Syria Teaches Us Little About Questions of Military Intervention

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LUKE GLANVILLE, FEB 7 2014

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The lack of military intervention in response to the ongoing crisis in Syria has been taken by some commentators as evidence that the supposed norm of intervention for the protection of populations has no meaningful impact on the actual behavior of states. These commentators insist that the absence of intervention in Syria demonstrates that the intervention in Libya in 2011 was an aberration and that the notion that a norm has emerged that permits and perhaps even requires military intervention in response to mass atrocities is incorrect.[1] This reasoning is fundamentally flawed. The lack of intervention in Syria teaches us little about the intervention norm for two reasons. First, few observers have argued that military intervention would be a just and prudent means of protecting the Syrian population. If military intervention is not considered the appropriate response to a crisis, it makes little sense to cast the absence of intervention as a failure and to suggest that it demonstrates the weakness of the norm. Second, even if military intervention *was* warranted in Syria, the fact that Russia would have likely prevented the passage of any Security Council resolution authorizing the intervention would not have spelled the death of the intervention norm. Norms matter, but so do the material and strategic interests of great powers, and a norm is not rendered meaningless by the fact that it is sometimes trumped by interests.

Before turning to the crisis in Syria, it is instructive to briefly revisit the Libyan intervention. The willingness of the fifteen members of the Security Council in March 2011 to vote for or at least allow the passage of Resolution 1973, authorizing "all necessary measures" to protect civilians in Libya, constituted a landmark moment in the development of the intervention norm. It seems clear that this resolution was adopted by states primarily because of the power of the idea that the international community should not stand by while a tyrant kills civilians as though they are cockroaches, as Gaddafi claimed he intended to do. It is true that, as many commentators have noted, states tended not to explicitly invoke the idea that the international community has a "responsibility to protect" (R2P) when justifying the decision to intervene.[2] Nevertheless, states were surely moved to intervene, or not to block intervention, in large part because of the power of ideas and norms of human protection related to R2P, and it is odd that so many scholars have been unwilling to acknowledge this even though they have suggested no plausible alternative motivation for intervening states. To be sure, there were numerous factors that made the Libyan intervention permissible and feasible. Gaddafi's clear threat of mass atrocities, the explicit request of the League of Arab States for action, and NATO's belief that it could achieve its aims relatively quickly and easily were each crucial in making the intervention a viable option.[3] But these reasons do not explain why states chose to act rather than not act. States did not choose to intervene in Libya merely because such intervention was permissible and feasible. Rather, they chose to intervene in large part because they were moved by felt moral, social, and political imperatives to act to protect populations.

Does the failure of the international community to undertake a similar military intervention in Syria, then, suggest a weakening of the intervention norm? Does it demonstrate a weakening of these felt moral, social, and political imperatives to intervene in response to mass atrocities? No, it does not. To be sure, the response of the international community to the Syrian crisis has been lamentable. The failure of the permanent members of the Security Council to work together to adopt strong resolutions on the crisis in its first two years was shameful.[4] And the unwillingness of

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France and the United States, who have long called for a firmer response to the crisis, to meanwhile offer their "fair share" to humanitarian efforts to relieve the suffering of civilians is appalling.[5] But the international community's response to the Syrian crisis tells us little about the weakening or otherwise of the norm of military intervention for the protection of populations.

The failure to undertake military intervention in Syria would surely be significant only if military intervention was understood to be the appropriate response to the crisis. This has not been the case. Prior to the chemical weapons attack that killed over 1,400 people in a suburb of Damascus on August 21, 2013, no states and almost no advocates of R2P had argued in favor of military intervention to protect Syrian civilians.[6] They had refrained from doing so because military intervention at no stage appeared to be the right option. Syria was a very different crisis from Libya and it was very difficult to see how an external military intervention in Syria could do more good than harm. Moreover, when some states and commentators briefly argued in favor of a military intervention in the aftermath of the August 2013 chemical weapons attack, all of these states and many of these commentators claimed that such intervention ought to be limited to deterring future use of chemical weapons and degrading the Assad regime's capacity to use them. The Obama administration was particularly insistent that military strikes, if they were to occur, ought to be "a very limited, very targeted, very short-term effort" targeted at the use of chemical weapons, rather than one that sought more broadly to secure the protection of the Syrian population.[7] If few observers have ever thought military intervention was the right way to protect civilians in Syria, it makes little sense to cast the lack of intervention as a failure and to claim that it demonstrates the weakness of the intervention norm.

It might be replied that the anti-interventionist statements of Russia, in particular, in Security Council debates on Syria indicate that, even if military intervention was the right option in Syria and there was sufficient political will among Western states to undertake the intervention, such intervention would not have been authorized by the Security Council and this shows the weakness of the intervention norm. However, such an example of great power opposition to the application of a norm does not demonstrate that the norm has no impact on the behavior of states. After all, no one has suggested that the norm of non-intervention in the affairs of sovereign states is dead or meaningless simply because Russia invaded Georgia in 2008. Sometimes norms are trumped by the interests of powerful states. This does not mean that the norm may not have a powerful impact in other cases.

To be sure, there has been a strong backlash against the manner in which NATO conducted its intervention in Libya and this has played out in the international debate on how to respond to the crisis in Syria. It would seem clear that this backlash has hampered agreement within the Security Council even on whether or not to condemn the violence in Syria, let alone whether to apply sanctions against the Assad regime for its atrocities.[8] However, Syria is simply not a good test case for measuring the impact of this backlash on the norm of military intervention for the protection of populations. Certainly, states such as China have repeatedly declared in Council debates on Syria that they oppose the use of force in international relations, but they said the same thing in 2011 even while allowing the passage of Resolution 1973 on Libya.[9] In the absence of a plausible case for military intervention in Syria, the absence of intervention teaches us little. Moreover, despite this backlash over Libya, skeptical states have continued to engage with ideas of military intervention, seeking not to prohibit military intervention, but to ensure that when it occurs it is done the right way. Brazil's "Responsibility While Protecting" concept is a well-known example. Another that is beginning to gain attention is the idea of "Responsible Protection" being debated within China.[10]

All of this is, of course, rather irrelevant to the terrible suffering that continues in Syria. The international community has failed in its response to Syria. That much seems clear. Nevertheless, it is not helpful to claim that the international community is to be faulted for not undertaking military intervention in response to the crisis or that the failure to intervene reveals anything substantial about the strength of the intervention norm. Indeed, when considering the strength of the norm, it may be worth considering the following: Since the unanimous endorsement of R2P by states at the UN World Summit in 2005, there has been only one clear case, Libya, in which it was widely agreed that military intervention would be a just and prudent response to the occurrence of mass atrocities, and in that case the international community did not fail to intervene. Perhaps the norm is not so weak after all.

[1]   Such a notion is most commonly found in online opinion pieces, but it can also be found in scholarly literature. For a recent article that advances this notion at various points, see Andrew Garwood-Gowers, "The Responsibility to

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Protect and the Arab Spring: Libya as the Exception, Syria as the Norm," *UNSW Law Journal* 36:2 (2013), 594-618.

[2]   See, for example, Aidan Hehir, "The Permanence of Inconsistency: Libya, the Security Council, and the Responsibility to Protect," *International Security* 38:1 (2013), 137-159.

[3]   Such factors are detailed in Alex J. Bellamy and Paul D. Williams, "The New Politics of Protection? Cote d'Ivoire, Libya and the Responsibility to Protect," *International Affairs* 87:4 (2011): 825-850.

[4]   Prior to the adoption of Resolution 2118 in September 2013, the Council did adopt Resolutions 2043 and 2059 in 2012, that established, and then renewed, the mandate of the United Nations Supervision Mission in Syria (UNSMIS), as well as condemned violations of human rights by both sides. Nevertheless, three stronger draft resolutions were vetoed by Russia and China in 2011-12.

[5]   On September 18, 2013, Oxfam reported that France had contributed 47% and the United States had contributed 63% of their fair share. See Oxfam International, "Top donor countries failing ordinary Syrians affected by the conflict with Syria appeals falling short by US$2.7bn," (18 September 2013). Accessed at http://www.oxfam.or g/en/pressroom/pressrelease/2013-09-19/top-donor-countries-failing-syrians-conflict-un-syria-appeals-falling-short (Jan. 14, 2014). I thank Sara Davies for this information.

[6]   One notable exception during this period was Anne-Marie Slaughter. See, for example, Anne-Marie Slaughter, "Going to School on Syria's Suffering," *The Globe and Mail* (29 May 2013). I thank Tim Dunne for this point.

[7]   See, for example, Jonathan Karl, "John Kerry Promises 'Unbelievably Small' U.S. Strike against Syria,"*ABC News* (Sep 9, 2013). Accessed at http://abcnews.go.com/blogs/politics/2013/09/john-kerry-promises-unbelievably-small-u-s-strike-against-syria/ (Jan. 14, 2014). That being said, the reckless claim made by the United Kingdom that the resort to military action to punish the Assad regime would be not only moral, but even legal, without the authorization of the Security Council, could well have the effect of hardening the resistance of some states to future proposals for military intervention.

[8]   However, it should be recalled that the 133 states voted in favour of Resolution 66/253 in the UN General Assembly, "deploring the failure of the Security Council" to agree on measures that would more effectively respond to the crisis. I thank Alex Bellamy for this point.

[9]   UN Document S/PV.6498 (March 17, 2011), 10.

[10]   See the discussion in Gareth Evans, "Mass Atrocity Crimes after Syria: The Future of the Responsibility to Protect," public lecture at University of Queensland (6 November 2013). Accessed at http://www.gevans.org/speeches/speech537.html (Jan. 14, 2014).

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