

Episode 9, season 3 (May 2022)

Truth-seeking and the Potential of Arts

Welcome to a new season of the Justice Visions podcast about everything that is new in the domain of Transitional Justice (TJ). Justice Visions is hosted at the Human Rights Centre of Ghent University. For more information visit [Justice Visions](#).

Artino: Hi Brigitte, how are you? I guess that you are all up for our conversation?

Brigitte: Hi Artino, I am very excited indeed. It was really nice to discuss criminal prosecutions, but I am thrilled to address another aspect of justice efforts for Syrians which is truth-seeking.

Artino: Yes, and unfortunately the issue is quite topical. As we launched our previous episode on criminal accountability, news came out about a massacre of around 300 civilians in the Tadamon neighborhood of Damascus. This occurred already in 2013 but it was only revealed now as war crime researchers managed after years of work to trick Assad intelligence officers into confessing the crime.

Brigitte: Yes, it is a terrible story that underscores yet again how painstaking and necessary documentation efforts and truth-seeking more broadly are. This also goes back to the past violence such as the Hama massacre in 1982, when the Assad-regime killed between 30,000 and 40,000 civilians and 17,000 others went missing.

Artino: True, the memory of this massacre and the taboo to raise it in public continues to haunt us as Syrians. It also reinforces our determination to establish the truth, and never to give up, because we need to know what happened to the victims, we need to resist; to ensure that these crimes will not be erased.

Brigitte: Yes, that is one of the central lines of my research: the potential of artistic practices to overcome that erasure. I find it daunting to consider how Syrians have been forced into silence, how crimes have been -and continue to be- covered up. And many of the justice efforts and the artistic practices that I look into center around this determination to forbid forgetting. That is why informal truth practices, led mainly by victim groups, are crucial because standardized mechanisms such as an official truth commission are not available in the Syrian context.

Artino: So today we will shed a light on some of these informal truth practices and the potential of arts to foreground truth claims. You have spoken to Syrian playwright Mohammed Al-Attar and civil society activist Laila Kiki right?

Brigitte: Yes, indeed. These were wonderful conversations and before we address the imagination and how that helps to open up new avenues for victims, we will look into forensic, factual truth-efforts. You have spoken to Sema Nassar, who is a human rights defender and a researcher.

Artino: Sema has been documenting violations related to arbitrary arrest and enforced disappearance since 2011, focusing especially on the impact on women and children. She is active among others in civil society organisations and is also connected to the London School of Economics. She insists on how important the need to be informed, the right to truth is.

Sema: Since the focus of my current work is on the issue of enforced disappearance in Syria, the search for truth is very important. It's more than just the word, or one of the transitional justice measures to repair Syrian society. It means bringing justice to the victims, bringing justice to their families, to have the right to know the fate of their loved ones who disappeared and everything related to the circumstances in which they disappeared, everything related to this violation.

Brigitte: It's really hard to fathom this tragedy, with more than 150,000 persons who have been disappeared by the Syrian regime or kidnapped by one of the non-state actors such as the Islamic State. Many of them are still detained and many have been killed, yet their fate remains unknown. As victim groups argue, this is one of the most important files that affects hundreds of thousands Syrians and Sema underscores the need to address this problem.

Sema: In post-revolution times, during conflict times, especially when it is a protracted armed conflict, it is complicated because people don't know the fate of their loved ones and what happened to them. And this is one of their basic rights. In Syria, the issue is complicated as there are many parties to the conflict and these parties have successively taken control in one particular area, which has made the problem of the missing and disappeared largely unresolved. So demanding to know the truth is crucial.

Artino: She also insists on how this problem affects the families of the disappeared and the missing, turning their lives into a hell. In their quest of searching for answers, many of them are furthermore subjected to financial and sexual extortion. Until family members obtain information about their beloved ones, their lives come to a halt.

Sema: In my work with the families of the disappeared, especially women, whenever you ask anyone what they want after ten years, one answer always returns: 'We want to know what happened. What is the fate of my son or daughter?' Even if the truth will be painful and the end is going to be painful, they need to have access to this knowledge and this information. Then we can talk of different ways of achieving justice for them and for their beloved ones. Whether they want to pursue accountability or if this truth satisfies them and they can reconcile with it one way or another, or even if they want to find compensation: the first step before anything is knowing the truth.

Brigitte: Here Sema zooms in on the case of the Douma four to make that point clearly. In 2013 four Syrian human rights defenders, namely Samira al-Khalil, Razan Zaitouneh, Wael Hammad, and Nazem Hammadi were kidnapped in Douma, Eastern Ghouta and have not been seen since.

Sema: What happened in Douma after the forced displacement in 2018 when Jaysh al-Islam moved to the north of Syria and abroad, we all know about the four activists, including Razan Zaitouneh, who were disappeared in Douma and that Jaysh al-Islam was responsible for kidnapping them. When civilians from Ghouta were displaced, we lost track of their fate, especially when the regime returned and

took control of the area. It's uncertain what happened to these four as it was assumed that the truth should have been revealed. This illustrates the loss of this information that many families, loved ones and friends suffered from, not knowing the truth, and in which it complicates the process of searching for disappeared and achieve justice.

Artino: Apart from being deprived of news about their loved ones, Syrians are also deprived of accurate information. As Sema highlights, even when the regime provides information, this cannot be trusted and it cannot serve the purposes of truth-seeking, to be honest.

Seema: As we can't trust any information obtained currently, therefore, searching for the truth is essential. We also saw in 2018 when the Syrian government began issuing death certificates for people who had disappeared. At that time, this became a way for families to know the fate of their loved ones, they went to request a family statement just so they would know that their loved one passed away or not. This is also an additional violation. However, even families who received a death certificate or any paper from the government on this subject unfortunately can't trust the veracity of these documents and these data.

Brigitte: This is really pernicious, because the regime thinks it can get away with these forged death certificates and thus escape impunity. And in this respect, Sema raises the amnesty that the regime issued in April 2022 for so-called terrorist crimes. This announcement was followed by the release of a very limited number of detainees, but it also entailed chaos and false hopes for families who wished to be reunited with their loved ones.

Seema: And as we saw recently, after the Syrian government issued a general amnesty, many families went out to the streets to see the released prisoners, to ask them if they have seen or know any information about their loved ones. You understand how desperate these families all. Because there's no proof that their loved ones actually died. There's no body. There is nothing to prove what happened. The death certificate and the report, which is not even a medical report, but just a piece of paper that states that the person has died without details on the cause of death. This doesn't prove anything. There's no evidence to prove the cause of death nor how the death occurred. This is not enough information for the families to stop their search. And this was really inhumane to see all these families in the streets waiting for any news, any information about their loved ones. Whether they died or whether they still in prison.

Artino: The process of tracing a prisoner's journey is really stressful and inhumane really. When people have been arrested or disappeared for example, their families need to find out if they were transferred to the military police or submitted reports, but often to no avail of course. And as Sema explains in her talk, if people find out where their loved one is, they can hardly even visit that person unfortunately.

Seema: The detainees' family can visit him in prison. This often happens after the prisoner is subjected to a military field court and is sentenced to death. By chance, the parents know that it's possible to visit him, so they go to visit him the first time. But when they go the second time, the sentence has been executed and their son has been executed. So he disappears again. The problem is that the families are not informed if the sentence was executed or if he died for another reason and no one will be able to convince the family that their son has disappeared forever. No one will be convinced of that. When he disappeared for the first time and then they

found him, they believe that he has disappeared the second time, and this means that they will search again for him in the hope that they will find him again. This is what I consider a complex violation. And unfortunately, the families are subjected to the circle of devastation and fake hope.

Brigitte: This is really much more than a complex violation, this is really the pinnacle of cruelty. At the end of the conversation you had with Sema, she also addressed the sensitivity of her work. She wants to enable closure for closure, yet in the absence of clarity and strong evidence of the claims it is often impossible to realize.

Sema: There are a lot of things we can't tell people. There may be information from a former detainee who may tell us about a detainee that he was with in the cell and died while lying in his lab, for example, or that he was a witness to the death of a detainee. So this witness is 100% certain, but nevertheless, in many cases, families would not accept such a fact. But in our work we can distinguish these details and events because we work in chronological documentation. But in general, families and people who are released don't have this accuracy in verification and can't verify the information in detail as we do in our work. Therefore, we urgently need to have the truth, which is an urgent need for all the families to reach any information about their loved ones.

Artino: In my opinion, Sema nicely showed what truth-seeking means in the Syria context, how essential it is to make justice possible, one day.

Brigitte: Yes, and it also relates to what [Maria Al-Abdeh](#) and [Veronica Bellintani](#) said about the need to go beyond prosecutions. Victim groups and civil society groups are pushing for new ways to connect justice efforts increasingly to the grassroots' level and also to the needs of victims.

Artino: And this push for innovative action is the topic of the conversation you had with Leila al-Kiki, the director of the Syria campaign. Let's listen to that.

Brigitte: Hello, Laila. Nice to have you here with us for the Justice Visions, Impunity Watch podcast. You are the director of the [Syria Campaign](#), which is an organisation which is very well known in the field of human rights efforts and also creative efforts for Syrians. Can you give us some background on what you're doing exactly as the Syria campaign?

Laila: Hi Brigitte, thank you for hosting me and giving me an opportunity to reflect on an issue that's very dear to my heart. As you said, we are a human rights organization that works to support Syria's heroes in everyday struggle for freedom, justice and democracy.

Brigitte: Yeah. And how do you do that concretely? Because, of course, the Syria campaign, I know it very much as campaigning organization and a human rights organization, but the creative element is very intimately connected to the work you're doing.

Laila: Yeah, actually we try to combine the best elements of campaigning, communications, digital mobilization, storytelling, teaming up with filmmakers, artists to make sure that the story of human rights in Syria is alive and continues to be covered by the media as well.

Brigitte: And before we get into the details of the creative efforts, I just wanted to maybe zoom out on the justice efforts. How do you think of truth-seeking with regard to other justice efforts that are taking place in the Syrian context?

Laila: Actually, as a Syrian woman myself, someone who grew up, lived and worked in Damascus, who knew very well that how dangerous it was to even ask about the past, let alone be active in the community, I believe truth-seeking is a very important element of the roots and the general work around justice and accountability. Since 2011, since we took to the streets ourselves like we were faced not only by violence, by the regime of Assad, but also by disinformation, that's where my belief in truth-seeking is rooted.

Brigitte: What really strikes me in the Syrian context is that the quest for the truth is a really difficult one. There's of course blurring of truths like in all conflicts, but the narrative warfare by the Syrian regime and also by Russia has a big impact on the campaigns that you're doing, of course, with regard to the fate of detainees and other human rights related issues, how do you see that impact of disinformation concretely?

Laila: Ah, this is really like interesting to ask because as I said, growing up in Syria, I knew how authoritarian regime and dictatorship, mainly men, write history. And that continued with the world of social media and the rapid digital nature of the conflict in Syria. There have been a lot of efforts not only in the history, but also the present, which makes me want to mention one story when we were going out to protest in Damascus, the regime said: 'the Syrians are going out because they are waiting for or like thanking God for the rain.' So even the present was being distorted and the Russian backed disinformation campaign actually penetrates our lives. It is happening today, whether with COVID or with Ukraine. But for the past couple of years or probably a decade, it was impacting the lives of Syrians, and especially those who fought and documented human rights violations.

Brigitte: Yeah, absolutely. It's quite stunning to see the contrast with regard to truth-seeking and the general interest for justice in Syria and Ukraine. But that's a different story. What I wanted to ask you: what potential does art have for truth-seeking in your view?

Laila: Honestly, it is very important to note that especially maybe in linking from the experience that we've lived as Syrians, there have been massive amount of crimes committed against men and women, we are talking about millions who have been impacted by the conflict in Syria. An example is the issue of detention and disappearance. Actually the experiences of the detainees or their families are not homogeneous. You know, they vary and they are impacted by different factors such as gender, such as social background such as, you know, economic status and I believe that only with art and culture we can reflect on those diverse experiences of the survivors and victims. And this is what led us most importantly in my opinion, to think of teaming up with the world of culture, the world of cinema, the world of documentary, celebrities. Because specific or traditional human rights documentation, no matter how the effort - and it's definitely an important effort - cannot reflect on this diversity of experiences that Syrian men and women have lived.

Brigitte: Yeah, absolutely. And an image that comes to mind for me is really the freedom bus by the Families for Freedom. Could you maybe elaborate on the

importance of the bus and also how you got the idea of linking that image to the campaign you're waging?

Laila: The Freedom Bus was created because families of those detainees wanted to transport their loved ones from Assad's dungeons and other, you know, underground jails in Syria to parliaments and capitals around the world. So we've teamed up with mothers, sisters, parents of the missing and made the bus in order to make the absence of the relatives visible to the world of power. But honestly, the bus became also a symbol of comfort. To many Syrians, it suddenly became a place for physical gathering of Syrians in the diaspora, not only for the 100,000 families who have loved ones disappeared in Syria, but also for the community itself, the movement for justice in Syria. So we did not have our Tahrir Square. We don't have our Plaza de Mayo square as well. So as Syrians like the bus, became somehow like our square, but it is a mobile creative installation art piece that moves around from one place to another and provides an opportunity for Syrians to stand next to it or put the photo of their loved ones on it and say: 'we are part of the, you know, justice movement in Syria.'

Brigitte: And do you feel that through the Freedom Bus and also other campaigns, for example, you had the phones, the people who are still waiting for a phone call by their beloved ones who are missing and detained, do you feel that you are able to 'presence' their experiences and also their personal stories better through these artistic, creative efforts?

Laila I think personal stories are important in every model, in every form. They are who we are. They are who the where the future come from and they build the future. That said, when we specially work with, as I said, diverse issues, when we work with different audiences, the use of art and culture and creativity helps in highlighting some of the most horrific elements of the stories, so if we can talk about the -you mentioned the stunt or the art installation we did around the issue of the missing, the right to know, it comes from the personal stories of Syrian mothers and families that we have been listening to at the Syria campaign. It comes from the fact that once I was interviewing a mother would refuse to be displaced because she thought that her son will never remember the phone number of the mobile number of her, but will remember the landline. So the whole idea came, or was inspired, by this interview we were doing and we said: 'how many women and mothers and brothers and fathers are waiting for that phone call that will tell them one day, one piece of information about their loved ones?' So we brought as much as possible, like land phones, like the old fashioned ones and we placed them in that square in an attempt to show the scale, but also the diversity, different types and like the agony of waiting for like one phone call in an age where we're all on our phones. But they are waiting for that phone call that will give them one piece of information about their loved ones.

Brigitte: That's a beautiful image. And I think it's one of the most poignant ones that I saw. I wanted to ask you as a last question about Disappearing Behind the Sun is also an important issue. I was just listening to your podcast this morning where you beautifully approach the story of Syria's missing and detained and also survivors of the hell of Saydnaya and their prison experiences. Could you elaborate on why you're also investing in these kind of creative efforts?

Laila So thank you, Brigitte, for asking about behind the sun as well, and I encourage your listeners to tune in and listen to the story. The world of podcast is an important world for us because it also tells stories, and we believe our approach

is storytelling. So Behind the Sun for me is a very important piece of documentation per se. It could be like what we referred to in organizations in oral history archive documentation, but the most important element of it is that, in creative way, it tells the story of friendship that was created out of the agony of two detainees who life brought them together in one of the most notorious prisons in Syria. The torture elements is there, the lack of basic life, livelihood conditions is there. But what matters is how come those two young men who grew up, you know, in Assad's dungeons have created this amazing solidarity that then extended behind their own friendship, but also to one to his father and the other to his daughter. And the story is narrated by a young Syrian woman who just turned 20

Brigitte Yeah. Yeah, it's beautiful. And the young woman, by the way, is also the daughter – for our listeners- of one of the detainees, Najah al-Bukai, one of the famous Syrian artist painters who did wonderful artwork and tragic artwork on the Saydnaya prison. So I think to finish the circle of our conversation about truth-seeking it also shows how art is really underlying so much of the work that you're doing.

Laila: Thank you, Brigitte.

Brigitte And all the best with their future campaigns. We're looking forward to more of your creative efforts to shed light on what's happening in Syria and also to shed light, I think, on the agency of victim organizations because that's really central in your work as well.

Laila: Thank you. It makes a lot to us to hear that from you.

Artino: That was amazing. What struck me also that Leila demonstrates how strong and active the Syria diaspora is. We should not forget that most Syrian civil society activists, myself included, were forced into exile. Yet, we continue to promote concrete justice efforts, to create new opportunities to mobilize for truth-seeking.

Brigitte: It is also fascinating is how many people are involved in this. They might not always identify as justice actors, but many artists are also engaged in truth-seeking. This is why I wanted to talk to Mohammed al-Attar, a Syrian playwright who currently resides in Berlin and produced several plays that relate to our subject.

Mohammad: Hi. thank you for hosting me. And it's a pleasure to talk to you. Yes, it's, a crucial question, actually. Personally, the whole debate and the whole thing about justice became very, very present. And I have to say, in the last two years. Of course, as you know, justice was one of the key words and key terms that people across the Arab world, not just in Syria, like chanted for: the uprisings, the revolutions: the '*thawrat*', they chanted for freedom, dignity and justice or social justice. The dream of change was violently crushed, oppressed by the regime and its backers and by also many counterrevolutionary forces, especially radical Islamists and also their backers. So what remain for us, I think it's a few fields where I think the battle is still on. One of them is definitely justice and accountability. We can speak also about narrative writing history, trying to make sure that our version of the story is not erased. And I think this, also this is linked to justice, I think there are now more and more clear efforts actually to figure out how we can proceed with accountability, even with the current difficult situation. For me, I think it became also an urgency to reflect on this from the artistic point of

view, using artistic tools maybe to reflect on the legal process that start to happen, especially in the diaspora in the exile in Europe.

Brigitte: And when you talk about reflecting also as an artist on truth-seeking and also your possible contribution to that, I emphasize possible because of course it is a very delicate enterprise, also as an artist to see what your role could be. Could you maybe reflect a bit on how you view that now, that delicate balance?

Mohammad: I know from the beginning that, I have to approach the topic in a different way because contrary maybe to the work of lawyers, of human rights activists, of scholars, law scholars or other scholars, I have the freedom to imagine situations. Maybe I can liberate myself from the boundaries of the facts and this is what art I think can contribute. I think it's kind of a parallel process or parallel reflection or parallel examination, to this complicated topic. In theatre, because this is my work, this is my field, I can combine documentary with fiction: to start with, with real references, with the real protagonists, but then also have the capacity to imagine situation to jump into the future or to even dig into the past where you are again, free from the limitation of the facts and what is precisely truth and what is not.

Brigitte: They say that art can be 'truer than truth'. And, and a lot of your work also deals of course, with that complexity also of historical past and roles. And I was just thinking as the case of Lafarge is also a case, the cement factory that continued to operate in Syria in 2013-14 and contribute also to the financing of ISIS is also a play that's that is also approached in your play the factory. And we heard that the judicial process against the firm will be continued. I was wondering how when you talk about facts and imagination and reality, what are your first thoughts on this evolution? And why also did you want to focus on the firm in the Factory?

Mohammad: I think for me, the case of Lafarge as a factory in Syria was exemplary case to see how the role of foreign agents is big in any war zone, not just in Syria, but particularly in Syria. And also for me personally the role of money or of investments, of multinationals, of this big, big multinationals also in war zones. So for me the struggle of Syria, in my opinion, is not just a classic case of a proxy war, but it's also an outcome of degradation in international politics and the results of a conflict of interest by regional and international power. So for me, this case was a good one to examine this in detail, It was, in reality under investigation in France, thanks to amazing efforts by a group of independent lawyers and people who were devoted for this cause, I think because you mentioned the play, it's for me, I felt really very happy. I said that because in the play that we started working on in 2018 we didn't wait for the court process to unfold because we knew it's a long battle and we knew that Lafarge, they are equipped with an arsenal of strong lawyers and law firms and everything. But in the play, we kind of put them in a kind of a court, metaphorically speaking, of course. And we tried to create this debate, by the way, even giving them the chance to present their argument. Again, I'm speaking on the metaphorical level. So in 2019, actually, we jumped to a future which now is more or less realizing we kind of reach a conclusion where we put Lafarge in a corner of clear condemnation, or complicity of war crimes. And now in the legal process, it's now unfolded. So yeah, it gives me happiness to see the work of lawyers and the work of artists, how they can complement each other.

Brigitte: Maybe to finish about the complementary role of arts, one of the very difficult issues about the Syrian conflict of course is truth-seeking tackling because the narrative warfare that's waged among others by the Syrian regime and Russia

and that has led to a climate of uncertainty. And here artistic practices have of course an important role. How do you envisage this important role and also the complementary role of artistic practices? Could this be taken further, to fight that narrative warfare or to fight at least that kind of climate of uncertainty, if at all, it should be fighting?

Mohammad: Yeah, similar to what I said about maybe parallel reflection on the topic of justice and accountability. I think it goes the same if I say that theatre and art is also a parallel way of writing the history and creating that. There is the work of historians, people who document, the scholars, of course, people who maybe more or less through the work, fix an official narrative. But I think and this is not something now a new, I'm not coming with anything new at all. I think since we knew literature or art, it was always a parallel archive of history. I like to believe that theatre leaves a special impact and a special kind of a memory with, with the receivers or with the audience. The other thing is, I think in a situation like in Syria, where the tragedy is still ongoing, where there is unfortunately no clear end for this agony, you know, I think you need also to create spaces where you can discuss these, difficult topics with more ease, with more freedom, with less tension, with less polarization. And I think this is also something I personally think it's what we can through art. If you look about just as an example, the discussions around the last trial in Koblenz, you see how it sometimes really polarizes people and it created tensions even amongst people who are sharing the same political affiliation. I think in arts you can move this discussion not underestimating, not undermining it. So I, yeah, I use the word to compliment. I don't use art as an alternative or replacement. I think it complements and it allow us to examine the same topic, especially these sensitive, complicated topics with more freedom, with less tension, maybe, and also with insistence of the use of imagination and creativity.

Brigitte: That was so uplifting. While pointing out the complexity of truth-seeking and multivocality, you also showed how artistic practices can help to refine our thinking. Thank you for sharing your insights. We wish you loads of inspiration for your writings.

Mohammed: Thank you very much for having me.

Artino: We turned truth-seeking in Syria inside out in this episode. I am sure that you could go on about informal truth-practices, but I suggest we leave it here.

Brigitte: Sure! I was really happy to invoke the imagination and to have the pleasure to involve speakers who demonstrate that the work of the imagination is essential to truth-seeking, and that arts can be part of justice.

Artino: Indeed. I want to thank our guests Sema Nassar, Laila al-Kiki and Mohammad al-Attar and also our voice-over Maisa Tanjour. And before we leave, can you tell our listeners a bit more about the next episode?

Brigitte: We will explore victims' activism, in particular related to the Truth and Justice Charter and the mechanism for the missing and the disappeared.

Artino: Thank you to our listeners and stay tuned for the next episode. Bye Brigitte!

Brigitte: Bye Artino! Thanks a lot.