Decentralization of power? Council democracy and the Social Contract in North and East Syria

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Abstract: In the course of the Syrian civil war, the predominantly Kurdish-dominated regions in North and East Syria declared their autonomy from the Syrian state. The "Autonomous Administration of North and East Syria" (AANES), as it is now officially known, controls at present around a third of Syrian territory. Various ethnic and religious groups now live together there largely peacefully based on principles of grassroots democracy, equal rights and women's liberation. This paper examines the political system of the AANES. It presents the historical and ideological background for the current project in the Syrian periphery. Theories on council democracy are discussed as well as the oppression of the Kurds in Syria and their uprising in July 2012. However, the main focus of the paper is on the question of how or whether it is possible to speak about a decentralization of power in North and East Syria through the numerous councils and committees at the grassroots level. In addition, an in-depth analysis of the region's new Social Contract – a kind of constitution – published at the end of 2023 will answer the question of whether the political system of the AANES is an anti-state model. By answering these questions, I hope to contribute to an accurate and honest understanding of the social conditions on the ground in North and East Syria, which for many leftists from Western countries represent the projection of a "liberated society". The tense contradiction between the grassroots democratic aspirations that the region has formulated for itself, and the concrete reality runs through this paper.

1. Introduction

Syria has been characterized by undemocratic politics, oppression and state authoritarianism for far too long. Hundreds of thousands have lost their lives, millions have been forced to flee, many have come to Europe. In addition, images of the fight against the so-called Islamic State (IS) traveled around the world. Through live reporting, the global public was able to witness first-hand how IS was defeated militarily for the first time in the northern Syrian city of Kobane and subsequently pushed back further and further. However, the global community's interest in Syria declined massively again at the very point when the IS-caliphate in Syria and Iraq was defeated, thereby reducing the immediate threat to Western countries from Islamist terror. Despite international aid, Syria continues to be economically, politically and socially devastated, and the war and its consequences are still omnipresent. At the same time, the Baathist regime under the authoritarian and corrupt ruler Bashar al-Assad is more firmly in the saddle than at any time since the beginning of the Arab Spring in 2011.

While most of the world seems to have resigned itself to the status quo in Syria and only a few are interested in the situation in the country, only a few know what began in the shadow of the Arab Spring in North and East Syria (NES) in 2012 and still exists today as the "Autonomous Administration"? This topic has not been addressed in this journal either.

In 2012, the people in NES succeeded in establishing a democratic self-administration that operates autonomously from the Syrian state. As many Kurds live in this region, this political entity was initially known under its Kurdish name "Rojava". It was also the Kurdish "People's Defence Units" (Yekîneyên Parastina Gel, YPG) and the "Women's Defense Units" (Yekîneyên Parastina Jin; YPJ) which defeated IS in Kobane in 2015. In the fight against the Islamists between 2015 and 2019, now under the umbrella of the multi-ethnic military alliance "Syrian Democratic Forces" (SDF), the YPG and YPJ also liberated areas where mainly Arabs and other religious and ethnic groups live. Together they form what is now called "Democratic Autonomous Administration of North and East Syria" (AANES).

However, the political dimension of this region remains somewhat obscure to the West. The political basis for coexistence is not a (state) constitution, but a social contract defines the rights and duties of the local people. The term "social contract" is intended to indicate that AANES is not a new state, but that the region is promoting autonomy and a decentralization of power. This contract has already been revised several times and was adopted in its current version in December 2023. Equal rights for all and democracy – this could be its formulated claim: Men and women, Kurds, Arabs, Assyrians, Turkmen, Armenians, Circassians, Chechens, Muslims, Christians and Yazidis: All population groups in NES are to live together as equals. The contract stipulates women's liberation as well as the right of all ethnic and religious groups to live their cultures, celebrate festivals, organize themselves and be democratically represented in the political system. The contract also designates Arabic, Kurdish and Aramaic as official languages for the region with equal rights.

The political system of NES has also been concretized in the current contract. Starting from the grassroots, from the neighborhoods and villages, through the cities and regions to the "Democratic People' Council", it provides a council system "from below". The councils are a mixture of directly elected representatives from the population and organized social groups, such as ethnic groups, religious communities, youth and women. Based on the social contract, all people in NES are to live together democratically beyond a centralized nation state. The contract is also intended to be useful for the future of Syria, a proposal for a way out of the Syrian crisis, a possible path towards stability and peace for the country.

But does the social contract fulfil these requirements? Will the AANES succeed in achieving broad grassroots participation? I argue that the council democracy and the social contract in NES form the basis for a decentralization of power and the possibility of an anti-state form of coexistence. However, it remains a *potency* and conflicts with the *concrete conditions*. The tension between claim and reality forms the content of this article.

This article is structured as follows. Firstly, I take a fundamental look at the political background and ask about the basic aspects of council democracy. These ideas are based on the Kurdish freedom movement in Turkey and Syria. I then look at the historical events in NES, which became known as the "Rojava Revolution". The critical examination of the concrete practice of council democracy forms the main part of this text. Firstly, I show how the council structure is being implemented on the ground and then look at the content of the current social

contract. A conclusion on the question of power in NES rounds off the work. I gathered data for this article on the one hand via the relevant literature on the political system of NES. There is already a wealth of material on questions of communes or council democracy in NES, but hardly any current studies (Allsopp and Wilgenbug 2019; Cemgil 2016; Gunter 2014; Jongerden and Akkaya 2014; Khalaf 2016; Knapp, Flach and Ayboǧa 2016; Tejel 2009). However, since the region is in a constant state of flux and is constantly changing, an updated approach is necessary. To this end, I spent seven months in 2022 in NES doing field work. I conducted interviews with people from all parts of society – from the self-administration, education system, military, medicine, etc. – and witnessed the process of updating the social contract. This contract is now also available in English so that it can be made accessible for broader analysis.

2. Background to the history of ideas

The question of how a society can be organized on a non-state basis pervades the entire thought and action of the political left. For 150 years, councils – from the local level like in the Paris Commune to the state level as with the Bolshevik in Russia – have repeatedly played a central role as a political form.

2.1 The foundations of council democracy

Council democracy generally refers to a political system in which the population administrates itself through directly elected councils. These councils are accountable to their voters and are bound by their instructions. Delegates can therefore be removed from office or voted out at any time. In a council democracy, the voters are grouped together in grassroots organizations, for example the workers in a company, the residents in a district or the soldiers in a barracks. They directly send their delegates, who act as legislators, government and court all in one. In contrast to classic democratic models à la John Locke and Montesquieu, there is no separation of powers. The councils are elected at several levels: At the residential level, delegates are sent to the local councils in general assemblies. These can in turn delegate members to the next level up. The election processes take place from the bottom up.

The precise manner in which this system should be organized has always been controversial. On the one hand, there is a (discontinuous) theoretical tradition on council democracy. In this tradition one could count socialist politicians as Rosa Luxemburg, Ernst Däumig, Anton Pannekoek, Otto Rühle, Max Adler, Karl Korsch and Antonio Gramsci. In the later 20th century, other theorists played a key role in the development of this political idea, like Hannah Arendt, Claude Lefort or Cornelius Castoriadis (Muldoon 2018). On the other hand, there is a line of tradition that was characterized by the practical feasibility of council democracy. Here, the focus was on the conditions for its concrete realization. This strand ranges from the insurgents of the Paris Commune in 1871 to the Russian revolutions of 1905 and 1917, the Spanish Revolution of 1936, the uprisings in Hungary and Poland in 1956 and the workers' self-management in socialist Yugoslavia. Actors as diverse as Adolphe Assi, Nestor Machno, the Soviet sailors of Kronstadt, Buenaventura Durruti and Edvard Kardelj could be named here as examples. Both the theory and practice of council democracy reached their peak in the interwar period and played almost no role in Western industrialized countries after the Second World War at the latest.

2.2 The Paris Commune and Karl Marx

Councils first became a political practice in a social movement in France in 1870/71, culminating in the 72 days of the Paris Commune. As a contemporary, Karl Marx observed these events very closely. "The great social measure of the commune", he wrote in *The Civil War in France*, "was its own working existence" (Marx 2010[1871], 339). The commune broke with the – also socialist – idea that societies could only organize themselves as centralized (nation) states. However, the Communards did not want Paris to become the capital of (a new, socialist) France. Rather, they saw it as part of an autonomous and universal federation of peoples (Hartmann and Wimmer 2021; Ross 2015). They were therefore not concerned with the reconstruction of a state, but with comprehensive self-administration – ultimately on a global scale. They contrasted the state as a system of coercion with the voluntary nature of the confederal union. These ideas are currently reflected in NES. But how did the socialist thoughts of the workers and craftsmen on the river Seine of 1871 reached the periphery of the capitalist world system, the northern Syrian region between the Euphrates and Tigris (Hawkins 2021)?

2.3 Abdullah Öcalan's "democratic confederalism"

Two interwoven aspects are of central importance for the development of the council movement in NES. On the one hand, the Kurdish politician Abdullah Öcalan, who is imprisoned by Turkey, provided the theoretical framework. In his writings from the 2000s, Öcalan dealt intensively with communes, confederations and self-administration (Öcalan 2011; 2012). On the other hand, there were practical attempts within the Kurdish population (especially in Turkey) to realize "democratic autonomy" on the basis of council-democratic institutions.

Abdullah Öcalan took part in the founding of the "Kurdistan Workers' Party" (Partiya Karkerên Kurdistan; PKK) in 1978, which initially campaigned for a Kurdish nation state as a Marxist-Leninist cadre party and took militant action against Turkey. He had to flee as early as 1979 and later lived in Damascus, organizing – with the support of Syrian president Hafez al-Assad – the armed struggle of the PPK against Turkey. Syria saw the party as an actor that it wanted to use against its common enemy, Turkey. At the same time, however, the PKK managed to gain a foothold in Syria and organize the Kurdish population there. On February 15, 1999 Öcalan was arrested and extradited to Turkey. In party history, this date is still recognized today as "Roja Reş" (Black Day).

Öcalan's arrest led to a serious transformation process of the party, which became known as a "paradigm shift" (Jongerden 2017). The importance of armed struggle diminished in comparison to the political struggle and the PKK increasingly supported the self-organization of the Kurdish population in Turkey. This happened after Öcalan engaged very broadly and openly with historical, philosophical, political and anthropological writings while in prison – above all with the eco-anarchist works of Murray Bookchin (Gerber and Brincat 2018) – which led to an intensive reflection on previous party politics. Öcalan's concept of "democratic confederalism" now served as a new theoretical basis (Öcalan 2017, 30 onwards; cf. Knapp and Jongerden 2014). This concept encompasses an overarching program of social reorganization and became the new party doctrine. Central to it is the rejection of nation states, capitalism and patriarchy. Together with environmental destruction, they form what Öcalan calls "capitalist modernity". It should be replaced by "democratic modernity", which is characterized by grassroots democracy, women's liberation, ecology and cooperative economics (Öcalan 2007, 229; cf. Gerber and Brincat 2018). Öcalan describes this model as a "non-state political administration or a democracy without a

state" (Öcalan 2011, 21; cf. Jongerden and Akkaya 2013). For Öcalan, "democratic modernity" is the reincarnation of a "natural society" in the Middle East, which he locates historically in Mesopotamia over 5,000 years ago (Öcalan 2012, 24 onwards). It is opposed to (Western-influenced) "Jacobinism", under which Öcalan rather vaguely summarizes both modern capitalist and socialist nation states. Together they form a "universal of modernity" (ibid., 41). The nation-state, for Öcalan is the "paradigm of capitalist modernity" (Öcalan 2017, 30). In this clear distinction between Orient and Occident and his orientation towards an imagined past, Öcalan clearly falls short of Bookchin's ideas. While Bookchin „propagated local self-organization as forms of contemporary political action; Öcalan tends to view Middel Eastern moral or religious communities as reflecting an age-old, if not virtually timeless, Mesopotamian civilization" (Leezenberg 2016, 678). This goes hand in hand with the danger of romanticism, naturalization and a-historicity (Matin 2021). The latter is all the more astonishing given that Öcalan usually refers to the history of the "last fifteen thousand years" (Öcalan 2012, 24) in his writings.

"Democratic confederalism" had concrete significance for the PKK in that it turned away from the idea of a separate (Kurdish) nation state. The focus was no longer on taking over the state, but on grassroots political and social work (Knapp and Jongerden 2014, 88). The aim was to weaken the state and ultimately make it superfluous (Öcalan 2017, 39). This autonomy was to be secured through grassroots communal organization and a council system formed from the bottom up. The pillars of "democratic confederalism" are the communes as places of direct organization of the population at grassroots level, councils for direct democratic decision-making and implementation, cooperatives based on voluntary association to establish a communal economy and academies for the socialization of knowledge. Öcalan's vision is a "political formation where society governs itself and where all societal groups and cultural identities can express themselves in local meetings, general conventions and councils" (ibid., 42).

The Kurdish population in Turkey took a practical step in this direction. From 2005, PKK-cadres began to build institutions based on Öclana's ideas and the first "free citizen councils" were organized (Leezenberg 2016, 679). Academies were also set up to promote education and critical thinking (ibid.). On July 14, 2011, around 1,000 people gathered in the city of Diyarbakir on this basis and proclaimed – without the permission or specific involvement of the state – the "Democratic Autonomy" of the Kurdish regions in Turkey. As a result, neighborhood and city councils were formed to regulate the immediate affairs of daily life. While noticeable progress was made in the areas of communal services, the establishment of women's centers and cultural institutions, economic measures largely failed to materialize. A few dozen handicraft or catering cooperatives, which were intended to enable women in particular to gain gainful employment, set an example, but remained without any significant influence.

This self-administration was able to continue until 2015 (Leezenberg 2016, 678 onwards) and was also flanked by peace talks between the Turkish government and Öcalan, who now called for a complete end to the armed struggle. However, after the democratic and pro-Kurdish "Peoples' Democratic Party" HDP won 13.1 per cent of the vote in the Turkish parliamentary elections in June 2015, giving it eighty parliamentary seats, it became a real threat to the government under Recep Tayyip Erdogan. After the election Erdogan launched a general attack on the council movement. After young PKK-supporters used barricades and trenches to prevent the police from entering the self-administrated cities, curfews were imposed for days, and later weeks and months. The police and army used heavy weapons of war against the young people. Around 1,700 people were killed (International Crisis Group 2016). The systematic destruction of entire neighborhoods in strongholds of the movement such as Cizre, Sirnak, Nusaybin and the old town

district of Diyarbakir, as well as the displacement of half a million people, deprived the council movement of its material basis.

3. Historical Background

Inspired by the uprisings in North Africa, protests also broke out in Syria at the beginning of 2011. The violent suppression of a peaceful demonstration in the southern Syrian city of Dar'aa in March 2011 is considered the starting point of the "Syrian Revolution". After that the protests spread across the entire country. In the areas liberated from the regime, local government and council structures developed everywhere to ensure that the people on site were supplied (see Aziz 2013). Even though the Syrian regime had already announced the decentralization of the country in Decree 107 in 2011, the local councils were disbanded after regime forces were able to regain control of the majority of Syria's territory (Favier and Kostrz 2019, 4).

3.1 The oppression of the Kurds in Syria

The Kurds in Syria also took part in the protests against the Baathist regime of Bashar al-Assad from the very beginning (Daher 2013, 171). The Syrian Kurds are the country's largest ethnic minority. As they had already been stripped of their Syrian citizenship in the 1960s their exact share of the population is unclear but is usually given as around 10 per cent (Bammarny 2016, 490; Gunter 2021, 33). Within Syria, the Kurds belonged to a strongly oppressed ethnic group. As early as 1973, "Arab nationalism" was enshrined as a principle of the Syrian constitution. The Kurdish language was not allowed to be taught and its public use was forbidden. Anyone who spoke Kurdish in public was penalized and threatened with imprisonment or even torture. From 1992, newborns were no longer allowed to be given Kurdish names (Yildiz 2005, 117 onwards). Kurdish publications were banned, as were weddings and cultural events. Shortly before his death, former President Hafez al-Assad issued a law that closed all shops selling Kurdish CDs and videos (Tejel 2009, 63). Kurds could not hold high positions in the armed forces, the diplomatic corps and the bureaucracy and were prevented from enrolling in military academies (Mazur 2021, 365). Despite – or because of – this repression, numerous Syrian Kurds organized themselves clandestinely in opposition parties. The party landscape of the Syrian Kurds is traditionally very fragmented and is mostly orientated towards the Iraqi-Kurdish "Kurdistan Democratic Party", founded by Mustafa Barzani (Schmidinger 2019, 195). But since the 1980s, the PKK has also been active in northern Syria, where it has gradually succeeded in expanding its social base (ibid.). Numerous mostly young men and women from the region joined the party or the guerrillas. This laid the foundations for the political and social transformation of the "Rojava Revolution" three decades later.

3.2 The "Rojava Revolution" and its consequences

After demonstrations had been taking place in northern Syria since 2011, the Kurdish forces saw their chance in July 2012. On July 18, 2012, an explosive device detonated in Damascus, killing four senior representatives of the Assad regime, which was weakened as a result. On the next day the "Rojava Revolution" began in Kobane, when armed Kurdish units took control of the city's streets, captured state institutions and ousted the regime's officials. From there, the revolution spread to other cities in the northern Syrian border region. By July 21, the entire region Jazeera

in the north-east of the country was already under the control of the insurgents. Afrin in the west was also swept away by the events. This revolution occurred without major military clashes – the Syrian army withdrew without any significant resistance (Rudaw 2012; Abdullazada 2012). To this day, it is disputed whether this was due to the political and military force of the Kurdish forces, or because the regime voluntarily withdrew in order to avoid opening a further front in the civil war (Wimmer and Hoffmann 2022; Allsopp 2014, 41; Gunter 2014, 105-107). In the days that followed, the police were disarmed, state emblems removed, important files confiscated and political prisoners freed.

Councils were quickly established across NES, and public life resumed on a self-administrated basis. Among the councils' tasks were the distribution of food and fuel, as well as the organization of education and the establishment of an independent judiciary. "People did not give up in resignation, but immediately took power int the form of councils at every stage" (Knapp and Jongerden 2014, 95). At the beginning, NES faced the challenge of saving the economy from collapse. Economic councils were set up at the municipal and regional levels. These established and controlled price limits for basic needs at retail and wholesale levels, preventing famine (Knapp, Flach and Ayboğa 2016, 57 onwards). The YPG, previously a military underground organization, became the official defense force. "It is important here to note the kind of defense force the YPG is, as a new development in the Kurdish area, itself also a part of the system of democratic autonomy" (Knapp and Jongerden 2014, 95). The council structure should encompass *all* areas of society.

The basis for political and social coexistence was formed by rules that society had set up for itself. They are set out in the social contract, as a quasi-constitution of NES. On January 6, 2014 the first "social contract of Rojava" was ratified in the city of Amude. It contained articles that enshrined an ecological-democratic society, women's liberation, communal economy, self-administration, social justice and the democratic confederation of councils. Fundamental rights such as freedom of religion, freedom of the press and freedom of opinion were also formulated.

A (hierarchical) organization played an essential role in this grassroots democratic process of establishing the council structure in NES: the "Democratic Union Party" (Partiya Yekîtiya Demokrat; PYD). It was founded in 2003 by former PKK-cadres in Syria and for a long time had no legal organizational structure. After the revolution, it became *the* decisive party in NES. Although the party's leading politicians always emphasize their independence from the PKK, they make no secret of the fact that they share common political and ideological roots with it. In 2012 it was the PYD and the YPG/YPJ that armed themselves in an organized manner and thus gained an advantage over other actors in the civil war (Wilgenburg and Fumerton 2002, 5). The tension between the party form and the council form still pervades NES' political system until today: While the PYD "replicated the highly centralized one-party hegemonic system of the PKK, its egalitarian ideology enabled its ability to mobilize lower class Kurds" (Tezcür and Yıldız 2021, 136).

In the first years after the "Rojava Revolution" the PYD remained the dominant party within the self-administration and consolidated its power, against external and internal opponents, sometimes through coercion, according to some Western observers (Wilgenburg and Fumerton 2002, 7 onwards).Partly due to the political and military strength of the PYD and its military arm, it was possible for the three founding cantons Afrin, Kobane, and Jazeera – initially spatially separated – to proclaime on the basis of the social contract their self-administration under the Kurdish name "Rojava". A transitional administration was to prepare for elections. In February

2016, the Shaba region, in the North of Aleppo, became the fourth canton of Rojava, which then adopted a new, federal government structure under the name "Democratic Federation of Rojava – North Syria". A new social contract was adopted. Although the federation did not declare secession from the Syrian state, it did claim far-reaching autonomy within Syria.

After numerous areas were liberated as a result of the successful fight against IS, which was largely led by the YPG-led military alliance SDF on the ground and supported by the US-led coalition from the air, the form of self-administration changed again. On July 16, 2018, around 300 delegates founded the "Autonomous Administration of North and East Syria" at a meeting in al-Tabqah. The AANES consists now of seven cantons and has an Arab population majority, primarily due to the accession of the regions of Al-Tabqah, Manbij, Raqqa and Deir-ez-Zor. The social contract was also revised again in 2018 in order to adapt to these changed conditions. In this version, particular emphasis was placed on maintaining equal rights for all ethnic and religious groups. This was reflected in the naming of the region, which now dispensed with its 'purely Kurdish' name. The denomination shifted from the Kurdish "Rojava" to "North and East Syria", to avoid the prevalence of any ethnicity over others. Since its inception, the AANES has not only had to deal with Assad and IS, but is also threatened by Turkey, a NATO member state, in particular. Ankara has repeatedly attacked the region in recent years and occupies large parts of it. The first invasion between Aleppo and Manbij took place in 2016 and the invasion of the Kurdish region of Afrin began on January 19, 2018 with the heaviest air strikes ever flown by Turkey (Hähnlein and Seufert 2018). This was followed on October 9, 2019 by the third invasion of an area 120 kilometers long and 30 kilometers deep between the towns of Tall Abyad and Sere Kaniye. Since 2022, Turkey has also intensified its war with drones, howitzers and fighter jets. The attacks also target civilian infrastructure, including waterworks, oil refineries, substations and hospitals (RIC 2024).

4. The practice of council democracy in Syria

Within the "Rojava Revolution" three aspirations were central from the outset and still characterize the autonomous region today. Firstly, the demand for direct and radical democracy is central. It is formulated as a project of "democratic autonomy" within existing states and is seen as a solution to the problems in the region. The (homogenizing and authoritarian) nation states of the region, such as Syria, Turkey or Iran, are contrasted with self-administration. Secondly, the transformation of the Syrian state into a democratic republic is to be driven forward. NES sees itself as part of a democratic Syria that the region wants to help build. Thirdly, the call for a "democratic nation" is groundbreaking. Launched as a Kurdish project, the AANES now includes various religions and ethnic groups whose rights are guaranteed. This multi-ethnic claim to equal rights was formulated proactively from the outset, as was gender equality.

The AANES currently forms a functioning political system that covers around a third of Syria and is home to almost five million people. The political system is based on local councils and committees. But how is it actually organized?

4.1 Insights into everyday practices

To gain an insight into the actual conditions on the ground it was necessary to travel to Syria. However, NES is not a tourist destination. The only border crossing, if you don't want to travel through Assad territory, is at Semalka on the northern Iraqi-Syrian border. Travelling

from there, I spent most of my time in the city of Qamishli, but also conducted interviews in Derik, Al-Hasahkah, Amuda, Tabqa, Raqqa, Manbij, Kobane, and in several small villages with both members of the self-administration and civilians. Before travelling to NES, I had already established contacts with local press agencies, especially the Rojava Information Center, which helped me to find initial interview partners. Many of them were subsequently able to recommend further interviewees or establish contact. When selecting the interviewees, care was taken to obtain as comprehensive a picture as possible of civil society structures. All interviews had to take place with the help of a translator and were conducted mostly in Kurdish or Arabic. On this basis, around two dozen interviews were realized, some of which took a long time to prepare due to the tense security situation, but all of which were able to take place completely freely. The interviews followed a guideline, but the interviewees were able to set their own priorities in terms of content. At the same time, this gave me the opportunity to control the course of the dialogue to a certain extent. The maxim "as open as possible, as structured as necessary" was applied.

One overarching commonality quickly emerged from the interviews: In the region, the aim is not to replace one government with another or one state with another, but to make the state superfluous. To this end, councils for decision-making and administration have been set up at the level of residential areas, neighborhoods, villages, cities, cantons and AANES since 2012. The basis and lowest level of this council system is the commune, which brings together the residents of a neighborhood, several streets or a village. For them, the commune is the first point of contact. Each commune has an executive made up of the two co-chairs (one man and one woman) and other members. It officially meets weekly to fortnightly as a plenary assembly and ideally has various thematic committees. These can vary according to local needs, but committees for health, justice and self-defense are common.[2]

Committees. The health committees should have at least two people with basic medical knowledge who can provide on-site and flexible initial care for minor illnesses and injuries.[3] There are both public and private doctor's practices and hospitals and work is currently underway to introduce a general health insurance system,[4] however, the health committee's attempt is to only visit the health infrastructure when absolutely necessary due to a shortage of medicines and medical equipment. The situation is very similar with the justice committees. They are intended to resolve neighborhood conflicts and minor legal disputes through hearings consensually and in accordance with the principles agreed upon in the social contract, without transferring them directly to courts, which continue to exist in the AANES as well as prisons – either for capital crimes or for disputes that could not be resolved in the committees.[5] Issues of domestic violence, forced marriage and polygamy are dealt with by women-only committees. A gender quota of 50 percent applies to the council structure and there is always equal representation of men and women as chairpersons. In addition, autonomous women's councils have a right of veto in all matters concerning women. These women's structures complement the mixed-gender structures at all levels of the AANES and exert considerable influence. The participation of women in the political process is undoubtedly one of the most significant achievements in NES – "an achievement that seems difficult to revert in any future circumstances" (Leezenberg 2016, 685). Additionally, a fixed quota for young people has been established within the council structures. The committees should also reflect the respective ethnic and religious composition of the population through minimum quotas. While the north-eastern region of Derik and Qamishli, for example, is dominated by Kurds – with a strong Christian minority – the south-western regions of the AANES around Raqqa and Manbij are predominantly inhabited by Arabs. Turkmen and Circassians are minorities there. Through quotas they are as well integrated into the structures. The communities also organize self-defense independent of the SDF. Members of the "Social Self-Defense Forces" HPC, which consist

of armed civilians, patrol within the commune and are controlled by the defense committees. They are also in contact with the official security organs of the AANES and provide military training, especially if the commune is close to the front. Elected members of the communes and committees are not paid for their work and must keep their jobs; only shared resources (e.g. carpooling and fuel vouchers) are provided for the performance of their tasks.

Politics. At a meeting of a commune in a district of the city of Qamishli during my stay, the issue was the repair of a water pipe – a significant incident in a region with extreme water shortages. While in Western countries, the city administration would send workers to fix the problem, there is no longer a state in NES. The people affected therefore have to find solutions themselves and obviously there was no standard procedure for this problem yet. That is why there was a discussion: Who is responsible? Where can tools be found? Is it not possible to directly improve the water supply for the entire community? Discussions like these show the practical means of the communes. The democratization of society and participation in a council system is by no means an abstract, theoretical idea about "the revolution" or "the people". It involves very concrete human beings who take their everyday matters into their own hands. Politics "becomes daily practice, and it is necessary to make decisions concerning the life and organization of each community" (Colasanti et al. 2018, 810). This example also shows how "higher institutions" of the system intervene in cases where the commune cannot solve the problem itself. After lengthy discussions, the city council, which is linked to the communes by a regular reporting system, was found to be responsible for the water pipe. The process continues from the municipality, via the cities and regions, to the seven cantons. These cantons, in turn, are organized in the AANES. Theoretically, the decision-making powers should decrease with each higher level, but at the same time the councils of the cantons and the AANES have a structure that is reminiscent of a state.

Economy. It is difficult, close to impossible, to acquire reliable information concerning the regional economy (Wimmer 2022). It is affected by the sanctions against the Syrian regime as well as by the politics of Iraqi-Kurdistan which closes the (only) open border-crossing regularly and is imposing a trade embargo on the region.

The plan of the AANES is to organize the economy as well in councils. There are economic councils of the communes that manage everyday activities.[6] Their members buy basic foodstuffs and other important goods directly from producers or wholesalers, distribute them in the community, take care of the provision of generators for power supply and the distribution of fuel as needed. Their tasks include services as well as the establishment and administration of cooperatives and land distribution. Cooperatives are companies that are owned equally by their members and are managed and controlled by communal bodies. The cooperatives are intended to realize the AANES' claim to be an economy oriented towards "the common good" that evades the pursuit of profit.[7] At the same time the economic order explicitly provides protection for private property as well as private entrepreneurship.

North East Syria's economy is primarily characterized by agriculture and livestock farming, as well as small workshops and petty trade. Industry is small and can scarcely expand. Factories consist mostly of small workshops that produce textiles, shampoo, or conserves for household use. Only oil and gas production constitute an industrial sector – which also forms the backbone of the self-administration. Around half of Syria's oil and a third of its gas is produced in the self-administration's territory. Even though the aim of the self-administration is to expand cooperatives in as many economic sectors as possible and make them the dominant economic form, they have so far remained an exception. They are also usually only small companies at a

relatively low technical level with a handful of employees. The strategically important production areas such as oil and gas are not operated cooperatively. They are usually under the direct control of the local administration or are operated by private companies that are said to have good contacts with politicians (Leezenberg 2016, 682). "More often than not, dependence on oil rents results in a rentier economy, which may easily generate socio-economic forms of domination" (Cemgil 2016, 427).

4.2 Between aspiration and reality

The example of the economy has already shown that democratic aspirations and social reality can diverge. This will now be further illustrated in the areas of democratic legitimacy, party supremacy and withdrawal of participation. A law from 2016, after the official founding of the self-administration, stipulates that all councils and committees should be re-elected every two years. The first official elections in the communes took place on September 22, 2017. 3,732 communes, for which 12,421 candidates stood, show the extent to which the council system had expanded by then. A total of 728,450 citizens cast their votes. Voter turnout was 70 percent (Colasenti et al. 2018, 814). Anyone over the age of eighteen was allowed to stand as a candidate. The elections at city level and for representatives at regional and cantonal level were scheduled to take place on November 3, 2017, but were then postponed to December 1, 2017. Voter turnout was almost 70 percent of the population and the elections were considered a success in terms of transparency and free participation (ibid., 815). The council elections at the AANES level were to be held in January 2018. However, they were postponed due to the Turkish invasion of the Afrin region.

No general elections have taken place since then. Also the elections scheduled for spring 2024 had to be postponed for the time being after Turkey once again massively attacked NES from the air. Turkish President Erdogan had made it clear that he "would not hesitate to take action" to prevent the elections he described as "aggressive actions" (Broomfield 2024). The lack of elections poses a serious challenge for NES' council democracy, as it could be accompanied by a crisis of representation. Another problem is that not only independent candidates run for the councils, but also parties and party alliances.

First of all, when looking at parties in NES, it is important to note that they have a completely different meaning and function than in Western countries. There, parties essentially find their supporters on the basis of the same or similar ideological preferences. In Syria, allegiance to certain individuals, ethnic groups, tribes or a religious community predominates. The two large party blocs that contested the 2017 elections must also be understood against this backdrop. On the one hand, there was a Kurdish list with four parties close to the "Kurdish National Council" KNC under the political guidance of Massoud Barzani. Barzani, former president of Iraqi-Kurdistan, is seeking close relations with the USA and wanted to develop Iraqi-Kurdistan along liberal-capitalist lines. There was also the multi-ethnic party alliance "List of the Democratic Nation". This was predominantly made up of parties that had participated in the construction of "Rojava" and were close to the ideology of Abdullah Öcalan. The "List of the Democratic Nation" emerged from the elections as the strongest political force by far. The alliance is dominated by the "Democratic Union Party" (Partiya Yekîtiya Demokrat; PYD). It was founded in 2003 by former PKK-cadres in Syria and for a long time had no legal organizational structure. Although the party's leading politicians always emphasize their independence from the PKK, they make no secret of the fact that they share common roots with it. Since June 2022, the party has been

led by Asya Abdullah from Derik and Salih Muslim from Kobane. Both are representatives of a level of party functionaries that has defined the party from the very beginning. While Muslim campaigned for the interests of the Kurds in Syria and was repeatedly arrested and tortured by the regime, Abdullah was a member of the PKK for 25 years and lived in the party's headquarters in the Qandil Mountains in Iraqi-Kurdistan for several years before participating in the founding of the PYD. The party's leadership is predominantly made up of Kurds, most of whom have many years of experience in the PKK. These well-organized leadership cadres played an important role in strengthening the party (Kajjo 2020, 4; Tezcür and Yıldız 2021, 136). The lower levels of the party and the members of the councils usually do not have this background and come from the local population. However, the party's claim to leadership within society, but also within the higher councils (which also goes hand in hand with networks, benefits and posts etc.), clashes with the grassroots democratic aspirations in NES.

In theory, the councils are supposed to be the democratic representation of the entire population. However, previous observers have questioned this picture as confirmed by my observations during my visit in NES.[8] For example, non-participation in local meetings is relatively high. In one survey, a third stated that they had never attended such meetings (Allsopp and Wilgenburg 2019, 144). I have also experienced that the same people usually participated within the structures, meetings were canceled (at short notice) or those responsible were simply unavailable. The requirement for councils to meet weekly or fortnightly is by no means a given everywhere. The "ideologization of the system" (ibid., 144), which I also perceived, is also particularly significant. The councils are "widely reported to be dominated by PYD sympathizers (*hevals*), if not by members themselves, and the topics discussed and decisions made reflected the interests of the PYD-led administration" (ibid., 145). Moreover, there are allegations "that decision-making was limited to those connected to the PYD administration" (ibid.). More worryingly, however, "some people did not feel free to express their opinions if they might differ from PYD doctrine or ideology" (ibid.). The development of councils from grassroots democratic institutions to ones in which political "cadres" are dominant carries the risk that genuine democratic debates and the negotiation of the needs of the population will take a back seat to "ideological purity".

The PYD's near-total dominance of the political system in NES poses a serious threat to grassroots democratic participation. However, it does not appear to be a foregone conclusion that a one-party rule will emerge locally. In recent years, the system of local communes and councils has undergone profound restructuring as a result of initiatives "from below". While as many communes as possible were set up at the beginning, those responsible have now started to minimize their number in order to curb the proliferation of decisions and cooperation. My interviewees told me time and again that for a long time there were too many communes, with hardly anyone taking part in their meetings. In the end, five to seven communes were merged to join forces. While there were around 500 communes in Qamishli alone, there are now only 90.[9] However, fewer communes mean less proximity to citizens. The question of how to develop a system that is as democratic as possible and at the same time practicable remains a balancing act.

The councils and committees sometimes differ significantly from place to place (in terms of name, composition and participation etc.) and are geared towards the specific local conditions. What is important, however, is that local communes and councils *can* – and *should* – change if necessary. The political structure is therefore not set in stone. This evolutionary nature of the system is indeed a very interesting aspect, as it goes beyond Öcalan's thoughts and considers practical factors such as the need to improve internal coordination and maintain legitimacy. This flexibility seems to be a sign of openness within the council structures to understand and respond

appropriately to change. Even those in charge see council democracy and self-administration not "so much as a model of being, but as a working practice based on the idea of self-government, and if one likes, a model of becoming. Institutions are flexible and adaptable, chancing their roles in time and space. Therefore, all definitions of institutions are methodologically provisional" (Knapp and Jongerden 2014, 104).

5. The social contract as an anti-constitution?

The most recent changes to the political system found their institutional expression in a new version of the social contract, which was ratified on December 12, 2023 and published in Arabic, Kurdish and Aramaic. This is the fourth version of the contract since 2014 – as a "living document",[10] the contract should also remain subject to change. It is therefore practice that determines its exact shape and what form it can take (Cemgil 2016, 427). In this way, the social contract also differs fundamentally from the constitutions of Western states. It should be flexibly adaptable and able to respond to people's needs and wishes. How did the current contract come about and what are its main innovations? As, with a few exceptions (Ramsari 2023; Salih 2024), research has so far only focused on the previous versions (Colasanti et al. 2018; Knapp and Jongerden 2014), an intensive examination of the current version will follow here.

The current social contract is divided into a preamble and four chapters with a total of 134 articles.[11] In addition to general principles, these include the fundamental rights of the people and the freedoms of the various populations and religious groups, the concrete form of council democracy as well as references to self-defense, the judiciary and other more general regulations (such as the possibility of referendums). References to Abdullah Öcalan's theory are already made public in the preamble through direct references to "democratic confederalism" and the juxtaposition of "capitalist vs. democratic modernity". However, Öcalan's ideology is by no means the only source for the contract. Article 37 integrates the "Universal Declaration of Human Rights" and – somewhat unspecifically – "all relevant human rights regulations" into the contract. The entire second chapter contains fundamental rights such as freedom of assembly, freedom of the press and freedom of belief. Article 63 also stipulates a right to work, while Article 68 specifies a comprehensive right to asylum. It states: "A political refugee shall not be returned to his country without his consent." The social contract also has some points to prevent economic inequality, such as the prohibition of monopolies (art. 105), but it also guarantees the right to private property and investment (art. 70; 127). The social contract contains very far-reaching and progressive content derived from the idea of "democratic confederalism" and republican traditions. However, the preamble already questions the nation state and redefines democracy. Against a centralized notion of politics and power (as a top-down process), the social contract emphasizes the importance of the power of relationships between people (on a horizontal level), which is expressed in the councils (Knapp and Jongerden 2014, 96 onwards). Their concretization forms the main content of the long third chapter of the social contract.

5.1 A participatory process with the entire population

The adoption of the social contract in its current form was preceded by a long and intensive discussion process with the population. Even before the publication of the premier contracts, communities organized different meetings, "however, there was no formalized structure" (Colasanti et al. 2018, 812). This was different in the preparation of the current version.

Since the AANES was founded in 2018, there have been repeated plans to draw up a new contract in order to better reflect the political and cultural diversity of the region. This process was concretized at the beginning of 2021, when the AANES general council was tasked with reforming the social contract. It then formed a committee made up of the co-chairs of the seven cantons, various political parties, tribes and organizations from all sectors of society. The 158 members of the committee met for the first time on July 15, 2021 and decided to set up an executive group of 30 people to draw up a draft. Among them were ten representatives from political parties, five representatives from civil society and five representatives from tribes – half of the group consisted of women. Originally, this group was supposed to present a first draft within two months, but this was possible at the end of 2021. At a conference in Hasakah on December 11-13, 2021, the entire committee met again to discuss the preamble and fundamental rights in particular. An attempted prison break by IS fighters in Hasakah as well as subsequent military conflicts in the city, which were only calmed by the intervention of the US Army, led to the interruption of work on the social contract (Loveluck und Cahlan 2022). It was not until mid-February 2022 that the committee adopted its first draft (Hawar 2022). This was then discussed with society as a whole in the seven regions. Numerous mass meetings were held to give everyone the opportunity to learn about the draft contract before it was ratified (Abdullatif 2022; al-Midan 2022; Issa 2022; Hawar 2022a). Suggestions, opinions and ideas were heard at these meetings, which were then fed back to the committee to be incorporated. This process thus represents the exact opposite of the elections held in the regime area in 2018, which were exclusively intended to strengthen Assad's central power (Favier/Kostrz 2019). The social contract should have been completed by the end of 2022, but it was not.[12] The process was further delayed by the devastating earthquake that shook large parts of northern Syria and Turkey on February 7, as well as the further intensification of Turkey's attacks on the region. It was not until December 2022 that the committee resumed its work and finally submitted its draft to the general council for approval, which took place on December 12, 2023.

5.2 Innovations in the current Social Contract

The current version of the social contract is largely based on the previous versions, but contains some notable changes, which will now be presented and primarily concern council democracy, the "democratic nation" and the relationship with the Syrian state.

Council democracy. First of all, the new social contract significantly substantiates council democracy in NES. This now has a defined structure and provides for three levels: The social contract again states, that the commune is the fundamental unit of the council democracy (art. 75). The new contract is clearer than the previous ones and states that all inhabitants of NES are members of a commune (art. 76), which is to take care of all immediate affairs. The commune is the level in charge of making policies. Governance and policy making should be decentralized and the power should be in the hands of the people. Every two years, the people in NES also can elect different "people's councils" (art. 77). These councils, which in addition to thematic committees also always establish an executive committee to implement decisions and projects, can be found at various levels: The "neighborhood councils" (art. 80), the "town" and "city councils" (art.

83-86) as well as the "councils of the cantons" (art. 87). They all have an imperative mandate (art. 122). A major innovation, however, concerns the addition to the previously exclusive direct democracy. From now on, the councils are a mixture of directly elected delegates (60 percent) and representatives of organized social groups, such as ethnic groups, religious communities, women and youth (40 percent). From now on, 80 percent of the councils' executive committees will consist of elected members and 20 percent of experts (lawyers on justice committees, doctors in the health sector, etc.). It seems like the idea behind this mixed form is to give the councils a broader footing and to strengthen the participation of the population (both via direct elections and indirectly via organizations).

The third level of council democracy is formed by the councils at AANES level. There had previously been three councils here. These are being massively expanded in the current contract. The "Peoples' Democratic Council" (art. 93) is now to play a central role. This council (which is also directly elected every two years) makes decisions on war and peace, appoints and controls the high command of the SDF, decides on the inclusion of new cantons in the area of self-administration and decides on the overall budget of the AANES. The Executive Committee of the "Peoples' Democratic Council" is also responsible for the intelligence service (art. 111). In addition to it, the previous offices at AANES level are now also treated as a council and are therefore upgraded. There are now thirteen of them in total, including the "Education and Learning Council" (art. 98), the "Council of Culture and Enlightenment" (art. 99) and the "Council for Social Affairs and Workers" (art. 102). However, these councils are not directly elected, but appointed by experts from the respective subject area. At the AANES level, this strengthens the position of experts in relation to direct democratic control.

Even if the current social contract underlines the great importance of local authorities, the changes within the council democracy also show that the political importance of the "higher levels" of the system is by no means diminishing. On the contrary, the increasing integration of specialist staff into the councils at the "higher levels" entails the risk of professionalization and technocracy. The importance of the councils at cantonal and the AANES level is also underlined by the fact that only members of these councils enjoy political immunity (art. 88). Similarly, it is only at these two levels that the councils have budgets to decide on. This means that they also have a higher level of responsibility, but the distinction establishes a hierarchy vis-à-vis the council members at the grassroots level.

The role of women. The role of women, which was already central but has now been further strengthened, representing a clearly progressive renewal. Women are already named in the preamble as a "fundamental pillar of our democratic system". As in previous versions, there should continue to be parallel women's structures at all levels of AANES, which are specifically defined in the social contract (art. 110). It also states that the women's structures should draw up a separate social contract for women only. However, nothing is yet known about a timetable or possible content.

Democratic nation. As already mentioned, the current version was primarily intended to take account of the changed ethnic composition within the AANES. This is initially reflected on a linguistic level by the fact that Arabic was spoken at all conferences of the social contract preparation committee and the drafts were always published in Arabic first. The drafts of the previous contracts were always published in Kurdish. There is also a further change with regard to the status of languages. Article 7 stipulates Arabic, Kurdish and Aramaic as "official languages", whereas in previous contracts it was only made clear that all languages had equal

rights. However, the aim of the social contract is still the creation of a "democratic nation", as stated in the preamble. In this respect, Article 39 protects human dignity and the rights of the Kurds and Assyrians (Art. 16 and 17) and recognizes the Yazidis as an independent religion (Art. 41). However, it is clear from the entire process and the text of the contract that the self-administration is attempting to integrate the Arab population even more and to give them rights and extensive autonomy, provided this does not contradict the social contract (art. 61). At the same time, tensions and sometimes violent confrontations between the SDF and Arab tribes continue, most recently in Deir ez-Zor 2023 (Gritten 2023).

Relations with Syria. In addition to articles intended to regulate coexistence within the self-administration, there are also articles regulating relations with the Syrian state. Here, too, there are important innovations. For it is important to note that the social contract does not declare the AANES as a new (Kurdish) state or another political entity. Different groups form the "daughters and sons of North and East" of the preamble starts, including ethnic groups like "Kurds, Arabs, Syriac, Assyrians, Turkmen, Armenians, Circassians, Chechens" and religious groups as "Muslims, Christians and Yazidis". The social contract safeguards the rights of all ethnic, religious and confessional groups and thus aims to form a counterweight against nation states in the region.

At the same time, the social contract is committed to the unity of Syria with the aim of establishing a new democratic constitution for the entire country. This active reference to Syria can be found clearly in Article 5, in the section on general principles. There it says: "The Democratic Autonomous Administration of North and East Syria is part of the Syrian Democratic Republic." Article 8 states that the AANES has its own flag, but it is "raised alongside the flag of the Syrian Democratic Republic". Article 120 also states that "within the Syrian Democratic Republic, the form of relations between the Democratic Autonomous Administration of North and East Syria with the center and other regions shall be determined at all levels in accordance with a consensual democratic constitution."

"Syrian Democratic Republic" is a new name (as opposed to the current name under Assad: "Syrian Arab Republic") proposed for all of Syria and the first time it is called this way. The oath (Art. 10) of the social contract now also includes the promise to "preserve the freedom, security and protection of the regions of the Democratic Autonomous Administration of North and East Syria and the Syrian Democratic Republic."

The social contract is intended to be a model for a reunified, decentralized Syria. The vision of democratic autonomy within the "Syrian Democratic Republic" is a direct borrowing from Abdullah Öcalan, who – as already seen – gave up the claim to a Kurdish homeland in the form of a nation state and sought democratic autonomy for Kurds within democratic republics. The AANES sees itself as a pioneer in decentralizing power and also sees the social contract as a road map for a peace process in Syria.[13]

5.3 Outlook

It would be naïve to believe that the ambitious goals of the social contract will suddenly become reality in a society that has been deformed by decades of dictatorship and torn apart by war. My interviewees have also repeatedly explained that these are rather guidelines that will only be filled with life in the practical development of self-administration and will be communicated to

the population at all levels of self-administration through educational programs in academies, for example. Even if critics "emphasize that the contract's approval was orchestrated by the AANES and its inner circles and lacks a popular mandate like a referendum" (Salih 2024), the contract and the process of its creation can be described as a historic breakthrough in the region in terms of democratic principles. In its designation as a social contract (as a non-governmental counter-term to the constitution), the republican character and the direct reference to Rousseau (2002[1762]) are visible right down to the vowels. All citizens of NES should be able to live together as *citoyens* on the basis of the contract. References can be made here to Jürgen Habermas' ideas of "constitutional patriotism" (Habermas 1996). Habermas criticized the traditional form of the nation state, as it always entails exclusion or, more generally, raises the question of who is actually the *demos* of a republic. The question is "who gains the power to define the boundaries of a political community" (Habermas 1998, 116). It is usually "settled by historical chance and the actual course of events – normally by the arbitrary outcomes of wars or civil wars" (ibid.). In the West, political communities in the sense of nation states would have emerged from this, based on a certain degree of homogeneity, which in turn underpins their cohesion. Habermas' "constitutional patriotism", on the other hand, does not mean cohesion on the basis of ethnic or linguistic communities, but on shared political values such as pluralism, democracy and freedom of opinion (Habermas 1996).

Öcalan (implicitly) continued this idea in his concept of "democratic confederalism", which became practical in NES. Its self-administration also emerged in the context of a (civil) war, but without constituting itself as a "state". This seems to have been made possible by "democratic confederalism", which was able to offer a theoretical and a practical solution. The theoretical solution to the problem of belonging to the *demos* involves the possibility of expanding and changing the structures of council democracy across (national) borders in order to gradually replace them with a dynamic political model. In practice, the model can also function within states. The aim is to reform political institutions by building direct democratic alternatives in which as many parts of the population as possible can participate on an equal footing, so that "constitutional patriotism from below" becomes possible, which is called "democratic nation" in NES. The theory of "democratic confederalism" thus represents an alternative to the official Syrian narrative, which described the country as a 'mosaic' of religions and ethnic groups that were all dominated by the Baathist ideology. The „democratic nation" thus is based on the consciousness that homogeneity cannot be formed from a multitude of religious, ethnic or cultural communities. On the contrary, it is about taking these differences into account and strengthening local, liberal and, above all, communalist forms of association that guarantee the direct participation of citizens in policymaking. NES is therefore revolutionary in the sense that it has set new standards for the republican understanding of living together.

6. Conclusion: Who has the power?

In this article, I began with a general discussion of council democracy, which originated in the Paris Commune 1871 and was developed into the idea of "democratic confederalism" in the Middle East. I then presented the AANES as an example of its practical implementation. The idea of transferring decision-making powers to communes and local councils goes hand in hand with the idea of decentralizing power. This should ultimately make hierarchical structures superfluous and dissolve them. This is based on the idea that politics should not be a task for specialists but be created by people at grassroots level. This form of council democracy is directed against the

sovereignty and monopoly of power of the nation state. Far from wanting to conquer it, it seeks to turn its movement into a revolutionary, litigious polity. In the apologetic of many leftists, this seems to have been (completely) successful. For them, the AANES represents the realization of a democracy "from below" (Graeber 2014).

However, the references to the functioning of the communes and the shaping of the economy (especially oil) have already highlighted contradictions between aspiration and reality. In particular the contradiction between the theoretically formulated claim of anti-statehood and the practical establishment of quasi-state structures, whose upper levels were given even more power and influence with the current social contract, pervades the political system in NES. Although the social contract stipulates "democratic self-administration" for the AANES, forms and insignia of a state can still be found on the ground. These could form the basis of a future state. Despite the constitutional claim, these structures are relatively centralized and hierarchical. The new social contract has strengthened the "upper levels" of council democracy in many places, thus raising the question of who actually has the power in NES. As this question has hardly been posed to self-administration to date (Galvan-Alvarez 2020, 192), it will be addressed conclusively here.

There is no doubt that local councils and committees can make decisions that affect themselves, but it remains to be seen to what extent they can influence the policies of the administration as a whole. In discussions at the local level, I repeatedly encountered criticism of the unwillingness or inability of higher levels to respond to and meet local needs.

First and foremost, the communes take on administrative tasks. And even though their meetings usually begin with a discussion about the current political situation, there is nothing to suggest that they have any influence over political guidelines. The "big politics" in NES continue to be decided at the "higher levels". On the one hand, the significant influence of the PYD could lead to the development of an independent state-like political apparatus (Savelsberg 2014, 98). On the other hand, the omnipresent question of war and peace on the ground is also decided by the AANES councils and the SDF alone. Although the SDF is accountable to the "Peoples' Democratic Council", it "organizes itself almost independently", as Article 111 of the social contract states. What exactly this means is not defined.

The decentralization of power is also opposed by compulsory military service for all men between the ages of 18 and 38 for six months. Women are not conscripted as this is not (yet) socially accepted. Article 30 of the social contract stipulates that self-defense "against any external or internal danger" is a "duty for individuals and groups living under the Democratic Autonomous Administration". Also the whole population has to "preserve their dignity in the event that they are exposed to attack". Article 72 repeats this. Against the backdrop of constant attacks on NES, it is very understandable to emphasize the aspect of self-defense so strongly, but it raises questions about the region's anti-state aspirations (Al-Jabassini 2017). How are deserters dealt with locally? Is there desertion? Who defines what constitutes "dignified handling" of attacks? What sanctions are in place and who implements them? In addition to these empirical questions, a theoretical problem is also addressed here. In NES, there is a constant tension between different logics. Ideally there is the military logic, which can be explained above all by the history of the PKK and is currently also found within the SDF. There is also the social logic embodied by the local communes and councils. On the one hand, this tension could be resolved by *socializing the military*. In NES, however, the real danger "is the militarization of a whole population in this context, which may well result in an environment that is not conducive to the flourishing of these democratic mechanisms" (Cemgil 2016, 427). There is much to suggest that this *militarization*

of the social is not just a reaction to external conditions (state of emergency, Turkish attacks, economic situation, etc.), but has a decidedly intrinsic logic. The reason for this is that in NES, the councils at cantonal and AANES level, as well as the SDF General Authority, are determined by a core of functionaries, professional cadres, people who have dedicated their lives entirely to the movement and many of whom have experience as guerrilla fighters in the PKK. Their status as revolutionary vanguards create at least a performative contradiction with the explicit goal of building a democratic confederal society. They are still organized "around the system of command and obedience" (Hammy 2018).

In addition, Damascus continues to see itself as the sovereign over the population in NES – and still is to some extent. Since 2011 the Syrian state continues to control parts of the healthcare system, the water and electricity supply and has its own educational institutions in the region. The airport in Qamishli, the border crossing to Turkey and large parts of the city center (as well as in Hasakah) are also still controlled by Assad. State employees, including many teachers, continue to receive their salaries from Damascus. Even cars drive with license plates issued either by Damascus or the local administration. To renew your ID card, you must go to Assad's passport office; you can get a driver's license from the local administration. In some cases, both authorities are in the same buildings (Khalaf 2016, 19).

In summary, it can be said that power is not really shared between local councils and the central structures of the AANES, particularly with regard to questions of war and peace and financial matters (drawing up the budget, tax policy, etc.). The grassroots democratic council principle is therefore at least limited in this case. Furthermore, democratic control through elections has not taken place since 2017. This is problematic insofar as the entire political system, which was reformed in the current social contract, is based on elections every two years. Every two years, people are supposed to elect new councils at all(!) levels of self-administration, which would mean a huge organizational effort.

The fine line between functioning as a de facto sovereign with all the characteristics of a state and the simultaneous goal of being a stateless democracy that decentralizes power probably most clearly illustrates the ambivalence and contradictions of NES as a contested political space (Galvan-Alvarez 2020, 184). North and East Syria is a complex and often contradictory process, both on a rhetorical level and in terms of actual political and social practices.

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Notes

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[2]Interview with Pervin Yusif, Co-chair of the council of the canton of Jazeera, June 28, 2022.

[3]Interview with Dr. Suleimann Issa Ahmed, Co-Chair for „diplomatic relations" of the health system of the AANES, June 30, 2022.

[4]Interview with Dr. Adnan Ibn Ali, doctor at center of prosthesis in Qamishli, July 8, 2022.

[5]Interview with Rima Barakat, co-chair of the justice council of the AANES, July 31, 2022.

[6]Interview with Ismail Karker, Co-Chair of the committee of cooperatives in Jazeera, August 9, 2022.

[7]Ibid.

[8]Interview with Fayza Abdi, Co-chair of the cantons council of Kobane, August, 19, 2022.

[9]Interview with Pervin Yusif, Co-chair of the cantons council of Jazeera, June 28, 2022.

[10]Interview with Amina Osse, Co-Chair of the Syrian Democratic Council, March 30, 2022

[11]The English version of the social contract can be found here: https://rojavainformationcenter.org/storage/2023/12/SOCIAL-CONTRACT-ENGLISH.pdf

[12]Interview with Kino Interview, former SDF-spokesperson and member of the drafting committee, March 9, 2022.

[13]Interview with Khaled Davrisch, representative of the AANES in Germany, January 25, 2024.