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Report

The Challenge of Humanity in the Face of another Damascus Genocide



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A man mourning over a dead body after a poisonous gas attack in Douma town, Damascus, Syria (AP)

It was just after midnight (it was still afternoon on August 21 in New York) when the obituary came, and it was deservedly pathetic. In coded words and suggestive body language, the United Nations deputy secretary-general Jan Eliasson delivered it as he conveyed the utter impotence and shameless callousness of the UN Security Council in the face of yet another act of genocide. Earlier that day, news (and graphic video footage) had been flooding in about another massacre in rural Damascus, apparently caused by a chemical weapons attack. But this time, even the Syrian regime's own logic, some 'Red Line' has been crossed. The numbers of victims were a little higher than the 100+ daily or the occasional orgy of 200-400 when Assad had a bad day. The toll was 1,300 dead and rising. The injured were in their thousands. The UN Security Council had to meet that day, if only to avoid even more embarrassment.

The international official emerged to report on the Council's meeting, where a combination of complicity with pathological slaughter, spinelessness and sheer callousness combined to result in an agreement to do nothing. Eliasson repeated the mantra that the use of chemical weapons would represent a "serious escalation" in the fighting and would have "grave human consequences." He apparently forgot that chemical weapons have already been used, and not for the first time. But that did not have any consequence, grave or otherwise, except for the hapless victims and their families.

But if the Security Council was unsure, the minimum it could do was to investigate. Luckily, a UN team of experts was on site, only a few miles from the location of this abominable crime. It would take only a few minutes for it to go there and do the job it was paid to do. Did the council order it to go there? Not according to Eliasson. Consent had to be obtained from the Syrian regime (the most likely perpetrators of this atrocity). But even if the regime agreed, which it initially adamantly refused to do (another proof, if any more was needed, of its culpability), then the UN said it was too dangerous for the team to go there. So a ceasefire has to be negotiated. In fact, the war has to stop completely, according to Eliasson, if anything at all is to be done. But if the UN has an ingenious plan for stopping the war, what was it waiting for? And what is the need anyway for an investigating team that cannot investigate? Is it any improvement on the earlier fiascos of sending ceasefire monitors who could not leave their hotels?

But the significance of this reticence is much wider than mere indifference. It was a clear message of inhumanity. Imagine if such an attack had taken place in a Western city, even with a dozen of victims. Would the so-called 'international community' appear so sceptical about who did it, or even whether it did occur in the first place? The clear message sent from New York on that fateful afternoon was this: some humans are more human than others, and 'humanity' was not that human.

The Ascendancy of Humanitarianism

This was not supposed to be the case. Over the past decade, international norms with regards to the protection of civilians in conflict have ostensibly been significantly strengthened. Already, the Geneva Conventions of 1949 and the earlier treaties on which it was based had made many provisions for the humanitarian conduct of war and the treatment of civilians and prisoners. The UN Charter of 1948 and subsequent conventions strengthened these even more. However, the Cold War and its Realpolitik considerations meant that these provisions were more often than not disregarded. Nevertheless, in the West at least, human rights were valued and even promoted with missionary zeal. It is arguable that the Helsinki Accords of the 1975, and the process based on them, played a crucial role in the dismantling of Communist regimes by wresting from them commitments to observe basic human rights.(1)

Following the end of the Cold War, and the crises it generated or accompanied it, new measures were taken by international actors (in an ad hoc manner at first) to protect civilians. Improvisations included the imposition from 1990 of No-fly Zones in Northern and Southern Iraq to protect threatened populations, the American intervention in Somalia in 1992, the European and NATO interventions in Yugoslavia throughout the

1990s. Regional and international interventions in Liberia and Sierra Leone confirmed this trend, while the consequences of failure to intervene in Rwanda and disastrous delays in Bosnia emphasised the urgency.

A Responsibility to Protect Victims of Atrocities

In the age of the 24 hour news cycle and the information revolution, sitting at home and watching mass murder being committed no longer became an option. Together with the so-called Revolution in Military Affairs, which greatly lowered the cost of intervention, many voices began to clamour for intervention to save the victims of massacres and genocide. This led to serious efforts to formulate a doctrine that could harness Western military superiority for humanitarian purposes. Leading figures in this effort included Dr Francis Deng, a scholar and former Sudanese diplomat, who authored and edited a volume of work under the title *Sovereignty as Responsibility* (Brookings Institution, 1996). In that work, Deng and his colleagues argued that state sovereignty must not be a barrier to international action if a state fails to protect its citizens. Sovereignty cannot be a right without any duties. Influential also was former Australian foreign minister Gareth Evans, who headed the Canadian-funded International Commission on Intervention and State Sovereignty (ICISS), which started work in September 2000. A year later, it published the report, *The Responsibility to Protect*, which attempted to formulate the principles that should govern intervention when all other options have been exhausted. The recommendations were formulated into a doctrine with that name which was adopted by the UN General Assembly in a special summit in 2005.

Samantha Power, the current US Ambassador to the United Nations, also played a pivotal role in shifting US policy towards support for this doctrine. In her book, *A Problem from Hell: America and the Age of Genocide* (2002), she argued that popular pressure was needed to force the American and other governments to intervene to stop or prevent mass atrocities. Many other bodies and civil society groups also mobilised pressure in the same direction. As a result, the Responsibility to Protect (R2P) doctrine gained wide international legitimacy. The establishment of the International Criminal Court (ICC) in 1998 was also part of this effort to enhance international accountability.

Criticising 'Interventionism'

The doctrine had its critics, who argued that it was too ambitious. The usual criticisms about this being a new form of colonialism with a fancy name were duly made. Others argued that the principle had been significantly watered down to secure its acceptance, causing it to lose all meaning. If its specific focus on the use of force without the consent

of the state concerned is de-emphasised, this would make it look like ordinary international action with a focus on prevention, negotiation, etc. This was not what the formulators of this doctrine had in mind when they proposed it, since they wanted it to be immediate and decisive. (2) This loss of meaning was highlighted during the Libyan crisis in 2011, when the discussion was not about moral principles or legal questions about sovereignty, but about pragmatic issues such as consequences for stability. (3) For others, R2P lost credibility because the NATO powers made regime change, rather than civilian protection, a priority in the Libyan case. (4) Darfur was also cited as a case which unmasked the doctrine either as unworkable, showed the international community as lacking seriousness or in fact provided the doctrine's opponent with arguments against it. (5)

Advocates of R2P, in contrast, find in the Libyan episode a vindication. Together with the case of UN-led intervention in the Ivory Coast from December 2010, Libya was a positive step since it signalled that humanitarian intervention does not require state consent, and asserted the central role of the UN Security Council in the process. (6) Roland Paris rejects the comparison between humanitarian intervention and imperialism or the US-led "war on terror". Modern peace-building missions have time limits in advance, and usually bring net resources to the country, rather than 'exploit' it as was the case with colonialism. (7) (Paris, 2010: 347-50). On top of that, the critics were not offering any viable alternative to liberal peacebuilding. Their arguments are often that peace operations were not liberal enough, failing to live up to a distinctively liberal set of values, including 'self-government, political participation and representation, and limitations on governmental power'. (8) Therefore, those opposing humanitarian intervention are in fact merely calling for more effective and more accountable missions.

Action as Inaction

Whatever the criticisms or drawbacks, however, R2P has become established as an international principle the implementation of which was a matter of practical judgement. It is true that the launching of George W Bush's "war on terror" had cast a dark shadow over the issue, with great powers now more pre-occupied with concerns similar to the Cold War than promising a 'new dawn' of humanitarianism. However, even here the US has paid lip service to the principle, for example in projecting its missions in Iraq and Afghanistan as 'altruistic' missions to bring 'democracy' and human rights to those countries. It was not convincing, but it at least indicates how influential the new norms have become. Hypocrisy, as the saying goes, is the complement vice pays to virtue.

But if there was a case where the R2P doctrine was crying for implementation, then Syria was it. Even before that fateful day when hundreds of children faced a horrible and agonising death in front of the whole world, it was clear that civilians in Syria were facing something no country has witnessed since Rwanda. The regime has turned into a monster that had no scruples about the carnage it was prepared to perpetrate in order to remain in power. But unlike Rwanda or Cambodia, where action took place away from the cameras or ended in a few months, here there was no excuse for saying: 'I did not know'. However, the world decided to look the other way and not care less. A deliberate decision has been taken, as former US Secretary of State Madeline Albright notoriously put it when confronted with the death of hundreds of thousands of children in Iraq as a result of international sanctions, that the slow death of Syria was 'a price well worth paying' to serve the political interests of major actors.

However, as the full enormity of what happened in suburban Damascus sank in, some life began to stir in Barack Obama's White House. Suddenly, the President remembered that he had drawn a 'red line' at the use of chemical weapons. The line has been crossed many times, but the White House took refuge in ambiguity. Last June, the US followed France and Britain, who had many months earlier concluded that chemical weapons had been used in Syria and that Assad regime was responsible. Obama eventually reached this inevitable conclusion and made a decision to arm rebels in retaliation. Many months later, however, nothing of this has happened.

In the aftermath of the August 21 attack, and given the obstruction of the Syrian regime and its Russian allies of any attempts at verification, President Obama instructed the CIA to make its own 'enquiries' into the matter. It was not long before he concluded that the Syrian regime had yet again crossed his 'red line', and decided to make his views on this known by launching strikes against Damascus. His allies in London, Paris, Ankara, Doha, Brussels and Riyadh fell in line.

As soon as it became clear that punishment was coming, the culprits in Damascus and their Russian patrons suddenly became wonderfully cooperative and rational. They were now in full support of verification and giving the UN inspectors all the time and access they needed. No longer are they pleading sovereignty or using insecurity as a pretext. In fact, they agreed to cease-fire without the impossible demands Eliasson had argued should be met.

But no sooner has this happened, than everybody began to back-track. The British and French had to have parliamentary votes. The British also made a concession to opposition demands by affirming that no military action would be taken before the UN

inspectors reported. Some Congressmen demanded that Obama seek Congressional approval before acting, and he himself made it clear on August 28 that he has not yet taken a decision to launch military action. The UN Secretary General called on the Security Council to unite for peace and not war in Syria. Apparently, he seems to believe that leaving Assad to go on with his business of slaughter was peace, while restraining him was 'war'.

Conclusion: the Death of Humanitarianism?

So we are back where we started. But the episode of the last few days indicates clearly that it has not entirely been Assad's fault that people were dying horribly and needlessly in Syria over the past two and a half-year. It would appear that Assad can clearly see reason when it suits him. Had the international community been more firm, the slaughter would have come to an end long ago.

If instead of launching a strike the UN Security Council ordered all parties in Syria to cease fire today and allow unfettered humanitarian access, or face immediate military action, Assad would be as cooperative as he has been during the last few days, and his Russian partners in crime would also not be as obstructive. The fact that neither saw a reason to stop the murder is not their fault, but everyone else': callous and Machiavellian political leaders, spineless and cold-hearted UN officials and publics who are as uniformed as they are indifferent.

It is because 'Humanity' is not that human the carnage in Syria continues unabated.

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