THE SYRIAN CRISIS: REALIST INTERESTS AND RESPONSES

Haddy Roche

Gambia Judiciary

DOI: 10.46609/IJSSER.2020.v05i03.011 URL: https://doi.org/10.46609/IJSSER.2020.v05i03.011

ABSTRACT

The current Syrian crisis is represented by a civil war in Syria embedded in various Realist interests and responses that undermine its resolution. President Assad is clearly Machiavelli’s Prince- ruthless, repressive, amoral, and driven by the need for political survival and clinging onto power. There is also the persistent international competition for power, dominance and security, which has constrained the more powerful members of the international community from contributing more effectively to peace efforts. These have led to one of the world’s largest refugee crisis, yet some members of the international community have ignored their international obligations under the Convention on Refugees and the Universal Declaration of Human Rights, and have been unwilling to accept refugees in favour of preserving their national, security, and political interests. Turkey, the transit point for many of these refugees and host of the largest number of refugees in the world, in pursuit of its national and political interests has entered into an agreement with the EU to accept Syrian refugees who are turned back by European countries in breach of their international obligations under the Convention on Refugees and the European Convention on Human Rights. The same members of the international community also ignore their obligations under the Convention on the Prevention and Punishment of the Crime of Genocide, the Responsibility to Protect (R2P), and the Rome Statute in favour of protecting their national and security interests. When some of these members do decide to observe some of their international obligations, they are blocked by Russia who is also motivated by the need to protect its national security and political interests. Realist interests and responses have therefore been a hindrance to peace efforts in Syria. However, the alternative of pursuing purely liberalist interests and responses might not yield better results. It is therefore suggested that the best way forward might be to promote the balancing of Realist interests and responses with other ones. One way this could be achieved is by applying the Transrational Peace Philosophy which seeks to cut across and balance all potential competing interests.
Keywords: Syrian crisis, Realist, Interests, Responses

INTRODUCTION

The Syrian civil war started in 2011 and persists because it is plagued by various Realist interests and responses that undermine its resolution. It is therefore necessary to address these Realist interests and responses and their impact, so as to bring to attention the need to substitute or temper them with alternative interests and responses that could facilitate peace. Realists share a core assumption that the international state system is anarchic and so there is nothing stopping states from ignoring their international obligations and acting as they please to protect their national and security interests. The Syrian civil war confirms this assumption as it exposes how international legal instruments such as the Convention on Refugees, the Universal Declaration of Human Rights, the European Convention on Human Rights, the Convention on Genocide, the Responsibility to Protect (R2P) and the Rome Statute among others, are being ignored by states who prioritize their national and security interests over their international obligations. Thus, it exposes the anarchy in the international system, which Kochler (1991) believes serves the interests of the most powerful states who do not want to lose their independence, values, way of life and territory or be made answerable for trying to preserve them. The normative core of realism is national security and state survival (Jackson & Sorensen, 2016; Kochler, 1991; Murray, 2014; Richmond, 2008) and these are the values that have been driving the Assad regime and the national and foreign policy of the most powerful states who say they want to see a resolution of the Syrian conflict.

ASSAD AND POWER

Although Liberal activism calling for the application of universal values of human rights, justice, freedoms, and democracy following the Arab Spring triggered protests against the Bashar al-Assad regime and the Syrian conflict, a major source of the protests against the Bashar al-Assad regime and the Syrian conflict is the competition for power between the rebelling majority Sunni population who have been excluded from power, and the minority Alawite government that has been in power for five decades and apparently has no intention to relinquish power (Carpenter 2013; Miles 2014). Thus, the Syrian conflict also has Realist roots, which are competition for the acquisition and possession of power and domination in Syria. The Syrian conflict demonstrates Realist preoccupations and interests existing side by side with Liberalist demands for human rights, justice, freedom and democracy.
The autocratic rule and repression of the majority which the Assad government represents is a Realist understanding of the exercise of political power, which ignores the interests of the people, their human rights, freedoms and justice in favour of monopoly of power and protecting the state (Machiavelli, 2010). For Machiavelli, the only concern of the political leader (the Prince) is the acquisition and maintenance of power. Therefore, the leader must instil fear in his subjects if the subjects are expected to obey him. President Assad, acting like Machiavelli’s Prince has ignored ethical and moral principles and has been holding onto power at all costs. Referring to the opposition as ‘terrorists’, he cites reasons of security and the need to maintain the state and fulfil his duties as elected president as justifications for the suppression of the opposition and his monopoly on power. Despite the many thousands of deaths, injured and displaced, and despite the international community’s demands for him to step down, he is still holding onto power by using violence to govern or coerce his subjects and as a means of protecting his country against attacks by others states . He can only hold onto power by using violence and intimidation, which is in line with the realists understanding of power. Members of the Syrian opposition are also preoccupied with power and are not interested in sharing power with the Assad regime. Blanchard et al (2014) pointed out that the United Nations Security Council endorsed a negotiated settlement of the conflict that could leave members of the current Syrian government in power as members of a transitional governing body, but this was rejected by some opposition groups. Ryan (2012) points out that the Arab League proposed a United Nations Security Council Resolution calling for Assad to cede to power to his vice president and paving the way for a negotiated end to the fighting and the creation of Syrian unity government, but their proposal was vetoed by Russia and China. Thus, power sharing could have been a solution, but it is resisted by both sides of the conflict as well as by Russia and China, hence the continuation of the conflict.

Bellin & Krause (2012) suggest that one way to get Assad out of power is for the international community to offer him asylum, the strategy of “buying out the butcher”, as has been done in the case of Idi Amin, Jean-Claude Duvalier and Ferdinand Marcos. They believe that the international community should not limit the asylum offer to Assad and his immediate family, but should extended it to all those accused of crimes in the Assad regime who are most likely be opposed to the idea of him giving up power. They believe that such offer of asylum might provide a sense of security for Assad and his cronies so that they do not fear being persecuted after giving up power and thus insist on staying in power. However, because the international community is divided over Syria, Bellin & Krause’s (2012) suggestion will be difficult to implement, and Assad will continue to hold onto power.

COMPETING INTERESTS
Michael (2016) argues that what at first glance appears to be a conflict between armed groups and government forces in Syria is in fact a conflict between regional and global powers, between Sunnis and Shiites, and even between moderate and radical Sunnis. Michael believes that Realism (national interests and security) underlies the demands for President Assad to step down from power, not humanitarian liberalistic values. Carpenter (2013) also underscores the different Realist interests surrounding the demands for Assad to step down and the Syrian civil war. He argues that the West wants Assad out of power because Syria is an ally of Iran which has been in conflict with the West, especially the United States over its nuclear weapons program which the United States and other Western countries (such as United Kingdom and France) consider very threatening to their existence, powers, security and national interests. However, the United States is constrained from forcing Assad out of power because of its national and security interests. Indeed, it has hesitated to take military action against the Syrian government and during president Obama’s tenure had abandoned its threats to take military action against the Syrian government for its alleged use of chemical weapons in the conflict because it would be against its national and security interests to do so. Indeed, Ryan (2012) highlights that some rebel groups and foreign countries have criticised the United States for failing to act on its threat to take action against the Syrian government for its alleged use of chemical weapons against its people. Apart from the United States’ stalling, there is a resistance by Russia and China to oust Assad out of power because it does not serve their interests to do so. Therefore, despite the number of deaths and atrocities in the conflict, Assad has not been forced out of power. Indeed, Russia and China will veto UN Security Council Resolutions that simply condemn the Assad government because of their interests in Syria. As Carpenter (2013) puts it:

Moscow has long-standing economic and strategic ties with the Syrian government not only with Bashar Assad but earlier under his father as well. The Soviet Union supplied Damascus with generous amounts of economic and military aid throughout the cold war, and that relationship has persisted since the collapse of the USSR. Moreover, Russia’s “naval maintenance facility” at the Syrian port of Tartus is the only military installation that the country has today in the Mediterranean region.

China’s substantive ties with Assad are more limited, but far from trivial. China was Syria’s largest trading partner in 2011, with Syrian exports to that country totalling $2.4 billion. China is also a major participant in Syria’s oil industry, which until the onset of the fighting was on the rise (p. 9).

Bagdonas (2016) echoes Carpenter (2013) and also points out how Russia (along with China) through vetoing power is shielding Assad’s regime and perpetuating the Syrian conflict because
of its economic, military, strategic, security, and colonialist interests. Thus, Köchler (1991) has commented that the use of the veto by members of the UN Security Council only occurs when the interests of permanent member of the UN Security Council are at stake and not as required by the UN Charter regulations to maintain international peace and security.

Carpenter (2013) also recognises that Syria is a cockpit for regional rivalries and represents a struggle and competition between regional powerful states for security, power and domination, which is the Realist understanding of international relations. Carpenter (2013) explains that Saudi Arabia and its Persian Gulf allies, backed by the United States and the North Atlantic Treaty Organization, want to remove Assad, not just because he is a brutal, corrupt leader, but because he is Iran’s primary ally in that region and Iran is a rival of Saudi Arabia and in competition with Saudi Arabia for power and domination in the region. He puts it thus:

It is not coincidental that Saudi Arabia has been especially adamant about calling for Assad’s ouster and for a transitional government in which the Free Syrian Army and the Syrian National Council would play a major –if not the dominant- role. The fight inside Syria is a microcosm of the regional struggle between Sunni Saudi Arabia and Shiite Iran. Having largely lost the contest for influence in Iraq, and having had to fend off the Iranian government’s political probes in Bahrain, Riyadh seeks to turn the tables by undercutting Tehran’s principal ally (pp. 4-5)

For Carpenter (2013), the struggle for power and domination between Sunni Saudi Arabia and Shiite Iran is fuelled by the fact that Iran supports movements that threaten the ruling elites in the Arab world. He believes that the Saudi bloc and the Western powers want to isolate the Iranian regime both because of Iran’s persistent nuclear ambitions and because of Iran’s support for movements that threaten the ruling elites of the Arab world. Thus Assad’s fall would succeed in isolating the Iranian regime and “significantly undermine Iran’s position” in the region, making both the United States and Saudi Arabia more secure and powerful. This is echoed by Ryan (2012) who believes that the Arab states calling for the ousting of Assad are not concerned about democracy in Syria, but are concerned with toppling a regime aligned with Iran which poses a threat to their security and national interests.

Bellin & Krause (2012) argue that Russian interests in Syria are greater than all other interests, therefore, the best way of getting rid of the Assad regime is to choke off Russian support for the Assad regime. They suggest that the way to choke off Russian support for the Assad regime is for the international community to take Russia’s interests in Syria seriously, and show Russia that regime change in Syria will not compromise Russia’s core interests in Syria. They are of the view that Russia needs to be persuaded that continuing to support and subsidize the Assad
The regime is much more dangerous for Russia than a prolonged civil war in Syria, which might lead to a collapse of the state and create a political vacuum in Syria that would not serve Russia’s foreign policy interests. They further suggest that not only should Russia be persuaded to give up opposing regime change in Syria, Russia should also be encouraged to take the lead in overseeing such regime change so that it would have the opportunity to protect its core military, economic and strategic interests.

THE UN CONVENTION ON REFUGEES AND THE EUROPEAN CONVENTION ON HUMAN RIGHTS

According to the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), as at 2016, 4.8 million Syrians have been forced to leave Syria, and 6.5 million are internally displaced making Syria “the largest displacement crisis globally.” However, national and security interests prevent many countries who are parties to 1958 UN Convention on Refugees and other international instruments like the Universal Declaration of Human Rights (Article 14) from protecting refugees. Their attitude is in line with Realism which requires that national and security interests determine foreign policy not international law and obligations. Jackson & Sørenson (2016) observed that:

The fact that all states must pursue their own national interests means that other countries and governments can never be relied upon or completely trusted. All international agreements are provisional and conditional on the willingness of states to observe them. That makes treaties and all other conventions, customs, rules, laws, and so on between states merely expedient arrangements which can and will be set aside if they conflict with the vital interests of states. There are no international obligations in the legal or ethical sense of the word-i.e, bonds of mutual duty-between independent states. The only fundamental responsibility of states-people is to advance and to defend the national interest by whatever means. (page 63).

Indeed, a 2016 Oxfam Report observed that the six wealthiest countries in the world are not complying with their international obligations and hosts only about 9% of the world’s refugees including Syrian refugees. Although European countries such as Germany, Greece, Sweden and Austria have been singled out for being more generous in taking refugees, Fargues(2014) argues that Europe as a whole did not open its door to refugees in proportion to their flight from Syria. He said that Europe as a whole has taken only a fraction of refugees taken in by Turkey, Iraq, Lebanon, Jordan and Egypt combined, and that in 2014 only two states (Germany and Sweden) took in two thirds of all asylum seekers accepted by the twenty eight EU member states. He
further highlights how Europe’s share of the overall refugee flows fell from 29.4% in 2011 when the Syrian civil war started, to 4.1% in 2012, and further to 2.3% in 2013. Indeed, while there is the belief that the Brexit vote might not directly impact Syrian refugees, Tilford (2015) argued that it would be an indication of xenophobia, and if it is an indication of xenophobia, it means that refugees (including Syrian refugees) are not welcomed to the United Kingdom despite United Kingdom’s international obligations under the UN Convention on Human Rights and the Universal Declaration of Human Rights.

The EU member states do not want to accept any more refugees and have been accused of being more concerned with their security and stability along and beyond their borders above liberal interests such as the promotion and maintenance of democracy which they have been known to champion (Farcy, 2015; Saatçioğlu, 2016). Therefore, apart from not complying with international instruments such as the UN Convention on Refugees which require the protection of Syrian refugees, EU member states are no longer concerned with whether or not values such as democracy and rule of law are being observed by a country which can help it keep Syrian refugees outside their borders. Thus Saatçioğlu (2016) observes that the EU is no longer concerned with whether or not Turkey is “backsliding” on democracy and rule of law, but is now more concerned with protecting its strategic interests, and considers Turkey a safe third country to accept refugees bound for Europe. Thus, it offered Turkey a “generous” financial aid package of 3 billion euros, visa liberalisation for Turkish citizens, possible progress in negotiations for Turkey’s accession to the EU, and more enhanced cooperation with the EU in return for Turkey receiving and keeping Syrian refugees in Greece bound for Europe, despite that the European Convention on Human Rights prohibit the collective expulsion of aliens (Saatçioğlu, 2016). While Farcy (2015); Human Rights Watch (2016); Özden (2013) among many others doubt that Turkey is a safe third country for the Syrian refugees, it must be pointed out that the EU package will serve Turkey’s domestic political interests and needs by helping to address the impact of Syrian refugees on its social and other services as has been highlighted by Içduygu (2015) and Kirişci& Ferris (2015) among others, and will also bring to attention Turkey’s importance in the world stage. Indeed, Saatçioğlu (2016) points out that the EU package is a significant boost for the Turkish government domestically and internationally.

Apart from Western countries, Arab countries have also been criticised for failing to accept and host Syrian refugees. Despite that many Arab countries are not signatories to the Convention on Refugees and therefore not bound by it, Gibson (2015) criticises them for not pledging to host Syrian refugees and believes that they should make such a pledge and accept Syrian refugees rather than just funneling billions in weapons and cash to Syrian rebel groups. Gibson argues the gulf nations and some Western countries have been fuelling the conflict in Syria by supplying weapons to the rebels or supporting the Syrian government and rushing to “rip” Syria to shreds.
for geopolitical gains but have been the least willing to accept Syria’s refugees because it does not serve their interests to do so.

At the recent UN Summit on Refugees and Migrants held on the 19th September 2016, UN members agreed to provide more protection and assistance to refugees, and on the 20th September 2016 former president Obama held a Refugee Summit aimed at steering more protection and assistance for refugees. These activities however noble, imposes no legally enforceable obligations compelling member states to accept their own share of refugees or preventing them from closing their doors to Syrian or other refugees.

It is not a good idea for countries to close their doors to Syrian refugees. Countries closing their doors to Syrian refugees might in fact face threats to their national and security interests. Kerwin (2016) argues that countries closing their doors on Syrian refugees serve the purposes of terrorist organisations like Isis because if countries do not accept Syrian refugees, disaffected Syrian refugee populations could then be a recruiting ground for Isis. However, despite the wrongness of closing doors to Syrian refugees, Fargues (2014) stresses that potential host countries have economic interests to protect. He points out that the Syrian refugee crisis reaches Europe during Europe’s deepest economic crisis since World War II, with citizens’ income plummeting, unemployment soaring, and public opinion lumping asylum seekers and irregular (economic migrants) together, which all make it difficult for Europe to easily accept refugees. Fargues(2014) also argues that there are genuine national and security interests restricting the wide acceptance of Syrian refugees. He explains that the presence of refugees can trigger tensions as refugees might be affiliated with and support groups which host countries consider hostile and threatening. He also explains that camps and informal settlements sheltering the refugees might easily become hotbeds and recruiting grounds for terrorist organisations that threaten host countries as well as other countries. Indeed, recent incidents in Germany where refugees have engaged in terrorist acts confirm that terrorists can mask as refugees. Therefore, while the Convention on Refugees should be complied with, the vetting procedures it comprises should be comprehensively applied by potential receiving states so as to ensure their security. Indeed, Article 2 of the Convention on Refugees requires every refugee to conform to the host countries’ laws and regulations and requires host countries to take measures for the maintenance of law and order.

THE UN CONVENTION ON THE PREVENTION AND PUNISHMENT OF THE CRIME OF GENOCIDE AND THE RESPONSIBILITY TO PROTECT (R2P)

The 1948 Convention on the Prevention and Punishment of the Crime of Genocide prohibits and makes punishable the crimes of genocide; conspiracy to commit genocide; direct and public
incitement to commit genocide; attempt to commit genocide; and complicity in genocide. It also provides that any contracting party to the Convention may call upon the competent organs of the United Nations to take such action under the Charter of the United Nations as they consider appropriate for the prevention and suppression of genocide. Also, the Office of the Special Adviser on the Prevention of Genocide informs that the three pillars of the responsibility to protect (R2P) as stipulated in the Outcome Document of the 2005 United Nations World summit (A/RES/60/1, para.138-140) and formulated in the Secretary-General’s 2009 Report (A/63/677) on Implementing the Responsibility to protect are that the State carries the primary responsibility for protecting populations from genocide, war crimes, crimes against humanity, and ethnic cleansing, and their incitement; the international community has a responsibility to encourage and assist States in fulfilling their responsibility ; the international community has a responsibility to use appropriate diplomatic, humanitarian and other means to protect populations from these crimes. If a State is manifestly failing to protect its populations, the international community must be prepared to take collective action to protect populations in accordance with the charter of the UN. Apart from the conclusion made by the UN Secretary General’s Special Adviser on the Prevention of Genocide (Adama Dieng) in December 2012, that the Government of Syria was “manifestly failing to protect its populations” contrary to the 1948 UN Convention on the Prevention of Genocide, and its more modern notion –the Responsibility to Protect as stipulated in the Outcome Document of the 2005 United Nations World Summit and the United Nations Secretary General’s 2009 Report on Implementing the Responsibility to Protect, many others also conclude that there has been genocide in Syria and that the Syrian state has failed in its responsibility to protect its population from genocide warranting the military intervention of the international community acting through the UN(Sadat 2016; Cunliff 2014; Carmen & Landry 2014; Carpenter 2013). However, no member of the international community has invoked the provisions of the Convention on the Prevention and Punishment of the Crime of Genocide or the provisions of the Responsibility to Protect (R2P). Even if there was an interest to invoke the provisions of the Convention and R2P to intervene militarily, it can only be done through the UN Security Council and it is unlikely that members of the Security Council such Russia and China would support military intervention in Syria as it would not be in their interests to do so. Indeed, there is also the argument that it will not be in the interests of members of the international community such as the United States and its Western allies to intervene militarily in Syria because that might exacerbate regional conflicts and cause more insecurity to the United States and its Western allies (Carpenter, 2013; Murray, 2014). And even if it was in their interests to intervene militarily, any attempt to do so would be likely vetoed by Russia and China who would also want to protect their interests in Syria. Thus, Murray (2014) has argued that states will implement R2P only if it will not decrease their power position or threaten their security, and that humanitarianism should not be expected to outweigh considerations of national interests and
security when it comes to the implementation of the Responsibility to Protect. Consequently, Dietrich (2013) has concluded that R2P if not dead is on life support and therefore not useful. The reality therefore, is that both the Syrian government and the rebels fighting against it can get away with genocide-the rebels have also been accused of genocide Sadat (2016).

It must be noted, that it is not only the more developed or richer countries that resist the implementation of R2P. Dietrich (2013) argues that when it comes to the R2P, issues of non-interference and sovereignty are commonly raised by less developed countries whose memory of colonialism makes them sensitive to the idea of greater powers interfering in domestic politics, and who are also weak and susceptible to challenge by internal groups and feel the need to use repression and violence to keep order. Thus less developed and poorer countries are also likely to oppose the implementation of R2P or the Convention on the genocide against Syria.

Banon (2006) suggests that unilateral action by member states can be way to avoid the impasse at the Security Council. She argues that the R2P comes with limited forms of unilateral and regional action including military action if the UN fails to act to protect populations from genocide and other atrocities. She suggests that in case of UN inaction, would-be unilateral actors can point to an explicit failure to fulfil a duty and therefore take unilateral action to protect populations against genocide and other atrocities. Despite Banon’s (2006) arguments, no state has taken unilateral action against Syria based on R2P, and as Banon herself observed, such unilateral action can only be allowed in a narrow set of circumstances.


There has been little effort to refer the Syrian situation before the International Criminal Court (ICC) to make the Syrian regime or any other group accountable for the crime of genocide allegedly being committed in the ongoing Syrian civil war. Thus impunity prevails. While Sadat (2016) highlights that Article 5 of the Rome Statute gives the ICC jurisdiction to try inter alia the crime of genocide, she also points out that a state must be a party to the statute to be subject to the jurisdiction of the court, and because Syria is not a party to ICC, the only way for the Syrian situation to be referred to the ICC is through the Security Council, but Russia and China are expected to veto any attempts to make the Syrian regime accountable. Sadat (2016) explains that France with support from the United Sates had proposed a resolution attempting to refer the situation in Syria to the ICC, but the proposal was vetoed by China and Russia. Sadat(2016) also points out that Russia has not ratified the Rome Statute and that China and the Unites States were opposed to its creation and thus not parties to it.

Sadat (2016) suggests that a way forward is to address the current impasse in the UN Security Council by invoking General Assembly Resolution 377 of November 3rd 1950 known as the
Uniting for Peace Resolution which allows the UN General Assembly to call an emergency special session for a unified action where the UN Security Council is failing to exercise its responsibilities for the maintenance of international peace and security because of lack of unanimity of the permanent members. She also suggests that the five permanent member states of the Security Council adopt a code by which they voluntarily refrain from using the veto in situations of genocide, war crimes, ethnic cleansing and crimes against humanity. She further suggests the amendment or reinterpretation of the UN Charter to prevent arbitrary uses of the veto by the permanent members of the Security Council. Sadat’s suggestions are yet to be accepted or explored therefore impunity continues to prevail in the Syrian conflict.

RECOMMENDATION AND CONCLUSION

There is need to temper the realist interests and responses that surround the Syrian Civil war. It will not be wise to suggest the substitution of realist interests and responses with liberalist ones because liberalism can also jeopardise national and security interests by imposing so called universal values on everyone, and as Grieco (1988) had argued, a liberalist approach is bound to face the reality that there are limits of cooperation between states. A way forward could be the adoption of the Transrational Peace Philosophy as advanced by (Dietrich, 2012, 2013a& 2013b). The Transrational Peace Philosophy requires equally balancing realist and liberalist concepts-national security interests with interests of global justice, truth, harmony and all other concepts to achieve equilibrium and thus sustainable peace. The Transrational Peace Philosophy allows for the equal balancing and tempering of the realist interests and responses that besiege the conflict with all other interests and responses that are also relevant to the conflict (be they liberalist, idealist and constructivists and others). It allows the embracing of all possibilities and concepts, moving beyond the limitations of realism, liberalism, idealism, universalism, colonialism, rationality, security, justice, truth and harmony (Dietrich, 2012, 2013a & 2013b). Thus, it allows for the recognition of the need for international peace and security without disregarding the obligations for humanitarian assistance stated in international instruments such as the Convention on Refugees, the Convention against Genocide and the Rome Statute, and without disregarding the fact that as much as the regime in Syria is brutal and unacceptable, peace efforts might not be successful if the wishes and interests of Assad and members of his regime (however abominable), are ignored and not discussed.

REFERENCES


WEBSITES

https://www.oxfam.org.uk


General Assembly—R2P Excerpt from Outcome Document – International Coalition for the Responsibility to Protect  www.responsibilitytoprotect.org  > article > 398