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The Middle East Directions Programm

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Abstract

The territories ruled by the Syrian opposition are being reorganised. The leaderless revolution has given way to a seizure of power by vanguardist and ideological organisations, be it the PYD in the northeast or HTS, the former local branch of AQ, in Idlib. However, these organisations cannot resist the regime's military threat to reconquer the territories or the Turkish intervention by themselves. They need to manage the internationalisation of the conflict to protect themselves and find space in the broader strategic game around Syria. This is the strategy of HTS. After emerging from the matrix of AQ's global jihad, since 2017 HTS has sought to 'institutionalise' the revolution by imposing its military hegemony and full control of the institutions of local governance. The group has thus marginalised the revolutionary milieu, other Islamists and the threat posed by AQ supporters and IS cells in Idlib. HTS's domination was followed by a policy of gradual opening and mainstreamisation. The group has had to open up to local communities and make concessions, especially in the religious sphere. HTS is seeking international acceptance with the development of a strategic partnership with Turkey and desires to open dialogue with Western countries. Overall, HTS has transformed from formerly being a salafi jihadi organisation into having a new mainstream approach to political Islam.

Keywords

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Acronyms

AQ: al-Qaeda

HaD: Hurras al-Din

HTS: Hay'at Tahrir al-Sham

IS: Islamic State

JaN: Jabhat al-Nusra

JFS: Jabhat Fath al-Sham

LC: Local Council

MOM: Müşterek Operasyon Merkezi, Turkish for Joint Operations Centre

NLF: National Liberation Front

SIG: Syrian Interim Government

SSG: Syrian Salvation Government

TIP: Turkistan Islamic Party

Introduction: Undesired Winners in Search of 'Truce Politics'

"The revolution, like Saturn, devours its own children," said Georg Büchner.[1] The Syrian scenario confirms this formula. After an early phase of leaderless revolution, the most structured avant-garde organisations stemming from internationalist movements classified as 'terrorist' and considered international pariahs have ultimately prevailed: the PYD (Partiya Yekîtiya Demokrat) in the northeast and Hay'at Tahrir al-Sham (HTS) in the northwest.

Each group has imposed its control and institutionalised the insurrectionary dynamic according to its ideological and organisational leanings. However, their consolidation of power is ambivalent. It is certainly based on a "confiscation of the revolution," as their detractors claim.[2] But it would be wrong to think only in terms of revolution hijacking. These groups' interactions with their local revolutionary contexts and geostrategic environments – regional and international – have profoundly transformed them too. An analysis of power politics in Idlib therefore necessitates a new understanding of how HTS's hegemonic project has benefited from its local and global contexts, as much as the constraints that these contexts have imposed on the group and transformed it in return. Far from being a mere academic exercise, an analysis of these interactions is rich in lessons for policymaking.

HTS's consolidation of power in Idlib governorate occurred against the backdrop of a progressive freezing of the conflict. The freeze was not merely a static moment or an absence of war. Since the Russian-Turkish ceasefire agreement concluded in March 2020, a precarious truce has re-structured the political space in rebel-held areas. Like the PYD in the northeast, HTS recognises that facts on the ground alone will not be sufficient to survive. In both cases, bold political moves are the only way out. The undesired winners can still re-engage local communities and negotiate their rehabilitation in the local landscape. But they also have to engage the international community, especially Western countries. They are taking real steps to achieve these objectives. The truce may therefore be an opportunity for Western countries to rethink their policies towards the area. Beside the search for a political solution in Syria, 'truce politics' can empower the dynamics of change occurring in the northwest.

This working paper examines HTS's hegemonic project. While the group started by attacking local groups affiliated with the Free Syrian Army (FSA) and Ahrar al-Sham, it then repressed more radical insurgents by eradicating Islamic State (IS) cells, and by summer 2020 it had subjugated the local branch of al-Qaeda (AQ). Internally, the hegemonic project helped to institutionalise the group and reduce the influence of foreign fighters in its ranks. In the field of governance, HTS follows a low-cost approach based on outsourcing and delegation – except in the security sector – with a notable integration of a pious local urban elite in politics. HTS's takeover does not incubate global jihad. On the contrary, the organisation engages in an effective counterinsurgency strategy – in a much more efficient and complementary way than US drones. For the first time in nine years of conflict, HTS's hegemonic project has deprived AQ of any substantial presence on Syrian soil.

Part II of the paper examines the management of the religious field. The imposition of a former AQ affiliate's hegemony raises the question of whether the elimination of global jihad comes at the expense of the establishment of a local radical entity. In practice, ideological radicalism has not disappeared – there are no theological revisions – but the implementation of the group's religious views has been suspended or neutralised. Religious institutions, education and mosques remain in the hands of a lower clergy – often Sufi and revolutionary – that the hegemon cannot substitute.

Part III addresses the sustainability of these processes of change. It suggests that the ongoing transformations of a fundamentally radical movement, far from being only cosmetic, opportunistic and

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[1] Georg Büchner, *Danton's Death*, (Hudson: Time & Space Limited, 1983).

[2] Discussions with media activists commenting on HTS's takeover of Idlib in January 2019, Gaziantep, October 2019.

momentary, epitomise the last stage in the trajectory of the revolution under way in Syria. This section argues that these transformations are consolidated by the third phase of HTS's hegemonic project. After hitting on its 'left' (bringing into line, often *manu militari*, the former revolutionary milieu and competing Islamists) and punching on its 'right' (the subjugation of AQ and IS), the hegemonic project now involves the establishment of a patronage relationship with Turkey as protector of the sanctuary that was formed in Idlib after the massive deployment of the Turkish army in February 2020. The entry in a patronage relation comes with a set of constraints that stabilise the transformation of the movement in line with Turkish expectations. These include a disconnection of HTS from global jihad, the marginalisation of foreign militants, an opening to revolutionary factions, increased local acceptability, normalisation with Western countries and respect for the international agreements contracted by Turkey. These expectations align with the direction set by the current leadership of the movement.

If the revolution was perhaps confiscated by HTS, it is also bringing the group in line with its trajectory. The group's evolution is a welcome invitation to rethink counter-terrorism policies by bringing them back to a ground that they had previously neglected: politics. From this point of view, Idlib can establish a new paradigm of deprogramming *salafi jihadi* global and radical agendas.

I. The HTS Hegemonic Project: Towards the End of Global Jihad

HTS's hegemonic project is not an incubator of global jihad. It is its gravedigger. The imposition of HTS hegemony had three main objectives. First, it aimed to impose its military domination over the province by subjugating the mainstream opposition between 2017 and 2019 and AQ loyalists by summer 2020. Second, it sought to anchor HTS territorially to manage the areas under its control. Ultimately, HTS's project vied to position the group in the global strategic game around Syria.

1. Bringing the Revolutionary Milieu in Line

HTS's predecessor, Jabhat al-Nusra (JaN), had an ambiguous relation with the revolutionary milieu composed of local activists, FSA-affiliated armed groups and local councils. Between 2012 and 2013, JaN tried to merge with the revolutionary movement without seeking to impose its domination. The group literally defined itself as a 'support front' which provided local armed groups with major military backing as its use of 'martyrdom' operations against regime targets could easily break the frontlines. JaN was at the time included in local military operations rooms under FSA commanders. It did not try to insulate itself.[3]

The first phase of confrontation with local groups started in 2014. JaN was weakened by the split with IS, which encouraged its leader, Abu Muhammad al-Jolani, to pledge allegiance to al-Qaeda in order to maintain the group's internal cohesion.[4] However, the new allegiance justified repeated attacks by the US military against some of its leaders and commanders from 2014 onwards.[5] It also empowered radical figures within JaN ranks more closely associated with international *salafi jihadi* networks.[6] JaN started to denounce local factions for receiving Western support, which it argued was ultimately aimed at targeting the group, although local factions denounced this as an ungrounded pretext. The organisation began to attack several groups affiliated with the military coordination room based in Turkey (Müşterek Operasyon Merkezi, or MOM) and overseen by the Friends of Syria, an alliance of mainly Western and

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[3] Interviews with FSA leaders, Idlib, 2012-2013.

[4] Interview with Abu Muhammad al-Jolani, Idlib, January 2020.

[5] Aron Lund, "What is the Khorasan Group and Why is the US Bombing it in Syria?" *Carnegie Endowment for International Peace*, 23 September 2014, https://bit.ly/3lMRQsB

[6] The so-called *khorasan* network composed of AQ veterans notably appeared in 2014 (Lund, ibid.). Other radical figures empowered internally include Sami al-Uraydi, who became the group's religious leader. He left the group when it severed ties with AQ in 2016.

Gulf Arab countries opposed to Syrian President Bashar al-Assad. The JaN leadership considered this coordination room a pro-Western and anti-*jihadi* military umbrella. The most prominent groups targeted included the Syrian Revolutionaries Front, the Hazm movement and the 13th Division. JaN exploited these groups' lack of organisational cohesion to neutralise them. According to a local FSA commander, "*when we saw JaN gaining strength, we tried to unite to survive but had very little chance of success. We did not have sufficient authority over our fighters, who considered JaN a very effective force. Of thousands of fighters, only 50 would fight JaN back.*"[7]

JaN's strategy towards revolutionary Islamist groups was more complex.[8] JaN initially benefited from their neutral stance in its confrontation with MOM-backed factions, which contributed to weakening the latter.[9] JaN even formed several joint military operations rooms with other Islamist groups, the most successful of which was the Jaysh al-Fath coalition, which was created in 2015 with regional state support. The group's alliance with mainstream Islamist forces, Ahrar al-Sham in particular, informed JaN's growing involvement in governance, a field that the movement had never prioritised in the past, seeing itself mainly as a military organisation.[10] This involvement included courts of justice like the Eastern Aleppo court system, the distribution of services and local councils. Some tensions existed, as in 2015, when JaN left some of the shared courts to create its own court system under the name Dar al-Qada.

The Syrian insurgency gradually acknowledged the need to unite, as the military intervention by Russia in September 2015 imposed a succession of military setbacks on it. Feelings increased among all the armed groups that an encompassing unification of their organisational structures was becoming a military necessity. Nonetheless, revolutionary Islamist groups feared an organisational union with a listed terrorist organisation. They thought that any new entity could be similarly listed as terrorist. The military situation on the ground accelerated heated internal deliberations, which resulted in JaN's decision to sever ties with AQ in summer 2016. JaN was renamed Jabhat Fath al-Sham (JFS) to mark the organisation's break with the group. According to the group's highest religious figure, Abderrahim Atun, also known by his nom de guerre Abu Abdullah al-Shami, "*At first, AQ told us to act according to our needs. We told them that we didn't want any external operations and they agreed. But the connection with AQ then became an obstacle to the union of the opposition. Some factions had a real problem with this connection while others used it as an excuse. But we didn't want to face the same problems as during the split with IS. Everyone feared the outcome. We wanted to avoid negative consequences.*"[11]

By the end of 2016, two unification initiatives were being discussed. The first sought to unite the factions operating under the FSA umbrella, while the second was restricted to Islamist groups or groups close to them. JFS joined the second initiative, which resulted in the creation of a new organisation called Hay'at Tahrir al-Sham (HTS) in January 2017. HTS was initially supposed to be the organisational umbrella that would unite all the groups that joined the initiative. The leader of Ahrar al-Sham initially agreed to merge with the new organisation, but the group's leadership council refused to endorse the decision since it feared Jolani's control and international terrorist listing.[12] The withdrawal of Ahrar al-Sham increased the polarisation of the insurgency in the northwest between the only two groups capable

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[7] Interview, Reyhanli, November 2019.

[8] 'Revolutionary Islamist groups' here indicates local Islamist factions directly emerging from the militant and revolutionary experience in Syria such as Ahrar al-Sham, Suqur al-Sham, and Faylaq al-Sham, to name only those still present today.

[9] In December 2013, the Islamic Front spearheaded by Ahrar al-Sham seized the military facilities of FSA factions at the nearby border crossing of Bab al-Hawa, arguably to 'protect' them against JaN. According to an FSA commander, *"after losing our military facilities, we lost external support. This facilitated JaN's strategy of gradual empowerment against us."* Testimony by a commander of Jebel al Zawiyya, WhatsApp, October 2019.

[10] Interview with a former UN official closely following the armed group dynamics, December 2020.

[11] Interview, Idlib, July 2019.

[12] Interview, Istanbul, July 2017.

of carrying out a unification project for the province, HTS and Ahrar al-Sham. Most of the factions previously associated with the FSA initially aligned with Ahrar al-Sham to protect themselves from HTS. The more radical commanders of JaN who refused to break their ties with AQ, meanwhile, retreated in the absence of alternatives.

The two poles started a zero-sum game. HTS feared that other factions might be used against it by foreign states.[13] These fears were exacerbated when several factions that had joined it split up in the following months, including Jaysh al-Ahrar and the Nur al-Din al-Zinki movement. On the other side, Ahrar al-Sham was initially not ready to confront HTS. The group was recovering from a two-year internal quarrel between contending factions which had largely impeded internal reforms. According to an Ahrar al-Sham leader, "*JaN used our refusal to join them and our relations with foreign countries to attack us. Our organisation had been blocked for two years by internal quarrels. We were only starting to prepare a central military force, but we were not yet ready to defend ourselves. We should have delayed the confrontation with them*."[14]

The loss of the city of Aleppo in December 2016 played a key role in the hegemonic turn of the JaN leadership. The failure to unite with the armed opposition suggested the need to find an alternative to unify local governance. HTS had three main rationales for confronting Ahrar al-Sham. First, it considered the group's civilian project to be a threat. Second, it wanted to control the borders with Turkey, which provided lucrative economic resources and political leverage. Third, HTS believed that internal hegemony would force Turkey to collaborate with it.[15] HTS gained the upper hand in July 2017 thanks to its reliance on a centralised military force and the isolation of Ahrar al-Sham strongholds.[16] Then, Ahrar al-Sham restructured itself and allied with al-Zinki, which restored the balance of power in 2018. HTS ultimately succeeded in imposing itself definitively in January 2019. Military support from the Islamic Party of Turkestan (TIP), in addition to the neutral position adopted by Faylaq al-Sham (despite being a member of the National Liberation Front), tipped the advantage in favour of HTS in a battle that lasted only a few days.[17] HTS ultimately expelled al-Zinki and imposed its terms on other groups, in particular their acceptance of the civilian authority backed by HTS.

In parallel with its military hegemony over the province of Idlib, HTS subjugated the revolutionary milieu through a gradual assertion of its political domination over revolutionary local councils (see part II) and authoritarian management of the activist sphere. Pressure on local activists has, however, varied over time. "*In early 2017, HTS was authoritarian, both religiously and politically. The goal was to weaken existing competing structures, including other armed groups and local councils. Once they established their hegemony, they restricted the space for civil society to operate. They wanted to send a message to the people inside Idlib that all connections with outside donors were seen with concern. Nevertheless, after December 2018 journalists and activists began to be released and the numbers of arrests decreased. Concerted campaigns by activists explained the change. Those who are really outspoken, very critical, are still very much wanted by HTS.[18] But for effective or useful activists, we*

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[13] The agreement between Russia and Turkey concluded in May 2017 known as the de-escalation zones agreement clearly stipulated a common struggle against groups considered radical, and indirectly pointed the finger at HTS.

[14] Interview, Istanbul, January 2018.

[15] Abu Fath Al-Farghali's telegram channel.

[16] Ahmad Abazeid, "How did the Ahrar al-Sham Movement Collapse?" (in Arabic), *Syrianoor*, 9 August 2017, https://bit.ly/37FvmoC

[17] The TIP was denounced by the Syrian Liberation Front (see "Intervention about the Declaration of the Brothers of the Turkistan Islamic Party Concerning Their Participation in the Internal Conflict," (in Arabic), https://bit.ly/38auOZ5) and by Jaysh al-Ahrar (see "Free Army, Martyr Ahmed Khalaf Brigade, Declaration no. 6," *YouTube*, 2018, https://bit.ly/37C9gDm), although the TIP claimed it was only acting in self-defence (see "Declaration Concerning the Latest Developments in the Levant Area" (in Arabic), 2018 https://bit.ly/3ofEKGj).

[18] On 4 January 2021, HTS released the media activist Nur al-Shalo, who was accused, according to a press release by the HTS media office, of "various criminal and moral offenses" (https://bit.ly/2MzZv1I).

have not seen real pressure on them. HTS now seems to arrest more those who cooperate with the regime."[19]

Despite this evolution, HTS's human rights track record remains problematic. A UN High Commissioner for Human Rights briefing note mentioned that *"we have verified reports that several individuals were executed for perceived affiliation with an opposing party, including Kurdish armed groups or the Syrian Government, or on allegations of blasphemy, adultery, theft or murder. International humanitarian law explicitly prohibits sentencing and executions without a previous judgment affording all necessary judicial guarantees. Under international law, executions carried out in violation of this prohibition may amount to a war crime."*[20] These claims challenge HTS's efforts to improve its image in Western countries.[21]

2. Laissez-Faire in Political Affairs and the Rise of a Technocratic Civil Society

HTS's military dominance over other factions backed its territorialisation project. This project was embodied in the establishment of the Syrian Salvation Government (SSG) in November 2017. The SSG was instituted through three main mechanisms: the centralisation of governance bodies, delegation of authority to an educated urban elite and outsourcing certain public services to third parties independent from the administrative structures in place.

Before 2017, an educated and conservative urban elite launched several initiatives to unify governance in Idlib. These efforts had always been held in check by the centrifugal impact of factionalism. HTS's victory over other armed groups paradoxically gave space to this urban elite while controlling it. The last initiative, known as the Civil Administration Initiative, was led by Syrian academics in August 2017 and resulted in the formation of the SSG.[22] This elite is a mix of different profiles, including urban, educated and conservative non-militant Islamists (like Bassam Sihiouni, Farouq Kishkich and Mujahid Na'iss), academics (like Taher Samaq, the director of the University of Idlib, and Mohamed Bakour, an economics professor from Aleppo) and individuals engaged in local initiatives.[23] They were united by their activist experience after 2011 but did not have factional affiliation. On the contrary, they harboured *"a feeling of exclusion from the Syrian Interim Government (SIG) and other factions. What unites them is the confiscation of representation by the Syrian National Coalition (SNC) and the deception of opposition entities operating abroad. HTS sensed very well the existence of this excluded elite and was able to offer them a place."*[24]

The leaders of the academics' initiative were joined by businessmen, who participated in the institutional building efforts that were taking place within the framework of the SSG. Businessmen were more interested in rebuilding order and security than driven by ideological affinities. They believed that unifying governance would improve security and limit factional intrusions in their work.[25] The chamber of commerce sponsored and covered the full costs of the second constituent body, which in February

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[19]   Interview with an international HR organisation analyst, WhatsApp call, May 2020.

[20]   Ravina Shamdasani, "Press Briefing Note on Syria: Idlib Violations and Abuses," *Office of the United Nations High Commissioner for Human Rights*, 20 November 2020, https://bit.ly/36WPIuq

[21]   See, for instance, an interview with Jolani published by International Crisis Group, "The Jihadist Factor in Syria's Idlib: A Conversation with Abu Muhammad Al-Jolani," *International Crisis Group*, 20 February 2020, https://bit.ly/3mYgB6B

[22]   HTS oversaw the academics' initiative by reviewing the electoral college that resulted in the constitution of the SSG in 2017 (interviews with members of the academics' initiative, June 2019).

[23]   Such as: Salah Ghafour, a former prisoner in Idlib who was opposed to HTS and active in the Idlib municipal council and then launched the Popular Initiative; Abdelmeneim Nassif, of the Mashahide tribe, who initiated the Tribal Initiative; Yahia Naema, head of the Pharmacists' Union; and Abdelwahab Safar from the former governorate of Aleppo. F. Kishkish and M. Na'iss had also previously launched the Kafa Initiative.

[24]   Interview with an Idlib activist involved in the initiative, Hatay, September 2019.

[25]   Interview with a delegation from the Idlib Chamber of Commerce, Idlib, July 2020.

2019 appointed the current legislative assembly in charge of reforming the SSG and was attended by nearly 50 participants.

The SSG was formed with a top-down logic. The first government created a limited number of ministries, which began to codify internal regulations to impose their authority on armed groups and local councils. The SSG seized the governance functions formerly exercised by the factions. In the field of justice, the first step was to take over factional courts by force or through negotiations. The detainees were kept in detention with sentences handed down, unless families requested it,[26] and the archives were given to the Ministry of Justice. The court staff were generally maintained. Similarly, the Idlib Chamber of Commerce committed to the creation of the SSG and transferred several prerogatives to the Ministry of the Economy of the new government. The trade register was also transferred despite having been kept during the days of domination by the fragmented factions. Finally, HTS handed over the directorates of the camps and displaced persons to the Ministry of Humanitarian Affairs.[27]

The dynamics of centralisation increased tensions with the various local councils, which had previously functioned autonomously or in close coordination with other factions. HTS did not follow a uniform strategy towards them. The group adapted its approach according to the local balance of power, which was reflected in the presence of civilian resistance and in interactions between local councils and other armed groups. HTS mixed co-optation, local agreements and repression as the SSG and local councils negotiated on a case-by-case basis. After the military takeover in January 2019, all the local councils were requested to formally recognise the authority of the SSG, although the councils were not immediately integrated in the new central structures. The integration dynamic followed multiple paths. In JaN's historical strongholds, such as Harem, local councils often immediately came under the direct control of the SSG. In other cases, the SSG supervised elections through its Ministry of Local Administration, which sometimes appointed the electoral bodies in charge of designating the local councils.[28] In the regions where revolutionary Islamist groups were dominant (Suqur al-Sham in Jabal al-Zawiya, Faylaq al-Sham in Kafr Takharim), the local councils remained outside the grip of the SSG longer. The stronger the local faction was, the better chance the council had of keeping a certain level of autonomy. The most prominent revolutionary local councils that were supported by former FSA factions in localities with strong civil activism resisted for a long time, first against JaN's attempts to take hold and then against the growing hold of HTS (on the territory) and the SSG (on governance). This was the case in Atareb, Saraqib, Maarat al-Nooman, Ariha and Sarmada. The SSG's institutional penetration nonetheless gradually occurred everywhere. Supplying electricity allowed the SSG to levy taxes on the entire territory, including where the former local councils remained in place.[29] Police functions were transferred to HTS and judicial matters to the Ministry of Justice.[30] In the end, the local councils of Saraqib, Maarat al-Nooman and Kafranbel fell with the regime's military reconquest of these villages in early 2020.

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[26] Each time a court resumes, the families of detainees are granted a period of a month to retry the cases if they refused the renditions of the former judges (interviews, Dana court, Idlib, July 2019).

[27] Information collected during visits to the various ministries and social groups mentioned, Idlib, June 2019 and July 2020.

[28] Interviews with local notables from Dana and Saraqib, September 2019 and March 2020. For an initial typology of relations between HTS and local councils in Idlib, see Ayman Aldassouky, "The Role of Jihadi Movements in Syrian Local Governance," *Omran Center for Strategic Studies,* 14 July 2017, https://bit.ly/3n4JXk

[29] When HTS took military control of Maarat al-Nooman in January 2019, a delegation from the SSG came to the city to reach an agreement with the heads of local power structures. It asked them to recognise the SSG and then to take control of the police station and the court. A deal was concluded. HTS renounced its checkpoints in exchange for control over the courts and a commitment not to arrest civil society activists. The SSG seized local sources of income, such as the town's bread oven and civil and land registers a month later, before taking the strategic office of control and statistics. The local council remained, even though some names were changed, and female representation disappeared after reaching 20% under the previous administration. Local authority gradually slipped towards HTS and the SSG (WhatsApp Interview with two local activists from Maarat al-Nooman, May 2020).

[30] Discussion with residents of Saraqib. July 2019.

The SSG is supported by parts of the remaining local elite. These include urban professionals, entrepreneurs and tribal personalities who participate in the SSG's governance structures despite the rejection of this government by a significant proportion of civil activists and journalists, who blamed it for its alignment with HTS, corruption and crushing independent civil structures. After an initial stage in which HTS coerced civil society organisations, the group's policy changed towards a more ambivalent policy combining permissiveness and new forms of social control. The former revolutionary civilian society was replaced with a new depoliticised civil society guided by a purely managerial outlook on governance institutions – the members of which insist that they qualify as 'technocrats.'[31]

The inclusion of the urban elite cannot be reduced to a pure dynamic of authoritarian co-optation. The hegemonic project also had structuring effects. Some actors asserted themselves independently – such as professionals and businessmen – while others were co-opted and put under indirect control (like tribes). The rallying round the project can be explained by the ideological affinities of some actors (academics), by the corporatist interests in trade of others (businessmen, doctors) and by the strength of social bonds in other cases (southern tribes).[32]

While HTS played a leading role in the establishment of the SSG, unlike the Kurdish movement in the northeast the organisation does not embrace a logic of micro-management and daily control.[33] Aware of its limits in terms of governance and in the absence of a real commitment to directly rule the population, HTS has demonstrated its readiness to delegate authority to segments of the educated urban elite. While this delegation is less an ideological choice than a practical reality informed by the scarcity of resources, it has also allowed the group to incorporate a more technocratic elite alongside parts of the previous revolutionary elite.

In addition to the centralisation of governance and the delegation of some authority to a 'technocratic' elite, HTS outsourced some public services. The SSG does not have the financial resources to provide full government services to an estimated population of around 3.2 million,[34] which would have been useful to bolster local popular support. Unlike the oil-rich northeast, the SSG is sorely under-resourced. It can only rely on 7,000 civil servants. In the field of justice, tribes were therefore asked to administer the law, including the use of tribal standards in murder cases.[35] Entire sectors of governance have also been subcontracted to private actors, mostly local organisations supported by donor states. In the field of health, international NGOs and their local partners have taken over a largely deficient health ministry. 1,600 employees in the sector thus benefited from the assistance of the German GIZ. However, it was cut in 2019 since "*Idlib was becoming an increasingly toxic environment,*" as a German expert familiar with the Syrian file noted.[36] In the education sector, the propensity is to hand it over to third parties. The SSG Ministry of Education exists, but only pays salaries to the administrative staff. It does not have teachers on its payroll. The Ministry relies on a list of 4,000 volunteers while ensuring the maintenance of school buildings and coordinating with circa 20 organisations involved in the field of education. Private religious institutes, often controlled by members of the Sufi orders, are still involved in education. Moreover, mainly Anglo-Saxon foreign organisations maintain their assistance to primary

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[31] Interviews with cadres from the SSG, Idlib, July 2019 and July 2020.

[32] Interviews with tribal leaders, local businessmen, and members of the academics' initiative, Idlib, July 2019 and July 2020.

[33] Patrick Haenni and Arthur Quesnay, "Surviving the Aftermath of Islamic State: the Syrian Kurdish Movement's Resilience Strategy," *Research Project Report*, (Florence: European University Institute, Middle East Directions, Wartime and Post-Conflict in Syria, 2020), https://bit.ly/3mTSZQx

[34] According to UN estimates (discussion with an OCHA employee, March 2020).

[35] While the use of tribes in the administration of law is not new (the Syrian regime itself widely practised it), this trend reflects a real inflection in Idlib since factions did justice directly before and the tribes were side-lined (meetings with judges and lawyers, Dana court, Idlib, July 2019).

[36] Interview, Berlin, September 2019.

education, although they dropped their contribution to other programmes in 2018.[37] The Qatar Foundation finances the distribution of UN-endorsed school curriculums for the preparatory and secondary levels while, at the end, the Syrian Interim Government issues schooling certificates.[38]

In the absence of resources, HTS and the SSG have to make concessions. They were forced to compromise for a while with some revolutionary councils. They had to rely on tribes and negotiate with (local and international) NGOs and the Syrian Interim Government while giving up organising public service sectors to preserve foreign support. The institutionalisation of the revolution desired by the ex-*jihadi* movement therefore remains a strongly transactional project in which some space for autonomy remains. It has also opened up new opportunities for foreign support for a population always more in need. As an example of concessions, attempts by the SGG to impose taxes on international aid convoys at the Bab al-Hawa crossing point sparked enough resistance for officials to back down. Likewise, on two occasions HTS had to give up reopening crossing points to regime-held areas following opposition from the population, which took to the streets several times.[39] In both cases, HTS finally backtracked even though the crossing points served as a major source of revenue for the SSG.

In the end, the SSG is the product of an encounter between a revolutionary Islamist movement forced to engage in the field of governance while lacking expertise and a pious middle class which benefits from a partial delegation of authority to be involved in local governance. The SSG independently manages all administrative issues, yet security operatives continue to process cases related to alleged regime collaborators, IS cells and organised crime (e.g. kidnapping, extortion). Unwittingly neo-liberal, the hegemonic project is therefore not an intrusive one-party model since it functions through multiple acts of delegation and outsourcing. The SSG participates in HTS's power strategy but cannot be considered an offshoot of the management of HTS or its civil branch. This reality results from the absence of means rather than specific ideological choices.

3. Subjugating al-Qaeda: No Safe Haven for Global Jihad

HTS's strategic choices have been internally contested. The three main issues included breaking ties with AQ in summer 2016, accepting the presence of Turkish troops as early as the end of 2017 and the Russian-Turkish truce ratified in Moscow in 2020. Members of JaN who refused to break ties with AQ in 2016 left the group before forming Hurras al-Din (HaD), the new AQ local franchise, in February 2018. HTS members who opposed the entry of Turkish forces into Idlib also split off or were side-lined internally. The relationship with HaD started to define a new phase in HTS's strategic game in Idlib after the neutralisation of FSA factions and Ahrar al-Sham in January 2019.[40]

HTS was not initially looking for a confrontation with HaD. The group had to cooperate militarily with all the forces active against the regime. The head of the HTS military insisted that "*our line [was] to accept all groups that fight on condition that they do not engage in destabilisation operations.*"[41]

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[37] Syria Relief, "Syria Relief Announces 107 New Schools through Partnership with Chemonics" *Reliefweb*, 15 November 2019, https://bit.ly/2VMQTGf

[38] Despite the multiplicity of operators present in the field, the level of education in Idlib is declining significantly. A study conducted by 11 researchers commissioned by the minister of Education in the camps showed that levels of illiteracy reached up to 40% of the population in the camps at the end of 2020 (interviews with SSG officials and NGO operators, Idlib, December 2020).

[39] HTS tried twice to revive trade by opening crossing points in Maarat Hattat and Saraqib in April and May 2020 respectively. The population opposed it with the argument that the decision would entail the tacit acceptance of the loss of Saraqib and Maarat al-Nooman and that it would increase the cost of living in Idlib.

[40] HaD is an unstructured coalition of 1,200 to 1,500 fighters grouped around former commanders of JaN, united in February 2018 by their refusal to sever ties with AQ. The group contains most of the Jordanian figures who played prominent roles in JaN.

[41] Interview, Idlib, July 2020

Moreover, arrests of HaD cadres had previously led to the freezing of the HTS membership of sub-factions and group commanders.[42] Hostility remained strong and, at the outset, a hybrid policy mixing cooperation and containment was established.[43] In March 2019, the two organisations defined the conditions for a highly constraining coexistence for HaD. In this understanding, HTS forced HaD to renounce so-called 'external operations' (i.e. global jihad), dismantle its courts of justice, detention centres and checkpoints and accept HTS's military courts. HaD generally had to renounce any interference in civilian affairs.[44] The containment was also military and economic. HTS controlled access to weapons and put pressure on financial intermediaries. This policy allowed, for example, HTS to prevent HaD from opening a diversionary front in Aleppo in May 2019 as the battle raged in southern Idlib. HTS feared an Iranian intervention, which it wanted to avoid.[45] After the creation of the *Harid al-Mu'mineen* (Incite the Believers) operations room in October 2018 with Jabhat Ansar al-Din and Ansar al-Islam, HTS successfully aligned Ansar al-Tawhid with HTS's political line and encouraged its ongoing distancing from HaD by increasing material support in May 2020, hence rallying them to HTS's political line.[46]

The agreement held for almost thirteen months.[47] Ultimately, Turkey's massive military engagement in Idlib in February 2020 shook the precarious balance between the two organisations. After two months of indecisiveness, HTS aligned itself with the new Russian-Turkish deal and de facto accepted an intermittent Russian presence through the deployment of mixed Turkish-Russian patrols in rebel territories. According to an informed analyst, "*the Putin-Erdogan deal on the patrols immediately raised the ideological narrative on the HaD side. It happened while we watched a slow-motion deterioration of the situation inside Idlib: HaD, in a bankrupt situation, was increasingly engaging in kidnappings, looting, stealing*."[48] HaD took the initiative by leading a spectacular attack against regime forces in the village of Tanjara in the Ghab plain. It seized control of the village for a short time on 9 May 2020. In retrospect, the HTS military chief saw this as the first act in the escalation that was to follow. According to him, "*this large-scale operation was not carried out against the regime. It was a political act that aimed to unite against us all the groups that refused HTS's policy, and possibly create a dynamic of desertions in our ranks*."[49]

Alignment with Turkey's policy of sanctuary and internal power dynamics within HTS triggered the confrontation between the two groups. The clashes started when a prominent HTS commander, Abu Malik al-Tilly,[50] defected and allied with Abu Abd Ashida, a former HTS commander who created a group called *tansiqiyyat al-jihad* (the coordination of jihad), and Abu Salah al-Uzbeki, former leader of the Katiba al-Tawhid wa al-Jihad group.[51] The three leaders participated in the creation of the *Fa-Ithibitu*

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[42] HTS, "General Declaration by HTS Leadership*"* (in Arabic), 2017, retrieved from HTS's telegram channel.

[43] HTS left no more than seven positions on the front lines to HaD. In addition to its presence on the frontline, HaD had 16 military positions in the town of Jisr Shughur shortly before the summer 2020 escalation.

[44] Interviews with senior HTS leaders, July and December 2020.

[45] Interviews with various HTS leaders, Idlib, June 2019.

[46] Interview with an analyst close to HTS, Idlib, July 2020. See also Aymeen Jawad Al-Tamimi, "Why Ansar al-Tawhid Ended its Alliance with Hurras al-Din," *Pundicity*, 10 June 2020, https://bit.ly/33Sikmr

[47] For Abu Muhammad al-Jolani, "the relationship with Hurras al-Din is always strained. Sometimes we have problems with them and we have to intervene, but the problems have always been solved." Interview, Idlib, January 2020.

[48] Interview, Idlib, July 2020

[49] Interview, Idlib, July 2020

[50] Tensions between Abu Malik al-Tilly and HTS seem to owe as much to geostrategy – his refusal to align with Turkey – as to influencing games within the organisation, according to our interviews with HTS leaders.

[51] They would subsequently be arrested during the first part of June 2020 for participating in the establishment of the *Fa-Ithbitu* operating room or – in the case of Abu Salah al-Uzbeki – for having joined one of the groups in the room in question; Caleb Weiss, "Jihadists in Syria are reporting that Abu Salah, the founder and former emir of the Uzbek group Katibat al-Tawhid wa al-Jihad (now part of HTS)" Twitter, 10:53 p.m., 17 June 2020, https://bit.ly/3naXFRB; See also Manhal

(Be Steadfast) operations room with HaD. The creation of the new military operations room confirmed the polarisation induced by the massive dispatch of Turkish military forces at the start of the year. "*This was the first protest front against the line taken by Jolani,*"[52] as an informed analyst reported. "*Abu Malik was seen as leading* Fa-Ithibitu*, which led to his arrest.* Fa-Ithibitu *was not a military threat – of the 320 frontline positions we have, only 10 to 15 were held by* Fa-Ithbitu.*"*[53] The conflict very quickly became public. HaD set up checkpoints to protect its positions or, as some HTS leaders thought, to arrest activists from the organisation with a view to negotiating. For the HTS military chief, it was equivalent to "*a declaration of war.*"[54] Faced with the threat, HTS prohibited any defection that was not approved by the leadership in advance.[55] It also mobilised its own internationals.[56]

HTS decided not to target HaD's symbolic leaders but focused on the military commanders that posed the greatest threat. Jolani argues that HTS was keen "*to leave them some breathing space. Arresting the leaders would provoke reactions in the media. It was better to leave them hidden and under control than to erect them as victims which could arouse sympathy.*"[57] HTS additionally relied on a policy of systematic negotiations with local commanders. There was a de facto series of local arrangements. An informed analyst believes that "*the key point to keep in mind is that HaD was a front of refusal in front of HTS's desire to cut ties with AQ, not a structured organisation. The leadership was very weak. HTS refused to engage with their senior leaders when they offered to make deals with them*." The strategy combined co-optation, promises of amnesties for the soldiers and security prosecutions of some commanders. It bore fruit. In the last week of June, a few days were enough to silence HaD and prevent it from having any visible presence in its strongholds of Armanaz, Darkouch, Jisr al-Shughur and Arab Sa'id.[58]

The polarisation resulting from the massive influx of Turkish military personnel and the ensuing confrontation among factions represented a fundamental break in the Syrian armed conflict. For the first time in nine years, AQ no longer had a visible presence. The organisation went underground and lost its positions on the frontlines and all its military bases. AQ no longer has significant organisational or financial resources. Reduced to a clandestine presence, HaD can hardly survive in peacetime since it lost the possibilities of war booty and foreign support for jihad, and HTS, keen to keep control, is determined to prevent any future activity by AQ-related networks in the region. A recent attack claimed in the Raqqa province in January 2021, far from northwest Syria, suggests that group commanders might have decided to focus on other battlefields.[59] In addition, the remaining foreign fighters, including the TIP Uighurs and the Chechens, accept the new HTS line. The fate of remaining global jihad networks is uncertain. They could follow three scenarios: accept the unfavourable balance of power and go underground while waiting for better days, orchestrate clandestine actions against HTS and its

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Baresh, "Pursuing Containment Policies: Hay'at Tahrir al-Sham Prohibits the Formation of Brigades and Operations Rooms in Idlib" (in Arabic), *Al Quds Al Arabi*, 27 June 2020, https://bit.ly/33PNBqa

[52] WhatsApp call with an analyst close to HTS, June 2020.

[53] WhatsApp call, July 2020.

[54] Interview, Idlib, July 2020.

[55] HTS, "*Ta'mim*" 2020, retrieved from HTS's telegram channel.

[56] On 18 June, various jihadist factions reaffirmed their support for HTS in a statement. The most prominent was the TIP, but other small groups included individuals from Uzbekistan, the Maldives, Albania, Iran, Tajikistan, the Arabic Peninsula and the Caucasus.

[57] Interview with Abu Muhammad al-Jolani, Idlib, December 2020.

[58] This does not mean that HTS is in full territorial control. As a Turkish researcher and academic explained, "HTS patrols are afraid when they cross Jisr al-Shughur. The city is still full of foreign jihadis. HTS did not fight against HaD there. There are no flags and no headquarters anymore but HaD is still there and no one is chasing them" (interview, Ankara, November 2020).

[59] Adnan Ahmad, "Attack Against a Russian Base in Eastern Syria: Hurras al-Din Returns to the Confrontation" (in Arabic), *Al-Arabi al-Jadid*, 2 January 2021, https://bit.ly/2KVguek

leadership or turn to banditry.[60] A mix of these scenarios will most likely shape the near future of AQ's local networks.

Despite HTS leaders' initial fears, the confrontation with al-Qaeda and the group's acceptance of the new Turkish rules of the game did not create any major internal rift or mass desertions. HTS's strategic adjustment aroused internal reluctance but only a limited number of departures to more radical groups. The HTS leadership has emerged from the battle stronger. Its political line is less and less contested and there are no longer any alternative radical offers. As long as the truce lasts, the radical scene will clearly be under pressure and the hegemonic project of the HTS leadership will consolidate its foundations and marginalise peer competitors.

II. The Political Deprogramming of the Radical Emirate

HTS's hegemonic project has eliminated the prospects of an AQ stronghold in Idlib.[61] The main question is whether the elimination of an international security threat comes at the cost of the creation of a radical local emirate. Analysis of HTS's internal transformations suggests that its domestic policies have changed over the years. First, although HTS remains doctrinally *salafi,* it has ceased to use the most controversial ideological concepts of *jihadi* salafism. Second, the organisation is effectively trying to be more locally rooted and accepted, despite its continued desire to enforce political control. In the absence of resources, HTS has increasingly adopted a policy of *laissez-faire.* This is confirmed in the religious field. HTS's strategy of resilience necessitates avoiding alienating the local population. The religious sphere is a notable scene of this 'rapprochement' with the population.

1. Continuity in Dogma: Diluting Salafism Without Renouncing it

HTS remains committed to the *salafi* approach to Islam. Salafism is primarily a theological reading of core Islamic beliefs. Without dwelling on unnecessary details, the *salafi* approach to Islam claims to purify what it considers un-orthodox Islamic beliefs and to return to Islam's fundamental corpus (the Quran and the prophetic tradition, the Sunna). Politically, however, salafis have endorsed radically antagonistic positions ranging from near-blind obedience to Muslim rulers to violent opposition to them. The *salafi* approach to Islam remains present in several religious institutions in Idlib. These institutions include the Faculty of Shari'a of the University of Idlib, the High Council of Fatwa, the Ministry of Education and the Judicial Training Institute. The faculty of Shari'a, for instance, continues to teach the Book of the Foundations of Faith – *Kitab Usul al-Iman* – by Muhammad Ibn Abd al-Wahhab, which is fundamental in modern salafism,[62] although its teaching of Islamic jurisprudence is more inclusive. According to a former student, "*HTS has henchmen in the faculty and among the students. They are the ones who bring the religious figures in the movement to the university and the rector of the university cannot oppose it.*"[63]

Salafism continues to inform HTS's theological reading of the conflict. A book authored by a religious scholar affiliated with HTS without representing its official views, Abu Yahiyya al-Farghali,

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[60] This is notably the accusation made by HTS against Abu Yahiya al-Jaza'iri (interview with HTS political leaders and military commanders, Idlib, July 2020).

[61] The October 2020 attack on a French teacher by a Chechen individual in contact with two individuals in Idlib does not invalidate this statement. The author did not act on the orders of local organisations. His act was in line with the trajectory of armed attacks necessitating little logistical capacities.

[62] Mohammad Ibn Abd al-Wahhab, *The Foundations of Faith (in Arabic)*, (London: Turath Publishing, 2013). WhatsApp interview with a former teacher in the Faculty, May 2020. This choice was, however, not imposed by HTS.

[63] WhatsApp interview with a former student in the Faculty, May 2020.

illustrates a common perception of the conflict.[64] The core *salafi* religious doctrine remains central with its opposition to "blameworthy innovations" (*bid'a*) in religion, remnants of polytheism (*shirk*) and the promotion of the *salafi* creed (*'aqida*). The main adjustment is political. The book ranks theological animosities according to religious groups' political positions on Syria. For instance, it does not emphasise religious differences with actors that HTS seeks to spare, such as those aligned with traditional Islam. *Ash'ari* Muslims[65] and Sufis are therefore not directly attacked since HTS seeks to co-opt the lower clergy. Farghali instead stresses that it is legitimate to fight on their side against a common enemy. On the other hand, Farghali remains uncompromising in his religious opposition to Shias, Alawites and the so-called radical heretics (*khawarij*). Shia Muslims are blamed for their support for the regime, the *khawarij* refer to IS and the Alawites are associated with the regime. The book generally maintains a traditional *salafi* opposition to democracy as fundamentally antagonistic to the implementation of God's legislation but also develops a relatively mainstream approach to Islamic State based on the purposes of Islamic law (*maqasid al-shar'ia*).

HTS has nonetheless developed a more inclusive religious approach over time. Without altering its theological opposition to democracy and secularism,[66] the group has developed a public discourse based on Shari'a-compliant politics (*al-siyasat al-shar'iyya*). This concept is associated with Ibn Taymiyya. It aims to legitimise pragmatic political positions within the Islamic tradition. HTS justifies the priority placed on specific enemies by justifying war as a question of survival that requires compromises.[67] These compromises are not specified but could easily include the alliance with Turkey and the tacit acceptance of the Sochi agreements. Application of the concept of excommunication (*takfir*) is forbidden to individual members to prevent its excessive use.[68] While excommunication remains a legitimate concept, HTS scholars insist that Muslims might be ignorant of some religious issues and have to be "excused." The 'excuse of ignorance' (*al-'udhr bil-jahl*) is a central concept for salafis who do not want to apply their religious views excessively. In Syria, it reflects both a strategy of rapprochement with the population chosen by HTS and a means to ensure the coexistence of various religious worldviews within their project. At the Shari'a Faculty of Idlib, the *salafi* religious creed (*'aqida*) is taught but schools of jurisprudence are also emphasised, with a specific role of the Shafa'i *maddhab* as it is the most common in Idlib. The deputy dean of the Faculty of Shari'a recognises that "*we are searching for common ground that allows a teaching for all and for that, among us, we reject the use of the concept of takfir. No one can tell that the other is outside of Islam.*"[69]

The revised approach to salafism was made possible by the institutionalisation of internal religious authority. HTS has instituted clearer norms and procedures to regulate who can issue religious judgements and how. This *modus operandi* is more procedural than theological. The group's institutionalisation sought to canalise discordant voices inside the organisation by containing the opposition of refractory clerics through institutional and administrative norms. "*There is now a general order that everyone must accept,*" insisted Abu Muhammad al-Jolani with reference to internal dissidence.[70] According to Abu Abdullah al-Shami, "*we were forced at the beginning to accept dissident voices. But, gradually, we stabilised internal order by putting rules in place*." One HTS religious leader

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[64] Abu Fath Al-Farghali, *Zad al-Talib,* 2017. Al-Farghali is a former member of the Egyptian group al-Jama'a al-Islamiyya. He remains in HTS to this day, although his religious views are stricter than the HTS leadership's.

[65] *Ash'ari* theology is a dominant approach to the Islamic creed. It is the main alternative to the *salafi* or *athari* religious creed (*'aqida*).

[66] HTS, "*Mabadi ha'yat tahrir al-sham,*" 2017, retrieved from HTS's telegram channel.

[67] HTS, "Al-jihad wa al-siyasa al-shar'iyya bayna al-thawabit wa al-mutaghirat; thawrat al-sham lan tamut," 2018 and "Bayyan al-majliss al-shar'i al-'am hawl al-ahdath al-da'ira fi al-ghuta al-sharqiyya," 2017, retrieved from HTS's telegram channel.

[68] HTS, "*Ta'mim (17/2)*," 2017, retrieved from HTS's telegram channel.

[69] Interview with the deputy dean of the Shari'a Faculty of Idlib University, Idlib, December 2020.

[70] Interview, Idlib, July 2020.

and *shura* member added that now "*you can judge the violation of the law and not necessarily the idea itself. We have established a framework for discussions.*"[71] This transformation occurred gradually. First, the group forbade the use of excommunication outside the fatwa committee of its Shari'a Council, which effectively ceased applying it. Then, it banned "*the publication of fatwas and rulings before their revision by the general Shari'a Council.*"[72] These rules were used to silence dissident voices, including several HTS Egyptian clerics who had previously left Ahrar al-Sham when it started to engage with Turkey. For instance, Talha al-Maysar, also known as Abu Shu'ib al-Masri, was expelled for "*not respecting the policies of the group repeatedly.*"[73] Another Egyptian religious scholar who was also previously in Ahrar al-Sham, Muhammad Naji, also known as Abu Yaqthan al-Masri, was similarly expelled for not abiding "*publicly by the framework set by HTS through its leadership and shari'a council.*" These punitive measures contributed to the Syrianisation of the group's Shari'a Council.[74] They followed a ban on the publications of the prominent *salafi jihadi* thinker Abu Muhammad al-Maqdissi in the group's training camps and explicit denunciation of him.[75]

The ideological training provided to group members has moved in the same direction. It aims less to instil religious norms than to produce determination in combat and assert a certain political line.[76] On the one hand, HTS continues to present the conflict in terms of '*nusayriyya*' and '*rawafid*' – which are derogatory terms respectively referring to Alawites and Shia Muslims – that are fighting "*the Muslim and Sunni presence in the countries of the Levant*" in a "*battle between the infidels and the followers of the Prophets.*" According to the group, "*the lost ones – ahl al-batil – cannot bear the presence of the bearers of the truth among them and they must therefore be expelled.*"[77] However, on the other hand, HTS no longer insists on many core *salafi* concepts such as *al-wala' wal-bara'* (asking for loyalty to Muslims and the dissociation of non-believers) and '*adam al-isti'ana bil-kuffar* (the prohibition of assistance by non-Muslims, the apostasy of Muslim leaders and the supreme sovereignty of Islamic law (*hakimiyya*).[78] A cleric familiar with the organisation recalled that "*before, their leaders talked a lot about the issue of Islamic sovereignty. It's no longer the case now. They limit themselves to saying that what the movement wants is Bashar's downfall, without delving too deeply into the nature of the alternative.*"[79] A former court judge close to the organisation believes that "*religious education curricula have changed. They were previously linked to the jurisprudence of jihad in addition to condemnation of esoteric tendencies present in Sufi Islam, confrontation with the Shia and the purification of beliefs. But they have changed recently. They teach* fiqh al-nawazil wa al-azamaat[80] *and the jurisprudence of the contemporary context, instead of focusing on jurisprudence of jihad like in the*

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[71] Interview, Idlib, July 2020

[72] HTS, "*Ta'mim,*" 2019, retrieved from HTS's telegram channel.

[73] HTS, "*Qarar fasl,*" 2019, retrieved from HTS's telegram channel.

[74] Other prominent foreigners, including 'Abdullah al-Muhaisani, resigned in opposition to HTS's policies. See https://bit.ly/2KW31Tz Qasioun, "Al-Muhaisani: I resigned due to the Attack on Ahrar al-Sham," Qasioun, 13 September 2017, https://bit.ly/3gopm7y

[75] HTS, "Bayan bi haq '''asim al-barqawi" al-mulaqab bi "Abu Muhammad al-Maqdissi," 2020, retrieved from HTS's telegram channel.

[76] For examples of these sermons, see https://bit.ly/3pMtIsz. See also Mazhar al-Weis in a presentation to the "Asking People for a Reminder" programme on courage in Islam, in which jihad is an example of courage in the Quran without elaborating on the details. https://bit.ly/2MoyMF4 .

[77] Presentation by Mazhar al-Weiss, one of the leaders of the movement, https://bit.ly/355Jt6d. Most of the material available online is along the same lines.

[78] Testimonials from people who have experienced this training, WhatsApp call, May 2020.

[79] WhatsApp call, May 2020.

[80] This legal corpus taught in the traditional *salafi* corpus aims to deal with contemporary questions detached from traditional questions of jurisprudence. It is a way of breaking away from the binding body of case law while preserving religious legitimacy.

past. New horizons have opened up."[81] Abu Abdullah al-Shami justifies the change by referring to the changing sociology of the movement. He argues that "shari'a *remains our reference. But there are conditions for its application. This is not necessarily understood by foot soldiers. I can only debate these issues with people who reach a certain level of understanding. Many foot soldiers cannot understand* al-wala wal-bara *for instance. And they do not need these levels of detail."*[82]

The redirection is significant, but it is not yet grounded in a new theology. According to a foreign researcher who follows closely the movement, "*HTS religious leaders spend more time justifying policies like agreeing to bring the Turks in or supporting ceasefires without really offering a new ideological vision to their fighters. From this point of view, there has been no de-radicalisation of their members.*"[83]

The new policy adopted by the leadership met some internal resistance. It was sometimes difficult to sell to middle-ranking commanders. According to a former judge close to the movement, "*there are clear signs that we have come to a point when it is becoming necessary to purify the curricula. But some people reject the new orientations of HTS and the SSG because of the acceptance of conduct previously prohibited. It is seen as diluting old principles. What was prohibited yesterday becomes lawful today.*"[84] Two other graduates from Shari'a institutes close to HTS consider that it was mainly early recruits from the time of JaN who were at the heart of the resistance to change. The deputy to the dean of the Shari'a Faculty clarified that at the beginning of university courses some students can be hardliners, especially those who followed military and ideological training in the time of JaN: "*they needed this training. Less than a year ago we were fighting the worst enemy so in order to fight you need to have an iron will that gets strengthened with those ideas. Now it is time to carefully correct them.*"[85]

The management of the three last Christian villages in the HTS-held area exemplifies the internal transformations within HTS.[86] These villages underwent a hard time after the beginning of the conflict. Locals recalled the chaos that prevailed when FSA groups controlled the area since "*at that time there were a lot of lootings and occupation of houses, but we had no interlocutor to talk to.*" IS was present for a short while. It imposed a harsh order that lasted a few months before imposing its own malignant practices as well.[87] When HTS and the SSG began to affirm their authority in 2017-2018, relations between the communities had been seriously damaged. Hate speeches were common while greetings during religious ceremonies and participation in the funerals of other communities ceased. Dozens of houses remained occupied by civilians from other areas.[88] This legacy was initially addressed by official visits to the areas initiated by high ranking HTS clerics, including Abu Abdullah al-Shami. The local SSG representative for the area of Jisr al-Shughur then started to liaise regularly with local Christian clerics and dignitaries. While it is too early to assess the result of these efforts, there is a clear generational evolution at work. A new generation of educated middle class managers speaking with the

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[81] The 'jurisprudence of the contemporary context' emphasises the current conditions in which the principles and rules of Islamic law are implemented.

[82] Interview, Idlib, December 2020.

[83] WhatsApp interview, May 2020.

[84] WhatsApp interview, May 2020.

[85] Interview with the deputy dean of the Shari'a Faculty of Idlib University, Idlib, December 2020.

[86] These villages are Jdeide, Qniyya, Yaroubiyya. They are mixed villages, with Muslim inhabitants too. They host two Franciscan monasteries and five churches. More than 700 individuals representing 240 families live there. Interviews with Christian local notables and religious dignitaries, Idlib, December 2020.

[87] IS initially claimed to regulate these areas based on the pact of Umar, an understanding between the Christians of Syria and the Umayyad caliph Umar Bin Abdel `Aziz in the 8th century. The pact ensured Christian protection in exchange for a series of conditions, mainly related to the public presence of Christian rituals or symbols (Isabelle Safa, "Le pacte d'Umar," *Les Cahiers de l'Orient*, vol. 118, no. 2, 2015, 23-25).

[88] Discussions with local residents of the three villages, Idlib, December 2020. The occupation of houses is not specific to Christian communities. IDP pressure and factional control motivated house appropriation throughout Idlib province. But the strong level of absenteeism in Christians areas exacerbated the phenomenon there.

authority of the law and institutions is emerging. They are engaged in trust-building with Christian clerics and notables to stabilise the area and find practical solutions.[89] They want to ensure the authority of the SSG against the 'legacy' inherited from the years when factions cohabitated.

The confrontation of revolutionary and Islamist factions with IS also consolidated internal pressure on radical voices in the HTS ranks. Radicalism remains, but at the level of certain fighters who are located between AQ and IS but cannot assert themselves because of the HTS security policies targeting alleged IS membership. For a former professor at the Faculty of Shari'a in Idlib, "*the conflict with IS moved from the battlefield to the battle of ideas. They used to call themselves* ikhwa al-minhaj [the brothers adhering to the same approach] *but, after the confrontation, the crisis was transferred to the field of religious conceptions. Ideas began to transform. Leaders that are too hard-line are now accused of* 'da'ashana' (IS-isation)."[90]

These dynamics have created a gap between the evolution of the political approach and religious doctrine, which remains untouched in its foundations. In fact, political postures are changing faster than militant culture. Militant culture is the place par excellence for the expression of ideological identities and shows more inertia. An activist, a member of a militant family close to HTS, therefore considered that "*by reducing too much the religious discourse internally, the risk is that the militants could slip away among more radical groups like HaD or the cells of Islamic State. Religious discourse cannot change too quickly with the risk of losing their social bases*."[91] From this point of view, salafism remains a strong ideological reference in the religious normative production of institutions revolving around HTS. However,   salafism can no longer be considered a package deal capable of framing on its own the entire ideological offer in the territories controlled by HTS. Teaching is becoming hybrid, and Sunni religious diversity is accepted in a religious field that, unlike the political field, HTS does little to control.

2. The Management of the Religious Field: A Question of Acceptability and Control

The management of clerical institutions sheds additional light on HTS's religious policies. HTS has renounced strong involvement in the religious field, which is left to others and outsourced like the education, health and humanitarian aid sectors. The religious field is therefore seen less as an instrument for the Islamisation of society than a space for potential dissent to – weakly – control.

In search of social acceptability, HTS broke with the traditional vision of *jihadi* salafism[92] through a rehabilitation of the classical schools of jurisprudence (*maddhab*). This choice was informed by two main rationales. First, HTS wants to root itself locally. The adoption of the schools of jurisprudence had been debated for many years in JaN's ranks. The transition to governance confirmed it: "*we are always trying to anchor in the movement the idea of relying on the schools of jurisprudence because it is a way of getting closer to people*," testified Abu Abdullah al-Shami, who heads HTS's religious council. Jurisprudence schools are taught in the movement's internal training courses.[93] Among the four dominant schools of jurisprudence, HTS chose the *shafi'i* school instead of the *hanbali* school, despite the fact that the latter is historically closer to Saudi Salafism and more in line with the *salafi* method. Shafi'ism

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[89] Our discussions with locals suggested that several religious issues remain, including the impossibility of ringing bells. They also lament the impact of external developments, including recent controversies over the publication of caricatures in Western countries, on local social cohesion. But the most important demands are instead secular, including housing and land property, taxation and social coexistence. The SSG representatives promise a new Absentee Property Law to institutionalise the work of the follow-up committee that was previously established by the SSG to address local claims of land and house occupation, and taxation on agricultural leases (interviews, Idlib, December 2020).

[90] WhatsApp interview, April 2020.

[91] Interview, Hatay, March 2019.

[92] *Jihadi* salafism is sceptical about the role of the clergy which supports regimes denounced for their 'apostasy,' and of the school of jurisprudence, which official clergies rely on.

[93] Interview with a member of the High Council of Shari'a, Idlib, July 2020.

was not chosen on the basis of doctrinal considerations but more prosaically because "*it is the school of the majority of the population*," as one of the members of the HTS political bureau insisted.[94] Clearly, it is not the intrinsic qualities of the reference that are invoked but its social effect. It is a political rationale justified by the group's reliance on Shari'a-compliant politics (*al-siyasat al-shari'yya*).

The second rationale for the rehabilitation of the *madhhab* is control. The rehabilitation of the schools of jurisprudence is part of a strategy designed to reduce the influence of competing sources of authority. The objective is to discipline public religious discourse through its institutionalisation. For Bassam Sihiouni, one of the most prominent members of the High Council of the Fatwa, "*the schools of jurisprudence are among the safest ways of preserving a correct and inventive intellectual orientation while applying the laws, ethics and morals of Islam. On the contrary, abandoning these schools would result in a decline of jurisprudence on the basis of just and righteous thinking*."[95] The return to the schools of jurisprudence offers a strategy for regulating the radicalism present in their ranks. The *madhhab* facilitates the institutionalisation of religious speech that side-lined the shaykhs of global jihad and silenced dissenting voices within the organisation. The institutionalisation of religious authority has also been facilitated by the unification of governance structures under the SSG.

The elimination of factional courts of law and the – yet to be completed – institutionalisation of justice have also deprived armed commanders, often at the head of local Islamic courts, of their control over the population.[96] The unified rules of law applied in the province are administered by the courts and not by men of religion. For Abu Abdullah al-Shami, "*we cannot impose all the rules of* shari'a *on the question of criminal law, which is a matter for the courts. We are in a phase of subdual (*marhala al-istid'af) *and this makes it impossible to apply certain norms of the Islamic system (*'adam tamkin). *This would not promote the interests* (masalih) *of the community*."[97] In the same way, the head of the HTS Shari'a Council considers that the institution of *hisba* (public morality vigilantism) should be fulfilled by the modern state, meaning the relevant ministries of the SSG.[98] "*Pressure on individual behaviour fell with the creation of HTS,*" said a woman leading an association for the support and political awareness of women. "*Before, it would have been inconceivable to imagine that women could talk about politics like this. The pressure to wear the full veil* (niqab) *has also diminished*."[99] The organisation's religious policing decreased. Cases of death sentences have also diminished but have not disappeared.[100]

The SSG relies on the High Council of Fatwa, a religious reference institution created in early March 2019 to regulate public religious opinions (*fatwa*), which are now formed on the basis of collective deliberation. Contending voices are included but they do not control the institution since the High Council of Fatwa is headed by close advisers to Jolani. The institutionalisation of religious leadership under the banner of a High Council of Fatwa is intended to undermine the authority of the global *salafi jihadi* thinkers and dilute the influence of the remaining hardliners inside: *"we made sure we invited everyone: sufis, ash'ari, shaykhs linked to other factions. Our objective was not to monopolise the fatwa*

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[94] Interview, Idlib, March 2020.

[95] D. Bassam Sahiouni, "Personal Page" Twitter, https://bit.ly/2JEfBpO

[96] Commanders in charge of security, sometimes foreigners, still process more sensitive cases such as intelligence with the regime or Russia, IS cells and organised crimes as mentioned earlier (interviews with former prisoners of non-SSG Courts, Istanbul, August-September 2020).

[97] Interview, Idlib, July 2020. Abu Abdullah here refers to important concepts in Islamic jurisprudence that are used to explain the absence of implementation of specific legal injunctions.

[98] Interview, Idlib, July 2020.

[99] Interview, Hatay, October 2019. The hijab, as opposed to the niqab, is common in middle-class leisure places and restaurants. A former JaN activist from a wealthy Damascene family explained that "*this situation is new. All the women wore the full veil after the liberation of Idlib. The current transformation exasperates religious hardliners, but more pressure cannot be exerted on society or it might get out of control*" (interview, Idlib, December 2020).

[100] Syrians for Truth and Justice, "Another Wave of Summary Executions by HTS in Idlib," 5 June 2020, https://bit.ly/3mVLNUe

but to set up a body with a legitimacy able to impose itself as an indisputable reference. The opinions of the High Council are rare but strong; they also aim to prevent people from following fatwas that come from abroad. Especially Abu Muhammad al-Maqdissi, Hani al-Siba'i and others," argued Abu Abdullah al-Shami.[101] Religious scholars can express their positions in this council filled more closely with local and non-hardline clerics, but their voices can no longer be publicly authoritative. This regulation through the institutionalisation of religious discourse has been particularly useful for the leadership of the group in pushing for the acceptance of the Turkish presence and support for the fighting forces in Idlib today, a position that the organisation had rejected in the past.[102] For now, the High Council of Fatwa limits itself to issuing some traditional fatwas on issues like zakat and Ramadan.[103] HTS is not trying to use it to promote a certain worldview, to preach moderation or, conversely, to promote Salafism. In two years of exercise, the High Council of Fatwa has produced only a relatively limited number of opinions,[104] and only on consensual ritual questions, with the exception of a recent *fatwa* on the Charlie Hebdo caricatures.[105]

HTS's management of other religious institutions such as mosques and religious teaching is also quite consistent. The group tried to intervene in the beginning but after it realised its weakness and inability to impose its religious views it decided to delegate many religious functions while focusing on limiting political dissidence.

HTS initially tried to change some of the local religious staff by placing its men where the local balance of power tilted in its advantage. The group was able to dismiss critical imams from their positions in areas of influence. In other places, HTS had to acknowledge local resistance. In the city of Maarat al-Nooman, which historically opposed JaN and HTS, the imams, muezzins and known preachers forming the lower clergy remained unchanged because of resistance by large local families like the al-Alwan family. However, HTS became aware of its limits over time. Although HTS insists that it only removed clerics opposed to the revolution or favouring the regime, a former judge recalled that "*at first, HTS tried to change the clerics who opposed its views and replace them with young people who had come out of their ideological training camps. Then, it had to reinstate the old ones for two reasons: to compensate for the lack of its cadres and their weakness, and to manage popular anger.*"[106] Lacking substitute personnel and unwilling to engage in a systematic confrontation with local populations over the control of mosques, HTS has managed the lower clergy – in popular parlance called the 'neighbourhood shaykhs' (*shuyukh al-hara*) – through a mixture of co-optation, tolerance and pressure, modulating the proportions according to the local balance of power in a rather classic patronage policy: "*the known shaykh, recognised by local notables and appreciated by the people will be approached by the Ministry of Religious Affairs [of the SSG], which will try to influence them. At worst, if they oppose his directives, they run the risk of being dismissed.*"[107] The current Minister of Religious Affairs, Ibrahim Shasho, acknowledges that "*we currently run over 1,200 mosques. And each mosque has a staff of around 5 people. It is simply impossible for us to replace them. We are not trying to push*

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[101] Interview, Idlib, July 2020.

[102] For example, the group had withdrawn from the north of Aleppo so as not to enter into an alliance with Turkey in 2015. Elias Groll, "Jabhat al-Nusra Abandons Fight North of Aleppo as Turkey and U.S. Plot 'Safe Zone,'" *Foreign Policy,* 10 August 2015, https://bit.ly/3lPzsiT

[103] Written exchange with a cleric close to HTS, May 2020.

[104] The limited nature of its public speaking does not mean that the High Council of Fatwa is inactive. In fact, much of its work is direct guidance to individuals or, more significantly, with the various ministries of the SSG. All the laws enacted by the SSG are also reviewed by the High Council of the fatwa (interview with three members of the High Council in the presence of the Minister of Religious Affairs, July 2020).

[105] The Higher Council of Fatwa, "On the Repetition of the Diffusion of Defamatory Pictures of the Prophet Muhammad," 2020, retrieved from the telegram channel of the Council.

[106] WhatsApp written exchange with a judge in Idlib, May 2020.

[107] WhatsApp interview with a former judge, May 2020.

*for a specific ideological orientation or to change the staff. We do not reject any person with the necessary knowledge (*talib 'ilm*) and we do not categorise between salafis and asharis or sufis*."[108] There is now effectively little interference. The content of sermons is not imposed from above and, while local preachers can be encouraged to relay positions on specific events (e.g. fundraising campaigns), specific religious views are not imposed. In the city of Idlib, for example, of 46 mosques 40 are still run by the same staff who were there before the establishment of the SSG.[109]

Similarly, the theological teaching circles (*halaqat al-ta'lim*) in the mosques remain in place. HTS does not try to impose its religious views. The Ministry of Religious Affairs officially supervises them. However, the bodies effectively in charge of these circles are multiple. They include the Turkish Ministry of Religious affairs (*Waqf Dianet*), the Syrian Islamic Council allied to the opposition in exile and the Institute of Imam al-Nawawi of Sufi obedience.[110]

In the Shari'a institutes, HTS's laissez-faire policy, together with an unfavourable balance of power, has contained its desire for control. One of the former teachers at the Shari'a Institute of Imam al-Nawawi, now in Turkey, recalled that "*as of 2015 we opened more than 30 branches in the liberated territories. HTS tried to intervene in the curricula three years ago, when its desire for domination was clear. Education security officials from HTS wanted to censor our textbooks and then pressed for changes in the content. We resisted and mobilised the media. Ultimately, they gave up. They are responsive to the media. The pressure changes and they then focus on people with episodic arrests.*"[111] It is worth noting that HTS no longer has Shari'a institutes of its own. A cleric with strong ties with HTS testified that the religious training was not subject to the same institutionalisation efforts as other domains: "*HTS was running Shari'a Institutes for religious training of its militants, especially in the historical strongholds of JaN such as the cities of Harem and Salqeen. But they closed them in 2017 and relied afterwards more informally on ideological training during military training camps and on conferences that clerics associated with the organisation were giving in mosques.*"[112] Apart from some independent efforts made by former religious leaders of factions defeated by HTS, the training of imams remains in the hands of traditionalist institutions like the Institute of Imam al-Nawawi, which is the main body in charge of training local clergy.

HTS has also ceased pressuring Sufi circles. In the time of JaN, there was strong pressure on individuals and Sufi rituals around mausoleums, including the destruction of some of them.[113] "*The war against the Sufis was very severe, especially by the foreign fighters, who see Sufism as a mark of impiety. And as our country does not have any structured Sufi organisations, Sufism had little capacity for resistance,*" recalled a Sufi shaykh. "*There was a hardline wing in the ranks of JaN which saw the Sufis and ash'aris as enemies. The Egyptians in JaN represented this wing. They did attack Sufi shaykhs, yes. They were in an ideological vendetta relationship with the Sufis. But they are now marginalised.*"[114] Currently, no directive explicitly prohibits Sufism, although it is sometimes targeted at its margins with accusations of magic.[115] "*There is no organised will on the part of HTS or SSG to tackle Sufism,*"

[108] Interview, Idlib, July 2020.

[109] Interview with a local cleric, Idlib, July 2020.

[110] Interviews with officials from the High Council of Fatwa and the Ministry of Religious Affairs, Idlib, July 2020. The institute of Imam al Nawawi was founded in 1962. Of Sufi-Ash'ari obedience, the institute followed the revolutionary movement in 2011 and it enjoys the protection of the Faylaq al-Sham faction, which is close to the Muslim Brothers and Turkey. WhatsApp calls with institute professors and Sufi shaykhs, May-June 2020.

[111] WhatsApp interview, May 2020.

[112] Written exchange, November 2020.

[113] Amer Basha, "What is the Meaning of the Demolition of the Tomb of Sheikh Muhammad Al-Nabhan?" (in Arabic), *Ayn Al-Madina*, 15 February 2015, https://bit.ly/33Sr1gJ

[114] WhatsApp interview with a former professor in a Shari'a Institute, May 2020.

[115] WhatsApp interview with a Sufi shaykh from Idlib now in Turkey, May 2020.

considered a Sufi-obedient shaykh. Loyalty to the movement matters more than the imposition of an ideology.[116] A similar policy applies to teaching. A contentious issue was the imposition of the Salafi view of the religious creed by HTS in the al-Khasnawiyya School and the al-Imam al-Nawawi Institute. It was ultimately rejected by mutual agreement. "*Institutes are free to teach as they see fit. All schools of jurisprudence are admitted as long as Sufism is not expressed too openly and institutions do not teach positions hostile to Salafism or to positions followed by HTS,*" testified a teacher in one of these institutes.[117] Even the Faculty of Shari'a of the University of Idlib, despite the integration of *salafi* references in its curriculum, still relies on the teachings of the Faculty of Shari'a of the University of Damascus. It also continues to have *ash'ari sufi* scholars in the leadership of the Faculty.[118]

In the field of public schools, pressure did not last either. In the beginning, there were some attempts to reform religious education and impose the logo of the SSG alongside that of the Syrian Interim Government (SIG). For instance, the manual authored by Farghali mentioned previously was distributed to supervisors, although its use was left to their discretion.[119] However, the curriculum taught in secular schools, including religious education, has not undergone substantial changes.[120] The main reason is the absence of resources. Until September 2019, education was mainly handled by the American company Chemonics. Seizing this sector would have required human and budgetary resources that the movement was not ready to invest. The Ministry of Education is limited to a supervisory role and is satisfied with a small number of civil servants without committing to the management of schools that it would own. "*Taking over the education sector would simply have been too complicated,*" according to a local analyst.[121] Educational advisers (*muwajih al-tarbawi*) try to propagate some Islamic concepts through support courses and certain religious training courses given to teachers but without it being considered particularly intrusive by the teaching staff.[122]

HTS therefore invests in the religious field, but in a rather non-ideological way. It believes in a logic of political control rather than a strategy of reforming society religiously. HTS has ceased to follow the objective of transforming society in mosques or through direct religious guidance, instead allowing the expression of competing religious currents. As for the production of fatwas, it is undergoing an effort at institutionalisation that ultimately marginalises the production of new religious norms. Last, the lower clergy is less replaced than courted because of the lack of human resources and local pressure. It is merely expected to be politically – as opposed to religiously – non-hostile rather than fully aligned.[123] To date, there have been no consistent efforts to promote a specific world view as required by a *salafi*-type posture.

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[116] WhatsApp interview with a former teacher in a Shari'a Institute, May 2020.

[117] WhatsApp interview, May 2020.

[118] Interview with the deputy to the dean of the Faculty, Idlib, December 2020.

[119] No principal or teacher contacted complained about overly intrusive supervisors (WhatsApp interviews, May and June 2020).

[120] Discussions with professors, directors and current and former senior officials in the Ministry of Education carried out between June 2019 and May 2020.

[121] Interview, Idlib, June 2019.

[122] WhatsApp calls with four school teachers, April 2020.

[123] According to a former SSG official who is now critical of this, around twenty shaykhs were dismissed from their posts during the SSG's first year of operation (WhatsApp interview, May 2020). Four preachers close to HTS were sent back to Harem for opposing the policy on Turkey. Several sources opposed to HTS claimed none were fired for religious reasons, only political ones (WhatsApp calls, May-June 2020).

3. The Suspension of the Normative Project: Why is the Islamisation of Society no longer an Objective?

The transformation of HTS is not operating in the theological domain. Salafism remains the foundation of its core beliefs. However, the management of the religious domain no longer serves as a basis for a normative project that would reflect a political ambition to systematically impose a certain set of religious values and principles that were not previously endorsed by society.[124]

HTS maintains its theological orthodoxy but deprives it of direct application. This is not a mere paradox but a clear strategic choice: the Islamisation of society is no longer a central objective for HTS. Responding to al-Qaeda, which accused the movement of preventing other organisations from practising the duty of jihad, Abu Abdullah al-Shami explained the renunciation of the normative project: "*HTS never claimed that it represents the Muslim community as a whole (*jama'at al-muslimin*), which, as such, would have the right to the establishment of the Islamic order. We are simply an organisation of Muslims (*jama'a min al-muslimin*). Yes, indeed there is no comprehensive application of Islamic law (*tamkin*) at the present time and no religious order is possible. On the other hand, there is a unified administration organising public affairs in the liberated territories of the north at all social, security and economic levels and striving to develop its performance to the extent of its means.*"[125] Clearly, the implementation of an Islamist normative project would require conditions that are currently not met and that Abu Abdullah al-Shami, preserving his room for manoeuvre, is careful not to define too precisely. This conditionality regime allows multiple compromises with the normative project: a suspension of corporal punishment due to the war context, a marginalisation of divisive concepts, an implicit renunciation of jihad, alignment with local references – *Shafi'ism* – and acceptance of Sunni religious diversity – Sufism.

It would be wrong to consider that the suspension of the normative project is necessarily temporary and that it would ultimately pave the way to radicalism. It is sustainable. The inclusion of Islamist political parties in domestic political systems has already largely eroded their commitment to the establishment of normative Islamic states in the region. In reality, HTS's hegemony paradoxically facilitates the suspension of a normative project. Hegemony pushes HTS into governance or, in its terms, "the institutionalisation of the revolution." This choice deprives more moderate alternatives from the National Liberation Front (including Ahrar al-Sham and ex-FSA factions) and more radical ones, like AQ, of any capacity for territorial control, including checkpoints, courts of law and control of local councils. Moreover, it reduces the influence of local HTS commanders over territories by confining them now to military action more focused on security issues than on the implementation of religious norms.[126] Indeed, before the establishment of the SSG, the radical old guard in command at the local level and religious and security officials – the so-called *shari'in* and *amniyyin* – saw their control over the administration of Shari'a significantly reduced. "*Before, the clerics of the armed factions imposed their often harsh religious vision. Sufi mausoleums were also destroyed. But none of that occurred after the establishment of the SSG.*"[127] A discussion with an informed expert suggested that the group "*wants a division of power (*fasl al-sulta*); religious scholars should be integrated into the appropriate structures.*"[128]

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[124] There is therefore a break with the reformist character of Salafism, which is defined as much by dogma as by a normative project, now absent in Idlib, and which is mentioned by Haykel as a major feature of this current. Bernard Haykel, "On the nature of Salafi thought and action," in *Global Salafism: Islam's new religious movement*, ed. Roel Meijer (London: Hurst, 2009), 33-57.

[125] Abu Abdullah al-Shami, "Reply to the Announcement of Al-Qaeda", 2020, Retrieved from HTS's telegram channel.

[126] Syrians for Truth and Justice, "Another Wave of Summary Executions by HTS in Idlib," ibid.

[127] Former shaykh in the Ministry of Religious Affairs, WhatsApp interview, May 2020.

[128] Interview, Idlib, July 2020.

The hegemonic project also suspends the normative project in another way. The consolidation of the hegemon in a situation of strategic weakness forces it to adapt to the expectations of the population. Therefore, for Abu Abdullah al-Shami, "*our philosophy is not to transform society to align it with our point of view. Even when Islam was in a strong position in the days of the early caliphs, they did not impose their ideas by force. It is against our religious creed to impose our ideas. This is IS's problem. They are against the Sunna from that point of view. The problem with IS is not just the use of takfir, but the approach itself.*"[129] Taking stock in particular of the Iraqi experience, he considered that "*to force society to abide with our views is not a strategic objective. Every time you try to align the views of society with those of the organisation that controls it, it is a failure.*" In other words, the religious domain is becoming a space for transaction with society instead of domination, where the latter's views tend to prevail over those of the organisation. For Anas Ayrout, former dean of the Faculty of Shari'a at the University of Idlib and one of the influential religious figures in the High Council of Shari'a, "*it all started with a spontaneous revolution. After that, one cannot impose the idea of one faction on the others. You can't lead the boat alone. Factionalism has been overtaken by the establishment of a civilian government. We are moving from a revolution by one faction to a large collective revolution. We then have to deal with society. Sufism is the religious orientation with which most preachers and the general public identify. We are not going to go to war with them when people really have other concerns.*"[130]

Beyond the collateral consequences of institutionalisation and the lessons learned from the experiences of IS in Iraq, a calculation of acceptability defuses the normative project. "*The most important thing is to emphasise conflict management in our region. We don't want internal religious controversies to create problems. We accept differences to avoid conflicts in the areas under our control.*"[131] This calculation of social acceptance is central to the relationship of the dominant group to the populations it leads. According to researcher Elizabeth Tsurkov, "*the attentiveness of HTS to public opinion manifests in issues pertaining to governance and policies vis-à-vis the Assad regime and the international system. When it comes to governance, for example, HTS banned smoking, but is not enforcing the ban due to its unpopularity. On multiple occasions, HTS released popular revolutionary activists who have criticised it due to public pressure. HTS also attempted to avoid levying heavy taxes on the population, and when forced to do so in 2019, allowed protests to take place with a relatively minimal resort to violence. Public statements and internal communications of HTS leaders and fighters attest to a great deal of awareness of public sentiment.*"[132]

The imposition on the population of a *salafi* normative project, without being denied, is well sacrificed on the altar of a political rationale (survival and consolidation). Sceptical minds would argue that the suspension of the normative project can easily be reversed with the absence of a formalised ideological update. They certainly have a point, given that a *salafi* actor sets out precisely to transform society and 'purify' its beliefs. However, the constraints inherent in the new strategic environment and the orientations of HTS make the imposition of the normative project unlikely.

III. Consolidating the Transformation: HTS's Adjustment to the Turkish Strategic Game

After dominating revolutionary mainstream factions (2016-2019) and containing HaD (March 2019-July 2020), HTS eliminated, or at least significantly weakened, the political and military threat posed by al-Qaeda supporters. This opened a third stage in HTS's political trajectory in which the local

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[129] Interview, Idlib, July 2020.

[130] Interview with one of the officials in the High Council of Fatwa, Idlib, July 2020.

[131] Interview with one of the officials in the High Council of Fatwa, Idlib, July 2020.

[132] Elizabeth Tsurkov, *Why Non-State Islamist Groups Moderate*, paper submitted for publication, Princeton University, 22.

strategic game is defined by a patronage relationship between the group and Turkey. This game is highly constraining on HTS, which further consolidates its transformation.

The Turkish presence in Idlib dates back to the establishment of observation posts under the Sochi agreement in 2017. For three years, HTS had to acquiesce to a relatively non-intrusive Turkey. But the massive arrival of Turkish troops in February 2020 changed the rules of the game. It imposed an asymmetrical power relationship between a dominant actor providing protection and a subordinate actor which had to adapt to the new strategic game. The shift to patronage politics was well described by Yahya al-Farghali, an HTS Egyptian religious scholar who does not represent HTS's official view but illustrates the perception of ongoing dynamics. Farghali believes that the massive entry of Turkish soldiers moved HTS from an egalitarian relationship in which it had '*al-zuhur*,' mastery of the game and dominance of the balance of power, to an asymmetrical relationship entailing a loss of control over strategic decisions concerning the territories under control.[133] In this case, the best the movement can now hope for, according to the Egyptian cleric, is to preserve the Islamic character of governance in the remaining areas.

1. HTS's Patronage Politics

Politically, the patronage relationship is *a priori* not problematic for HTS and Turkey since they share real strategic interests.[134] HTS's strategy of resilience effectively aligns with the Turkish perspective. HTS wants to hold the ground, preserve power, protect and organise the population, and bet on the long-term exhaustion of the regime. Turkey conversely wants a stable strategic depth to avoid spill-over while delegating the governance and pacification of the territory to local forces. But the main hiatus is that Turkey's sanctuary strategy in Idlib is framed by the relationship between Moscow and Ankara and its multiple truces. It is therefore a three-player game. To align with a Turkish-sponsored sanctuary, HTS cannot ignore the Turkish-Russian agreement signed on 5 March 2020. Beyond their shared interests in strategic depth and revolutionary sanctuary, HTS's patronage politics with Turkey becomes more complex and imposes difficult political choices on the organisation's leadership. These choices are revealing tests of all the transformations previously analysed.

Three points of friction quickly appeared between HTS and Turkey. These issues are the geography of the strategic depth defended by Turkey, the international terrorism question and the mixed Turkish-Russian patrols passing on the M4 road. If bilateral divergences were initially significant, they resolved over time around a shared objective to consolidate sanctuary in the current phase of weakness.

The first dispute is over the size of the strategic depth sought by Turkey. The agreement with Russia stipulated that the frontlines of March 2020 defined the territory affected by the truce. The main ambiguity therefore concerned the areas situated south of the M4 motorway, which were initially less protected. The Turkish infantry was mainly positioned in the north of the highway and the eastern flank of Idlib. It left the southern frontlines significantly more exposed while manning up the frontlines directly in the east of Idlib. Turkey's rationale was not informed by a shared agreement with Russia. It simply reflected the sheer amount of resources that would have been necessary to secure the entire perimeter.[135] The understanding reached between Moscow and Ankara in November 2020 concerning the redeployment of the Turkish observation posts besieged by regime forces in the southern flank of

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[133] Abu Fath Al-Farghali, "Complete Leaked Registration of the Commander Abu Fath Al Farghali" (in Arabic), *YouTube*, 31 March 2020, https://bit.ly/2JAWbCq. See also Sam Heller, "Leak Reveals Jihadists' Weakening Grip in Syria's Idlib," *War on the Rocks*, 10 April 2020, https://bit.ly/39Oamyx .

[134] For a comprehensive analysis of the international power game in Idlib, see International Crisis Group, "Silencing the Guns in Syria's Idlib*,"* Report 213, 15 May 2020, https://bit.ly/33SEwwL

[135] Turkey has nonetheless established artillery positions and drone cover south of Idlib (interviews with Turkish military experts and commanders of the FSA and HTS, May 2020, July 2020, August 2020).

Idlib partly addressed the issue. It will significantly consolidate the current yet precarious truce in the region.[136]

The second point of contention is the 'terrorism question.' Ankara must eventually offer an approach to the groups labelled terrorists by Russia, despite its reluctance to go to war directly with the radicals or engage directly in local governance. Turkey is unwilling to micromanage Idlib like Afrin and the north of Aleppo. It needs a strong local partner, which will necessarily give an important role to HTS, which Turkey still considers a terrorist organisation:[137] "*We will have to fight terrorists but we are not going to launch a war on them. What we need is a local force to weaken them. HTS knows them and can do the job. But ultimately HTS will have to change,*" said a Turkish official.[138] Clearly, Turkey initially betted on Jolani's hegemonic project while considering its eventual dissolution into a larger defence mechanism built around a dominant ideological force surrounded by local allies. This approach ironically reproduces the model set by the SDF. HTS's decision to embark on a confrontation with HaD meant that the group took the lead on the issue of AQ remnants. It therefore solved the problem by eliminating the strategic threat posed by AQ after neutralising IS cells in territories under its control. But HTS remains on the agenda of the terrorist issue itself.

The third point of contention pertains to the Russian presence in the mixed Russian-Turkish patrols. This point exposes most of the structural tensions surrounding the patronage relationship taking place in a triangulation inclusive of Russia. This is where HTS's alignment with Turkey is the most spectacular. While Turkey insisted that a failure to organise the patrols would put an end to the truce, HTS expected that sustained resistance by local populations would ultimately lead to their cancellation.[139] A popular movement was set up shortly after the announcement of the Moscow agreement under the name Sit-in of Dignity, which succeeded in significantly obstructing the passage of the patrols. HTS denied any direct involvement, but everything seems to confirm that both HTS and SSG played significant roles in framing the movement: after HTS constructed trenches, clashes then took place between Turkish soldiers who were trying to free the road and demonstrators mobilised by HTS.[140] The Turkish side quickly came to the conclusion that HTS was strongly polarised. The leadership around Jolani accepted the idea of a truce, but intermediate commanders found it difficult to follow: "*our patrols face very different views in HTS. On the one hand, they sent us patrols to protect our men, and, on the other hand, others opposed it. Jolani has to find a balancing act and it is difficult,*" remarked a Turkish official.[141] A local journalist added that the "*dignity sit-in must be understood as an instrument of regulation by the HTS leadership of the internal opposition raised to the Moscow agreement. It was just not possible to let the patrols pass without organising resistance. On the one hand, because of Turkey, HTS was forced to accept but, on the other, because of internal opposition the leadership of the organisation was forced to refuse them. Therefore, HTS chose to make an act of resistance while giving in, but simply in small steps.*"[142]

Gradually, the vision of HTS has become clearer, taking a more realistic line. In July 2020, the military leader of the organisation recognised that "*of course we consider that accepting the passage of the patrols is morally problematic. The entry of the Russians is seen as a betrayal by the majority of the*

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[136] Interviews with Russian and Turkish diplomats, Ankara, December 2020. According to the military commander in chief of HTS the southern security gap is now filled as there are now seven new Turkish positions in the southern triangle of Idlib in areas such as Kafr Awid, Deir Simbel, Ghalioun and Waqfin (interview, Idlib, December 2020).

[137] For example, 104 people were arrested in Turkish territory for belonging to HTS in 2019 (interview with a Turkish political analyst, Istanbul, January 2020).

[138] Interview, Ankara, April 2020.

[139] Discussions with Turkish security experts, August and September 2020.

[140] Exchanges of gunfire and RPG injured three Turkish soldiers, killed two protesters and injured three others according to Turkish security experts. WhatsApp interviews, May 2020.

[141] WhatsApp interviews, May 2020.

[142] WhatsApp interview, April 2020.

population. But for us, as leaders, we are well aware that this is the best way to consolidate the truce. We authorised a sit-in for 50 days but as soon as the situation drifted we intervened to explain the logic to the people and to convince the Turks to implement the patrols in a progressive way in order to save time and prepare our bases."[143] Backing the Moscow agreement will go far beyond a simple acceptance of a new reality. HTS is now playing an active role in the protection of the same patrols that some of its men fought against a few weeks ago. In fact, it was at the end of July 2020, after the eradication of AQ, that the last patrol first crossed the M4 without a hitch.

HTS has therefore aligned itself with Turkey's strategy of securing Idlib, but only gradually and reluctantly. At first, the agreement did not seem completely clear to the organisation. The objective of the leadership was not to lose control of the game internally.[144] But in the end the agreement was fully endorsed for several reasons. First, HTS wants to recruit and restructure its military apparatus and increase its defence capacity. Second, its security forces need a truce to regain control of the territory, especially with the backdrop of fear of a drift of part of the remaining AQ networks towards clandestine activities against them. Last, the SSG wants the population to have a minimum breathing space and to consolidate the relationship with Turkey. Summarising the new consensus, the military commander of HTS considered that "*the longer the truce, the more useful it is to us. The people need to breathe while we, the military, support the truce because we need to reorganise. Time is useful to us because we have more time to catch up in terms of training and recruitment after losing nearly 1000 martyrs and 2000 wounded during the last campaign by the regime and Russia against us.*"[145]

In practice, Turkey has favoured a military reconfiguration in the region. With more than 12,000 men, including special forces and observation posts, Turkey coordinates an operating room with other armed groups that confirms its patronage relationship. According to a Turkish official, "*the current context offers new opportunities when it comes to dealing with radicalism. With our military surge and cooperation with the factions, we have now much more leverage on them. Not only on military issues but also on political affairs.*"[146] In general terms, a patronage relation is an asymmetric relation in which the sponsor can exert leverage over its client. Nevertheless, in this case it has produced less a power relation between the sponsor and its client than an internal rift between the inner circle grouped around Abu Muhammad al-Jolani and the resistance of some intermediate commanders. From this point of view, entering a patronage relationship produces an effect of coherence of the movement. It consolidates the achievements of the confrontation with AQ. Turkish pressure on HTS has not ceased. After the implementation of the Moscow agreement, Turkey wants to reconfigure the nature of the military structures in Idlib, which indirectly means the nature of HTS and its hegemonic project.

In autumn 2020, the main objective pursued by Turkey and HTS was to centralise military structures in Idlib but not necessarily on the same terms. The centralisation of local military forces could lead either to the dilution of HTS's hegemony or, on the contrary, to its consolidation. HTS has called for the unification of armed forces for the past two years.[147] Other factions previously rejected what they perceived as HTS's attempted monopoly over them.[148] The context is now more favourable to a military reconfiguration of opposition armed forces into a military council that would increase military efficiency but also mould HTS in more inclusive military and civilian structures.

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[143] Interview with the military chief of HTS, Idlib, July 2020.

[144] The High Council of Fatwa justifies the absence of fatwa on the Moscow 5-year 2020 agreement, since they consider the agreement "*unclear, with perhaps unknown tacit agreements. It is hard to justify the Russian presence after mobilising people against the Russian invasion for so long*" (interview with a group of officials from the High Council of Fatwa, Idlib, July 2020).

[145] Interview with the general military commander of HTS, Idlib, July 2020.

[146] Interview, Hatay, March 2020.

[147] Interviews with HTS military and political leaders, Idlib, July 2020.

[148] Interviews with Ahrar al-Sham and Faylaq al-Sham commanders, Istanbul, November and December 2020.

But the unification of local military structures places Ankara in front of a real Gordian knot despite a favourable context. The centralisation of local military forces without major structural transformations could strengthen the current dominant faction instead of ending factionalism. This choice would put Ankara at odds with its historical partners such as Faylaq al-Sham and Ahrar al-Sham. More importantly, the new structure could be internationally labelled as terrorist when precisely it is Turkey that seeks its normalisation. Turkey also fears that "*challenging factionalism means shaking a precarious equilibrium that is fragile but currently in control. The transformation of factionalism might change the balance in the field and disrupt the current order.*"[149] Thus, even though Turkey urgently needs to rationalise the military capacities of the rebel groups it supports, it remains cautious and minimally interventionist. For instance, salaries are still being paid via existing factions. Turkey follows the military operations rooms carefully but intervenes little. The factions still undergo military training separately and continue to show a certain degree of autonomy vis-à-vis the leadership of the operations room.[150]

The challenges faced by Turkey while trying to rationalise the defence capacities of the opposition in Idlib show that, in the patronage relation in the making between Turkey and HTS, the sponsor can influence the proxy but cannot ignore local dynamics that reduce its room for manoeuvre. The Turkish military surge does not give Ankara the possibility of imposing its will independently of the strategies and calculations of its local partners on the ground.

2. Idlib: a Thermidorian Situation

Interlocutors in Idlib from across the whole ideological spectrum confirm that the dynamic of change within HTS is real. They mainly disagree about their criticism of Jolani's opportunism, praise for his pragmatism or their fear of the risk of a 'dilution' (*tamiʿa*) of the fundamentals (*thawabit*) of the *jihadi* movement.[151] The recent evolution of the group helps us articulate the strategic vision of the movement today. It also historicises these changes in order to re-think these transformations beyond the overused categories of 'moderation' and 'pragmatism.' From a policymaking perspective, this analysis is rich in lessons on how to engage with 'realist radicals' beyond the specific situation of Idlib.

Recent transformations suggest that HTS is committed to the establishment of a Thermidorian situation. This concept was proposed by Jean-Francois Bayart to analyse the revolutionary experiences of the 20th century by building an analytical framework nourished by a debate among historians of the French revolution. It captures an inversion in the revolutionary dynamic in which an actor who embodied a radical break no longer aims to take power but instead to preserve it.[152] The political context in Idlib is Thermidorian in more than one way: disenchantment with the revolutionary utopia, indefinite postponement of armed struggle, renunciation of utopia in governance, reliance on external actors, rediscovery of social inertia and marginalisation of hardcore segments of the movement.

The disenchanted relationship of HTS's leadership with local power structures is the first illustration of the Thermidorian situation in Idlib. The SSG is considered a "*provisional reality*"[153] qualified as a "*government caretaker*" by Abu Muhammad al-Jolani[154] or a "*technocratic government*" by its leading

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[149] Interview with a Turkish official, December 2020.

[150] Interview with the military commander in chief of HTS, December 2020.

[151] According to communications from Abu Muhammad al-Maqdissi on his telegram channel. Cole Bunzel, "Diluting Jihad: Tahrir al-Sham and the Concerns of Abu Muhammad al-Maqdisi." *Jihadica,* 29 March 2017, https://bit.ly/2VJJ6cg

[152] There are many analyses of Thermidorian situations. We particularly look at Jean-François Bayart, "Thermidor en Iran," *Politique étrangère* 53, no. 3 (1991): 701-714; and "Le concept de situation thermidorienne: régimes néo-révolutionnaires et libéralisation économique." *Questions de recherche* 24 (2008): 1-77.

[153] Discussion with an HTS executive, March 2020.

[154] Interview, Idlib, January 2020.

staff.[155] The disenchanted outlook on local governance should not be pejoratively described as an act of renunciation. It also opens opportunities for the movement to regain the initiative by thinking in terms of previously unthinkable alliances, including a patronage relationship with Turkey and a search for normalisation with Western countries. For an informed local analyst, HTS is in an "*opening*" process and is now "*a movement capable of realism.*"[156] The objective is now less to take Damascus than to stay in power and organise the rebel territories.

Second, Thermidor is the rediscovery of "*social inertia, the need for political negotiation*" in a context of "*real society's revenge on ideology.*"[157] The revenge of society is found at all levels of the political project. The theological relocalisation of the group is Thermidorian. The return to the schools of jurisprudence, the marginalisation of divisive concepts and the reliance on the lower clergy entail the recognition of the autonomy of society. In this process of rapprochement with the local population, society sets the tone, irrigates public discourse and shapes the normative project. As the group's leader explains, "*our policy derives from the conditions of the context. We do not follow any particular shaykh or a certain reference. Our reference is the surrounding context* – al-waqi'a."[158] In other words, the new focus on the local is also the end of the illusion of a potential *tabula rasa*. There is a significant reversal. The movement has to adapt to society more than to attempt to transform it.

The enduring impact of factionalism is reflected in the structure of the Fath al-Mubin military operations room.[159] The military defeat of Ahrar al-Sham and its allies in January 2019 ended the territorial control of factions, but not factionalism, which still regulates military cooperation between the remaining armed groups.[160] The perpetuation of factionalism exemplifies the rediscovery of social inertia, since it shows how social structures impact military structures and mitigate the ability of the new hegemon to fully dominate them. Factions can be defeated, but no winner can afford to ignore the factionalism on which they are built. Fighters with strong factional belonging do not agree to fight under the banner of the group that brought them under control. A *tabula rasa* policy, as practised elsewhere by IS, would entail a military weakening of the regions where these factions are based. It is therefore rarely practised, with the exception of the territories formerly controlled by the Nur al-Din al-Zinki movement. The military leader of HTS thinks that these groups are vital to protect the southern regions in which they are embedded. A local expert also believed that "*if HTS dismantles these groups, they will no longer be able to replace them or mobilise in their regions, which will turn into weak spots.*"[161] Military institutionalisation seems to suffer from the same iron law reflecting the enduring strength of factionalism. HTS's military leader argues that "*our ultimate goal is the transformation of Fath al-Mubin into a military council. But we cannot recruit enough to protect our territories on our own. Factions, as a social reality, are still there. You cannot mix fighters from Ahrar, Suqur and HTS in the same brigade without risking chaos. And to recruit, we have to use factionalism; otherwise we would lose these fighters. A dynamic of integration cannot work by force*."[162] Faced with this permanence of factionalism, there is no silver bullet. Therefore, describing the institutionalisation efforts on the military

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[155] Interviews with SSG executives, January 2020.

[156] Written exchange, April 2020.

[157] François Furet, *Interpreting the French Revolution*. Cambridge University Press, 1981, 116, 123-124.

[158] Interview with Abu Muhammad al Jolani, Idlib, January 2020.

[159] Fath al-Mubin is made up of 40 brigades (Liwa) of 600 men each. But the brigades remain homogeneous from the point of view of factional affiliation (interviews with military leaders of HTS and Faylaq al Sham, July and August 2020).

[160] One of the reasons for the persistence of factionalism is a real concern about cooperating too organically with a listed organisation. As an FSA leader in Idlib stated, "*for now, we are all keeping our structures. And our training is still separate. HTS insists on establishing a military council but it is difficult for us to engage in some fully integrated project with an organisation classified as terrorist. It will be hard to go beyond the operations room*" (Interview, October 2020).

[161] Interview, Idlib, July 2020.

[162] Idem.

ground, Abu Muhammad al-Jolani envisaged less the establishment of a unified structure than the improvement of cooperation between existing groups.[163]

The reopening of the game of alliance authorised by revolutionary disenchantment and the revenge of society imposes significant constraints on HTS. The population, Turkish demands and anticipation of Western expectations do not, *de facto*, authorise a safe haven or a radical emirate. The emirate idea is unacceptable to Turkey and the other factions with which HTS cooperates. Second, the choice to bring religion closer to the population means that any proclaimed Islamic project becomes risky because "*having an emirate presupposes the application of standards. From this point of view, renouncing the emirate is paradoxically a response to the radicals. The stake is there: proclaiming an emirate exposes the party taking the initiative to certain standards that HTS, for reasons of management of its social bases, prefers not to apply.*"[164] The apolitical presentation of the SSG follows the same logic: in order to neutralise radical criticisms that Idlib does not conform to their conception of an Islamic order, local political order is depoliticised in the absence of capability or willingness to Islamise it.

This brings us to the third characteristic of a Thermidorian situation: the necessity to neutralise hardliners that refuse to abide by the conservative redirection of the revolutionary dynamic. Their belligerence has two rationales. First, war is self-justifying. It is a religious imperative, *fard 'ayn*, that defines both the means and the end. This is a common criticism of AQ, which groups like Ahrar al-Sham and HTS denounce for emphasising jihad as an end in itself. Second, war pays dividends. Foreign aid for jihad requires active fronts to enable cash flow and, later, spoils of war. War is therefore an existential necessity for them as much as a moral ideal. On the other hand, active conflict is counterproductive for HTS for three reasons. War sets in motion an unfavourable balance of power. The movement cannot hold out militarily against the regime and the Russians. Moreover, war thwarts the policy of sanctuary promoted by Turkey and, last, the SSG's political economy (including the taxation of goods and expansion of projects) needs truces.

Three policies can be instituted with radicals: distancing, marginalisation and confrontation. HTS has resorted to all of them. The movement distanced itself from al-Qaeda General Command. Severing ties with al-Qaeda in 2016 fits well in a Thermidorian logic since the umbilical cord with the original matrix was a hindrance at all levels. These ties prevented political reversals and the development of a new approach to resilience entailing the practical abandonment of active war fronts, which were replaced by the collective self-defence of the province. Moreover, the allegiance impeded the theological relocalisation inherent in the rediscovery of the inertia of society. In July 2020, HTS unleashed a confrontation with HaD, the last al-Qaeda franchise refusing sanctuary and its political (alliance with Turkey) or military (renouncing a logic of active war) constraints. Finally, HTS marginalised hard-core religious scholars that remained purists and unable to adapt to the inertia of society. Some were excluded from the movement, others were relegated to the administration of justice and other clerics were silenced through the institutionalisation of the production of religious norms by the movement. As a result, "*Abu Muhammad al-Jolani is now in a position of strength. There is no strong opposition from within anymore and he now feels secure. But he is also very keen to consult. He does not want to impose ideas on the others and ask them to obey. He wants to convince them. In order to deal with it, political decisions are channelled into the religious leadership of the movement in order to ensure their support. This process of internal transformation is real. But it takes time.*"[165]

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[163] Interview, July 2020. We might also assume that he wants to make sure that Turkish support continues to flow into Idlib without appearing to go to HTS.

[164] WhatsApp interview with Stéphane Lacroix, June 2020.

[165] Interview with a Turkish security source, Istanbul, December 2020. A local researcher with close ties to the movement considers that "*hardliners still exist but they are now squattered in the movement. They do not represent a counterpower. In the past, Abderrahim Atun had to prepare a decision in meeting with all those who might have objected such as Abu Yaqdhan or Abou Shu'ib. Now there is less need for that*" (interview, Idlib, December 2020).

Abu Muhammad al-Jolani's strategic vision unfolds in this Thermidorian context. Jolani acknowledges the current balance of power on the ground without supporting a 'political solution' imposed from outside. He explained that "*the convergence of interests will never work. The interests are too divergent. How can we imagine that Israel, Turkey, the US, Russia, Saudi Arabia, and Iran can find common ground? It is not possible.*"[166] Jolani is convinced that the conflict will be suspended rather than politically solved. He understands that the main objective is therefore to consolidate the ceasefire: "*if we can no longer progress then at least stay where we are, protect the populations, and organise ourselves already here.*"[167] An informed analyst added in May 2019, when the confrontation with the regime and Russia had only just begun, that HTS' leadership saw "*Syria divided into three zones and as many protectors. HTS's strategic objective is to preserve this territory because if it loses it, it would be the end of the revolution. And, for that, HTS must open up to the West.*"[168] Echoing those views, Jolani explained that "*the maintenance of Bashar al-Assad in power will lead to the partition of the country. Only regime change can maintain the unity of the country.*"[169] The only viable option is therefore to remain resilient while awaiting a transformation of the balance of power on the international scene while seeking to graft onto the geostrategic game. The two essential objectives of the movement stem from this assessment: to consolidate its social base internally and to work on its political acceptance externally.

The first objective unfolds through the suspension of the normative project and adaptation to the local context. "We don't have a ready-made project. Our point of reference is the context in which we are. We will also strengthen the acceptability of our project by taking it into account."[170] Nevertheless, the quest for social acceptance was not yet sought much through a major revision of HTS's human rights record. The second objective, entering the geostrategic game, pushed the movement to actively support Turkey's strategy of sanctuarisation in the hope that, in the long term, cooperation on the ground will be transformed into a strategic relationship with its neighbour in the north playing the role of 'protector.' This would then allow HTS to seek alignment with the West on the basis of a sense of shared interests, such as opposition to the regime and Iran, and the desire to organise the population locally and avoid a spill-over of refugees.

Jolani nevertheless has no clear vision yet of an endgame, nor HTS's role in it.[171] This is the case for two reasons. First of all, Jolani's vision is shaped by a survival strategy. A long-term strategic vision is inherently difficult to coalesce since HTS constantly adapts to short-term circumstances. But ambiguity also has its merits. Not clarifying the terms of a clear endgame vision allows the group to manage its own contradictions and satisfies more radical constituencies resisting the attempts to open ties with Turkey and, beyond, with Western countries.[172]

From this point of view, Jolani's vision is Thermidorian. The self-defined "revolutionary Islamist" leader is in a position where salvation cannot be achieved through revolutionary action only, but through external support. He therefore adopts a posture of wait-and-see that reflects a principle of resilience and dependency on foreign forces that is inward-oriented, since it entails a prioritisation of governance and the management of the territory. The capture of Damascus is de facto no longer an immediate objective.

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[166] Interview, Idlib, July 2020.

[167] Interview, Idlib, December 2020.

[168] Interview, Idlib, May 2019.

[169] Interview, Idlib, July 2020.

[170] Interview with Abu Muhammad al-Jolani, Idlib, January 2020.

[171] He said, "How can we plan in the long term and when we don't know who will hold these territories in a few months from now?" (interview, January 2020).

[172] This careful balance was explicit in Abu Abdullah's public communiqué after meeting us in January 2020: Aymeen Jawad Al-Tamimi, "Hay'at Tahrir al-Sham's Abu Abdullah al-Shami on Meeting Western Analysts," *Pundicity*, 10 March 2020, https://bit.ly/2K4E5Z3

Jolani hence no longer sees the internal balance of power alone as a possible driver of change in the political order in the country.

3. Bringing History Back In: The Reinvention of Political Islam

A Thermidorian reading finally positions the trajectory of HTS within the history of the *salafi jihadi* trend. Thermidor is, from this point of view, a reinvention of mainstream political Islam. The "pragmatism" or "moderation" of the group reflects a gradual transformation of the *salafi jihadi* synthesis through the implicit suspension of its two central concepts. The *salafi* doctrine is euphemised since it no longer entails any specific policy prescription. Jihad becomes only a classical defence of rebel-held territory, which is indifferentiable from the position embraced by non-*jihadi* local insurgents. HTS generally re-appropriates a political line similar to the Muslim Brotherhood after the Arab uprisings. How has the *salafi jihadi* synthesis been overcome? What does it tell us about the current identity of the movement? Answering this question means understanding how and why politics has re-imposed itself over theological considerations.

It is important to briefly contextualise the trajectory of *jihadi* groups since their expansion during the Afghan jihad in the 1980s. The first *jihadi* groups in Egypt and Syria were primarily pursuing a political project. Their *raison d'être* was armed opposition to the regimes dominating the Arab world. The *salafi jihadi* discourse only radicalised on theological lines later, during the end of the war in Afghanistan and in the 1990s, when competition between armed groups intensified and new thinkers like Abu Qatada al-Filistini and Abu Muhammad al-Maqdissi took a leading role. Breaking with the legacy of the Muslim Brotherhood, they embedded *jihadi* groups' early political discourses more thoroughly in the *salafi* tradition and started to emphasise religious considerations over political rationales.

Jihadism became more sectarian in this competitive environment. The war in Iraq exemplified this development. Sectarianism was exacerbated along with the excommunication of the Shiites and sections of the Sunni Muslim community itself. The polarisation of the categories of 'Muslims' versus 'enemies' marginalised political rationales. They also rejected any possibility of alliance. In Iraq, the absence of political space, sectarian radicalisation and extreme identity polarisation allowed the doctrinaire logic of Salafism to dominate the concrete expressions of militant Sunni jihadism in the 2000s: as dominant exclusivism prevailed, the need for compromise or alliance was absent or strongly marginalised.

The Arab uprisings profoundly changed this environment. They were not dominated by sectarianism, even though a confessional component existed. When Jolani left Iraq and joined Syria, he understood that the Syrian insurgency was an opportunity for the *jihadi* movement. However, he also understood that the conflict had its own constraints. The very logic of a mass uprising required a rehabilitation of the political. Speaking about JaN's dilemmas at the time, Abu Abdullah al-Shami considered that "*in front of what was a mass movement, we were aware that we could not impose an oath of allegiance on all revolutionaries and cram a whole people into one organisation. We would not be able to dominate, and we had to agree to make alliances.*"[173]

In the end, the dispute between Baghdadi and Jolani focused precisely on the very viability of the *salafi jihadi* synthesis when political space re-opened with a revolutionary dynamic. For Abu Bakr al-Baghdadi, it was necessary to maintain the *salafi jihadi* synthesis theorised in the 1990s and implemented in the 2000s in Iraq. The normative project could not suffer from concessions in which, in the same vein, the war is self-finalised: "*God ordered jihad, not victory*," said the former head of IS, Abu Bakr al-Baghdadi.[174] Driven by a 'rationale of finality,' Jolani conversely seeks to go beyond it by reaffirming the prominence of political reason. Jolani does not, however, return to the original political

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[173] Interview, Idlib, June 2019.

[174] Video dated 29 April 2019. Available at: https://bit.ly/3926Tdx

matrix set by AQ or its predecessors. He goes beyond it, not – or not only – with an institutional rupture but by distancing himself from the pillar that founded AQ, namely global jihad.

Initially, the rehabilitation of the political rationale was not controversial. Between 2012 and 2018, the political game was in fact limited to a game of alliances with Islamist groups. What founded the search for alliances was the logic of Islamist fronts with peer competitors (Ahrar al-Sham, Suqur al-Sham, Liwa al-Tawhid) rather than an inclusive opening to the entire revolutionary spectrum.[175] Second, the political game transformed in scale. HTS is no longer evolving only in the revolutionary sphere. It is now embroiled in a larger international strategic game. HTS therefore aims to open up to states, Turkey primarily, and Western states afterwards. This new posture creates internal tensions. The group insists that its commitment to the fundamentals, including the duty of jihad and the reference to Shari'a,[176] has not changed. But it now faces growing internal and external criticisms that it is diluting them.[177]

The transformation of the movement has reached a breaking point. We are not simply witnessing a simple readjustment of positions within the *salafi jihadi* movement through a return to pre-AQ models. The break with AQ was certainly announced in 2017, but it was truly achieved in 2019 when HTS clearly expressed its desire to get closer to the Turkish and Western camp against the Russian-Iranian axis. HTS effectively embraced a strategy of sanctuary under Turkish protection, in which the AQ general command called on it not to give in to the temptation of territorialisation and to return to a generalised guerrilla strategy,[178] before entering into direct confrontation with AQ in July 2020.

The current strategy is similar to the posture adopted by the Muslim Brotherhood in the region during the decade of change initiated by the Arab uprisings in 2011.[179] This approach consists in the establishment of facts on the ground, the maintenance of primordial references and acceptance of diversity in the – Sunni – religious sphere while striving to dominate political space. This would ultimately pave the way for a stronger positioning in the global strategic game against the enemies of the moment, be they Iran, Russia and the regime in Syria or Saudi Arabia and the United Arab Emirates in Egypt. From this point of view, HTS cannot really be considered any more a traditionally *salafi* or strictly speaking *jihadi* organisation.

Thus, without becoming Muslim Brothers, the ideology of which it does not adopt, HTS takes over their strategic approach for two reasons. First, after 2018 and Turkey's direct and ever-increasing engagement in Idlib, it is becoming the only option still available. Second, the collapse of Ahrar al-Sham and of the Muslim Brotherhood since 2013 – except in Tunisia – and the Qatari disengagement from the Syrian scene opened a political space for HTS when it sought to free itself from the *salafi jihadi* matrix. From this point of view, we are facing a reinvention of a new form of political Islam. Jolani's claim that his movement proceeds less from *jihadi* salafism than a certain form of "revolutionary

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[175] Ahrar al-Sham played a leading role attempting to unite Islamist insurgents. JaN allies with the group through local governance structures, as in Aleppo, and military operations rooms like Jaysh al-Fath.

[176] HTS, "Al-jihad wa al-siyasa al-shar'iyya bayna al-thawabit wa al-mutaghirat; thawrat al-sham lan tamut," 2018, retrieved from HTS's telegram channel.

[177] Abu Fath Al-Farghali, 2019, https://bit.ly/36PZkHa. See also Sam Heller, "Abu Qatadah al-Filistini Allegory: Abu Qatada al-Filistînî reminded of the risk that love for politics ultimately amounts to betraying the initial cause of jihad," Twitter, 3:23 p.m., 22 February 2020.

[178] Qa'ida al-Jihad, *"Siha nafir wa sarakha tahdhir,"* 2019, Retrieved from an AQ-affiliated telegram channel.

[179] The leadership does not oppose the comparison head-on but reaffirms their differences: the absence of an anti-Iranian dimension among the Brothers, the sacralisation of the organisation among the Brothers, the recognition of schools of jurisprudence by HTS and the internationalism of the Brothers as opposed to the localism of HTS (interviews with HTS political and religious leaders, Idlib, July 2020). A researcher added to this the relation to democracy, which was accepted by the Muslim Brothers and rejected by HTS (interview, Istanbul, November 2020).

Islamism,"[180] does not mean anything else. HTS occupies the political posture of Muslim Brotherhood-type organisations. It largely endorses their strategy.

The preservation of HTS's new approach, therefore, remains heavily dependent on securing the strategic position that HTS occupies today – a Turkish-protected sanctuary in which HTS can play the role of local hegemon. The disappearance of this order could open the way to another clandestine armed insurrection – as Zawahiri calls it – or a reconnection with global jihad dynamics in the event of new migratory flows or simply out of spite in the event of failure of the Thermidorian turn pursued by the leadership of HTS.

Conclusion: Ending the 'Never Ending Wars' Means Open Space for Political Islam

HTS appears to be the only actor capable of developing and implementing a coherent counter-insurgency strategy against global jihad, including AQ remnants and IS networks. The group has successfully combined political pressure, containment, threats, control of territory, arrests, cooperation and co-optation. "*The only way to handle global jihadis is to rely on local ones*," remarked without irony a Syrian researcher specialising in Salafism.[181] Western states, especially the US, are conversely unable to think of counter-terrorism other than under the paradigm of remote strikes. The only immediate operational response to the problem of the global *jihadi* milieu offered by HTS may be embryonic and not ideal. But it seems a low risk for Western countries since the nature of HTS's hegemon is unlikely to mutate into a radicalised micro-emirate. The fragmentation of the current hegemon, not its consolidation, contains the main seeds of a potential re-radicalisation.

HTS has in fact – in pursuing its own goals – matched Western interests in various ways. It defeated IS in its territories despite strong attempts to rebuild IS networks after the capture of Baghouz by the SDF.[182] After a phase of containment, HTS then dismantled and pushed AQ networks underground and significantly reduced their capacity to project force internally and externally. HTS finally allowed Turkey – for the moment – to set up a strategy of sanctuary, which maintains opposition-controlled areas outside regime control and defuses a new wave of refugees to Turkey and Europe – with all the security risks associated with this spill-over scenario. Its Thermidorian turn finally offers the possibility of solving the problem which it constitutes itself as a former hardcore jihadi organisation.

At first glance, the scenario is ideal. A radical organisation adopts a rather mainstream revolutionary frame of reference, neutralises AQ and IS remnants, marginalises the most radical elements within its own ranks and seeks alignment with Western countries while showing interest in dialogue and negotiation on its own normalisation. The stakes far exceed the single case of Idlib. The former mufti of AQ, Mahfoudh Wuld al-Walid, also known as Abu Hafs al-Muritani, believes that "*the decision of any branch of AQ to separate from AQ is going to be crucially determined by the success or failure of the Syrian experiment. If the experience of separation from AQ is successful and supported, and HTS is seen as one faction of the resistance and not AQ, it will encourage other local branches elsewhere to do so. But if the experiment is rejected and they continue to be called terrorists, the door will be closed. And there are voices in Syria asking to reconsider the decision to sever ties with HTS and return to AQ because the separation did not give any result.*"[183]

Faced with the opportunity to shape and reinforce ongoing transformations, Western states procrastinate despite having real levers of influence to consolidate and guide ongoing changes. Western countries have different tools at their disposal. They can delist the organisation, impose conditions on

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[180] Interview, January 2020.

[181] Interview, Istanbul, July 2020.

[182] Interview with military leaders, Idlib, July 2020.

[183] Al Alan TV, "Abu Hafs to Al Alan News: By Pledging Allegiance to Al-Qaeda, Al-Jolani Exposes Civilians to Harm," *YouTube*, 28 December 2016, https://bit.ly/3lXH7LY

stabilisation funds and engage the group directly. As a leader of a rival FSA faction stated, "*HTS is now a light Salafi version. There needs to be a multiple entry approach because there will be no military solution to them. Yes, maybe we need to think of security solutions for some tough elements still in the organisation, but we have to come to an understanding with Jolani, test him, bring him back to us. It is important to support Jolani's line. Otherwise there is a real risk that they will radicalise. If we don't give them a chance, we'll have something worse.*"[184]

Western states are still reluctant to engage because of the political implications of engagement with a former AQ affiliate as well as ongoing tensions with Turkey. There is also an inertia in the technical approaches to counter terrorism[185] obsessed with destroying so-called *jihadi* groups with drone strikes while maintaining minimal boots on the ground. According to a Western military commander, this choice has reduced "*counter-terrorism to a pure manhunt exercise. We no longer control the systemic effects and the consequences of leadership strikes. But the consequences are mostly negative. They bring less experienced and more radical leaders in charge. On the contrary, a negotiated approach allows us to control the systemic effects for the best.*"[186]

The current obsession with listing and classifying terrorists is no less counter-productive. Listing groups is problematic. Although threatening groups with terrorist listing can be a useful deterrent, it ultimately limits states' ability to influence insurgents tempted by a change of trajectory as it constrains their capacity to engage and exert leverage over them. The posture is tautological and dangerously short-term-oriented. Negotiating with a radical actor interested in changing is rejected because the actor is listed, and engagement is costly. States fear a combination of domestic public opinion, political instrumentalisation and the reactions of other states. At the same time, the possible consequences of non-engagement, in particular the risk of spill-over and the re-radicalisation it might provoke, are implicitly ignored.[187]

The paralysis is absurd. An American diplomat lamented in frustration that "*when I raise this issue with my colleagues, it is hard to justify the transformation of a terrorist organisation into something else. We don't outline a path for our adversaries to rehabilitate themselves. Why would we do it?*"[188] For a Western researcher specialised in counterterrorism and the region, "*caught in an anti-terrorism paradigm the US and the West are blocked in a catch 22 situation. HTS is viewed as terrorists that are not threatening enough for the US to take action. Moreover, they are problematic enough to paralyse the EU, which does not even have a vision to offer in the first place. Listing organisations is the most unproductive choice for states. It leaves strikes as the only repertoire for action, which generally backfires while destroying real opportunities.*"[189] And, de facto, in a context of depoliticisation and the technical approach to counterterrorism, "*we wage wars without wondering what comes next. When there is only war as the horizon, they become endless wars. The West no longer knows how to seize opportunities. There is no longer a link between direct action on the ground and politics. We are no longer able to link operations to a political purpose.*" The ability to negotiate and make political deals is lost, while it is often the only solution with groups that Western countries cannot eliminate. The Taliban insurgency demonstrates this. Counterterrorism has evolved into an operational issue concerned with immediate threat management. It is a failure. While AQ had only a few hundred members at dawn

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[184] Interview, Istanbul, September 2020.

[185] Grégoire Chamayou, *Théorie du Drone*, (Paris: La Fabrique 2013).

[186] Interview, Brussels, August 2020.

[187] "On the whole, the problem is the peripherisation of Idlib compared to other theatres of international intervention: Libya, the future of Lebanon, Covid. Idlib is no longer seen as a threat. Wrongly! And unfortunately, in a philosophy of "we'll see when we get there but it will be too late"! (Interview with a Western military commander, Brussels, August 2020).

[188] Interview with an American diplomat, Washington, October 2020.

[189] WhatsApp interview, August 2020.

on 11 September 2001, the number has skyrocketed over the last twenty years.[190] Since current obsessions with military defeat do not work, a western counter-terrorist operator insisted that *"it would, in certain circumstances, be useful and more effective to reverse the perspective and look at these groups not on the basis of what they are but on what they could become and create opportunities for transformation to that end."*[191]

The issue therefore is the nature of such changes. HTS's Thermidorian turn suggests a range of factors underpinning the transformation of armed groups. It also suggests a need to present a way out to *jihadi* groups. The price to pay for the de-radicalisation of segments of the *salafi jihadi* spectrum is therefore opening space for other types of organisations, including those affiliated with the Muslim Brotherhood. Despite real ideological differences between them, offering the latter opportunities to achieve political change changes the calculations of the former.

A political approach to CT hence opens the issue of political participation. Mainstream Islamist movements associated with the Muslim Brotherhood have proved receptive to domestic institutional environments favouring political participation. The institutional environments of *jihadi* groups are conversely not simply domestic, since they still seek to change domestic regimes, but international. The engagement of *jihadi* groups is shaped by counter-terrorism policies, Western policies of dialogue and, over time and far down the road, negotiated political settlements. This setting puts Western states back in the centre of the game. Instead of being blocked in intransigent positions, they need to rethink conditional engagement to reorientate armed groups looking for normalisation. But normalisation should come at a price. *Faits accompli* and shared interests with Western states are not enough to justify engaging *jihadi* groups. Western countries can also expect the respect of basic standards of human rights, inclusiveness, judiciary transparency and non-interference in humanitarian affairs.

A conditional engagement matters. It is the only way to ensure that HTS fights IS and AQ while containing the regime. It would also ensure better acceptance at the international and local levels. Internationally, it entails setting up conditions on two key issues: HTS's human rights track record and a clarification of its long-term vision for a political solution in Syria. Locally, it is important for the group to expand its collaboration with the revolutionary milieu, which started at the military level, to the civilian domain. HTS needs to rehabilitate the most vibrant political elements in civil society. Conditional engagement is not a panacea. If a transformation of *jihadi* groups entails a reinvention of political Islam, it is politically costly. Equally importantly, it does not offer a comprehensive answer to the question of the radical threat posed by groups that are not ready to engage. Some groups might remain convinced by globalism or too embedded in AQ-affiliated networks to distance themselves from them. But offering negotiated and conditional solutions to those ready to turn mainstream also ultimately reduces the spectrum of theatres of military operations. Instead of exhausting themselves in a "never-ending war,"[192] Western countries will at least be able to better choose their battles.

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[190] "Despite estimated expenditures of $6.4 trillion and successes in killing and capturing terrorists, the unfortunate reality is that the military-dominated approach that has characterised international counterterrorism efforts since 9/11 has not led to a reduced global terrorist threat. The number of Islamist extremist fighters in 2018 was 270 percent higher than in 2001"; Eric Rosand and Richmond Blake, "We Must Rebalance the State Department's Lopsided Counterterrorism Strategy," *The Hill*, 8 March 2020, https://bit.ly/3ovdHXm; See also Seth Jones, "The Evolution of the Salafi-Jihadist Threat," *Centre for Strategic International Studies*, 20 November 2018, https://bit.ly/33TSzlN

[191] Interview, Brussels, July 2020.

[192] Bruno Tertrais, La guerre sans fin, l'Amérique dans l'engrenage, (Paris: Seuil, 2004).

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