

Master thesis

International Relations

Why not in Syria?

'R2P not the rule but the exception'



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“It is only a matter of time before reports emerge again from somewhere of massacres, mass starvation, rape, and ethnic cleansing. And then the question will arise again in the Security Council, in political capitals, and in the media:

‘What do we do?’

This time around the international community must have the answers.”

Evans & Sahnoun, 2002: 100

Contents

<i>Abstract</i>	4
Introduction	5
Chapter 1 Literature review	8
Chapter 2 Research design	12
Chapter 3 The set of interests involved in the case of Syria	25
Chapter 4 The failure of R2P through the eyes of IR theories	29
Conclusion	35
Appendix	38
Biography	41

Abstract

This thesis is inspired by the will to understand why the international community stands by while mass atrocities are committed by the Syrian government. My research question '*Why does the international community not intervene in the humanitarian crisis in Syria?*' forms the premise for this thesis. My main argument is that because of the non-consensus within the international community about R2P as a norm, there is a lack of political will to intervene in the situation in Syria. Furthermore, I argue that this lack of consensus is caused by the protection of the national interests of the states involved, especially the security of their sovereignty. These arguments are substantiated by the acceptance of my hypotheses which are based on the core assumptions of realism, liberalism, and constructivism. These hypotheses show that the protection of sovereignty, the lack of a common interest, and the non-consensus about R2P are crucial aspects in the decision not to intervene in the humanitarian crisis in Syria.

Introduction

During the annual session of the United Nations General Assembly in 1999, former Secretary-General of the United Nations, Kofi Annan, stresses out the need for the international community to change the attitude towards humanitarian crises. He referred to the lack of action during the humanitarian crisis in Rwanda in 1994, where afterwards the international community has been accused of *“doing too little, too late”* (Annan, 1999: 49). Also the way in which the international community has responded to the crises in Kosovo and East Timor in 1999, are examples which Annan has used to show that there is a need for a sort of intervention model that satisfies the needs of the new millennium. He argues that these examples have shown the world that the international community cannot stand by and watch while gross and systematic violations of human rights are taking place. He also emphasizes on the fact that intervention must be based on legitimate and universal principles, if the international community wants to keep the sustained support of the world’s people (Annan, 1999: 49). *“We need to adapt our international system better to a world with new actors, new responsibilities, and new possibilities for peace and progress.”* (Annan, 1999: 49). In addition, Annan (1999:49) states that to avoid that history repeats itself *“it is essential that the international community reach consensus, not only on the principle that massive and systematic violations of human rights must be checked, wherever they take place, but also on the ways of deciding what action is necessary, and when, and by whom.”*

With these thoughts in mind, the International Commission on Intervention and State Sovereignty (ICISS) was established in September 2000. This commission had the task to deal with the legal, moral, operational, and political questions within the debate about humanitarian intervention. The result of this commission is a report under the name of ‘The Responsibility to Protect’ (R2P), which provides a framework for how to deal with human protection in other states. R2P contains the idea that *“sovereign states have a responsibility to protect their own citizens from avoidable catastrophe – from mass murder and rape, from starvation – but that when they are unwilling or unable to do so, that responsibility must be borne by the broader community of states.”*(ICISS, 2001a: VIII).

In March 2011, R2P came into practice for the first time, responding on the humanitarian crisis in Libya. In addition to R2P, Resolution 1973 of the Security Council authorized quick, robust, and effective international action for the protection of the people of Libya from the harm that Muammar el-Qaddafi has brought on his unarmed civilians. This Resolution 1973 authorized *“all necessary measures”* against Libya (Weiss, 2011: 289). After a ‘successful’ intervention, R2P seemed to shine a bright light on the complexity which humanitarian intervention brings along. But

within a short period the glory of R2P became overshadowed by the crisis in Syria. At the beginning of the crisis, there was still a little bit of hope for R2P to fit the case, but now two years later, the crisis is still ongoing. Cruelties in Syria are still dominating the news, and again the international community is late in coming. An immediate question that comes up is ‘why do we not take any action in this case?’. Marietje Schaake, Dutch member of the European Parliament for D66/ALDE Group, ask this same question last January at the European Parliament in Strasbourg (Youtube, Marietje Schaake, 2013). It is very interesting to see how the international community deals with each case differently, but it is unclear how the international community determines whether or not to intervene in a humanitarian crisis. It is obvious that R2P cannot be used as some kind of blueprint for each humanitarian crisis. There seems to be some sort of ‘error’ in the framework that makes this framework not the rule but the exception as a solution how to deal with a humanitarian crisis.

This research will deal with the question why the international community does not intervene in every country where the people are so obviously suffering from the harm of their own government. To narrow down the focus, this thesis will concentrate on the crisis in Syria. The research question for this thesis will therefore be:

‘Why does the international community not intervene in the humanitarian crisis in Syria?’

The main argument I will make is that because of the non-consensus within the international community about R2P as a norm, there is a lack of political will to intervene in the situation in Syria. Furthermore, I argue that this lack of consensus is caused by the protection of the national interests of the states involved, especially the security of their sovereignty. This argument will be substantiated by the analysis of the framework of R2P by three IR theories, namely realism, liberalism, and constructivism. This analysis will show that R2P is only useful if the international community has reach a consensus about R2P as a new international norm. The case of Syria will show us that the interests involved are complex and the lessons of Libya have an impact on the idea of R2P.

The relevance of this thesis is that it tries to blend in the current discussion about why the international community has still not intervene in the humanitarian conflict in Syria. Although this thesis has the focus on the case of Syria, it tries to give an insight in the dilemmas surrounding humanitarian interventions. It tries to show the complexity of national and international interests that

are involved in the process of the discussion-making whether or not to intervene in a particular humanitarian crisis.

The structure of this thesis is as follows: First, I will provide an outline of several authors who have written about humanitarian intervention, with the focus on the framework of R2P. With this literature review I hope to get a clear view of the development which R2P has passed. If we want to find the answer to the question ‘why R2P is not the answer to all humanitarian crises’, we have to grub in the development of humanitarian intervention after the Cold War period. It is this literature review that provides the basis for the following research part of the thesis. The chapter ‘research design’ follows after the literature review. Here, I will first clarify the theoretical framework of this thesis. This framework consists of three International Relations (IR) theories, namely realism, liberalism, and constructivism. I will use these IR theories to search for the ‘error’ in R2P. Furthermore, the research design will provide the method of analysis, the way in which I have selected the case for the thesis, the important concepts and definitions used in my research, the variables, and very important my hypotheses for this thesis. At last, the research design will mention the scope and limitations of this thesis. After this theoretical framework, I will dedicate a chapter to the interests which are involved in the case of Syria. It is impossible to hunt down all interests involved but I have tried to give a clear picture of the interests of the states which have been, and are still influencing the way in which the Syrian crisis is heading. In the next chapter, I will give a description of the framework of R2P and why it cannot fulfill its expected role as an solution to the Syrian crisis. In the conclusion I will accept or reject the hypotheses I have mentioned in my research design and will close with the conclusion that R2P has a long way to go before it can fulfill its purpose of being the answer in how to react to humanitarian crises.

Chapter 1

Literature review

Humanitarian intervention is a controversial issue in international politics. It is controversial because it includes two subjects that are sensitive matters within the international community; sovereignty and humanity (Evans, 2008). Debates relating to humanitarian intervention have gathered a lot of attention worldwide and find themselves stuck between the traditional way of thinking about intervention, the normative way of thinking about humanity and responsibility, and the reality of international affairs.

In their article ‘Humanitarian Intervention and Just War’, Mona Fixdal and Dan Smith (1998) call the debate on humanitarian intervention “*unsatisfactory*”. They argue that the people who are involved in this debate are talking past each other and that most of the discussions they have are lacking the ethical concepts. In their article they specifically refer to the absence of the ‘Just War’ tradition. According to Fixdal and Smith (1998) this tradition is the important ethical concept that is missing in the debate about humanitarian intervention. They argue that the ‘Just War’ tradition can contribute in discussing and evaluating this controversial object, especially in the analysis of the use of armed forces (1998: 283). The tradition provides criteria for the justice of resort to war, ‘Jus ad Bellum’, and the justice of the conduct of war, ‘Jus in Bello’.

The old debate about humanitarian intervention, which must be seen against the background of the Cold War period, was mostly about the motivation and about sovereignty. The new debate in which humanitarian intervention is being discussed, is about responsibility and the proper use of armed forces. This debate responds to the needs of the post-Cold War era (Fixdal&Smith, 1998).

In 1999, during the annual session of the United Nations General Assembly, the former Secretary-General of the United Nations, Kofi Annan, gave his thoughts on how the international community should act in times of humanitarian crises. His thoughts were inter alia, based on the tragedies of Rwanda in 1994, Kosovo in 1999, and in that same year the crisis in East Timor. Annan (1999: 49) stresses out the need for change in the international attitude towards humanitarian crises. For the next century, the international community should intervene in time “*when death and suffering are being inflicted on large numbers of people, and when the state nominally in charge is unable or unwilling to stop it.*” (Annan, 1999: 49). With this in mind, the International Commission on Intervention and State Sovereignty (ICISS) came up with a report called ‘The Responsibility to Protect’ (R2P) in December 2001. This report provides a framework which deals with the controversial aspect of humanitarian intervention, and use the concept of the ‘responsibility to

protect' instead of the 'right to intervene (ICISS, 2001: 17). Amitav Acharya (2002), Thomas Weiss (2007), and Alex Bellamy (2011) are three of many scholars who argue that the main contribution to the debate of humanitarian intervention lies in the fact that R2P redefines the concept in this manner. Also the concept of 'protection' extends to a broader meaning than intervention. Furthermore, the R2P framework covers inter alia, the criteria of the 'Just War' tradition to which Fixdal and Smith (1998) refer as the missing aspect in the debate about humanitarian intervention. Now the debate about humanitarian intervention is not any longer about 'whether' to react, but it is more about 'how' to react (Bellamy, 2011:265).

Another important aspect in the discussion about intervention on humanitarian grounds is still the concept of sovereignty. R2P also deals with this concept. Gareth Evans and Mohamed Sahnoun (2002: 102), who were the Co-Chairs of the ICISS, discuss the concept of sovereignty in their article 'The Responsibility to Protect' and emphasize on the fact that sovereignty implies a dual responsibility. This means that at the one hand, externally a state has to respect the sovereignty of another state, but at the other hand, internally a state has to respect the basic rights and dignity of all the people within the state. Evans and Sahnoun (2002: 102) stress out that "*sovereignty as responsibility has become the minimum content of good international citizenship*".

Next to the contribution of the principles of the 'Just War' tradition, and the change of the use of concept, the 'responsibility to protect' instead of the 'right to intervene', in the discussion about humanitarian intervention, Evans and Sahnoun (2002) argue that if the international community wants to gain more support and understanding for humanitarian intervention then it is necessary to add the concepts of the 'responsibility to prevent' and the 'responsibility to rebuild' to R2P. If these two concepts are integrated in the discussion, the concept of the 'responsibility to react' will have a better foundation and will be more supported (2002: 102). In this sense, R2P implies a duty to react in humanitarian crises. Acharya (2002: 373) argues, in his work 'Redefining the dilemmas of humanitarian intervention', that the report on R2P "*deserves the attention of anyone interested in promoting multilateral approaches to global peace*". Evans and Sahnoun (2002: 110) see R2P as an emerging international norm but acknowledge the frequent lack of political will. For R2P to succeed, there must be consensus about the idea.

Noha Shawki (2011) dedicates her article 'Responsibility to Protect: The Evolution of an International Norm' to describe the development of R2P as a norm, and the acceptance of that norm by the international community. She uses the 'Norm Lifecycle Model' from the constructivists Martha Finnemore and Kathryn Sikkink to determine in which status of acceptance R2P is situated. Shawki (2011) argues that the endorsement of the World Summit in September 2005 could be seen as the 'tipping point' for R2P. A stage, which Finnemore and Sikkink (1998) describe as the norm

being adopted by a critical mass of states as the new norm in international relations. After this point the norm usually spreads fast among the remaining states. At this stage, the norm is accepted but is not yet taken for granted (Shawki, 2011: 175). But Shawki (2011: 183) argues differently, and indicates a number of crucial points which show that R2P have not yet achieved the stage of ‘tipping point’. The roundtable consultations in several countries, the promotion of the implementation of R2P, the meetings for the NGO’s which should have to strengthen the normative consensus for R2P, and the further understanding of the norm, show us that R2P has not yet reach the ‘tipping point’ but is still at the stage of refining the R2P principles, defining the application of the principles, and starting to socialize states into applying those principles. Shawki (2011) also argues that there are some problems for the future of R2P. The endorsement of R2P at the World Summit in 2005 differs from the concept that has been established by the ICISS in 2001. This can provide confusion in how and when R2P should be applied. If there is not a clear shared understanding of R2P then every state can have its own interpretation of it, which can cause troubles during the decision-making process about an intervention. Thierry Tardy (2012: 448) argues that the international acceptance of R2P will be a slow process due to the regions of the world where the concept of sovereignty is seen as the holy grail. The concept of sovereignty as a dual responsibility can be received as suspicious. If this is the case, then those particular states can offer resistance against the norm of R2P. According to Tardy (2012), the report on R2P is linking the concept of the ‘responsibility to protect’ with the ‘civilian protection in peacekeeping operations’ when it is talking about the ‘responsibility to rebuild’. Tardy (2012) argues that by linking these two concepts the effects of both norms will be counterproductive. Both norms have consequences for the sovereignty of a state, which will lead to resistance in accepting R2P as a norm. The fear is that R2P will be misused by the ‘great powers’ in pursuing their hidden agendas. According to Tardy (2012: 448), *“because the disadvantages of linking the two norms are greater than the expected benefits, decoupling the two terms is the way forward.”* So the overall consensus about R2P, which should make the norm a success, is still not achieved.

Before the establishment of the ICISS and the creation of R2P, Fixdal and Smith (1998) argued that the debate about humanitarian intervention was *“unsatisfactory”*. Without the ‘Just War’ tradition, which could especially contribute in the discussion and evaluation about the use of armed forces, the discussions would lack an important ethical concept, according to Fixdal and Smith (1998: 283). A few years later, the ICISS created a report which would provide a new international norm that should change the attitude towards intervention based on humanitarian grounds. The report used the concept of the ‘responsibility to protect’ instead of the ‘right to intervene’, and gave the concept of ‘sovereignty’ another meaning by approaching it as a dual responsibility (Evans&Sahnoun, 2002). The report also adds the concepts of ‘responsibility to prevent’ and the ‘responsibility to rebuild’ to

ensure that the 'responsibility to react' would receive support among states who are indifferent about the idea of the 'responsibility to react'. The framework that outlines R2P includes the principles of the 'Just War' tradition. This implies that the debate about humanitarian intervention should 'satisfy' the requirement that Fixdal and Smith (1998) set. But the debate about humanitarian intervention has still not yet reach the point to where there is a consensus about how to deal with this controversial issue. The contribution of the 'Just War' tradition in the R2P framework, next to the fact of the changing concepts to make R2P more acceptable, did not help to reach an overall consensus, according to Shawki (2011) and Tardy (2012). They argue that the norm of R2P is not at all accepted by the international community, and that there is in no case an overall consensus. Shawki (2011) argues that the endorsement of R2P at the World Summit differs from the concept of R2P by the ICISS, which can lead to difficulties for R2P in the future. Tardy (2012) argues that R2P is linked to the concept of the protection of civilians in peacekeeping operations, which have a great effect on the sovereignty of a state. This fact can lead to resistance in accepting R2P as a norm. Therefore, R2P cannot be a successful instrument in dealing with humanitarian crises.

Chapter 2

Research design

Theoretical framework

Considering the research question, and with in mind the broader view of (future) other cases of non-intervention, I will use the IR theories to find out why R2P cannot fit the humanitarian crisis in Syria. In searching for this answer, I hope that I can also discover some sort of pattern which can be used to explain non-intervention in general.

The reason why I have chosen to test R2P by the use of IR theories, is because these theories deal with the issues of war and peace, and conflict and cooperation. These theories analyzes the state system (Jackson&Sørensen,2007: 9). There are different currents within the IR theories, with each a different point of view on the issue of humanitarian intervention. For this research I have chosen for realism and liberalism because these two currents have been at the start of the IR studies and developed over time. I have chosen constructivism as a third current because it is a more recent theory within the study of IR. Constructivism approaches humanitarian intervention from a whole different perspective than realism and liberalism do. With these three different IR theories I hope to get a complete picture of what is necessary to decide whether or not to proceed an intervention, and what is lacking, or in other words ‘why is R2P not the answer to Syria?’.

At this time in the crisis of Syria it is obvious that R2P does not fit the case. However, I have integrated it in my research design, because the R2P framework has been established to prevent that history would repeat itself, and the international community would not stand aside while gross and systematic violations of human rights would take place (Annan, 1999: 49). I will describe the three IR theories in this theoretical framework.

Realism

Within the realist IR theory there is an important distinction between classical realism and neo-realism. The first is one of the ‘traditional’ approaches to IR and is mostly normative in approach. The focus here is on national security and state survival. Neo-realism however, is a more recent doctrine and is mostly scientific in approach. Here the focus is on the international system or structure (Jackson&Sørensen, 2007: 61).

While there is a distinction between the two approaches, realism in general has a couple basic ideas and a core assumption. The core assumption is that world politics operates in an international

system of anarchy. This does not mean that there is an overall chaos but that there is no high authority that is like an umbrella over all states; functioning as some sort of world government. It is the relation of states which is important in the international relations.

The state takes a central position in realism. All other actors, like NGO's etcetera, are not or at least less important within the realist theory. It must be mentioned that states are not equal within realism. Realism considers states in the context of power; states are hierarchically ordered based on their power. Therefore, the struggle for domination and security by the great powers, is what international relations is about. According to this basic assumption, the normative core is national security and state survival. The basic ideas of realism, that fit this normative core and the basic assumption, have their origins in the Ancient Greek period, by the Greek historian Thucydides, and have been developing through important historical philosophers like Machiavelli and Hobbes. They all had a pessimistic view of human nature. Humans are always self-interested and in competition with others for their own well-being. Furthermore, classical realists see international relations necessarily in conflict ways, and that war is the only solution to resolve these international conflicts. According to this theory, the normative core values of national security and state survival are highly ranked. Finally, all realists are skeptical about the comparability of progress in international relations with that of progress in domestic political life (Jackson&Sørensen, 2007: 60). These ideas are still the core of the realist perspective nowadays.

One of the most influential neo-realists of the twentieth century is Hans J. Morgenthau. His core assumption about international relations is that “ *politics is a struggle for power over men, and whatever its ultimate aim may be, power is its immediate goal and the modes of acquiring, maintaining, and demonstrating it determine the technique of political action.*” (Morgenthau, 1965: 195). He formulates his IR theory in six principles. His first principle is that same pessimistic view of human nature like the classical realists have. The fundamentals of politics are set in a permanent and unchanging human nature, which is egocentric and egoistic. His second principle is that politics cannot be limited to economics or morals like Marxists or Liberals argue, because “*Politics is an autonomous sphere of action*”. (Jackson&Sørensen, 2007: 70). According to Morgenthau, state leaders must act in accordance to the political principles. The third principle of Morgenthau is that, because human nature is self-interested in maximizing their security and survival, these interests will come into conflict within the arena of politics. His fourth principle is about the distinction between political and private morality. The state leader has more responsibility than the private man. He is responsible for his people, for their security and their welfare. In that sense, the state leader must not try to do the best thing, but do the best according to the circumstances of that time. Following this principle, the fifth principle of Morgenthau is that nations cannot oppose their ideology on other

nations. His sixth and last principle about IR theory is again based on the pessimistic view of human nature. People are not the people we wish them to be. People are not perfect and have their limitations (Jackson&Sørensen, 2007: 70).

Another influential neo-realist is Kenneth Waltz. His perspective is based on some classical realist ideas but he ignores the normative concerns involved. He tries to provide a scientific approach to the international political system. The focus of his neo-realism is on the structure of the political system. He focuses particularly on the relative distribution of power within the international system. Here, actors are not that important as in classic realism because the structures will direct them to act in a certain way. Waltz sees all states performing the same tasks and are in that way similar. The differences between states lie in the fact that states have different capabilities. This means that the international arena changes when great powers are shifting and in that case also the balance of power. In this anarchical system the danger of war is always lurking. In this international arena Waltz distinguishes two systems. A bipolar system, which is according to Waltz more stable and provides more certainty for peace and security than the second system he distinguishes, the multipolar system. He argues that *“With only two great powers, both can be expected to act to maintain the system.”* (Waltz, 1979: 204). What departs Waltz from classic realism and from Morgenthau, besides his scientific approach, is that he does not discuss the human nature. His only focus is on the structure of the international political system and not on the nature of the humans who create and operate in this system (Jackson&Sørensen, 2007: 77). In this sense, foreign policy is dependent of the structure of the system. State leaders have to act within this given structure. This means that state leaders have not much to choose from within the system. It is all determined by the structure in which they must operate. This principle shows a major difference between classical realism and Waltz neo-realism. Classical realism and the neo-realism of Morgenthau show the importance of politics and ethics of statecraft but the neo-realism theory of Waltz shows that the individual state leader is tied by the structure and have no influence in policy at all.

So based on the classical realists and the more recent neo-realists approaches the overall assumption is that the world operates in an anarchic international system. The state takes a central position within realism and it is the relation of states which is important in international relations. In this relation, states are not equal but are hierarchically ordered based on their power. It is in this context of power that realism sees states, and their struggle for domination. Based on this assumption, the core of realism is national security and state survival. The difference between classical realism and neo-realism is the focus and their perspective of international relations. As noted above, realism focuses on the state while neo-realism focuses on the structure of the political system and argues that these structure direct states in a certain way. It implies that state leaders have no influence by

themselves because they are tied by the structure of the international system (Jackson&Sørensen, 2007; Waltz, 1979).

Liberalism

One of the most famous liberals with a public position is probably Woodrow Wilson. His vision to transform international relations from ‘a jungle of chaotic power politics to a zoo of regulated and peaceful intercourse’ touch the core of liberalism. Liberalism believes in cooperation within international relations. The central concern of liberals is the happiness and satisfaction of the individual. Within liberalism there are a couple basic assumptions. The first assumption is the positive view of human nature. Although liberals do recognize the self-interests and competitive characteristics of humans, they believe that humans have common interests and therefore are willing to cooperate in domestic affairs as well as international affairs. This cooperation will lead to greater benefits for all (Jackson&Sørensen, 2007: 97-99).

The emergence of liberalism is closely related to the emergence of the modern liberal state. Liberal philosophers like Locke and Bentham have set the basis for the liberal belief in progress, which is the second basic assumption of liberalism. This progress always implies progress for individuals. Locke and Bentham assumed that the modern liberal state is based on a political and economical system that will provide prospects of great wealth. Following from the first assumption, humans are willing to work together and overcome their fear and lust for power. Therefore, they see international relations as cooperative instead of conflicting. Liberals perspective on conflict and war is that it is not inevitable (Jackson&Sørensen, 2007: 97-99).

Within liberalism there are different trends. Sociological liberalism is one of them. It acknowledge the fact that IR does not only studies the relation between national governments but also the relation between individuals, groups, and societies. They believe that people are dependent of each other and that these interdependent relations are more cooperative than the relations that states have. Here, their argument is that states are exclusive and that states do not have overlapping interests. The sociological liberalist Rosenau (1992) believes that if the world develops large amounts of transnational networks, the world will be a more peaceful one. These interdependence relations are being increased by the high division of labour in the international economy, according to interdependence liberalists like Rosecrance (1986). This development should discourage possible conflicts between states. Keohane and Nye (1977) argue that after the Cold War period the interdependence relationships between states have changed. During the Cold War, ‘high politics’ of security had priority over ‘low politics’ of economics and social affairs. Nowadays, the relation between states is not only based on state leaders but also – and even more so – on different levels and

actors, like economics and banks, technology and (social) media. There is also an amount of individuals with transnational relations outside the state. Keohane and Nye (1977) also argue that because of all these transnational relationships, the use of military force is less effective under the circumstances of interdependence.

Another trend of liberalism is institutional liberalism. The ideas of Woodrow Wilson about a League of Nations is probably the best example to get an understanding of institutional liberalism. Nowadays, the NATO and the EU are recent examples of how institutional liberalism sees international institutions, and these institutions show that international cooperation can be possible. International institutions are not only tangible organizations but also a set of rules that determine how states have to act or react in particular situations and areas. Examples of these set of rules are rules about shipping or trade. This belief shows the claim of institutional liberalists that the promotion of cooperation between states is realized through international institutions. Institutions limit the fear of states and the lack of trust between states that lies at the basis of an anarchic international system (Jackson&Sørensen, 2007:108-110).

Going further on this idea, structural liberalists like Deudney and Ikenberry (1999), describe the relations between Western liberal democracies. They find five elements which are, according to them, the principles of the Western order. The first one is 'security co-binding'. This element includes the idea that states are locking each other into mutually constraining institutions. Institutions like NATO is here an example of. The second element is 'penetrated reciprocal hegemony'. The US has been the leading force of the Western order but is also susceptible to pressure from its allies. Next to the US as hegemony, are the great powers like Germany and Japan. They have the status of 'semi-sovereign and partial great power', which is the third element in the Western world order of Deudney and Ikenberry (1999). Their acquisition of nuclear weapons play an important part in obtaining this status. The fourth element is the 'economic openness' of the Western liberal order. Only through cooperation, the optimal results can be achieved. Finally, the fifth element in this theory of structural liberalism is the 'civic identity' which refers to the common Western support for political values, civil liberties, ethnic toleration, and market economies (Jackson&Sørensen, 2007: 123-125).

Based on all these different currents within liberalism, the basic belief liberals have is in cooperation within international relations. The main purpose of liberalism is welfare instead of security. Liberalism believes in the common interests of human beings and that they are therefore willing to cooperate in domestic affairs, as well as in international affairs because this will lead to greater benefits for all. In this way they differ themselves from realism because they believe in cooperation instead of conflict. Examples of the European Union and the United Nations show that

international cooperation is possible. International institutions promote cooperation between states which reduces the lack of trust between states (Jackson&Sørensen, 2007).

Constructivism

During the Cold War the world was divided in two blocs of great powers facing each other. This bipolar system determined the thoughts about international relations. After the fall of the Soviet Union and the end of the Cold War, the international world became more open. This opened the door for constructivism to come up with ideas about anarchy and power, different from the dominant claims of realism and liberalism. According to constructivists actors are to be formed by thinking about them, and act and react to these structures in different and new ways. This idea implies that there is a more dynamic relation between structures and actors that is less rigid than is assumed. In this way their perspective of anarchy is less rigid than the perspective of realism about the international anarchic world. Because literature in the US was dominated by the theories of realism and liberalism during the Cold War, the US had the most fertile ground for the theory of constructivism (Jackson&Sørensen, 2007: 163).

The focus of constructivists is on the human consciousness and its place in international affairs. The main argument of constructivism is that the social aspect of international relations is the most important one. Behind constructivism lies the philosophy that the social world is not something that is out there and objective, it is not a given but it depends on the thoughts and ideas of the people who are involved in it. Constructivism argues that the study of international relations has to put its focus on the ideas and the beliefs which allow the actors within the international area to be informed, and that it must also focus on the shared understandings between those actors. The international system does not exist on its own according to constructivists. The international system is formed by ideas. It is created by humans and consists of a set of norms which are idealistic by nature and are constituted at a particular time and place, by certain people. Everything that is brought in the social world is made by men. According to constructivists this social world is an intersubjective domain. It has meaning to the people who live in it and who have created it. The ideas and the understandings of these ideas, are important. In this way populations and territories are receiving their meanings. Following these assumptions about the international system, constructivists argue that the international system will change if these ideas and beliefs are changing (Jackson&Sørensen, 2007:162).

Alexander Wendt (1992) expresses this idea with the words: “*anarchy is what states make of it.*” Wendt’s main argument is that he rejects the assumption that anarchy necessarily leads to self-

help. Whether or not this would occur, depends on the interaction between states. He argues that during this process the states' identities and interests are being created. He recognizes that the interaction between states take place in a system that is characterized by anarchy, but in contrast with the realist view this does not lead to self-help (Wendt, 1999). "*Social interaction between states can also lead to more benign and friendly cultures of anarchy.*" (Jackson&Sørensen, 2007: 169). Indeed, ideas can and do create material power and state interest. States are in the possession of military capabilities, but this does not directly implies that this will lead to enmity and arms races.

Martha Finnemore is another influential constructivist. She also defines the states' identities and interests but her focus is on the norms of the international society, instead of looking at the interaction between states. She looks at the way in which the norms of the international society affect the state identity and its interests. According to Finnemore (1996), the behavior of a state is defined by their identity and interest, which in turn is defined by international forces. These international forces are the norms of behavior that are rooted in the international society and find passage through international organizations who transmit these norms to states. In this way, these norms create national policies (Jackson&Sørensen, 2007: 169). Together with Wendt, Finnemore emphasizes that the international environment is the most important factor that shapes a states' identity. Together with Kathryn Sikkink, Finnemore has developed a theory about the stages of norm acceptance. This so called 'Norm Lifecycle Model' is made up in three phases. The first one is 'norm emerges', where norm entrepreneurs introduce the norm and will try to get the new norm endorsed by a critical mass of countries. If this new norm is endorsed by these countries, the norm has reach its 'tipping point' which will lead to the stage of 'norm cascade'. In this stage, the norm will spread rapidly among the remaining countries. The 'tipping point' and the 'norm cascade' usually take place after the norm is institutionalized within the process and procedures of the international community. The last stage is the 'norm internalization', which means that the norm is taken for granted by the members of the international community. At this stage, the norm does not have any resistance at all (Shawki, 2011: 175).

To summarize, the core assumptions of constructivism is that the social world is not a given, it depends on the thoughts and ideas of the people who are involved in it. Their perspective on international relations expresses itself in their idea that the international system is formed by ideas. It is created by men and consists of a set of norms which have meanings to the people who created it and who are living in this system. The understanding of the ideas is crucial because the ideas directs the system and the people within.

Method of Analysis

This thesis will be based on a literary research. The focus of this research is on the case of Syria and the reasons why there has not been an intervention two years after the outbreak of the humanitarian crisis, while in December 2001 the International Commission on Intervention and State Sovereignty came up with a report and a framework which should be a solution to previous failures. To answer my research question, ‘Why does the international community not intervene in the humanitarian crisis in Syria?’, I will use three IR theories to find out why this framework failed in the case of Syria. Although this thesis has its focus on the case of Syria, I hope to find out which factors are leading to the decision of non-intervention in general.

Case selection

This thesis has arose from my own curiosity about why the international community has not stopped the humanitarian crisis in Syria, with in mind the R2P framework which supposed to provide a solution to prevent that history would repeat itself. After the ‘successful’ intervention in Libya, which was legitimized by R2P and Resolution 1973, it seemed for a while that R2P was the answer to the international prayer for an intervention framework that provides the international community with a manner to react quick and in the right way to a humanitarian crisis. The case of Syria shows that the R2P framework cannot fit every case of humanitarian crisis. This is why I have chosen Syria as the case of study for this thesis. It shows that R2P is not the rule but the exception as a solution to a humanitarian crisis.

Concepts and Definitions

This thesis concentrates on the question ‘why the international community has not intervene in the humanitarian crisis in Syria’. Humanitarian intervention is, therefore, a central concept in this thesis. A lot of authors have tried to define this concept in such a way that all the aspects are being encapsulated. The definition of humanitarian intervention that I will use in this thesis is the definition by Holzgrefe (2003: 18) and states “*the threat or use of force across state borders by a state (or group of states) aimed at preventing or ending widespread and grave violations of the fundamental human rights of individuals other than its own citizens, without the permission of the state within whose territory force is applied, and the use of military personnel to assist the delivery of humanitarian aid to people in need.*” I have chosen this definition because it excludes non-military interventions and interventions by states that have the aim to rescue their own people. It also excludes an intervention based on suffering from natural disasters or social injustice and inequality.

What the definition does include is that the purpose of a military intervention is to rescue people from suffering from the inability of their own state to protect and secure their human rights. The R2P framework, which has the focus in this thesis, also includes the possibility and the conditions for military intervention in a humanitarian crisis. For that reason, I think the definition by Holzgrefe (2003) fits best in this thesis.

Following the fact that to explain the research question, the focus of this thesis is on the feasibility of the framework of the ICISS report of 2001: 'The Responsibility to Protect'. R2P as a concept is *"the idea that sovereign states have the responsibility to protect their own citizens from avoidable catastrophe – from mass murder and rape, from starvation – but that when they are unwilling or unable to do so, that responsibility must be borne by the broader community of states."* (ICISS, 2001: VIII). This idea is the central theme of the report by the ICISS of 2001.

To test this feasibility, I have mentioned in the theoretical framework that I will use three IR theories. These IR theories analyze the state system which is according to Jackson&Sørensen (2007: 9) *"the relations between politically organized human groupings which occupy distinctive territories, are not under any higher authority or power, and enjoy and exercise a measure of independence from each other."* This state system is based on sovereign states. Sovereignty has two dimensions; the internal dimension and the external dimension. The internal dimension implies that a state is sovereign when it *"exercises supreme authority over the affairs and people within its territory"* (Jackson&Sørensen, 2007: 313). The external dimension implies that a state is sovereign when it *"is recognized as such by the international community, i.e., its territorial integrity and internal sovereignty are respected and upheld"* (Jackson&Sørensen, 2007: 313). The R2P report of the ICISS (2001) are extending this sovereignty to a concept of responsibility. Evans&Sahnoun (2002: 102) argue that sovereignty implies a dual responsibility which is also related to the two dimensions of sovereignty. The internal responsibility that sovereignty has, is that the state has to respect and secure the fundamental human rights of all its people. The external responsibility is that states have to respect the sovereignty of other states. But if a state is not able to commit itself to its responsibility, the responsibility will shift to the international community. The international community in that case is justified to intervene with the purpose to fulfill their responsibility (ICISS, 2001).

Variables

The research question of this thesis has the *'decision not to intervene'* as the dependent variable. Which factors contribute to the decision not to intervene will provide an answer to the question *'Why does the international community not intervene in the humanitarian crisis in Syria?'* To narrow

down the focus I will analyze R2P as a framework that supposed to give an answer about how to react to a humanitarian crisis. In this way I use this framework as the tool that determines on what conditions a humanitarian intervention can be proceed, and exclude other legal conditions that can influence this decision, like international law. To answer my research question, I will test R2P through three IR theories: realism, liberalism, and constructivism. These three IR theories will provide the independent variables which are used to underpin the answer.

This means that for realism the variables are *national security* and *state survival*. Because realists presume that war is always lurking and inevitable, states must act to secure their national security and their survival. By national security I mean the state has the obligation to behave and act in such a way that it “*encounters real or potential internal and external threats*”(Jackson&Sørensen, 2007: 310) and that the state ensures the safety of its people. In the case of liberalism, cooperation within international relations is of great importance. Humans have common interests and cooperation will provide progress and benefit for all. Therefore, people are willing to work together and overcome their fear for each other and their lust for power whereby war can be avoided. So for liberalism the independent variables will be *common interest* and *cooperation*. The last independent variable relates to constructivism. Constructivists argue that the international system is created by men. Their ideas and beliefs create a set of norms which evolve at a particular time, at a particular place, and is influenced by certain people. This social world is an intersubjective domain which has meaning to the people who have created it and live in it. So the independent variable which is related to constructivism is the *set of norms* within the international community.

Hypotheses

During the Arab Spring, several states have experienced the dissatisfaction of their people and have responded with violence against these protests. The people of Tunisia and Egypt have achieved to remove their incumbent state leaders and their governments without the international community to intervene. The people of Libya could not cope with their state leader Qaddafi and asked the international community to assist in removing the incumbent government. Within a month France, the United Kingdom, and the United States formed a ‘coalition of the willing’ and intervened with military forces on humanitarian grounds (CNN World, 2012). This intervention fell within ‘The Responsibility to Protect’. It was the first intervention which was covered by this framework since the appearance of the ICISS (2001) report.

Today, the atrocities in Syria keep dominating the news and the discussion within the international community. According to R2P, we have the responsibility as a community to intervene

if a state is unable or unwilling to stop the atrocities (ICISS, 2001). But if this framework should be the answer to humanitarian crises in this new century, why then has the international community not intervened with military action under the name of R2P?

The following hypotheses are provided to search for an answer to that question, and are related to the three IR theories which form the basis for the independent variables. For each variable related to the IR theories, I have come up with a hypothesis which can be applied to the case of Syria, and tests the feasibility of R2P. The first two hypotheses will relate to realism, the third will relate to liberalism, and the last one will relate to constructivism.

H1 If the national security of an intervening state is at risk than that state is not willing to intervene.

H2 If the survival of an intervening state is in danger than that state is not willing to intervene

These two hypotheses are based on the core assumptions of realism and are related to each other. In the case of Syria, these two variables can be considered to be at stake. Syria has a central and important position in the Middle East which implies the possibility of negative consequences. According to realism, the threat of war is always lurking. It is important for states to estimate their chances to win. (Jackson&Sønsen, 2007). The risks for the states and the state system to intervene have an important influence on the decision to intervene, even when R2P states that there is a moral duty and responsibility to protect.

“Nothing in the UN Charter precludes a recognition that there are rights beyond borders. What the Charter does say is that ‘armed force shall not be used, save in the common interest’. But what is this common interest? Who shall define it? Who shall defend it? Under whose authority? And with what means of intervention?” (Kofi Annan, 1999).

H3 If there is no common interest prior to an intervention than parties are not willing to cooperate.

Above quote contains the core assumption of liberalism. The hypothesis is related to this core assumption. Liberalism argues that common interests will lead to cooperation though international institutions. This cooperation will foster progress and will make states more dependent of each other

and less unreliable. The Security Council of the United Nations is such an international institution and is authorized to intervene in the name of R2P. But this Security Council consists of fifteen members of which five members are permanent. These five are the great powers and have the right to veto. If these five members do not share the same interest in the conflict of Syria, then the decision to intervene will be hard to achieve.

H4 If the norms involved in humanitarian intervention are not shared by all the members of the international community than the decision-making whether or not to intervene will jam.

The international community is based on Western liberal norms and values, but this international community, represented by the United Nations, does not only consist of Western states. It also consists of states of the Middle East, Africa, Southern America, and Asia. Russia and China are two of the Five Great Powers within the UN Security Council and share norms and values other than the Western states. Although they recognize the UN Charter and R2P, they still do not have the same understandings of concepts like ‘sovereignty’ or ‘humanitarian intervention’ (Achary, 2002; Weiss, 2007). According to constructivism, this can create difficulties during the process of decision-making about an intervention. There must be a shared understanding of beliefs between the actors within the international arena. The international system does not exist on its own but is formed by ideas. These ideas determine the way in which actors behave. If these ideas are not shared by the whole international community in the same way, then actors will behave in different ways (Jackson&Sørensen, 2007). This means that because of the differences between the Western thought and the Asian thought, the decision to intervene may be blocked.

Scope and Limitations

The focus of this thesis is ‘ why the international community does not intervene in the humanitarian crisis is Syria’. I have based my research on the ‘failure’ of R2P and the international interests which are involved in the case of Syria. Because Syria is an ongoing case, I have chosen not to analyze the situation and not to find out at which point the international community could have or should have intervened. The focus is really on the ‘ why’ in this case. I have also narrow down the use of literature about the development of humanitarian intervention. If I would grub into the whole history of this controversial issue, I would deviate from the subject. That is why I used literature for the literature review about the development after the Cold War with the focus on the report of R2P. In

case of the interests which I will show, I have selected the US because of its position as 'hegemony', Russia and China because of their veto against a possible intervention in Syria, and Iran because of its position in the Middle East and its support to the Assad regime.

Chapter 3

The set of interests involved in the case of Syria

Syria has an important central position in the Middle East. It is because of this strategic position that the interests are highly complicated now that the humanitarian crisis calls for action. For this chapter I have chosen four states, who are important for the outcome of this situation.

The United States

After the fall of Mubarak's Egypt, the United States were afraid that their ally Israel would come into isolation and would be the target of the Middle East. Mubarak stood aside the conflict for years and was even criticized by the Cairo Anti-War Conference for the lack of action against Israel. Egypt played an important role in the region for the stability of Israel. Iran, which is outspoken about its fight against Israel and the infidel West, plays an important role in the crisis of Syria. It assists the Assad regime with intelligence and military help, and supplies the Syrian government with weapons. If the crisis continues, the fear for spill-over is high which can lead to overall chaos in the Middle East, this fear raise questions about the security of Turkey, Lebanon, Iraq, Israel, and Jordan. The position of the United States and Israel will become at risk. Therefore the interest of the US is a democratic transition of the Assad regime. This will ensure Israel's safety and US's position in the region. An escalation of the conflict will cause new pressures on the minority groups within Syria and outside if the fight leads to a regional conflict. Furthermore, the US perspective of the Syrian regime is that is a sponsor of terrorism. For years Syria has supported Hizbullah and Palestinian groups. In their war against terrorism, this is a US national interest. The crisis creates a playground for extremist groups like Al Qaeda. Another fear the US has is the possession of weapons of mass destruction by the Assad regime and Iran which can have effects for the regional security. But to go to war against Syria is probably not an option for the US. The wars against Iraq and Afghanistan have brought heavy costs on the US, not only financial but also in lives. Their attempts for solutions have been failed by the unwillingness of third parties (Sharp&Blanchard, 20012).

China

For China, state sovereignty is a sacred principle. The People's Republic of China is strongly against arbitrary or excessive interference from the outside. Interventions with the use of armed forces are especially rejected. China has uses their right to veto to block decisions considering interventions,

especially when these interventions are led by the US and the West. China is concerned that these types of intervention are used to satisfy the national interest of the intervening states, and have often as a purpose to change the incumbent regime. One day, they think, it could happen to Beijing. Ambassador Wang Min argues that their point of view is *“to safeguard the purposes and principles of the UN Charter as well as the basic norms governing international relations, including the principles of sovereign equality and non-interference in others’ internal affairs, to safeguard the interests of the Syrian people and the Arab states, and to safeguard the interests of all countries, small and medium-sized in particular. This is China’s consistent stance in all international affairs. It is not targeted at a particular issue or time.”*

Although China has accepted R2P as a norm within the international community, they have learned their lesson when this norm was applied in the case of Libya, with Resolution 1973. According to the PRC regime, the US and the NATO have misused their authorized mission to proceed a much wider mission which resulted in the overthrow of the Libyan government. Next to this lies the fact that China does not want to come stand at odds with the Arab League and the African Union. With members of both of the organizations, China has important political and economic ties. Furthermore, China does not have any economic or direct humanitarian interest in de case of Syria, like it did in de case of Libya. So the national interest of China is *“to prevent the establishment of legal or procedural precedents for military interventions by the international community against sovereign states, except under extremely rare and narrow circumstances”* (Swaine, 2012: 9). By saying this, China links back to the previous misuse of the UN and its norms by the US and the West in the case of Libya. What the statement also suggest is that the PRC regime wants to prevent that western states will try to interfere in non-democratic states like China.

Russia

For Russia, the Middle East is a conflict of interests. At the beginning of his function as the President of Russia, Putin has built multiple ties in the Middle East. His goal has been to strengthen Russia’s position in the Middle East. He pursued economic ties with almost every state in the region. His friendly relationship with the anti-American rogue states and movements, Iran, Syria, Hizbullah and the Hamas, and with the Sunni states, Egypt, Saudi Arabia, Jordan, and the United Arab Emerates in the Middle East have brought difficulties in satisfying all parties. Now, with the crisis in Syria asking for a solution, Russia finds itself in the middle of conflicting interests. The spillover of the violence can have the consequences of total chaos in the Middle East. Russia, who has stabilized its position in the region does not want to risk its economic interests with the Sunni states. But his other concern

is the friendly relationship with the anti-American rogue states, who have the same interest of reducing US's position in the region. Russia's desire to become once again a 'great power', will become more realistic if the position of the US is reduced in the Middle East. Furthermore, Russia want to remain the friendly ties with Iran. If Iran becomes the leading power in the Middle East, with the possession of nuclear weapons, Russia must insure itself and its position in the region by keeping close ties to Iran. Also Syria has been of great importance in securing Russia's stabilized position in the Middle East. If Syria would break down, can Russia still be sure of that position and would its economic interests in the region still be safe (Freedman, 2012).

Another concern of Russia is the way in which R2P has been used by the US to interfere in Libya. While Russia and China resorted in abstention, the US used the authorized Resolution 1973 to proceed an intervention in Libya. This incident have led to distrust the intentions of the US and the West with regards to the use of R2P. Putin, with the accusation of having the same kind of regime as the Assad regime, can be afraid that R2P will reach beyond the responsibility to protect and be used by the West to interfere in every state that shares a different perspective of how to govern a state (Stepanova, 2012).

Iran

For Iran, the confrontation in Syria is of great importance in its fight against the West. How the situation in Syria will develop and who will comes out on top as the winner at the end of the crisis is crucial in the reshaping of the Middle East, because of Syria's central strategic position in this region. After the assassination of the former Lebanese Prime Minister, Rafiq Hariri, Iran and the West faced against each other in Lebanon. Since that particular confrontation, Iran saw Lebanon as the first line of confrontation with the West. The crisis in Syria gives a good opportunity to show the West and the 'moderate' Arab states that Iran is the new emerging power who must be taken seriously as a power that influence the process in the Middle East. With their nuclear program, Iran has something to come up with during negotiations with the West. Iran assumes that the possession of nuclear weapons will achieve the status of the uprising power in the region and will push the West out of the Middle East. Such a weapon will give Iran immunity and a more strategic position to influence the region. With Syria in their hands, Palestine at one site, and the loyalty of Hizbullah in Lebanon, Iran will have a strong strategic position (Segall, 2012).

Iran justifies their involvement by arguing that with the assistance of the West, regional states led by Saudi Arabia and Qatar are supporting Syrian rebels. Iran cannot sit back and see how their longstanding ally is threatened by these external forces. A deputy commander of the Revolutionary

Guards Corp – Qods Force (IRGC-QF), Esmail Ghani, argues Iran’s involvement by saying that “*is aimed at preventing a massacre of people...Before we came to Syria, there was a large massacre of the citizens by the opposition, but with the physical and material presence of Iran, a further massacre in Syria was prevented*” (Segall, 2012:4). This IRGC-QF is known for their special subversion and terror missions outside of Iran, and has been operating in Syria for a long time being responsible for assisting Assad with the repression of demonstrations and providing Hizbullah with logistical, intelligence, and military help. Another justification which Iran uses for their involvement is their ideological motive. According to Imam Khomeini has Allah ordered Muslims to defend each other against external threats. No infidel can rule over Muslims. With this reason, Iran also justifies their support to the Palestinians, who are ‘repressed’ by Israel and unacknowledged by the West, according to Iran.

Chapter 4

The failure of R2P through the eyes of the IR theories

The report, 'Responsibility to Protect' by the ICISS, is a reaction on the call by the United Nations Secretary-General Kofi Annan to find a solution on how to react "*to gross and systematic violations of human rights that affect every precept of our common humanity?*" (ICISS, 2001: VII). 'The Responsibility to Protect' report deals with the question of the appropriateness of a humanitarian intervention, in particular with the use of military forces.

Gareth Evans, an Australian politician with several International position, and Mohamed Sahnoun, an Algerian diplomat who has a long history in national and international diplomacy, had the honor to be the Co-Chairs of the ICISS. In their report they mention the diversity of the Internal Commission on Intervention and State Sovereignty: Gisèle Côté-Harper, a Canadian lawyer and professor which is specialized in criminal law and human rights; Lee Hamilton, an American politician who have chaired many committees like the House Committee on Foreign Affairs, and U.S. House Permanent Select Committee on Intelligence; Micheal Ignatieff, a Canadian author, academic and former politician who served as the director of the Care Center for Human Rights Policy at Harvard University; Vladimir Lukin, a Russian liberal political activist who served as the Human Right Commissioner; Klaus Naumann, a retired German General who was the Chairman of the NATO Military Committee; Cyril Ramaphosa, a South African politician, business man, and activist who has been chosen as chief mediator in the Kenyan crisis; Fidel Ramos, former President of the Philippines; Cornelio Sommaruga, a Swiss humanitarian, lawyer, and diplomat who was the President of the International Committee of the Red Cross; Eduardo Stein, a Guatemalan diplomat who had held position in the International Organization for Migration, and the United Nations Development Programme; and Ramesh Thakur, a political scientist and peace searcher who had the position as head of the Peace Research Centre of the Australian National University. This group of twelve Commissioners have hold series of discussions in Beijing, Cairo, Geneva, London, Maputo, New Delhi, New York, Ottawa, Paris, St Petersburg, Santiago, and Washington, and were also being advised by several influential people on the issue of humanitarian intervention, like Thomas Weiss (ICISS, 2001, III-IX). This report sets the goal to generate a new international consensus to the issues about the responsibility to protect. Evans and Sahnoun (ICISS, 2001, VIII) note that the R2P report has found consensus within the Commission and reflects all shared views of the Commissioners "*to what is politically achievable in the world as we know it today*". If the

international community does not want more Rwandas then, they argue, they believe that adapting the proposals, which the report mentions, is *“the best way of insuring that”* (ICISS, 2001, VIII).

The ICISS Report (2001) provides these proposals in a framework which is based on two main principles: ‘the core principles’ and ‘the principles for military intervention’. These two main principles set the guidelines that a case must meet if it is eligible for a humanitarian intervention. Each of the main principles is built up from several guidelines. ‘The core principles’ are setting the basic guidelines for the international community about the respect towards sovereignty and their responsibility as an international community. These ‘core principles’ are divided into four categories’. The first category provides the ‘basic principles’. These principles outline the responsibility that is invoked with sovereignty. The second category of the ‘core principles’ provides the ‘foundations’. These foundations outline the basis of the responsibility and the obligation of the international community. The ‘elements’ which outline the three specific responsibilities of the international community - to prevent, to react, and to rebuild – is set in the third category. The fourth and last category of the ‘core principles’ provides the ‘priorities’. This category outlines what is the most important dimension of the R2P, namely to prevent (ICISS, 2001: XI).

The ‘principles for military intervention’ states the guidelines for a casus to meet before the international community can intervene with military forces. These ‘principles for military intervention’ are also divided into four categories. The ‘just cause threshold’ which outlines the kind of harm that must occur before the international community is justified to intervene with military forces, is the first category. The second one is ‘the precautionary principles’. These principles outline the measures that have to be taken before an intervention, and can also form a sort of justification for the intervention. The third category is that of the ‘right authority’, which implies that the authority to decide when and how to intervene is the Security Council of the United Nations, and also which procedure the Security Council has to follow in their decision making. The last of the ‘principles for military intervention’ is the category ‘operational principles’. These principles outline the procedure that has to be followed when military forces are involved (ICISS, 2001: XII-XIII). The actual R2P framework as formulated in the ICISS report of 2001 can be found in the appendix (I) of this thesis.

As mentioned above, the Commissioners have reached a consensus about the Report and its framework. But you can ask yourself if twelve people can provide an intervention framework, based on the thought of responsibility, in which the whole world can find themselves. The United Nations (UN), who represents the international community, counts 193 member states in 2011, the year in which the Syrian crisis started. An amount of 193 members, brings an amount of 193 interests, voices, and perspectives. Especially, the Five Permanent members (P-5) of the UN Security Council, who have the right to veto, can interrupt or sabotage the decision-making process. To avoid this

problem, the report of R2P calls on the P-5 members not to use their veto when their national interests are not involved but to 'resort in abstention'. It is unrealistic to think this will actually happen. The veto of Russia and China are clear examples of the fact that states do not follow a call that has been done by the UN if their national interest will not be maximized by their action. According to the realist view within international relations, states always strive for what is best for their national interest (Jackson&Sørensen, 2007: 70). Morgenthau (1965) mentions in one of his principles that because human nature is self-interested in maximizing their security and survival, these interests will come in conflict within the international arena of politics. Realists do not believe in some sort of high authority that functions as a world government, states will always struggle for domination. When they are dominant to others they do not have to fear for their national security and state survival (Jackson&Sørensen, 2007). In this sense, it is logical that the P-5 members do use their veto if they have no interest in an intervention. In the case of a veto, non-intervention is the best option that serves their national interests. Both Russia and China have experienced the time that they resorted in abstention, as negative. During the endorsement of Resolution 1973, both states resorted in abstention, which led to an intervention in Libya. Russia and China see this as the prove that R2P can serve as a tool to satisfy a hidden agenda of the intervening states. This also proves the fact that the national interest of a state will come into conflict when it blends in the international arena of politics.

The liberal view within international relations is more positive about the relations between states. Liberals recognize the self-interests of humans but they argue that humans are aware of the fact that cooperation leads to greater benefits for all. If there is a common interest, people are willing to cooperate in domestic affairs as well as international affairs (Jackson&Sørensen, 2007:97). The report on R2P assumes that the common responsibility to protect will be the common interest for all Security Council members. In the case of Syria this is obviously not the case, and the positive view of liberalism can turn against itself. Three explanations can be derived from the liberal perspective, why R2P does not fit the case of Syria. The first one is based on the argument of social liberals Keohane and Nye (1977), who argue that after the Cold War the interdependence relationship between states have changed. The relation is not merely between the state leaders but developed more between different levels of actors, like economics and banks. According to Keohane and Nye (1977), it is this change in relationship that makes the use of military force less effective. In the case of Syria there is a reasonable fear that the use of military force will escalate the conflict, which will lead to a spillover. The Middle East is an important region for the import of oil, and other economic interests. If the region turns in a complete conflict, the financial consequences for the West will be high. The second explanation derives from the ideas of the structural liberals Deudney and

Ikenberry (1999). In their description of the relations between Western liberal democracies, they describe five principles which are the principles of the Western order. In short these principles show us how the Western society deals with each other. The West has locked one another into mutually constraining institutions like the UN. It is the United States who has been the leading force but is susceptible to pressure of its allies. Next to the hegemony of the United States, are partial great powers. Here plays their possession of nuclear weapons an important part in for their position. The West operates with economic openness. They believe that only through openness the optimal results can be achieved. Furthermore, the West shares the same political values and civil liberties. These principles show how dependent the Western countries are of each other. But as we have seen, the international community does no longer consists of Western countries. Not only Germany and Japan have the access to nuclear power. The technique to make nuclear weapons have reach states like Iran and North Korea. These states share in no way any western values at all. In the case of Syria, Iran plays an important role. It is an upcoming power in the Middle East and wants to reduce the influence of the US and the West in the region. Iran already has expressed its loyalty to Syria and that it is not afraid to use all means if it has to protect the Syrian regime. It is also the interdependence of the states that constrain the possibility to intervene in Syria. Syria is a melting pot of interests, as we have seen in the previous chapter, all states have to protect their position in the Middle East. The third explanation is based on the ideas of sociological liberalist Rosenau (1992), who argues that states have no overlapping interests. It are the individuals who have overlapping interests. Transnational networks should bring more peace to the world but it are these transnational networks which are so threatening in the case of Syria. Syria, with a central strategic position in the Middle East, attracts radical extremists groups to blend in the violence, and if Syria would break down there is a possibility that these groups will fill up the political vacuum. R2P consists a clause which states that *“there must be a reasonable chance of success in halting or averting the suffering which has justified the intervention, with the consequences of action not likely to be worse than the consequences of inaction”* (ICISS, 2002: XII). This clause can be criticized due the fact that it is difficult to know in advance what the results will be or how many lives will be saved by the decision to intervene. Taylor Seybolt (2007: 4) argues that this ‘reasonable chance of success’ can be achieved if the intervening states have the political will to intervene and if they know what to expect. Humanitarian interventions are high-risk operations with a high price tag. If the operation fails it has wasted lives and resources. More dangerous is the possible consequence that the situation deteriorates and will feed war. According to Seybolt (2007) and Weiss (2007) timing is the key. *“The longer the delay, the more people will die.”* (Seybolt, 2007: 22). Weiss (2007: 104) criticizes the clause of ‘last resort’ by saying that *“by the time that all the alternatives to military force have*

been explored, many of the people whom humanitarian intervention is intended to save could be dead or have fled.” Stanley Hoffman (1997: 39) goes further by arguing that in the time that is been wasted on waiting, the level and intensity of force that is used to do the job, will increase. In the case of Syria, again, the international community is, according to these critics, late in coming which makes the possibility that action will take place less likely. The fear of an escalating war will reduce the political will.

This brings us back to the fact of the lacking political will to intervene in the humanitarian crisis in Syria. According to the constructivists in international relations, the international system is not a given but depends on the thoughts and ideas of people who are involved in it. The international community is formed by ideas and beliefs which create a set of norms. The shared understanding of these norms by different actors, is what gives the international community their meaning (Jackson&Sørensen: 169). Martha Finnemore (1996) argues that the development of state identity and its interest works as a cycle. The behavior of a state is determined by the identity and the interests of a state, which in turn are defined by international forces. Through international organizations, like the UN, these forces, which are the norms of behavior accepted within the international community, find passage to transmit these norms to states. These norms create national policy, which gives meaning to the identity and interests of a state. Both, Finnemore (1996) and Wendt (1992) emphasizes that the international environment is the most important factor that shapes the identity of a state. This idea can explain the differences between for example the Western thought and the Asian thought. Because of their history, Asia is suspicious about the idea of intervention. Foreign minister of Malaysia, Syed Hamid Albar, showed the Asian thought with the following words: *“We have to be wary all the time of new concepts and new philosophies that will compromise sovereignty in the name of humanitarian intervention, in the name of globalization which is another form of trying to interfere in the domestic affairs of another country.”* (AFP, 1999). The concept of R2P received a hostile response in Asia (Acharya, 2002: 377). That region of the world is not convinced by the fact that R2P can change contemporary reality of the little influence that the developing countries have in the UN Security Council with regard to the decision-making process involved humanitarian intervention. Their perspective of humanitarian intervention is that it is still the privilege of the great powers over the weak. The report tries to persuade states that are suspicious towards interventions based on humanitarian grounds, by formulating the ‘core principles’ of the framework in a way that makes the ‘principles for military action’ acceptable. In this way they hoped for China and Russia not to use their veto in the decision-making process(Weiss, 2007: 100). Unfortunately, the international community have already experienced a veto of these two states in the process towards an intervention in Syria. An explanation for the lack of consensus about R2P can

be found in the 'Norm Lifecycle Model' of Finnemore and Sikkink (1998), according to Shawki (2011) and Tardy (2012). Shawki (2011) argues that the concept of R2P in the report of ICISS differs from the norm that has been endorsed by the World Summit in 2005. This leads to confusion about the interpretation of R2P in the future. Next to this, Tardy (2012) argues that because of the linking concepts of R2P and the protection of civilians in peacekeeping operations, the acceptance of R2P as a norm would be a slow process. The link to the protection of civilians in peacekeeping operations lies in the concept of the 'responsibility to rebuild'. This principle can be used by great powers to impose their ideology and values on the future government of a state. The fear for the misuse of the norm by the great powers in order to safeguard their national interest, will lead to no consensus about R2P.

So this analysis of R2P through the eyes of realism, liberalism, and constructivism, shows us that R2P has a long way to go when it wants to fulfill its task as the new international norm which should have brought consensus about the idea of humanitarian intervention.

Conclusion

This thesis has been written with the aim to get more understanding of the reasons why the international community did not intervene in the humanitarian crisis in Syria which has been going on for about more than two years now. With the establishment of 'The Responsibility to Protect', its endorsement at the World Summit in 2005, and its debut in Libya, one would have expected some kind of intervention in the Syrian situation. But this thesis has shown the opposite.

Related to the aim of this thesis, the research question is '*Why does the international community not intervene in the humanitarian crisis in Syria?*'. In the light of the expectations of R2P, I have used three IR theories to test the feasibility of the framework. My main argument in this thesis is that because of the non-consensus within the international community about R2P as a norm, there is a lack of political will to intervene in the situation in Syria. Furthermore, I argue that this lack of consensus is caused by the protection of the national interests of the states involved, especially the security of their sovereignty.

To underpin my arguments, I have formulated four hypotheses which are based on the assumptions of the three IR theories outlined in the theoretical framework of this thesis. The first two hypotheses are related to each other and form the core assumption of realism. The first focuses on the national security of a state: H1 *If the national security of an intervening state is at risk then that state is not willing to intervene.* The second one focuses on state survival: H2 *If the survival of an intervening state is in danger then that state is not willing to intervene.* Chapter 3 of this thesis describes the set of interests which is involved in the case of Syria. The cases of the states involved show that the most important national interest is their state sovereignty. Scholars like Fixdal and Smith (1998), and Evans and Sahnoun (2002) argue that the old debate about humanitarian intervention, which focused on sovereignty and motive, has been replaced by a new debate, which focuses on responsibility and the proper use of force. This thesis shows that, although the debate about humanitarian intervention has two new concepts to discuss, the issues of the old debate are not by far resolved. States, other than Western states, are suspicious about the motives behind the use of R2P, and afraid that R2P will become an instrument to interfere in states that share no Western values. This implies that both the state security, as well as, the state survival are at risk for those who agree with the implementation of R2P. Russia and China have experienced that the assent of Resolution 1973 resulted in an intervention in Libya. From this point of view, their distrust is substantiated. With this knowledge I will adopt both these two hypotheses.

The third hypothesis which underpins my main argument is based on the core assumption of liberalism and focuses on common interest and cooperation within the international community:

H3 If there is no common interest prior to an intervention than parties are not willing to cooperate.

The report on R2P assumes that R2P has been accepted as a norm within the international community, and that R2P is thus the common interest of the international community. This thesis shows differently. The arguments of liberalism about common interests, interdependence, and transnational networks work against each other in the case of Syria. We have seen that there is no common interest with regard to R2P. States put their national interest of protecting their sovereignty above the duty to protect people who are in a humanitarian crisis. Furthermore, the interdependence makes the case more difficult. As Keohane and Nye (1977) already argue, is that interdependence makes the use of military action less effective. Armed forces would probably cause an escalation of the conflict in Syria and risk the change of a spillover to other states in the region. This escalation and spillover would endanger the interests of states which have economic ties in the region. Next to this fact is the danger of transnational networks. Radical extremists have blended in the conflict. Their presence have increased the complexity and the risk to intervene. Due to these circumstances, the political will to intervene has been minimalized. So the third hypothesis can also be accepted in the case of Syria.

The final hypothesis of this research is based on the core assumption of constructivism. The focus here is on the norms of humanitarian intervention shared by the international community:

H4 If the norms involved in humanitarian intervention are not shared by all the members of the international community than the decision-making process will jam.

This thesis have shown that, although the ICISS states that there is an overall consensus by the members of the Commission, and R2P is endorsed during the World Summit in 2005, there is in no way any sign of an overall consensus. According to Shawki (2011) and Tardy (2012), the norm is still at the refining stage. The concept of 'sovereignty' is still considered as a principle to which no exception is acceptable. This explains why the R2P cannot be applied unambiguously.

This brings me back to the quote I have used at the beginning of this thesis. Evans and Sahnoun (2002: 100) have said that *"It is only a matter of time before reports emerge again from somewhere of massacres, mass starvation, rape, and ethnic cleansing. And then the question will arise again in the Security Council, in political capitals, and in the media: 'What do we do?'* This time around the international community must have the answers. The report by the ICISS (2001) on 'The responsibility to Protect' has created the expectation to be that answer. Acharya (2002: 373) even argued that R2P must deserves the attention of everyone that is interested in *"promoting multilateral approaches to global peace"*. But it seems that Weiss (2007: 109) has been right by

arguing that the report has not changed a lot in finding the solution how to act in humanitarian crises. The controversy of humanitarian intervention will remain the same as it did before the establishment of R2P. States with the political will and capacity will still intervene, under which circumstances that may be. This can be said the other way around. If states lack the political will and capacity to stand up against the violence then they will not intervene, even if the circumstances are calling for it. Weiss (2007: 110) also argues that there is “*a lack of institutional adjustment*”. This thesis has shown that the international community represented by the UN, does still struggle with all the different norms and values, and interests and power position of their members. But it requires a whole different thesis to go into this institutional shortcoming of the UN Security Council.

So regarding to my research question I will close by arguing that the international community is still too divided on the norm of intervention. The main priority of a state is to protect their national interest, in particular their state sovereignty. The report on R2P considers sovereignty as a dual responsibility, but in particular the authoritarian states are concerned that R2P will become an instrument for the ‘great’ Western power to interfere in their domestic affairs. Because of this division there will not be an overall consensus about R2P as the new international norm in the near future. Furthermore, because of this lack of consensus there will be no political will to intervene in Syria. The national interests of the states involved are too much at stake if they agree on an intervention based on R2P. As Fixdal and Smith (1998: 284) argue, “*humanitarian intervention is never purely humanitarian*”. R2P has a long way to go before it will be taken for granted by the international community. In the meanwhile, R2P will be the exception instead of the rule.

Appendix I

‘The Responsibility to Protect’ framework (ICISS, 2001)

THE RESPONSIBILITY TO PROTECT:

CORE PRINCIPLES

(1) BASIC PRINCIPLES

- A. State sovereignty implies responsibility, and the primary responsibility for the protection of its people lies with the state itself.
- B. Where a population is suffering serious harm, as a result of internal war, insurgency, repression or state failure, and the state in question is unwilling or unable to halt or avert it, the principle of non-intervention yields to the internal responsibility to protect.

(2) FOUNDATIONS

The foundations of the responsibility to protect, as a guiding principle for the international community of states, lie in:

- A. obligations inherent in the concept of sovereignty;
- B. the responsibility of the Security Council, under Article 24 of the UN Charter, for the maintenance of international peace and security;
- C. specific legal obligations under human rights and human protection declarations, covenants and treaties, international humanitarian law and national law;
- D. the developing practices of states, regional organizations and the Security Council itself.

(3) ELEMENTS

The responsibility to protect embraces three specific responsibilities:

- A. **The responsibility to prevent:** to address both the root causes and direct causes of internal conflict and other man-made crises putting populations at risk.
- B. **The responsibility to react:** to respond to situations of compelling human need with appropriate measures, which may include coercive measures like sanctions and international prosecution, and in extreme cases military intervention.
- C. **The responsibility to rebuild:** to provide, particularly after a military intervention, full assistance with recovery, reconstruction and reconciliation, addressing the causes of the harm the intervention was designed to halt or avert.

(4) PRIORITIES

- A. **Prevention is the single most important dimension of the responsibility to protect:** prevention options should always be exhausted before intervention is contemplated, and more commitment and resources must be devoted to it.
- B. The exercise of the responsibility to both prevent and react should always involve less intrusive and coercive measures being considered before more coercive and intrusive ones are applied.

THE RESPONSIBILITY TO PROTECT:
PRINCIPLES FOR MILITARY INTERVENTION

(1) THE JUST CAUSE THRESHOLD

Military intervention for human protection purposes is an exceptional and extraordinary measure. To be warranted, there must be serious and irreparable harm occurring to human beings, or imminently likely to occur, of the following kind:

- A. **large scale loss of life**, actual or apprehended, with genocidal intent or not, which is the product either of deliberate state action, or state neglect or inability to act, or a failed state situation; or
- B. **large scale ‘ethnic cleansing’**, actual or apprehended, whether carried out by killing, forced expulsion, acts of terror or rape.

(2) THE PRECAUTIONARY PRINCIPLES

- A. **Right intention:** The primary purpose of the intervention, whatever other motives intervening states may have, must be to halt or avert human suffering. Right intention is better assured with multilateral operations, clearly supported by regional opinion and the victims concerned.
- B. **Last resort:** Military intervention can only be justified when every non-military option for the prevention or peaceful resolution of the crisis has been explored, with reasonable grounds for believing lesser measures would not have succeeded.
- C. **Proportional means:** The scale, duration and intensity of the planned military intervention should be the minimum necessary to secure the defined human protection objective.
- D. **Reasonable prospects:** There must be a reasonable chance of success in halting or averting the suffering which has justified the intervention, with the consequences of action not likely to be worse than the consequences of inaction.

(3) RIGHT AUTHORITY

- A. There is no better or more appropriate body than the United Nations Security Council to authorize military intervention for human protection purposes. The task is not to find alternatives to the Security Council as a source of authority, but to make the Security Council work better than it has.
- B. Security Council authorization should in all cases be sought prior to any military intervention action being carried out. Those calling for an intervention should formally request such authorization, or have the Council raise the matter on its own initiative, or have the Secretary-General raise it under Article 99 of the UN Charter.
- C. The Security Council should deal promptly with any request for authority to intervene where there are allegations of large scale loss of human life or ethnic cleansing. It should in this context seek adequate verification of facts or conditions on the ground that might support a military intervention.
- D. The Permanent Five members of the Security Council should agree not to apply their veto power, in matters where their vital state interests are not involved, to obstruct the passage of resolutions authorizing military intervention for human protection purposes for which there is otherwise majority support.
- E. If the Security Council rejects a proposal or fails to deal with it in a reasonable time, alternative options are:
 - I. consideration of the matter by the General Assembly in Emergency Special Session under the “Uniting for Peace” procedure; and

- II. action within area of jurisdiction by regional or sub-regional organizations under Chapter VIII of the Charter, subject to their seeking subsequent authorization from the Security Council.
- F. The Security Council should take into account in all its deliberations that, if it fails to discharge its responsibility to protect in conscience-shocking situations crying out for action, concerned states may not rule out other means to meet the gravity and urgency of that situation – and that stature and and credibility of the United Nations may suffer thereby.

(4) OPERATIONAL PRINCIPLES

- A. Clear objectives; clear and unambiguous mandate at all times; and resources to match.
- B. Common military approach among involved partners; unity of command; clear and unequivocal communications and chain of command.
- C. Acceptance of limitations, incrementalism and gradualism in the application of force, the objective being protection of a population, not defeat of a state.
- D. Rules of engagement which fit the operational concept; are precise; reflect the principle of proportionality; and involve total adherence to international humanitarian law.
- E. Acceptance that force protection cannot become the principle objective.
- F. Maximum possible coordination with humanitarian organizations.

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