne identified four elements of TfJ, which overlap with, but also develop, the four pillars of TJ. These are: (1) legal justice, which is close to the criminal justice pillar in TJ, (2) truth, knowledge and acknowledgements which is similar to truth seeking mechanisms of TJ, (3) socioeconomic justice which expands on reparations to include all financial and material compensations, and (4) political justice, which is related to "the ability to provide basic services", eliminating corruption, and achieving good governance and strong leadership (p.31).

Beside the concentration on socio-economic rights, scholars have argued for the importance of social and cultural rights in the process and the outcome of TfJ. To illustrate, Lambourne asserted that respect for, and proper consideration of local traditions, cultures and rituals, is a key aspect which differentiates TFJ from the typical, more liberal TJ (Lambourne, 2014). More specifically, she placed emphasis on the idea that TFJ should be applied from a bottom-up, rather than a top-down perspective, the latter of which is prevalent in current TJ practices. Sandoval (2017) similarly explained that TfJ should be "a bottom up approach to addressing violations and providing redress, one that is not state-centered and that is driven by victims and for victims" (p.13).

According to Gready and Robins (2014), "transformative justice is not the result of a top-down imposition of external legal frameworks or institutional templates, but of a more bottom-up understanding and analysis of the lives and needs of populations" (p.340). Here, society-at-large

and victims participate in the process while benefiting from their local culture, traditions, religion and rituals (Lambourne, 2014; Sandoval, 2017).

This thesis makes use of the expansions and amendments which TfJ theory has incorporated, in order to overcome the problems of the common TJ theory. In particular, this study will benefit from the following two aspects of implementing successful TJ: 1) making the process bottom-up rather than top-down, and 2) incorporating and benefiting from local cultures, traditions, religions and rituals.

3. Literature Review

Before the beginning of the Arab Spring, there was limited concentration on the MENA region in TJ literature (Abouldahab, 2017a). However, the problems occurring in every Arab Spring country after the dismantling of the former regimes have called into question the current understanding of TJ, and raised new concerns that captured scholars' interest. Hence, several relevant studies were conducted in this field during the last 9 years, which are reviewed below.

3.1 TJ and the Arab Spring
3.1.1 Challenges to TJ introduced by the Arab Spring

In the TJ and Arab Spring literature, there are five major issues that have been identified as problematic in the application of TJ in the MENA region. This section focuses on explaining each of these five issues as it pertains to this thesis.

The first problem is the tension between the concept of TJ itself as a liberal product[2], and the illiberal socio-political bodies that are playing an influential role in the MENA region. In their book, Fisher and Stewart (2014) argued that Islamist actors of the MENA region are posing a threat and challenge to the liberal transitional justice norms. Nassar (2014), Khatib (2014) and Salloukh (2014) contributed three chapters to the book to address this tension between Islamists and TJ. Among the points which were raised in this regard is Islamists' ideas and discourse regarding issues such as equal gender rights, freedom of religion, and separation of state from religion. In all

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[2] liberal paradigm of transitional justice means that it is a top-down process that concentrates only on political and civil rights, while ignoring the local differences between different communities and the economic and social and cultural violations (Robins and Gready, 2014:341).

these issues, Islamic parties in most Arab countries hold views contradictory to the international standards, thus preventing full liberal TJ from being achieved (Khatib, 2014).

However, as Abouldahab (2015) underscores in her review of the book, none of the authors reflected on the challenges imposed by military actors in Egypt for instance, or the secular authoritarian regimes of Syria or Bahrain, on the TJ process. She posits that the tension is between authoritarianism and TJ, not Islam and TJ. She has also supported this argument by recalling the example of Tunisia, where the Islamic parties played an important role in promoting the process of TJ in the country (Abouldahab, 2015). In her book, Abouldahab (2017a) argues against the idea that TJ should follow a linear path from illiberal violent authoritarian regimes to liberal democracy. Rather, she maintains that there is a need to develop and update the current theories of TJ, so that they fit illiberal transitions (Abouldahab, 2017a). However, she did not provide a clear explanation of how this could be achieved. Further discussion of this tension between Islam and TJ will be explained in more details later in the chapter[3].

The second issue raised concerning TJ in the MENA region is the public demand for socio-economic accountability in addition to civil and political accountability — an issue addressed by the TfJ theory. Typically, TJ is preoccupied with providing justice for victims of massive human rights abuses and massacres. Meanwhile, little attention is given to the economic violations (Mistry, 2012). However, because of the deeply-rooted and systematic socio-economic crimes, such as corruption, money-laundry, and theft, brought about by decades of dictatorship regimes, calls have been made for a stronger emphasis on socio-economic justice (Mistry, 2012). In other words, former regimes should also be held accountable for their socio-economic abuses.

In this regard, Sriram (2017) supported those calls, claiming that justice will otherwise be incomplete and may even fail, if it is ineffective in responding to the demands of people by closing the socio-economic accountability gap in current TJ theory (Sriram, 2017). Mistry (2012) has also emphasized this point in his article, however with an element of caution. According to him, TJ must ensure that corruption is not taking place in the judiciary and prosecution bodies which will enforce this accountability. Since corruption is often endemic, it might be difficult to ensure that

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[3] See 3.2.3. Transitional Justice and Islam.

new TJ mechanisms implemented in the country are free from socio-economic violations themselves.

Abouldahab (2017a) has warned of another problem that occurred in the Arab countries when socio-economic justice was introduced. This is the problem of using this form of accountability as a mask to cover the severe human rights violations and crimes against humanity that might have been committed by the prosecuted dictators. By reflecting upon the cases of Egypt and Tunisia, where dictators were mainly prosecuted for economic crimes, massively ignoring the other severe human rights abuses, Abouldahab (2017a) emphasized the importance of human rights and political justice before socio-economic ones. It is important to clarify that Abouldahab is not arguing against socio-economic justice — a form of justice she stressed as important in her article "*Transitional Justice Theory in Authoritarian Contexts: The Case of Egypt*" (Abouldahab, 2017b). Rather, she is warning that there is a possibility of misuse of socio-economic accountability as a misdirection away from crucial human rights violations committed by the prosecuted regimes.

The third tension concerns the role of the international community in TJ. Although the international community and international human rights standards were welcomed and played a positive role in many previous cases of TJ, such as in Latin America (Abouladahab, 2017a:6), the case is more complicated for Arab countries. This issue, however, will be covered in detail under the "anti-western sentiment" subheading further down.

Another important challenge facing TJ is selective justice at the national level. According to Showaia (2014) selective justice "aims to achieve justice for a particular layer of society or serves a particular agenda of a group of people, instead of the whole of society" (p.68). Selective justice has been used by several transitional governments in order to absorb public anger while negating opportunities for real justice. In this regard, O'Lughlin (2013) highlighted that in Bahrain, the government adopted some TJ measures, such as certain prosecutions and establishment of truth commissions, but it did so with the aim of stopping real justice from occurring. An illustration of this is that in the wake of protests in Bahrain in February 2011 calling for democratic modifications in the country (and later for overthrowing the ruling family), the government of Bahrain appeared somewhat responsive to pressure from protests and the international community. The most important action taken was the formation of the Bahrain Independent Commission of Inquiry

which served as a truth commission to investigate any violations during the protests period. This step was viewed as positive action toward achieving TJ in the country, and eased tensions surrounding the ruling family. However, although the Commission submitted a 500 pages report, almost none of its recommendations were fully implemented. No accountability or justice was achieved for victims, as only ten junior police officers were brought to trial. All in all, the country seemed to be fighting "TJ with TJ" in order to calm dissent and outrage (O'Lughlin,2013:2).

The final challenge that has been raised in the recent Arab Spring and TJ literature is the absence of existing democratic structure. In other words, countries which are stepping out from decades of authoritarian regimes have either authoritarian institutions, or at least weak institutions, making the implementation of justice through these institutions nearly impossible (Kersten, 2014). Abouldahab highlighted this, criticizing TJ theory for assuming that democratic institutions are already existing (2017 a, b). However, from the perspective of this current study it is important to recall that institutional reform is included in the four pillars of TJ theory. Therefore, as was stated by Mistry (2012), the issue is "timing and sequencing". To clarify, since democratic institutions do not usually exist in the countries in question, analysis of the time needed for re-establishing functioning institutions, and which steps should be taken first, is vital.

3.1.2 Gaps in the Current Suggested Guidelines to Make TJ Work in the MENA Region:

The literature review above identifies five possible solutions for successful TJ processes in the MENA region. These solutions are summed up in this section with identification of some important existing research gaps and points meriting deeper reflection for the purposes of this thesis.

Firstly, several authors indicated the need to update the traditional liberal TJ theoretical model (see: Abouldahab, 2017a; Fisher and Stewart, 2014). However, neither book provides specific guidelines on how this should be done in practice, or in which terms the theory should be modified. This is an important gap in the current literature of TJ and the Arab Spring.

Secondly, Mistry (2012) addressed a vital problem facing TJ in the Arab countries, which is the issue of "ready templates" or "pre-prepared recipes" of TJ. He argued that there is a problem with the international community introducing TJ as a strict template that the nations must follow (Mistry, 2012). This is what leads TJ to fail in many countries, as there is no one- size- fits- all solution (Abouldahab 2017a; Mistry 2012). Therefore, Mistry called for using the process of

"consultation and attention" before applying any TJ tool. In other words, the international community and transition actors must consult with each other, and with the people, in order to design the best working transitional process (Mistry, 2012). However, he did not provide a clear vision of how the people could be represented and their real views and local cultures considered, separate from political and top-down considerations.

Thirdly, from studying the role of new constitution in Egypt, Turner (2015) argued for the vital role of a "transitional constitution" in order to bring peace and facilitate collective agreement between all conflicting parties (Turner, 2015). He argued that the different parties need to agree on a guide that will help guide them through the transitional period successfully. Moreover, writing a constitution at the early stages of transition builds trust between the people and the leadership, as the people will decide the future steps of TJ by voting for or against the new constitution. However, building on Mistry's argument that there is no one-size-fits-all solution, Turner argued that during the constitution's drafting, all involved parties must consider three factors: ideology, culture, and religion of the state in question. Moreover, he argued that although the country in transition can make use of international treaties and agreements in writing its constitution, each country has its own characteristics and needs, thus the international tools must not be incorporated wholesale into the transitional constitution (Turner, 2015). Abouldahab has also reflected on the importance of rewriting the laws and deleting any oppressive or discriminatory laws as a step toward successful TJ (Abouldahab, 2017a). However, two previously discussed problems with this suggestion are the "timing" and the functionality of institutions. That is to say, Turner was calling for a transitional constitution at the early stages of the transition, however, it is common for institutions to be weak or authoritarian at the beginning of any transitional period. This was the case of Egypt — which Turner submitted as a successful case to exemplify his argument — where the timing and the facts on the ground proved insufficient in representing the wants and needs of the people. Therefore, it is important to guarantee that the formation of a constitution is not misused, or used to manipulate the people, while no real accountability or transition for justice was achieved, as was also the case in Bahrain.

Fourthly, a successful TJ process should contribute to developing the country and building its economy while simultaneously bringing about civil and political justice. Development aids in rectifying the conflict, building trust between the people and the transitional government, and

achieving social justice. All these factors are important for stabilizing the country and supporting human rights (Turner 2015; Abouldahab 2017a, b).

Finally, many scholars insisted on the important role of civil society. The Arab Spring, which toppled strong dictators, relied greatly on the role of civil society in raising awareness of democracy among the people and pushing them to demand their rights (Gready and Robins, 2017). This has led scholars to consider the importance of civil society in shaping people's understanding of justice and transition, and leading the dialogue between people and governments concerning what model of justice should be adopted. In short, the civil society should be viewed as a bridge that closes the gap between people and governments (Gready and Robins, 2017; Abouldahab, 2017a). This role stands in addition to its traditional role of documenting, raising awareness, reporting, and providing human rights training.

3.2. Building Thesis Hypotheses
3.2.1. Anti-Western Sentiment in the Middle East Increases Refusal of TJ Pillars:

Among the main issues recalled by Middle East scholars when discussing the implementation of any western norms or ideas, including TJ, is the anti-Western sentiment. Therefore, it is vital to discuss this issue as one of the main reasons behind the emerging calls toward localizing TJ in post Arab Spring countries.

Most of the Arab population in the Middle East and North Africa hold anti-Western sentiment to varying degrees. What is meant by anti-Western sentiment is negative feelings and opposition to Western (including American or European) ideas, norms, and interventions. This anti-Western sentiment is a major concern among scholars addressing the failure of TJ in the Arab Spring. According to Mistry (2012), Arab societies do not trust international interventions (mostly Western) based on their previous colonial history, broad public opposition to any interference in national affairs. What worsened this distrust during the Arab Spring was the varying agendas of different international actors, and the consequent contradictions that occurred between national and international interests which threatened the TJ process. This has raised the important question of "whose interests transitional justice serves and what those interests are" (Abouldahab, 2017a:5).

Moreover, Fisher argued that the international community has been highly selective and politicized when dealing with TJ after the Arab Spring, causing further outrage against the West. This includes selectivity at the international level, as various UN bodies were argued to be selective

in deciding in which cases they would intervene and in what manner. Selectivity was also seen at the institutional level, such as in the ICC concerning who to prosecute internationally and who to leave for national prosecution, and which cases to examine. The prosecution process was therefore perceived as unevenly applied, bringing the fairness of it under suspicion. It was also apparent which national post-conflict governments the international institutions, which are dominated by Western powers, supported (Fisher, 2014). Thus, in the eyes of the Arab world, Western powers practiced favoritism that served their interests.

Several surveys translate the current anti-Western sentiment into numbers. For example, a survey conducted by the Arab Center Washington DC in 2018 found that 79% of Arabs had negative views toward the US foreign Policy in the MENA region, while 45% viewed French foreign policies toward the MENA region as negative (with 19% abstentions from answering). More specifically, 80% of Arabs viewed US policy towards Yemen negatively, while 73% viewed US policy toward Libya negatively (Arab Center Washington DC, 2018). Widespread opposition to American and European Union (EU) intervention in Syria has also been demonstrated. According to the Pew Research Center, four out of five respondents surveyed in Arab countries (namely: Lebanon, Egypt, Tunisia, and Palestinian Territories) rejected any Western intervention in Syria (Pew Research Center, 2013). Another 2020 public opinion survey conducted by the Arab Barometer asked Arabs in 11 countries about Western motivations for aid. It found that overall, 42% of the respondents said that the West wants to gain influence (with a majority in 5 out of 11 countries holding this view); only 18% said that the West aims for economic development and 12% said it aims to achieve internal stability (Arab barometer, 2020). All in all, these different surveys provide a strong indicator that Arabs in the MENA region react negatively toward the West, especially when it comes to aid and humanitarian intervention.

3.2.2. Localizing Transitional Justice

Turning to the "local" has been a strong trend in recent TJ literature, in what is known as "localizing transitional justice". This means shifting from applying international instruments and standards to using local, traditional, religious, cultural and often informal practices and rituals of the local populations in order to address their sorrows, achieve justice for victims, ensure non-recurrence, and build a peaceful society (Kochanski, 2020; Waldorf 2016).

This trend toward the local was derived from three main critiques to the TJ process: 1) the top down dilemma, 2) the liberal paradigm of TJ and calls for instead using TfJ, which gives consideration to socio-cultural and economic issues, and 3) the legalism of TJ, which views TJ as a product of international lawyers and as practiced through formal institutions and courts such as the ICC, hybrid courts and state courts only (McEvoy, 2007), meanwhile ignoring legal pluralism, which posits that there could be several legal systems in the community, both formal and informal (Kochanski, 2020). The first two critiques were discussed thoroughly in the theoretical framework chapter above.

Practically, localization of TJ has occurred in three main phases. The first phase was the UN's acknowledgment of the importance of incorporating localism in the TJ process and the viability of local informal legal systems. For instance, former UN General Secretary Kofi Annan has stated that:

> Due regard must be given to indigenous and informal traditions for administering justice or settling disputes, to help them to continue their often vital role and to do so in conformity with both international standards and local tradition (UN, 2004:para.36).

In its 2009 report, the UN Office of High Commissioner for Human Rights (OHCHR) stressed emphasis on the important role of traditional non-state actors in implementing pillars of TJ. OHCHR recalled the case of East Timor where "the consultation process prior to the establishment of the Commission for Reception, Truth and Reconciliation delivered findings that led to a significant expansion in the Commission's mandate, for example by providing for the conduct of 'community reconciliation procedures', i.e., local community-based procedures for justice and reconciliation using traditional practices" (OHCHR, 2009:6).

OHCHR has also considered the vital role religion and religious leaders play in conflict resolution, especially in Muslim countries. In its 2017 Beirut Declaration on "Faith for Rights", OHCHR acknowledged that:

> As much as the notion of effective control provides the foundation for responsibilities of non-State actors in times of conflict, we see a similar legal and ethical justification in case of religious leaders who exercise a heightened degree of influence over the hearts and minds of their followers at all times (OHCHR, 2017:para.19).

The second phase was demonstrated in the case of Rwanda, where the government decided to adopt traditional legal systems (called Gacaca courts) to prosecute hundreds accused of being involved in the Rwandan 1994 genocide. Adopting Gacaca courts, which consist of trustworthy men and local leaders, were considered a milestone in TJ's turn towards localization. Dozens of articles have since studied the effectiveness of these courts in achieving justice for victims in ways they can understand, and with which they can engage. These courts were also viewed as truth commissions, where victims and witnesses talk about their real experiences with the hostilities. Several scholars have argued that applying such traditional tactics is time- and cost-effective, victim-oriented, and highly localized, thus having more credibility with, and being better able to address the needs of the people, providing more appropriate closure to their traumas than would formal international/national institutions like the ICC (Bolocan,2004; Wierzynska,2004; Iliff, 2012; Mukamusana, 2009; and Shaw et al.,2010).

However, the use of Gacaca courts has not gone without criticism. Among the critiques were that it violates some fundamental human rights rules, such as the requirement of adequate legal representation (lawyers) for the accused, that there was an absence of women representation as women are prevented from participation in the hearings except when they are the victims, and other violations of the rules of a fair trial (Bolocan, 2004; Kochanski 2020). Other literature sheds light on problems related to state interference in these processes, biased decisions, and the variation of the hearings among different villages, which has made it difficult to examine the general effects of these procedures (Waldorf, 2013; Clark, 2010). This criticism of Gacaca courts is a vital aspect of the criticism of localizing TJ as a whole. Several scholars have questioned the actual success of local measures adopted in Rwanda and elsewhere, accusing their promoters of romanticization and idealism when touting the positive role of local processes (Sharp, 2014; McAuliffe, 2013; Macdonald, 2015; Kochanski, 2020).

Finally, the third phase of the localization of TJ appeared in the several community-based informal procedures adopted in many post-conflict or conflicting states to address past atrocities. Several studies were conducted over the positive role of local TJ measures adopted in countries such as Uganda (Quinn, 2007), Sierra Leone (Martin, 2016), South Africa (Villa-Vicencio,

2009), East Timor (Kent, 2011), Burundi (Nee and Uvin, 2010), and Colombia (Simoni, 2016), among others.

When it comes to the Middle East and transitional justice, little has been said about what prospects localization has in the region. A few studies (discussed in the following sub-section) connect international standards with local practices and beliefs derived from sharia law, or attempt to apply restorative justice measures that exist in sharia law instead of the international standards, in order to achieve better results and more legitimacy. Almost none of the studies on TJ and the Arab Spring have contributed directly to the knowledge surrounding the possible effects of localization on making TJ work in Arab countries.

Public opinion polls are recognized as an important tool in studying the possible effects applying local measures and rituals has on making TJ work in different contexts (Kochanski, 2020). In this research, I will use an online poll of a "convenience" sample to capture an initial idea of what people in three Middle Eastern countries under study think of applying local religious measures implemented by local religious actors, instead of international measures by international actors, to TJ processes, while the outcome remains the same in both cases. Given Covid-19 restrictions on travel, an online survey was a very appropriate method for gathering data for this thesis.

It is important to clarify that this study does not aim to examine the legality of the different local religious Islamic measures as compared to international and fundamental human rights. Rather, the study only aims at capturing the effects of changing the language and/or actors from international to local on people's acceptance of the same outcomes.

3.2.3. Transitional Justice and Islam

When talking about localizing transitional justice, several processes could be considered, such as ethical, tribal, or religious customs. In the Middle East, where 93% of the population are Muslims (Pew Research Center, 2017) religion cannot be ignored, either in politics, justice, ideology, or social life; Islam is always part of the debate. Therefore, this thesis is focusing on Islam and Islamic rhetoric and traditions when studying localization of TJ in the Middle East.

Even though, tribal law is also prominent in several Arab countries. It is important to reiterate that these tribal laws are influenced by Islam in all societies (Stewart, 1987). Thus, this

thesis mentions tribes and tribal leaders, where needed, as part of the effect of Islam and Islamic culture. Due to the limited scope of this thesis, a deep study of tribal laws is not needed.

3.2.3.1. Negative impact of Islam on the Arab Spring

When it comes to transitioning toward democratization and the building of democratic institutions, Islam is usually viewed as having a negative impact. Khatib (2014) claimed that terms such as democracy and human rights are viewed by political Islamists as Western liberal products which are not relevant to local populations, proposing their own local packages of reform which are often drawn from conservative interpretations of Islam. The author took examples from Egypt, Syria and Tunisia to exemplify how the hybrid religio-political views of Islamists taking part in forming the new political life during transition hinders the possibility of healthy liberal democratic transitions in post-Arab Spring countries (Khatib, 2014). By "hybrid religio-political views" the author meant the Islamists' attempts to combine the language of liberal democracy and the conservative ideas taken from Islamic laws and interpretations.

In Tunisia, the only successful transition example in the Arab Spring, the attitudes of Islamic parties were an exception to the norm, according to several articles. Despite the fact that Islamists played a major role during the TJ process, Masri (2017) argued that the success of TJ in Tunisia is based on special characteristics of the country and its long history of leaning towards secularization. Hamid (2014), who based his findings on his interviews with Islamist political leaders in Tunisia, pointed out that Islamic parties were being pushed toward foreign liberalization.

Huntington argued that the transition of a state toward democratization is based on three factors: political, cultural and economic, according to modernization theory (Huntington, 1991). He argued that in terms of negative cultural effects, Islam plays a major role in preventing Muslim countries from achieving development, and consequently, modernization and liberal transition. He attributed this to the argument that in Islam there is no separation between the state and religion, forcing the leaders to follow only the Sharia laws and to be guided by ulema (p.28). The reason why cultural factors seem to most negatively affect democratization is that these are the hardest to change. Huntington argued that culture is what divides "'us' versus 'them' relation[s]" (Huntington, 1993:29). It is people's identity, therefore, there is a major resistance to any change, even a positive one. Hence, it is hard to achieve liberal TJ in Muslim countries, which usually view it as a Western import.

Yet, what Huntington seems to be missing is the fact that "Islam [does] not equal one Islam" (Metzger, 2002:7). In other words, there are different schools of Islam with different ideas about the relationship between state and religion. Besides the strictest Islam Fundamentalism, there is also Islamic reformism and secular modernism (Zapf, 2004). As was raised by Linz and Stepan (2013), there are many successful democracies of Muslim non-Arab countries which support this idea such as Turkey, Albania, Indonesia and Senegal, besides the 178 million Muslim native majorities living under democracy in India (p.17).

3.2.3.2. Islam and justice in the literature

In TJ literature, debates on the incorporation of Islam into TJ process have been ongoing since long before the Arab Spring, and have continued after.

Abu-Nimer conducted a comparative study of Western and traditional Middle Eastern conflict resolution methods in order to discover whether Western methods could work in the Muslim Middle Eastern countries. The roots of traditional Middle Eastern conflict resolution methods are mainly laid down in Islamic sharia law, according to him (Abu-Nimer, 1996). His findings indicated that although there are many similarities in the two processes, which aim to reach the same goal of achieving justice and reconciliation, the ideologies behind them and the methods of implementation are different. He argued that social, historical, ideological and cultural differences between the East and the West must be taken into consideration when applying conflict resolution strategies into the Middle East. In addition to that, the author reiterated the negative role of anti-Western sentiment driven by colonial history and fear of Western hegemony over the East. Thus, Western norms, concepts and even processes must be modified and carefully applied in a way that respects the special characteristics of these countries (Abu-Nimer, 1996).

Several other scholars have tried to find similarities or to demonstrate that Islamic sharia law contains interpretation of important international legal systems and justice processes. Given that sharia law is one of the "recognized legal systems in the world" (Maged, 2008:479) which is followed and officially accepted by more than 14% of the world's population (world population review, Sharia Law Countries: 2020), those scholars have argued that the international system could benefit from this law in terms of conflict resolution, and application of transitional and restorative justice, in Muslim countries.

Qafisheh (2012), Pely and Luzon (2018) and Fallon (2019) argued that many provisions of Islamic sharia law can be reflected in international standards of restorative and retributive justice systems. Qafisheh and Fallon both explained the Sharia provisions which they viewed as similar to the international restorative justice system. For example, they have explained how "Kasas" is similar to the concept of retaliation, "Dya" resembles compensation and reparation, "Afou" reflects pardon, and "Sulh" is quite similar to conciliation.

Unlike Abu-Nimer who viewed local practices as deriving from sharia law, Fallon argued that it is important to distinguish between the limited and traditional implementation of some of these provisions in Muslim countries and Arab tribes. Additionally, there needs to be greater understanding of what these provisions really mean according to the main sources of Sharia, which are the holy Quran (God's book) and the Hadith (speeches of the prophet Muhammed) (Fallon, 2019:11), in order to be able to compare the two systems.

Maged (2008) and Zoli et al. (2017) both built their arguments on the idea that both sharia and international laws are seeking to achieve the same goals, among which are "victim redress, establishment of truth, bringing closure to victims, and the prevention of conflict return" (Zoli et al, 2017:58). Both articles tried to draw pathways to incorporate Sharia into the international systems, examining avenues of compatibility between the two systems, and emphasizing the recognition of Sharia when working in Muslim countries. They posited that considering sharia law and understanding the cultural differences between East and West are vital for ensuring the full functioning of international legal system in Muslim countries, and building trust between those countries and the international system (Maged, 2008; Zoli et al,2017).

Finally, in his article "*Transitional justice in the Middle East and North Africa – taking account of Islam*", Yusuf (2017) argued for the idea of benefiting from the similarities between Sharia and international provisions in order to facilitate the TJ process in post-Arab Spring countries. He submitted that the problem of implementation of TJ in post-Arab Spring countries is that international standards find little legitimacy among Muslim populations who do not trust Western rules. Moreover, current TJ practices are exclusionary of religion, which is part of people's daily lives in these countries. He added that since religion has strong legitimacy among Arab countries' populations, the international community should actively draw from the similarities between the two legal systems and utilize the provisions of Sharia when applying TJ

processes (Yusuf, 2017). However, it is worth mentioning that the author based his findings on an assumption that Arab countries find religion more legitimate than international standards. There was no testing or mentioning of previous research that supported this.

3.2.3.3. People in Muslim countries are affected by religion:

According to Philpott (2007), the use of religious language and rationales when applying TJ is important for societies to heal from their traumas (Philpott, 2007:100). He argued for the positive role religious actors play in TJ processes, supporting this with studies of cases where religious actors applied measures of TJ using religious norms and provisions and achieved positive progress, such as in Guatemala, Mozambique, East Timor, and Nigeria.

As has been mentioned earlier, unlike Western countries which have undergone separations between the religion and state, Muslim countries never went through such detachments (Mahdavi, 2020). This lack of separation affects people's mentality and how they think of religion in all aspects of their lives, including in politics. People view religion as the last safe-haven when everything else falls apart in a weak or a collapsing state (Platteau, 2007). Therefore, religious ideas, norms, and authorities play a major role in directing politics through gaining trust and acceptance from the people (Platteau, 2007). Inglehart et al. (2006) added in this regard that in situations of war or unstable states, communities tend to be more closed and admire their local cultures and traditions while resisting any foreign or unusual ideas

Even in situations of peace and stability, Platteau stated that religious rhetoric is used by leaders (even non-religious ones) of Muslim countries to strengthen their power, gain more credibility, or achieve political goals (Platteau, 2007). Although this thesis does not engage with politics, the findings of Platteau are of particular importance, as they support the hypothesis that using Islamic rules and rhetoric is highly impactful in gaining legitimacy among the people of Muslim countries.

Returning to TJ and the Arab Spring, Mahdavi supported Platteau's findings by arguing that a metaphor of "post-Islamism" is the idea that is leading societies of the Arab Spring today. Post-Islamism is defined as:

A dialogical discourse. It promotes dialogue between tradition and modernity, faith and freedom, religiosity and rights, transcending many false dichotomies and constructed

binaries in postcolonial MENA. It expedites the possibility of emerging Muslim modernities by challenging a singular concept of Western modernity and promotes the idea of alternative modernities and 'multiple modernities […] it encourages the public role of religion in civil society and political society. However, unlike Islamism, it challenges the concept and legitimacy of Islamic state. The state is a secular entity and cannot be Islamized' (Mahdavi, 2020:23).

In short, he argued that religion should not be ignored when applying TJ in post-Arab Spring societies. It should be moderately considered as part of what ordinary people support and believe in, since, even though there were no calls for Islamizing the state, the people still accepted religion in their public and private lives, however avoiding hegemony of pure religion or pure neoliberalism (Mahdavi, 2020).

In summary, there is wide agreement among scholars that Islamic religion should be considered, and even drawn from, when approaching issues related to the ordinary people of Muslim countries. Many arguments were made regarding the similarities between sharia law and some international laws, especially in issues of transitional and restorative justice, claiming that both have similar goals. Therefore, the international community should consider Sharia when applying TJ into the MENA region.

Most of the literature in this regard is based on qualitative research. What is missing is a quantitative assessment of how current Arab populations react to Sharia in process of TJ and how legitimate they find it compared to international standards. Hence, this thesis aims at filling this gap through using statistical analysis of a quantitative public opinion poll survey, designed to capture people's attitudes toward religion and local implementation as compared to international standards implemented by foreign actors. In particular, it uses experimental methods and causal inference to make its claims.

3.3. Thesis Hypotheses:

Based on transformative justice theory, which argues that considering the culture and religion when applying transitional justice and allowing the locals to implement the process of TJ, leads to more positive results, the following hypotheses were developed for this thesis:

Hypothesis 1:

If the international community (the UN) addresses the population of Arab countries using norms of Islamic culture instead of the international language of transitional justice, the likelihood of acceptance of transitional justice outcomes will be increased at the local level.

Hypothesis 2:

If the international community (the UN) supports local actors, especially religious actors, in the implementation processes of transitional justice, instead of relying on foreign intervention, the likelihood of acceptance of transitional justice outcomes will be increased at the local level.

A third hypothesis was also developed from Platteau's and Inglehart's et al. arguments that people view religion as the last safe haven in unstable states:

Hypothesis 3:

People in unstable states are more likely to support religious outcomes than people of stable countries.

4. Research Design and Methodology.
4.1. Study Area and Sampling

Three countries have been chosen as the main study area for this research: Libya, Yemen, and Jordan. Libya and Yemen represent post-Arab Spring countries, where TJ processes are occurring, but do not seem to be successful so far, as both countries have slipped into years of civil war. Two countries were chosen instead of one in order to make it possible to generalize the results to other Arab Spring countries to the highest possible degree. The purpose behind adding Jordan to the case studies, despite it not being among the countries where TJ is implemented, is in order to make comparison between people's views in unstable versus stable Arab states. Hence, illuminating further the possibility of generalizing the study results on other Arab countries. Next is an overview of the uprisings and how far they developed in each case study, the social and religious structure of the populations under study, as well as the reasons behind the selection of each country for inclusion in this study.

4.1.1. Research Cases

Table 1:

Comparison among case studies.

	Libya	**Yemen**	**Jordan**
Year of Protests	2011	2011	2011
Reason/ Demands	Dire economic conditions/ corruption/ lack of accountability/ regime change.	High rates of poverty/ unemployment, corruption/ lack of accountability/ regime change.	High rates of poverty/ unemployment, corruption/ reform of current government.
Current situation	Divided among two conflicting governments (civil war)	Divided among several conflicting actors (civil war)	Stable and functioning state
Institutions/ Legal system	Empty institutions/ little trust in the formal legal system.	Empty institutions/ little trust in the formal legal system.	Functioning institutions and legal system.
Society (tribal, not tribal)	Tribal/ tribal law is functioning as justice system among locals/ plays a role in politics.	Tribal/ tribal law is functioning as justice system among locals in most of the cities/plays a role in politics.	Tribal/ tribal law is functioning in selected cases to settle some family conflicts/ plays a role in political life.
Religion and religious men/leaders	Muslim Country/ Muslim tribal leaders have huge impact in the society	Muslim Country/ religious leaders are playing a main role in settling conflicts.	Muslim Country/ sharia law is part of the basic law/ religious leaders have prominent position in the country.

4.1.1.1. Libya

Forty-two years of Al-Qaddafi's authoritarian regime cultivated a weak country, with no real institutions that could lead the state during the difficult aftermath of the overthrow of the regime in 2011 (Vandewalle, 2012). The uprisings, despite positive expectations among scholars of the possibility for successful TJ in Libya (Gaub, 2014; Vandewalle, 2012), ended with a deep divide within society and a civil war between two camps, with massive intervention from several countries. Anger and protests followed the first elections of the House of Representatives in 2014, which challenged the legitimacy of the results, as only 18% of the population voted (Candelli, 2018:56). The final result of this outrage was two parallel governments in Libya, an internationally recognized government called the Presidency Council based in the capital Tripoli and led by president Fayez Al-Saraaj, and an opposing government of the elected House of Representatives in coalition with a secular military coalition called "Operation Dignity", led by Gen Khalifa Haftaar (Candelli, 2018).

The intervening foreign powers which support either one of the camps with political backing, money, training, troops, and military equipment, are divided as follow: Egypt, United Arab Emirates (UAE), Saudi Arabia, France and Russia supporting Khalifa Haftaar's camp, while Turkey, Qatar, USA, and Italy supporting the UN- recognized government of Al Saraaj (BBC, 2020; Aljazeera, 2020). It is important to highlight this international intervention of different actors while investigating this thesis hypotheses.

Shedding light on the structure of the Libyan society is of great significance to this study. In this regard, Libyan society is a strongly tribal and religious society which is based on the values of "family, tribe, religion and town" (Ben Lamma, 2017:5). In Libya, tribes play a major role in political life through lending support and loyalty to several political actors. They also supported and sometimes led the protests which took down the regime (Al-Shadeedi & Ezzeddine, 2019). Additionally, they play a vital role in putting an end to a lot of conflicts and problems at the local level and encouraging justice (Ben Lamma, 2017), often through the use of Islamic tools of conflict resolution, such as Sulh. Religion in Libya plays a major role in the daily life of citizens. Libyan society is majority Muslim Sunni (97%) (U.S.Embassy in Libya, 2018). Sawani (2012) as cited in Schnelzer (2016) has stated that Islam "has remained a central component of the cultural composition and the definition of Libyan identity" (p. 3).

Therefore, some studies on TJ in Libya have argued that the country and the international community should make use of the tribal nature of Libyan society and from its Islamic ideology to achieve a successful TJ process. Showaia (2014) argued that tribes hold immense credibility and trust among the population, thus, they could play a positive role in settling conflicts, uniting people (reconciliation), providing reparation for victims, and assisting the process of truth commissions. Moreover, Islamic culture has been argued to be able to settle political conflicts through the use of "Sulh", which can be translated into the words of reconciliation and reparation, according to the Showaia.

These factors of religion and local culture in Libya were two determining aspects behind the choice of Libya as one of the case studies. Besides this, the present author has some personal relations with persons in Libya who could distribute the survey and make sure that it reaches the wider population. This was also key, as the unstable situation in the country made it impossible to do direct research in the field.

4.1.1.2. *Yemen*

Inspired by the protests of Tunisia and Egypt, Yemeni protests erupted in January 2011 against the dire economic conditions, high rates of unemployment, corruption and lack of accountability which continued over 34 years under former president Ali Abdullah Saleh's regime (Karakir, 2018). The protests ended with the signing of an agreement in November 2011, with a mediation from the Gulf Cooperation Council (Bahrain, UAE, Qatar, Saudi Arabia, Kuwait, and Oman) and the support of the USA. The agreement protected Saleh and his family from being prosecuted, and kept his position as the chair of his party, while he stepped down from presidency in favor of his vice president Abdal Rab Mansour Al-Hadi. A National Dialogue Conference (NDC) was also held among all political groups of Yemen to draft a new constitution (Karakir, 2018).

Later, the NDC failed and Houthi forces[4], allied with pro-Saleh groups who were unsatisfied with the agreement, clashed with Hadi's forces and took control of the capital San'a, as well as many northern parts of the country, reaching Adan. This eventually forced president

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[4] Houthi Forces: "Zaydi Shiite revivalist political and insurgent movement formed in the northern Yemeni governorate of Sa'dah under the leadership of members of the Houthi family. The group was allied with former President Ali Abdullah Saleh until 2017", and supported by Iran (Sharp, 2019:1).

Hadi to flee to Saudi Arabia where he sought military intervention from Gulf countries to regain control. In January 2016, Operation Golden Arrow was launched by Saudi Arabia, UAE and Egypt, against Houthi forces in Yemen (Karakir, 2018). More than five years of conflict in Yemen caused one of the worst humanitarian crises in the world, with extremely high levels of malnutrition, poverty and pandemics among the population (Karakir, 2018).

Bringing justice to the country is not an easy mission, as decades of Saleh's rule caused empty institutions and a lack of legitimacy of the national legal system. This situation only worsened during the conflict (Gaston and Al-Dawsari, 2017). Yemen is a tribal community with Muslim majority (99.1%) (PEW Templeton, 2016) where tribes and religion have strong credibility and power. Therefore, they play a leading role in settling conflicts and pursuing justice in society. This is in addition to local religious leaders who engage in conflict resolutions and are trusted by the majority-Muslim population of Yemen (Gaston and Al-Dawsari, 2017). In their paper, Gatson and Al-Dawari (2017) claim that any attempt at applying TJ in the country cannot succeed without benefiting from the local dispute resolution system of tribes and religious leaders. They argue that cooperation programs should be launched with these local systems, while working parallelly at rebuilding public trust in the formal justice system. This argument is directly related to the hypotheses of this thesis. The rising power of tribes and religious leaders as the main conflict resolution system in the country is a main motivator of the choice of Yemen as a case study.

4.1.1.3. Jordan

Unlike other Arab Spring countries, the 2011 demonstrations of Jordan were limited, peaceful, and were not calling for the overthrow of the regime. Rather, people were demanding reforms of the current government, an end to corruption, and improving of the economic conditions which had led to high rates of poverty (Barari and Satkowski,2012). King Abdullah of Jordan took immediate steps to rectify the tension in the streets and placate the people by ordering the formation of a new government and applying quick reforms (Barari and Satkowski,2012). All in all, Jordan did not enter the phase of TJ and remained a stable state with functioning institutions and legal systems.

When it comes to social and religious factors, like Libya and Yemen, Jordan's society is mostly tribal, and considers itself as religious. Tribes in Jordan play major roles in politics, elections, and conflict resolution in the community. Tribes are engaged in conflict resolutions

through unwritten codes known as "tribal law", which includes many Islamic concepts such as "Sulh" and "Dya" (Antoun, 2000).

The official website of the Jordanian Embassy in Washington DC states that Jordan is an Islamic state with 92% Sunni Muslims, and 1% Shia and Sufi Muslims (Jordan Embassy USA, 2008). The country incorporated sharia law into its basic law, particularly through family law and courts (Williamson, 2019). Local religious leaders also hold prominent positions in the country and within society, with the "Mufti" standing as the main religious figurehead who represent official Islam in the state (Williamson, 2019).

Jordan was chosen as the third case study due to it being a fairly stable and peaceful Arab Muslim country. Adding Jordan to the cases allows us to study whether the preferences of Arabs differ across situations of peace and war. By having three cases, two of war and one of peace, there is more potential to generalize the outcomes of the study onto different Arab Muslim states. Moreover, some of the hypotheses in this thesis tests relate directly to rule of law.

4.1.2. Sampling and Data Collection

The population was divided according to country (first stage), and in the second stage, random samples were chosen by publishing the survey on three social media platforms (Facebook and Twitter and WhatsApp). Using Facebook to collect a random sample could be considered a sufficient method, as a majority of the population from the three countries are on this Platform. According to StatCounter[5] Global Stats (2020), as of June 2020, 70.7% of Libyan population, 87.5% of Yemeni population, and 88.7% of Jordanian population are on Facebook. Twitter is less popular in Arab countries: 9.4% of Libya, 2.2% of Yemen, and 1% of Jordan population are online on Twitter according to the same source.

In order to reach the people of the targeted countries and ensure a fairly equal chance for any person from the population to participate, three strategies were used: 1) spread the survey through friends and acquaintances from Libya, Yemen, and Jordan, who published it on their platforms, WhatsApp groups, Facebook groups, and for their families, neighbors and friends who

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[5] StatCounter is a marketing and statistics company founded in 1999. One of its projects is Global Stats which is a web analytic service that analyzes page visits to different websites. For each visit, the browser, operating system, geographic location, and other data are analyzed. (https://gs.statcounter.com/faq#methodology).

are not online; 2) spread the survey on private and public Facebook groups with high numbers of people from any of the three countries; and 3) ask some public figures with a high number of followers from different Arab countries on Facebook and Twitter to share the survey on their platforms.

During data gathering, and in order to prevent bias in the results, the survey was shared with people who are controlled by different governments inside the countries where civil war exists. This was conducted through posting on some Facebook groups whose members are from certain cities in Yemen, and through friends in Libya, as the author knows people from both the areas controlled by the Gen Haftaar government, and the areas under the UN- recognized government.

When it comes to the sample size, the plan was to collect at least 390 responses (130 from each country) in order to conduct the opinion poll analysis with a confidence level of 90% and margin of error 10%. An online power calculator was used to determine the minimum sample size needed for adequate power with a 90% confidence level[6]. This goal was achieved as 435 responses were collected in total from the three countries.

4.2. Quantitative Survey Method

Quantitative methods are used to calculate quantities and identify the relationships between variables, after running different careful procedures on the collected data (Bowling, 2005). Quantitative methods are usually deductive, and thus are suitable for testing hypotheses derived from pre-existing literature and information about certain phenomena (Bowling, 2005). Surveys are one of the most popular quantitative tools used in social science for collecting data from a specific sample of the population.

A descriptive structured survey method is used in this thesis. This is because descriptive surveys are suitable to test hypotheses, describe features of the population, and study the relationship between the tested variables. It is also more efficient in terms of time and money as compared to, say, longitudinal surveys (Bowling, 2005). I have also chosen to use a structured survey where a standardized set of questions, answers and scales are used. This type of survey makes it easy to analyze the collected data, efficient in time and resources, and allows for large

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[6] https://www.calculator.net/sample-size-calculator.html?type=1&cl=95&ci=5&pp=50&ps=6000000&x=93&y=18

numbers of people to participate easily. On the other hand, it restricts the choices of answers, which might force some respondents to skew themselves towards certain answers which might not be entirely sufficient to capture their real opinions. It also assumes that all participants will understand the wording of questions in the same way (Bowling, 2005).

In order to overcome the problem of insufficient response options, the response "Do not know or refuse to answer" was added to all the questions. Moreover, to make sure that people from different educational levels and environments understand the wording the same way, a pilot study was run on 10 people (2 with secondary education, 2 with elementary education, 3 with bachelor's degrees, 3 with master's degrees). The pilot sample was asked individually about what they understood from the questions, whether all questions were clear and easy to read and understand, and why they answered the way they did. Some changes to the survey were made based on the pilot study, which will be discussed after introducing the survey.

In this study, experimental method has been utilized in order to control all other variables in the introduced scenarios except the independent variable. This way, the experimenter ensures the cause of the answer is solely driven by the change in the independent variable (causal inferences). Moreover, because the respondents in two out of three countries are living in a situation of war, it was vital to consider that the answers are not biased by respondents' background experiences (McDermott, 2002).

In order to overcome problems of experimental biases, computed online survey does not allow direct interaction between the experimenter and the respondent. Therefore, the experimenter cannot intervene to direct the respondent to a certain answer. Moreover, biases from demand characteristics, which can occur when the aim of the experiment is very clear (McDermott, 2002), was overcome through making sure that any additional questions aside of the experiment were asked after the experiment questions are answered. This ensures that the respondent is not affected by the answers he/she provided before the experiment starts, and that the experiment aim is not guessed. In the pilot study, respondents were asked whether they understood what this research is about, and all respondents of the pilot study stated that it was confusing, and they could not understand the final aim behind the survey questions.

External validity, i.e. generalizability, was also considered in this research through randomizing the experiment over respondents from three different countries. Even though, the

sample size is not big, some kind of external validity could be achieved. It is worth to mention that in order to achieve high external validity in political science experiments it is useful to run the same experiment on different samples of the same population over a period of time (McDermott, 2002). However, due to the time limit of this research, this was not possible to achieve.

4.2.1. The Survey

The survey in this study was conducted in Arabic as it is the native language in the three countries being studied. It consisted of three blocks: The first block included demographic questions (age, gender, educational level, country of origin and region). The second block consisted of three experiment scenarios. For the purpose of the experiment, the parts in parentheses (see the scenarios below) are randomized in and out. Respondents were randomly and evenly assigned into either a control or a treatment group. The control group constitutes of those respondents who randomly got the experiment scenario with the independent variable international law as the source of the decision, and the UN as the implementor. Whereas the treatment group is the one who got the experiment scenarios with the independent variable sharia law as the source of the decision and local religious leaders (rijal al-islah) as the implementors. However, each scenario is either westernized altogether or localized altogether. In other words, the source of the procedure and the actor introduced are both either local or western (international). The outcome is controlled in all scenarios.

Initially, there was an attempt to randomize the source of procedure (decision) and the actor. However, when running the pilot study, respondents found it unrealistic that the UN will implement sharia law, or that local religious leaders shall implement international laws. Therefore, the independent variable in each experiment is binary.

In order to capture which of the two independent variables is affecting the results, three sub-questions were asked after each scenario, with an additional sub-question asked after scenario 1.

The first and second sub-questions in all three scenarios were designed to capture whether a religious source for the procedure is providing more legitimacy than an international source.

The third sub-question in all three scenarios and the fourth sub-question in scenario 1 were designed to capture whether the local religious actor is considered to be more able to enforce the

decision and viewed as more proper institution to decide than an international actor (legitimacy of actors).

The reason behind designing three experiment scenarios is to increase generalizability across three different pillars of transitional justice. Scenario 1 is a case of reparation for individual victims. Scenario 2 is concerning achieving reconciliation across the nation. And scenario 3 is to achieve criminal justice through prosecuting highly ranked perpetrators. To illustrate more, I wanted to capture whether the effect of source of the procedure or the actor is different among different situations on different levels (individual, national peace, and accountability). The Scenarios are as follows:

<u>Scenario 1:</u> Reparation, concerning specific victims, closer to victims and justice for them, local community.

During the conflict, a family's home was bombed. Their house was completely destroyed and 3 of them ended up with disabilities. In an attempt to gain justice for this family and to achieve peace in the community more broadly, (the United Nations/ rijal Al-Islah) consisting of local religious imams) assigned (compensation/ Dya) to this family in accordance with (International law/ sharia law). The (compensation/Dya) shall include the value of treatment, compensation for the damage, and the value of the bombed house and furniture[7].

(Matrix Table)

Sub-Q1: Do you believe that the outcome of this scenario will help to bring about peace to the community?

Sub-Q2: Do you agree with the decision in this scenario?

Sub-Q3: Could the United Nations/Rijal Al-Islah enforce this decision?

Sub-Q4: Do you agree that (the United Nations/Rijal Al-Islah) is the proper institution to decide the (compensation/Dya)?

Answer Choice: 1. Yes   2. No   3. Do not Know

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[7] The exact amount of the compensation/Dya was omitted after the pilot study, as it seemed to be affecting the respondents' answers. In other words, the respondents decided based on their satisfaction with the amount not the source nor the implementor.

 Scenario 2: Reconciliation and forgiveness of perpetrators involved in civil conflict.

During the conflict, the (United Nations/ men of reconciliation (rijal al-islah) consisting of local religious imams) seek to achieve (peace/sulh) between those who were involved. However, as this was a civil war, there are too many perpetrators to put them all on trial or punish them all. Therefore, (The UN/rijal al-islah) have offered a pardon based on values of (international law/ Sulh according to the Sharia) for subordinate soldiers of all parties who were involved in lesser violations. The (UN/ rijal al-islah) based this decision on the principles set forth in (the internationally ratified Geneva Conventions/the Quran).

Prosecution will be limited to the most highly ranked leaders only.

- Article 6 of Protocol 2: "At the end of hostilities, the authorities in power shall endeavor to grant the broadest possible amnesty to persons who have participated in the armed conflict."

Or

  - Verse 40 of Surah Ash-Shurah in the Quran: "whoever pardons and makes reconciliation, his reward is [due] from Allah".

If you were one of the civilians who were affected by the conflict, do you agree with the following? (Matrix table):

Sub-Q1: Do you believe that the outcome will help to bring about peace to the community?

Sub-Q2: Do you agree with the idea of pardon that was introduced in this scenario?

Sub-Q3: Do you think this actor has the ability to enforce this decision?

Answer Choices: 1. Yes   2. No   3. Do not Know.

Scenario 3: Accountability, justice for the nation as a whole. Wronged the nation, representative for the country.

After the end of the conflict, the Minister of the Economy was arrested for corruption related to the confiscation of the property of opposition party members and discrimination against them. He was tried in (an international special tribunal created by the United Nations / a local religious court created by rijal Al-Islah consisting of local religious imams). According to the tenets of (international laws/ sharia laws), the (UN/local religious) court sentenced the minister to return all of the confiscated money in addition to a (fine/ taizier) to be equivalent to the value of harm to the community and the affected groups. He was also sentenced to 5 years in jail for discrimination.

Taizier: A penalty based on the court's discretion. It is decided on people who commit crimes that do not have a specific provision in the Sharia.

(Matrix Table)

Sub-Q1: Do you believe that the outcome will help to bring about peace to the community.

Sub-Q2: Do you agree with the decision of the (UN/local religious) court?

Sub-Q3: Do you think that the (UN/local religious) court has the ability to enforce this decision?

Answer Choices: 1. Yes   2. No   3. Do not Know.

***

Finally, the third block included a set of follow-up questions that may help to analyze the experiment results. The first question handled whether the respondent ever travelled to Europe or US and the duration of the trip, as spending time in a foreign country might have an effect on how the person views and understands the international system and his/her views of anti-westernism might be affected. The next two questions (mirror questions) were on whether the respondent ever interacted with the UN/international law, or "rijal al-islah", in what way, and whether he/she was satisfied with the interaction. Next, two questions on religion and religiosity were asked, as this might affect respondent s' views on sharia law and Muslim religious leaders. In order to understand which of the two independent variables affected the results more, the response options were a scale of 1-5, asking to what extent the respondents trust in 1) the UN, 2) rijal al-islah, 3) the courts and local legal system of their country. Finally, five questions were asked about the respondents' opinions on making their local laws compatible with 1) Sharia law, 2) international law, 3) a mix

of Sharia and civil laws, and if they think that foreign interference from 4) the West, and 5) other Arab and Muslim countries are negatively affecting reform in their countries (see Appendix A for the complete survey in English).

4.2.2. Dependent and Independent Variables

The independent variable in this research is the combination of the source of decision and the implementing body: international law/the UN in the scenarios of the control group versus sharia law/rijal al-islah in the scenarios of the experiment group. The dependent variables are respondents' answers to the questions that followed each scenario.

4.3 Data Analysis

In order to analyze the survey data, the respondents were divided into two groups, where group 1 is the control group that received the version of the experiment where the independent variable was international law as source of decision, and the implementer was an international actor. Group 2 is the treatment group, on which all hypotheses were tested. The independent variable for Group 2 scenarios was sharia law as the source of decision, and the implementer is local religious men/ rijal al-islah. All other variables were the same for both groups.

SPSS program has been used for this project. Independent samples t-test was run on the data to determine if there is a significant difference between the answers of control and treatment groups (Zwan, 2019). When cleaning the data, (Yes) answers were given the value of (1) while (No) answers were given the value of (0) and (do not know) answers were cleaned as they do not provide any information about respondents' preferences. This cleaning of No answers as (0) and Yes as (1) allowed a correct t-test results to be achieved as it is mainly calculating the mean of (Yes) answers proportion in both groups.

In SPSS, only two-tailed t-test could be run. Therefore, the direction is determined using the direction of the t-value (negative or positive). To illustrate, the t-value in SPSS is calculated using the mean of group 1 (control group in this case) minus the mean of group 2 (treatment group in this case). Thus, when the t-value is positive then the direction is toward group 1, while negative t-value show that the direction is toward group 2 (IBM, 2020). In this thesis's case, negative value means that the direction is toward treatment group (hypothesis supported) while positive value means that the direction is toward control group (hypothesis rejected).

To increase robustness of the results, crosstabulations/Chi-Square test (2-tailed) has been run on the data to decide if the two groups are independent from each other. Chi-Square test is a proper test to run when data are categorical (such as this research's Yes/No data) rather than numeric (Zwan, 2019). The direction of the significant difference could be determined through observing the percentages in the crosstabulations. Another way to overcome this problem is to use crosstabulations/Kenddell's tau-c test which shows the direction of significance with positive and negative values of the test (Berman and Wang, 2018). Both tests (independent samples t-test and crosstabs/chi-square test) provided the same results (see Appendix C for SPSS result tables).

In this research, results will be reported as significant on less than 0.05 p-value. P-values less than 0.10 will also be considered as marginally significant. 0.10 p-value is considered viable by social scientists especially when the sample size is small, as is the case in this research (Lavrakas, 2008).

5. Data and Results
5.1. Data

The overall number of completed, collected responses over a month of survey distribution is 435. By country, 167 responses from Libya, 119 responses from Yemen, and 149 responses from Jordan were collected. Therefore, this sample is considered sufficient to conduct the thesis analysis.

In this section, I will briefly describe respondents' answers on block 3 questions and the difference among countries when needed. Demographic characteristics of the respondents are explained in the charts and tables in Appendix B.

5.1.1. Block 3 Answers[8]:
A. Religion and Religiosity:

When it comes to religion, vast majority of the sample are Muslims (412 out of 435), this gives an indicator that the respondents understand the Islamic terms and definitions and might have used them in their lives. For religiosity, I have used a question from the Arab Barometer as a measure[9]. The question asks: Do you pray daily? The respondents show high levels of religiosity

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[8] For more detailed tables and Charts see Appendix B.

[9] Arab barometer (2017): https://www.arabbarometer.org/wp-content/uploads/ABIV_Questionnaire_ENG-2.pdf

as 70% stated that they always pray daily while another 12.4% said that they pray daily most of the time.

B. Have you ever travelled to Europe or USA?[10]

When it comes to travelling to Europe or USA, it is found that more than half of participants (59.1%) have never travelled, whereas 16.8% travelled for less than two months and only 16.6% of respondents travelled for more than a year continuously. Therefore, this factor is not likely to play a significant role in respondents' ideas about the East and West.

C. Levels of Trust in the UN, rijal al-islah, and the courts and legal system:

I have asked the participants about how much they trust in each of the following: the UN, rijal al-islah of local religious men and imams, and the courts and legal system of their country. The answers are based on a scale of 1 to 5 (1= no trust, 5= totally trust). In the results, 75.9% of respondents do not trust the UN. While slightly more than half of respondents do not trust rijal al-islah of local religious men and Imams (show less than 3 on the scale). Finally, a little more than half of respondents do not trust the legal system of their countries. For more detailed data, see Figures 5,6 and 7 in Appendix B.

When it comes to levels of trust by country, 80.8% of Libyans, 75.6% of Yemenis and 70.4% of Jordanians do not trust the UN (scaled less than 3). These results are supported by the information we have from the literature review on anti-Westernism. Meanwhile, 67.8% of Libyans, 84% of Yemenis and 49.6% of Jordanians do not trust rijal al-islah of local religious men and Imams. These results are quite surprising compared to the qualitative information from the literature review on people's reliance on rijal al-islah to solve their problems, especially in Yemen and Libya. Trust in the courts and legal system in both Libya and Jordan show quite higher results of trust than rijal al-islah and the UN (56.9% of Libyans and 57% of Jordanians gave 3 or more stars on the scale). On the other hand, results from Yemen showed similarities to the qualitative data on people's mistrust in the local courts and legal system, as only 9% of Yemeni respondents answered 3 or more stars on the scale on this question.

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[10] The question was inspired by Arab-barometer Wave III questionnaire: https://www.arabbarometer.org/wp-content/uploads/ABIII_Questionnaire_ENG.pdf

When asked about interaction with either UN/ international law or rijal al-islah, about two third of respondents (68%) never sought help from local religious imams in their countries (rijal al-islah). Slightly more than half of respondents never interacted with the UN/International law (58.6%), whereas 20.5% studied about the UN/International law (See tables 2 and 3 in Appendix B). When asked about the reasons for non-interaction, the majority of respondents (66%) regarding rijal al-islah, and 41.2% regarding the UN, attributed the reason to not needing their help, while a quite similar percentage of respondents said that they do not trust them (25% rijal al islah/ 21.2% the UN). Finally, when asked about satisfaction with their interactions (for those who answered yes on the interaction question), 72.6% of respondents were satisfied with the help of their local imams. On the contrary, only 16.2% were satisfied by the UN/ international organizations' help.

D. Participants' preference of Sharia Law or International Law:

Three questions, inspired by Pew Research Center[11], have been asked to capture people's desire of having their local laws compatible with Sharia Law, International Law, or a mix of Sharia and civil laws. The questions were:

a. The government in your country should make laws compatible with sharia laws.

b. The government in your country should make laws compatible with the international laws.

c. The government in your country should implement sharia laws in some areas and civil (local) laws in other areas.

The choices were: totally agree, agree to some extent, disagree, neutral, or do not know.

It was found that respondents in general agreed the most with option C (mix of Sharia and civil laws) (43.4% totally agreed, and 38.9% agreed to some extent). Sharia Law also received high positive reactions (28.7% totally agreed, and 43.7% agreed to some extent), whereas making

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[11] Pew Research Center (2013): https://www.pewforum.org/2013/04/30/the-worlds-muslims-religion-politics-society-overview/

laws compatible with international law garnered less support. Only 9.2% totally agreed, and 35.6% agreed to some extent, while 40.5% disagreed (see figures 8, 9 and 10 in Appendix B).

E. Participants' opinion on foreign intervention (Western and Arab/Muslim):

Two questions were asked to capture levels of anti-Westernism and levels of refusal of other Arab/Muslim countries' intervention[12]:

> a. Interference from other Arab and Islamic countries is an obstacle to reform in your country.
>
> b. Interference from the west within is an obstacle to reform in your country
>
> The choices were: totally agree, agree to some extent, disagree, neutral or do not know.

As the questions succeeded in capturing anti-Westernism (64.8% totally agreed, and 21.6% agreed to some extent that western intervention is an obstacle to reform), the questions also showed that there is resistance to intervention of any type, as 57.7% agreed totally and 24.4% agreed to some extent that interference from other Arab and Muslim countries also constitutes an obstacle to reform in their own countries.

Furthermore, the data illustrated significant differences ($p=0.00 < 0.05$) between the countries of civil war (Libya and Yemen) and the non-waring Jordan in their views about interference from other Arab and Muslim countries (See table 4 in Appendix B). Jordanians are less hostile about Arab and Muslim intervention in comparison with Yemen and Libya, whereas no similar difference ($p=0.277 > 0.05$) was captured among all three countries in their negative views about Western interference (See table 5 in Appendix B).

5.2. Results

In this section I present the results of the experiments in order of the hypotheses I had developed for testing in this study.

Section 5.2.1. Outcomes of the First Experiment

Scenario 1: Concerning specific victims, closer to victims and justice for them, local community:

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[12] Copied from Arabbarometer Wave IV questionnaire: https://www.arabbarometer.org/wp-content/uploads/ABIV_Questionnaire_ENG-2.pdf

H1a: On average, respondents will believe that the outcome justified by sharia law is more capable of bringing peace to the community.

Hypothesis is Marginally Supported. There is a significant difference between control group (M=0.45, SD=0.498) and treatment group (M=0.54, SD=0.500); t (412) = -1.867, p=0.063.

H1b: On average, respondents will accept the outcomes determined according to sharia law by the local religious imams.

Hypothesis is Not Supported. There was no significant difference between control group (M=0.61, SD=0.489) and treatment group (M=0.66, SD=0.476); t (413) =-1.001, p=0.318.

H1c: On average, respondents will believe that local religious imams are more capable of enforcing the outcomes than international actors (i.e., the United Nations).

Hypothesis is rejected. There is a significant difference between control group (M=0.27, SD=0.447) and treatment group (M=0.16, SD=0.367); t (393) =+2.776, p=0.006. To reiterate, positive t-value indicates that the direction is toward control group (international scenario).

H1d: On average, respondents will agree that local religious imams are the proper institution to decide the outcome comparing to international institutions (i.e. the United Nations).

Hypothesis is rejected. There is a significant difference between control group (M=0.42, SD=0.494) and treatment group (M=0.31, SD=0.464); t (390) = +2.186, p=0.029.

Section 5.2.2: Outcomes of the Second Experiment

Scenario 2: Reconciliation and forgiveness of perpetrators involved in civil conflict. (A verse from the Quran was introduced as a justification of the suggested outcome, vis-à-vis an article from Protocol 2 of Geneva Conventions).

H2a: On average, respondents will believe that the outcome justified by Sharia is more capable of bringing peace to the community.

Hypothesis is rejected. There is a significant difference between control group (M=0.29, SD= 0.456) and treatment group (M=0.13, SD=0.336); t (406) = +4.059, p=0.000

H2b: On average, respondents will support the decision justified by sharia law.

Hypothesis is supported. There is a significant difference between control group (M=0.56, SD=0.497) and treatment group (M=0.66, SD=0.475); t (421) = -2.086, p=0.038. To reiterate, negative t-value indicates that the direction of significance is toward treatment group (localized scenario).

H2c: On average, respondents will believe that local religious imams are more capable of enforcing the outcomes than international actors (i.e., the United Nations).

Hypothesis is not supported. There is no significant difference between control group (M=0.58, SD=0.495) and treatment group (M=0.63, SD=0.485); t (407) = -0.958, p=0.338.

Section 5.2.3: Outcomes of the Third Experiment.
Scenario 3: Justice for the nation as a whole. Wronged the nation, representative for the country:

H3a: On average, respondents will believe that the outcome justified by sharia law is more capable of bringing peace to the community.

Hypothesis could be rejected on 0.10 p level. There is a significant difference between control group (M=0.76, SD=0.428) and treatment group (M=0.67, SD=0.470); t (402) = +1.944, p=0.053.

H3b: On average, respondents will accept the outcomes justified by sharia law and decided by a local religious court.

Hypothesis is rejected at p<0.10 level. There is a significant difference between control group (M=0.84, SD=0.367) and treatment group (M=0.77, SD=0.420); t (426) = +1.789, p= 0.074.

H3c: On average, respondents will believe that local religious imams are more capable of enforcing the outcomes than international actors (i.e., the United Nations).

Hypothesis is rejected. There is a significant difference between control group (M=0.39, SD=0.489) and treatment group (M=0.23, SD=0.420); t (398) = +3.538, p=0.000.

Table2:

Results of the experiment.

Hypotheses	Results

Scenario 1:		
H1a:	The outcome justified by Sharia Law will bring peace. (procedural legitimacy)	Marginally Supported, p= 0.063/ t=-1.867
H1b:	Procedural legitimacy (the outcome is more accepted when brought through the Sharia procedure).	Not Supported P=0.318
H1c:	Ability to Enforce (Local religious imams are more credible to enforce)	Rejected, p=0.006/ t= +2.776
H1d:	Legitimacy (local religious imams are the proper institution).	Rejected, p=0.029/ t= +2.186
Scenario 2:		
H2a:	The outcome justified by Sharia Law will bring peace. (procedural legitimacy)	Rejected, p=0.000/ t=+4.059
H2b:	Procedural legitimacy (the outcome is more accepted when brought through the Sharia procedure).	Supported, p= 0.038/ t=-2.086
H2c:	Ability to Enforce (Local religious imams are more credible to enforce)	Not Supported, p= 0.339.
Scenario 3:		
H3a:	The outcome justified by Sharia Law will bring peace. (procedural legitimacy)	Rejected, p=0.053/ t=+1.944
H3b:	Procedural legitimacy (the outcome is more accepted when brought through the Sharia procedure).	Rejected, p=0.074/ t=+1.789
H3c:	Ability to Enforce (Local religious imams are more credible to enforce)	Rejected, p=0.000/ t=+3.538

The following table provides a summary of the above results pooled across stable and unstable countries:

Table3:

Results pooled across stable and unstable countries:

Hypotheses	**Results**	
Scenario 1:	Unstable Countries (Libya and Yemen)	Stable Country (Jordan)

H1a:	The outcome justified by Sharia Law will bring peace.	Not supported (p=0.377)	Marginally supported (p=0.094)
H1b:	Procedural legitimacy (the outcome is more accepted when brought through the Sharia procedure).	Not supported (p=0.537)	Not supported (p=0.524)
H1c:	Ability to Enforce (Local religious imams are more credible to enforce)	Rejected (P= 0.001) toward control group	Not Supported (p=0.139)
H1d:	Legitimacy (local religious imams are the proper institution).	Not Supported (p=0.324)	Rejected (p=0.025) toward control group
Scenario 2:			
H2a:	The outcome justified by Sharia Law will bring peace.	Rejected (p=0.000) toward control group	Rejected (p=0.066) toward control group
H2b:	Procedural legitimacy (the outcome is more accepted when brought through the Sharia procedure).	Marginally Supported (p=0.076)	Not Supported (p=0.209)
H2c:	Ability to Enforce (Local religious imams are more credible to enforce)	Not Supported (p=0.294)	Not Supported (p=1.000)
Scenario 3:			
H3a:	The outcome justified by Sharia Law will bring peace.	Rejected (p=0.052) toward control group	Not Supported (p=0.530)
H3b:	Procedural legitimacy (the outcome is more accepted when brought through the Sharia procedure).	Not Supported (p=0.132)	Not Supported (p=0.339)
H3c:	Ability to Enforce (Local religious imams are more credible to enforce)	Rejected, (p=0.000) toward control group	Not Supported (p=0.333)

6. Discussion and Conclusion

This thesis aimed at addressing the effect of using local religious language and terms, implemented by local religious leaders, on the levels of acceptance of TJ pillars in post Arab Spring countries. This use of local language and implementation is posited as a possible solution for some of the problems with TJ that have caused its failure in most post-Arab Spring countries. The thesis identified two main problems of TJ theory that might be negatively affecting its implementation in the Middle East. These are the liberal paradigm and the top-down, state-centric characteristic of TJ. To overcome these problems, transformative justice theory was

introduced as a bottom-up and victim-oriented process, which takes into consideration the local culture, religion, traditions and rituals of each country, and makes use of them to achieve a successful TJ process.

In the Middle East, Islam plays a major role in all aspects of people's lives. There are strong arguments in the literature that Islam includes many justice concepts that correspond to international transitional justice pillars, especially in terms of restorative and retributive justice. Based on this, some arguments suggest that Islamic terms and processes should be considered when applying TJ, as they have more local legitimacy and credibility. Moreover, scholars on localization of TJ argue that allowing local trustworthy actors to apply traditional justice and reconciliation rituals will contribute to more success of the TJ process, than would foreign actors applying foreign terms.

However, these arguments are mainly based on qualitative studies. Therefore, this thesis quantitatively studies the possible effect of changing international language and actors to local religious language and implementers on public acceptance of TJ pillars in post-Arab Spring countries. To reiterate, this thesis does not aim to study the effect of implementing Islamic measures which lead to different outcomes than those achieved through TJ pillars.

The results of the research design, which included a public opinion poll survey, provided the following answers to the main research question and the three sub-questions:

Main question: Can local culture and religious language promote more acceptance of transitional justice outcomes in post-Arab Spring countries than using foreign/international terms and concepts of transitional justice?

Some evidence was found in two out of three scenarios that support this hypothesis. Respondents in two out of three scenarios showed a preference for outcomes justified by religious language/terms and Quran verse than those justified by international terms and conventions. The results also show that this depends on the type of TJ process addressed in each scenario.

Sub-question 1: Do local religious actors have more legitimacy than international actors to implement transitional justice in post-Arab Spring countries?

The opposite seems to be true, according to the survey results. In all questions concerning the ability of local religious imams to enforce decisions, and whether they are the proper actors to decide as compared to international actors (the UN), respondents view the UN as more capable of enforcing the decision in all scenarios, except scenario 2, which had inconclusive results. The UN was also viewed as the proper institution to decide in scenario 1.

Sub-question 2: Does religion have more legitimacy than international laws and standards in post-Arab Spring countries?

There is some evidence among the results that support that religion has more procedural legitimacy than international laws in two out of three scenarios. However, again, it seems that it depends on the type of TJ process introduced. As in scenario 1 (reparation) and scenario 2 (reconciliation) some support for decisions justified by sharia law was demonstrated, but not in scenario 3 (criminal justice).

Sub-question 3: Does religion have more impact in unstable states than stable ones?

It does not seem that religion has any special effect on unstable states when compared to a stable one.

A more detailed explanation and discussion of these answers is warranted. First, in scenarios concerning justice to victims (reparation) and reconciliation (pardon) respondents show more acceptance of the outcomes that have been justified by Sharia terms rather than international terms. Only in the third scenario, which concerns criminal justice (justice to the nation), respondents showed more preference towards the UN/international law scenario rather than rijal al-islah/sharia law scenario. There may be some avenues of explanation for these results in Bolocan's (2004), Villa-Vicencio (2009) and Kochanski's (2020) literature on localizing TJ.

In his article, Bolocan argued that local religious rituals work better than foreign standards in convincing people to accept reparation, reconciliation and pardon measures. This is because these local rituals are familiar to the public and are practiced by them in similar situations on familial or tribal levels. Moreover, local rituals have a higher capacity to accommodate the local public's needs, views, and ideas, and therefore addresses the affected

parties based on these views and ideas when it comes to achieving reconciliation and reparation. Conversely, international foreign standards are usually viewed as "externalized" and do not fill the gaps that satisfy people's minds and souls.

In fact, in most countries (except the Gacaca courts in Rwanda) where successful local TJ processes were conducted, the main processes implemented have related to reconciliation, such as the truth and reconciliation commission in South Africa, and "cleansing and purification ceremonies in Angola, Mozambique, Peru, [and] Sierra Leone" to forgive and reintegrate child soldiers (Kochanski, 2020: 35).

However, in our study, in the case of criminal justice and accountability of highly ranked state perpetrators, respondents were more affected by international standards than local standards. This may be because it is unusual for local religious terms to address such high level cases that concern the nation as a whole. According to Villa-Vicencio (2009) a survey conducted in Northern Uganda showed that while most respondents agree that reconciliation should be implemented through traditional mechanisms, no similar agreement was found for accountability measures being implemented through local traditional mechanisms (Villa-Vicencio, 2009).

It is worth mentioning that responses to the follow-up questions showed strong support and acceptance of sharia law among respondents, compared to international law: 72.4% of respondents agreed that their country's laws should be made compatible with sharia provisions, while only 44.8% agreed that their country's laws should be made compatible with international laws. These percentages also support the two positive findings of sharia language's effect in cases of reparation and reconciliation. This calls for further research with more scenarios and a higher sample size in order to see if similar results are found, that allowing us to consider generalizability.

When comparing results of unstable (conflicting) versus stable countries, no evidence could be found that respondents in unstable countries are more positively affected by the outcomes supported by religious terms rather than international terms. Thus, Platteau's (2007) and Inglehart's et al. (2006) arguments that people in unstable states tend toward their local cultures and religions more than in stable countries were not supported by this research findings.

On the other hand, respondents in unstable countries did not view local religious imams as more capable of enforcing decisions than the UN. On the contrary, the UN was seen as more capable to enforce its decisions. Similar results presented in only one question in Jordan. Again, this could be due to the small sample size (149 respondents from Jordan) as it did not allow us to capture significant differences among the control and treatment groups in any of the remaining questions on enforcement.

Secondly, when not divided by country (sample size 435 respondents), we find complete support for *the UN* as a more capable actor *to enforce* its decisions than local religious ones, in all scenarios. This finding should be considered in any further research aiming to study the possible effect of localization of TJ in post Arab Spring countries. The strong presence and influence of local religious leaders in achieving informal justice inside the communities, as was particularly indicated in the literature regarding Yemen and Libya, does not necessarily mean that these actors are the most desired during TJ. In fact, a 2019 survey by Arab barometer conducted in Libya, Jordan, Algeria, Egypt, Tunisia and Iraq captured that people in Middle Eastern countries are losing their trust in local religious leaders. While 51% respondents trusted them in 2015, this percentage dropped to 40% in 2019. This recent drop in trust explains the absence of this issue from the literature which calls on allowing local religious actors to implement religious justice measures in Arab countries.

What is interesting to consider is that, despite this acceptance of UN actors as enforcers, the survey found higher trust in local religious imams and higher satisfaction with the results rijal al-islah achieved regarding personal/local issues (see figures 11 and 12 in Appendix B). One explanation for this contradiction is that, although people trust their local imams with solving family or land issues within their area or tribe, they do not believe that those actors are strong enough to enforce broader societal decisions on different levels. Kochanski (2020) has argued that it is not necessary that local religious leaders, who are viewed as legitimate to solve smaller local issues, should also be seen as the proper actors in big transitional justice issues. Kochanski argued that changing political interests and changing levels of trust among the different segments of the society during civil conflict periods make it difficult for all parts of society to agree on a certain local or traditional actor. However, it appears that further research on this contradiction in Middle Eastern people's views about local religious and international actors bears exploration.

Finally, there has been some evidence that respondents in the second scenario were in fact more convinced by the direct verse of Quran (Muslim holy book) than by the provision from Geneva Convention 2nd Protocol. Quran is considered to be the speech of God and maintains high respect and acceptance among most Muslims (BBC, 2011). Therefore, according to Platteau's research (2007), leaders of Muslim countries in situations of peace or war are using religious rhetoric, including Quran verses, in order to gain more credibility and support for their decisions. This could be an explanation of our finding. However, as it is only one scenario which contained the Quran verse, it is not possible to generalize a conclusion on its effect. This is a limitation in this study, and due to the difficulty of matching Quran verses with legal articles, as the present author is not an expert in any of either. Therefore, further research with a greater variety of scenarios could be helpful in capturing whether this explanatory hypothesis could be supported.

To recapitulate, the main finding of this study is that people in Middle Eastern countries still believe that the UN is more capable of *enforcing* decisions when it comes to TJ pillars. This is despite the high mistrust in them and anti-Western sentiment. Although there is a high preference for Sharia law, people are afraid that local religious implementers do not have the capabilities needed to enforce TJ decisions.

The study has also found some evidence that local religious terms and concepts are more capable of convincing people to accept the *outcomes* of TJ *in issues of reparation and reconciliation* than are international ones. This may be because these issues are closer to victims and do not aim to achieve criminal justice or prosecution of high-ranking perpetrators, on which the UN and international law language seem to be more realistic.

In conclusion, this thesis suggests an important recommendation for the United Nations when implementing transitional justice pillars in post Arab Spring countries: to consider local religious language and terms when addressing victims for reparation and reconciliation, in order to gain more procedural legitimacy. In addition, this thesis concludes that the UN is still an important actor in achieving transitional justice in post-Arab Spring countries, which should not be ignored or viewed as too Western when studying localization of TJ in Arab states. Rather, more research should be conducted on the possibilities of cooperation between the UN and local religious traditions and cultures to achieve the best possible results in Arab countries. The OHCHR Beirut

Declaration of "Faiths for Rights" (2017) could be considered as a good starting point toward this new approach.

7. Bibliography

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8. Appendix

8.1. Appendix A (The Survey in English)

Thank you for accepting to cooperate with us to complete this short questionnaire, which is part of a master's thesis for the Department of Political Science at Gothenburg University, Sweden.

In this questionnaire we will show you some hypothetical scenarios that occurred in a country that was suffering from a civil war. There are attempts now to achieve justice for the victims of that war in order to achieve peace. Your participation is completely voluntary, and you can opt out of answering the question or the entire survey at any time.

The questionnaire is about 8 minutes long

All information in this questionnaire is confidential and your answers will be used <u>for statistical and research purposes only.</u>

The questionnaire is subject to <u>the general European data protection system.</u>

Q1. If you accept to participate according to the above conditions, click <u>Accept</u> to go to the questionnaire:

1. I accept to participate in this survey
2. I do not accept (This will end the survey)

………………………….

Welcome, First, I would like to get know a little about you…

Q2. What is your age group?

1. 18-35
2. 36-55
3. 56 and above
4. Under 18 years old (end of survey)

Q3. What is your gender?

1. Male
2. Female

3. Prefer not to answer

Q4. What is your educational level?

1. Basic education (1st - 9th grade)

2. High School

3. Bachelor's degree or diploma

4. Master and above

5. Other

Q5. Where are you from?

1.Libya

2. Yemen

3. Jordan

…………………

I will now show you a number of hypothetical scenarios that have occurred in an Arab, Muslim majority country which has been suffering from civil war following the overthrow of a previous regime. There are currently efforts to achieve justice for the victims in order to achieve peace in this country. I would like you to imagine that you are a citizen of this country. Do you support the outcomes described below?

Before we start, allow me to introduce to you some definitions that might appear in the scenarios:

A. International law is: A set of rules, norms, and standards generally accepted by the nations and regulate different aspects of life. Its main sources are international conventions and treaties.

B. Sharia law: A set of rules, norms and standards regulating different aspects of life. It is derived mainly from the holy Quran and the hadith.

Scenario 1: Concerning specific victims, closer to victims and justice for them, local community.
Q6. During the conflict, a family's home was bombed. Their house was completely destroyed and 3 of them ended up with disabilities. In an attempt to gain justice for this family and to achieve peace in the community more broadly, (the United Nations/ rijal Al-Islah) consisting of local religious imams) assigned (compensation/ Dya) to this family in accordance with

(International law/ Sharia law). The (compensation/Dya) shall include the value of treatment, compensation for the damage, and the value of the bombed house and furniture.

(Matrix Table)

 Q6.1: Do you believe that the outcome of this scenario will help to bring about peace to the community?

Q6.2: Do you agree with the decision in this scenario?

Q6.3: Could the United Nations/Rijal Al-Islah enforce this decision?

Q6.4: Do you agree that (the United Nations/Rijal Al-Islah) is the proper institution to decide the (compensation/Dya)?

1.Yes

0.No

99.DK

Scenario 2: Reconciliation and forgiveness of perpetrators involved in civil conflict.

Q7. During the conflict, the (United Nations/ men of reconciliation (rijal Al-Islah) consisting of local religious imams) seek to achieve (peace/sulh) between those who were involved, however as this was a civil war, there are too many perpetrators to put them all on trial or punish them all. Therefore, (The UN/Imams) have offered a pardon based on values of (international law/ Sulh according to the Sharia) for subordinate soldiers of all parties who were involved in lesser violations. The (UN/ Rijal Al-Islah) based this decision on the principles set forth in (the internationally ratified Geneva Conventions, the Quran).

Prosecution will be limited to the most highly ranked leaders only.

- Article 6 of Protocol 2: "At the end of hostilities, the authorities in power shall endeavor to grant the broadest possible amnesty to persons who have participated in the armed conflict."

 - Verse 40 of Surah Ash-Shurah in the Quran: "whoever pardons and makes reconciliation, his reward is [due] from Allah".

If you were one of the civilians who were affected by the conflict, how much do you agree with the following? (Matrix table):

Q7.1: Do you believe that the outcome will help to bring about peace to the community?

Q7.2: Do you agree with the idea of pardon that was introduced in this scenario?

Q7.3: Do you think this actor has the ability to enforce this decision?

1.Yes

0.No

99.DK

Scenario 3: Justice for the nation as a whole. Wronged the nation, representative for the country. Q8. After the end of the conflict, the Minister of the Economy was arrested for corruption related to the confiscation of the property of opposition party members and discrimination against them. He was tried in (an international special tribunal created by the United Nations[13] / a local court created by rijal Al-Islah consisting of local religious imams[14]). According to the tenets of (international laws[15]/ Shari'a laws[16]) the (UN/local religious) court sentenced the minister to return all of the confiscated money in addition to a (fine/ taizier) to be equivalent to the value of harm to the community and the affected groups. He was also sentenced to 5 years in jail for discrimination.

Taizier: A penalty based on the court's discretion. It is decided on people who commit crimes that do not have a specific provision in the Sharia.

(Matrix Table)

Q8.1: Do you believe that the outcome will help to bring about peace to the community.

---

[13] According to https://www.unodc.org/pdf/crime/publications/robbery_humanity.pdf, certain economic crimes which are related to violation of fundamental human rights such as discrimination against certain group can be treated as crimes against humanity thus enters the jurisdiction of international tribunals or ICC.
[14] Gacaca Courts in Rwanda are one example that inspired me.
[15] The decision inspired from "Prosecuting Financial Crime: Guidelines for Judges and Prosecutors" UNDP.org.
[16] The decision is based on Islamic rules of bringing officials accountable, Dya rules, and Ta'azer rules. The judge decides the appropriate compensation and Ta'azer rule to the committed crime.

Q8.2: Do you agree with the decision of the (UN/local religious) court?

Q8.3: Do you think that the (UN/local religious) court has the ability to enforce this decision?

1.Yes

0. No

99.Don't Know.

Final Questions:

 (All your answers are anonymous and will be used only for research and statistical reasons).

Q9. Have you ever travelled to Europe or the USA?

1.   Yes, for a week or two.
2.   Yes, for a month or two.
3.   Yes, for less than a year.
4.   Yes, for more than a year.
5.   No, I've never travelled to Europe or USA.
6.   I don't want to answer.

Q10. What is your religion?

1. Muslim

 2. Christian

3. Jew

 4. Other

5.   Prefer not to answer.

Q11. Do you pray Daily?

1.   Always
2.   Most of the Time
3.   Some of the Time
4.   Rarely
5.   Don't Know

Q12. How much trust do you have in the following institutions? (a scale of 1-5, 1 star=do not trust/ 5 stars=highly trust)

Q12_1. The United Nations

Q12_2. Rijal Al-Islah of local religious men and imams

Q12_3. The courts and legal system of your country

Q13. What do you think of the following sentences? (Matrix Table)

Q13_1. The government in your country should make laws compatible with Sharia Laws.

Q13_.2. The government in your country should make laws compatible with the international laws.

Q13_3. Interference from other Arab and Islamic countries is an obstacle to reform in your country.

Q13_4. The government in your country should implement Sharia laws in some areas and civil (local) laws in other areas.

Q13_5 Interference from the west is an obstacle to reform in your country

1. Totally Agree
2. Agree to some extent
3. Disagree
4. Neutral
5. Don't Know

Q14. (0,1,2,3,4,5[17]): Have you ever interacted with the United Nations or any international organization? (several answers could be selected)

0. No, I have never interacted with UN/international law
1. Yes, I received aid from the UN/international organization
2. Yes, I sent an individual complaint to the UN
3. Yes, I work with the UN/International organization
4. Yes, I studied about UN and/or international law.
5. Prefer not to answer.

Q15. Were you satisfied with their work? (if Yes is chosen in Q14)

---

[17] The numbering is based on answers' coding (more than one answer could be selected by the same respondent).

0. No
1. Yes
2. Prefer not to answer.

Q16. Why not? (if No is chosen in Q14)

1. I didn't face a problem that needs their intervention
2. It is hard to reach them
3. I do not trust the UN
4. I don't know to whom I can turn.

Q17. Have you ever turned to an Imam or Muslim religious man (rijal Al-Islah) for help in any issue you had?

0. No
1. Yes
2. Prefer not to answer

Q18. Were you satisfied with the results? (if yes is chosen for Q16)

0. No
1. Yes
2. Prefer not to answer

Q19. Why Not? (if No is chosen for Q16)

1. I don't Trust them
2. I didn't have a problem that needs their intervention
3. It is hard to reach
4. I don't know to whom I can turn.

End of the Survey.

8.2. Appendix B (Descriptive Statistics)

1. Demographic Figures:

A. Gender:

Figure 1: Gender

B. Educational Level:
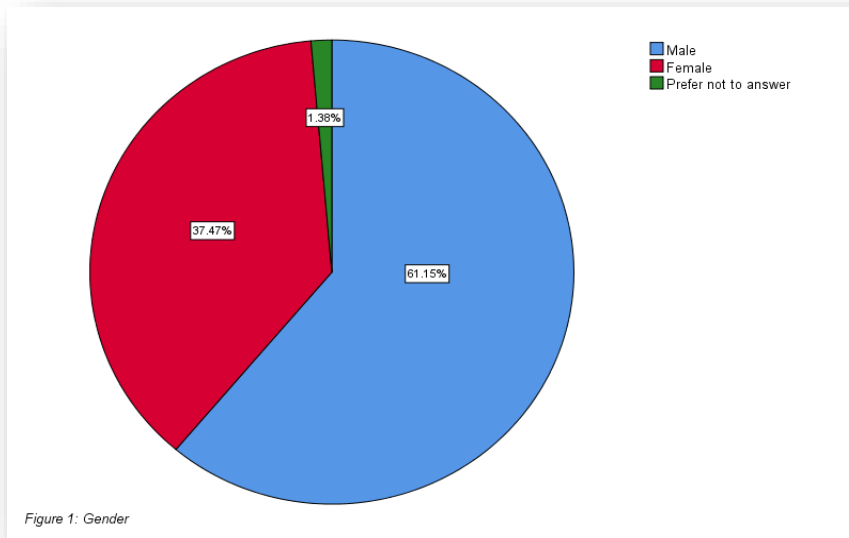
Figure 2: Educational Level
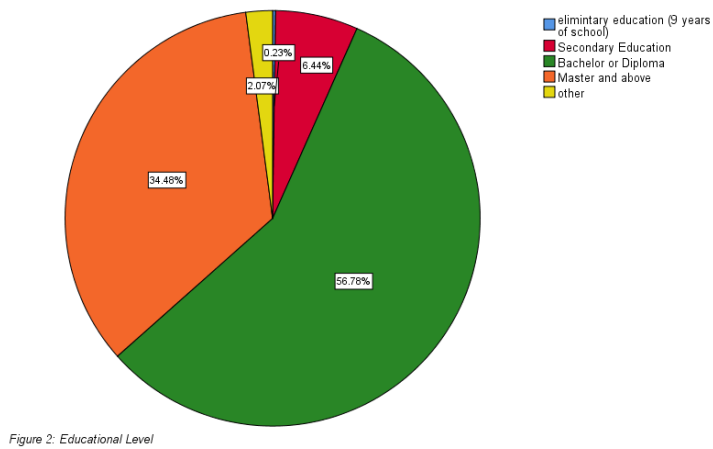
C. Age:
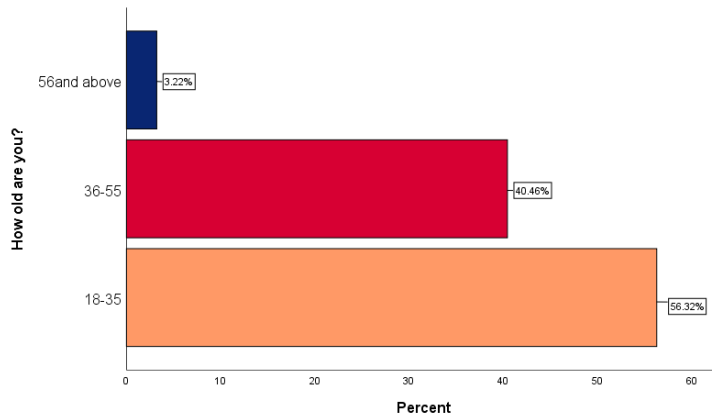
Figure 3: Age

D. Where are you from?
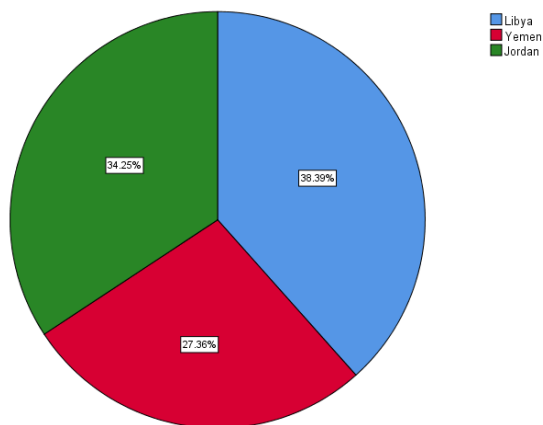
Figure 4: By country

2. Block 3 answers illustrative figures and tables:

Table 1:

Religiosity Level:

		Frequency	Percent
Do you pray daily?	Always	305	70.1
	most of the time	54	12.4
	Sometimes	25	5.7
	Rarely	19	4.4
	prefer not to answer	32	7.4
	Total	435	100.0
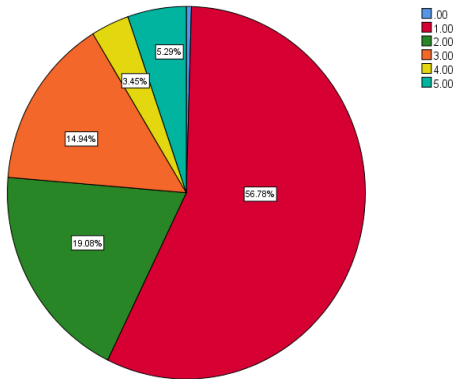
Figure 5: How much do you trust the UN? (1 do not trust/ 5 totally trust).
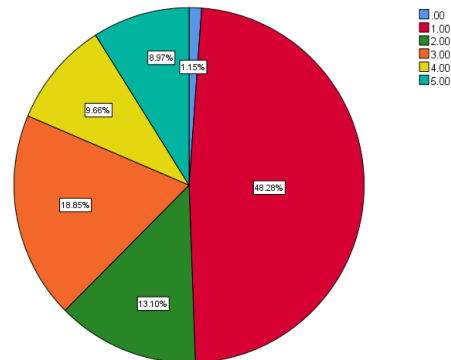
Figure 6: How much do you trust the Rijal Al-Islah of local religious men and imams?
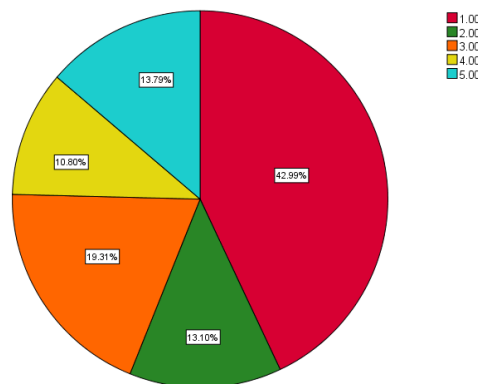
Figures 7: How much do you trust: The courts and legal system of your country

Table 2:

Interaction with Local Religious Imams:

|		Frequency	Percent	Valid Percent	Cumulative Percent
	Have you ever turned to an Imam or Muslim religious man (rijal Al-Islah) for help in any issue you had?				
Answer:	No	296	68.0	68.0	68.0
	Yes	115	26.4	26.4	94.5
	Prefer not to answer	24	5.5	5.5	100.0
	Total	435	100.0	100.0	

Table 3:

Interaction with the UN or International Law (IL):

	Have you ever interacted with the UN or IL?	
	N	Percent
Yes, I received aid from the UN/international organization	28	6.4%
Yes, I sent an individual complaint to the UN	16	3.7%
Yes, I work with the UN/International organization	32	7.4%
Yes, I studied about UN and/or international law.	89	20.5%
Never dealt with UN or IL	255	58.6%
prefer not to answer	31	7.1%
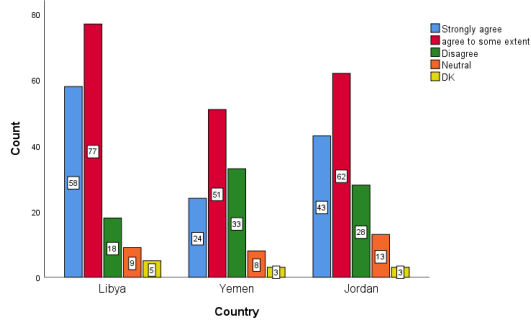
Figure 8: The government in your country should make laws compatible with Sharia Laws.
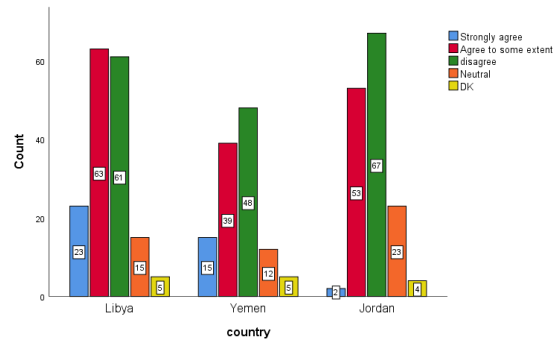
Figure 9: The government in your country should make laws compatible with the international laws.
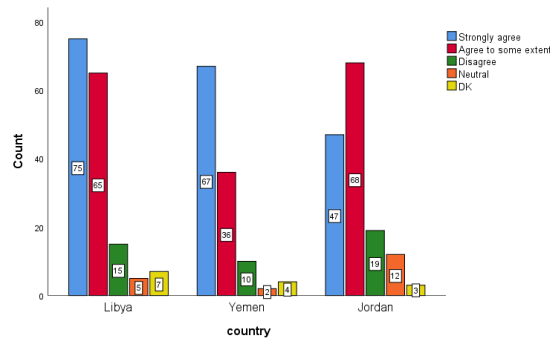
Figure 10: The government in your country should implement Sharia laws in some areas and civil (local) laws in other areas.

Table 4:

How much do you think that interference from Arab and Muslim countries is an obstacle to Reform in your country? (Comparison among countries)

			Country			Total
			Libya	Yemen	Jordan	
Interference from other Arab and Muslim countries is an obstacle to reform in your country.	Strongly agree	Count	121	87	43	251
		% between countries	48.2%	34.7%	17.1%	100.0%
		% of agreement within the country	72.5%	73.1%	28.9%	57.7%
		% of Total	27.8%	20.0%	9.9%	57.7%
	Agree to some extent	Count	26	23	57	106
		% between countries	24.5%	21.7%	53.8%	100.0%
		% level of agreement within the country	15.6%	19.3%	38.3%	24.4%
		% of Total	6.0%	5.3%	13.1%	24.4%
	Disagree	Count	11	4	17	32
		% between countries	34.4%	12.5%	53.1%	100.0%
		% within level of agreement within the country	6.6%	3.4%	11.4%	7.4%
		% of Total	2.5%	0.9%	3.9%	7.4%
	Neutral	Count	2	1	14	17
		% between countries	11.8%	5.9%	82.4%	100.0%
		% within level of agreement	1.2%	0.8%	9.4%	3.9%

Crosstab

		within the country.			
		% of Total	0.5%	0.2%	3.2%	3.9%
DK		Count	7	4	18	29
		% between countries	24.1%	13.8%	62.1%	100.0%
		% within level of agreement within the country.	4.2%	3.4%	12.1%	6.7%
		% of Total	1.6%	0.9%	4.1%	6.7%
Total		Count	167	119	149	435
		% between countries	38.4%	27.4%	34.3%	100.0%
		% within level of agreement within the country	100.0%	100.0%	100.0%	100.0%
		% of Total	38.4%	27.4%	34.3%	100.0%

Chi-Square Tests

	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	84.583[a]	8	.000
Likelihood Ratio	86.568	8	.000
Linear-by-Linear Association	43.765	1	.000
N of Valid Cases	435		

a. 1 cells (6.7%) have expected count less than 5. The minimum
expected count is 4.65.

Table 5:

How much do you think that western interference is an obstacle to Reform in your country? (Comparison among countries)

		Crosstab	From which country are you?			Total
			Libya	Yemen	Jordan	
Interference from the west within is an obstacle to reform in your country	Strongly agree	Count	118	75	89	282
		% between countries	41.8%	26.6%	31.6%	100.0%
		% within the country	70.7%	63.0%	59.7%	64.8%
		% of Total	27.1%	17.2%	20.5%	64.8%
	Agree to some extent	Count	28	28	38	94
		% between countries	29.8%	29.8%	40.4%	100.0%
		% within the country	16.8%	23.5%	25.5%	21.6%
		% of Total	6.4%	6.4%	8.7%	21.6%
	Disagree	Count	7	5	5	17
		% between countries	41.2%	29.4%	29.4%	100.0%
		% within the country	4.2%	4.2%	3.4%	3.9%
		% of Total	1.6%	1.1%	1.1%	3.9%
	Neutral	Count	10	8	7	25
		% between countries	40.0%	32.0%	28.0%	100.0%
		% within the country	6.0%	6.7%	4.7%	5.7%
		% of Total	2.3%	1.8%	1.6%	5.7%
	Don't know	Count	4	3	10	17
		% between countries	23.5%	17.6%	58.8%	100.0%

	% within the country	2.4%	2.5%	6.7%	3.9%
	% of Total	0.9%	0.7%	2.3%	3.9%
Total	Count	167	119	149	435
	% between countries	38.4%	27.4%	34.3%	100.0%
	% within the country	100.0%	100.0%	100.0%	100.0%
	% of Total	38.4%	27.4%	34.3%	100.0%

Chi-Square Tests

	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	9.830ᵃ	8	.277
Likelihood Ratio	9.633	8	.292
Linear-by-Linear sQAssociation	2.915	1	.088
N of Valid Cases	435		

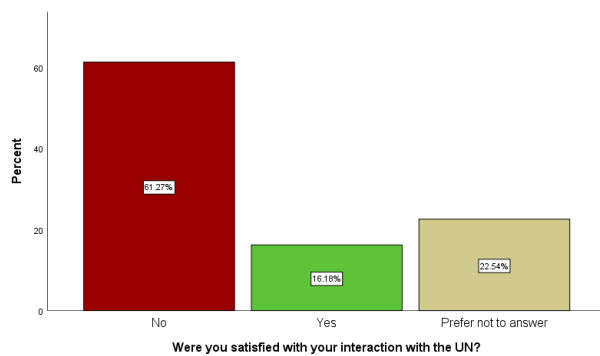a. 2 cells (13.3%) have expected count less than 5. The minimum expected count is 4.65.

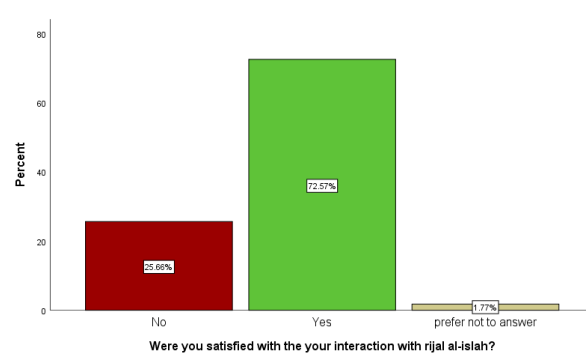

Figure11: Statisfication with the interaction with the UN

Figure 12: Level of satisfication with the interaction with rijal al-islah

8.3. Appendix C (Results of the Experiment)

1. General Results

Table 6:

Two Independent Samples T-Test (Equal Variances assumed):

Hypotheses	F	Sig.	T	df	Sig. (2-tailed)	t-test for Equality of Means.		95% Confidence Interval of the Difference	
						Mean Difference	Std. Error Difference	Upper	Lower
H1a:	0.281	0.596	-1.867	412	0.063	-0.092	0.049	-0.188	0.005
H1b:	3.903	0.049	-1.001	413	0.318	-0.047	0.047	-0.140	0.046
H1c:	31.903	0.000	2.776	393	0.006	0.114	0.041	0.033	0.195
H1d:	17.324	0.000	2.186	390	0.029	0.106	0.048	0.011	0.201
H2a:	75.945	0.000	4.059	406	0.000	0.164	0.040	0.084	0.243
H2b:	16.189	0.000	-2.086	421	0.038	-0.099	0.048	-0.193	-0.006
H2c:	3.678	0.056	-0.958	407	0.339	-0.047	0.049	-0.142	0.049
H3a:	15.253	0.000	1.944	402	0.053	0.067	0.045	-0.001	0.175
H3b:	13.045	0.000	1.789	426	0.074	0.068	0.035	-0.007	0.143
H3c:	47.205	0.000	3.538	398	0.000	0.161	0.046	0.072	0.251

Table 7:

Chi-Square test + Kendall's tau-c test

Hypotheses	Pearson Chi-Square Value	Df	Asymptotic Sig. (2-sided)	Kendall's tau-c value
H1a	3.473	1	0.062	-0.092

H1b	1.004	1	0.318	-0.047
H1c	7.596	1	0.006	0.144
H1d	4.743	1	0.029	0.106
H2a	16.123	1	0.000	0.163
H2b	4.627	1	0.031	-0.102
H2c	0.0677	1	0.410	-0.040
H3a	3.762	1	0.052	0.087
H3b	3.199	1	0.074	0.008
H3c	12.197	1	0.000	0.161

2. Across stable (Jordan) and unstable countries (Libya and Yemen together) Results:

Table 8:

Two Independent Samples T-Test for Libya and Yemen Sample (Equal Variances Assumed):

	f	Sig.	t	df	Sig. (2-tailed)	t-test for Equality of Means.		95% Confidence Interval of the Difference	
Hypotheses						Mean Difference	Std. Error Difference	Upper	Lower
H1a:	1.073	0.309	-0.885	271	0.377	-0.054	0.061	-0.173	0.066
H1b:	1.498	0.222	-0.619	276	0.537	-0.03560	0.05755	-0.14888	0.07769
H1c:	52.408	0.000	3.459	252	0.001	0.1682	0.04663	0.07244	0.26398
H1d:	3.837	0.051	0.989	259	0.324	0.05659	0.05724	-0.05612	0.16930
H2a:	65.253	0.000	3.656	271	0.000	0.18105	0.04952	0.08356	0.27855
H2b:	12.861	0.000	-1.783	276	0.076	-0.10417	0.05841	-0.21917	0.01083
H2c:	4.471	0.035	-1.051	269	0.294	-0.06310	0.06005	-0.18133	0.05512

H3a:	15.240	0.000	1.950	258	0.052	0.10964	0.05623	-0.00109	0.22038
H3b:	9.265	0.003	1.510	280	0.132	0.07958	0.04958	-0.02276	0.17245
H3c:	53.992	0.000	3.682	266	0.000	0.19532	0.05305	0.09088	0.29976

Table 9:

Two Independent Samples T-Test for Jordan Sample (Equal Variances Assumed):

	F	Sig.	T	df	Sig. (2-tailed)	t-test for Equality of Means.		95% Confidence Interval of the Difference	
Hypotheses						Mean Difference	Std. Error Difference	Upper	Lower
H1a:	3.282	0.072	-1.684	137	0.094	-0.142	0.084	-0.309	0.025
H1b:	1.617	0.206	-0.639	135	0.524	-0.05384	0.08426	-0.2204	0.11280
H1c:	8.220	0.005	-1.489	136	0.139	-2.99369	2.01065	-6.9698	0.9825
H1d:	2.499	0.116	2.274	129	0.025	0.19671	0.08051	0.02554	0.3678
H2a:	14.492	0.000	1.851	133	0.066	0.13016	0.07033	-0.0894	0.26926
H2b:	3.697	0.057	-1.262	143	0.209	-0.10426	0.08259	-0.26752	0.05899
H2c:	0.000	1.000	0.000	136	1.000	0.0000	0.08387	-0.16583	0.16583
H3a:	1.602	0.208	0.630	142	0.530	0.04696	0.07455	-0.10041	0.19432
H3b:	3.755	0.055	0.959	144	0.339	0.05479	0.05712	-0.05811	0.16770
H3c:	3.500	0.064	0.972	130	0.333	0.08272	0.08514	-0.08572	0.25116

Table 10:

Chi-Square test + Kendall's tau-c value for Libya and Yemen Sample

Hypotheses	Pearson Chi-Square Value	Df	Asymptotic Sig. (2-sided)	Kendall's tau-c value

H1a		1	0.375	0.054
	0.787			
H1b	0.385	1	0.535	0.036
H1c	11.514	1	0.001	0.168
H1d	0.981	1	0.322	-0.056
H2a	12.833	1	0.000	0.178
H2b	3.167	1	0.075	-0.102
H2c	1.108	1	0.293	-0.062
H3a	3.775	1	0.052	0.110
H3b	2.276	1	0.131	-0.075
H3c	12.997	1	0.000	0.195

Table 10:

Chi-Square test + Kendall's tau-c value for Jordan Sample

Hypotheses	Pearson Chi-Square Value	df	Asymptotic Sig. (2-sided)	Kendall's tau-c Value
H1a	2.820	1	0.093	-0.141
H1b	0.413	1	0.520	0.053
H1c	2.214	1	0.330	0.032
H1d	5.048	1	0.025	0.195
H2a	3.390	1	0.066	0.130
H2b	1.598	1	0.206	0.104
H2c	0.000	1	1.000	0.000
H3a	0.401	1	0.526	-0.047
H3b	0.927	1	0.336	-0.055
H3c	0.952	1	0.329	-0.083