This thesis entitled “Prevailing Neorealism: Explaining How International Politics Hinders Humanitarian Intervention in Syrian Civil War” prepared and submitted by Jonathan Davy in partial fulfillment of the requirements for the degree of Bachelor of Arts in International Relations in the School of International Relations, Communications and Law, has been reviewed and found to have satisfied the requirements for a thesis fit to be examined. I therefore recommend this thesis for Oral Defense.

Cikarang, Indonesia, 27 January 2014
Recommended by,

Prof. Anak Agung Banyu Perwita Ph.D
DECLARATION OF ORIGINALITY

I declare that this thesis, entitled “Prevailing Neorealism: Explaining How International Politics Hinders Humanitarian Intervention in Syrian Civil War” is, to the best of my knowledge and belief, an original piece of work that has not been submitted, either in whole or in part, to another university to obtain a degree.

Cikarang, Indonesia, 27 January 2014,

Sincerely Yours,

Jonathan Davy
ABSTRACT

Inspired by the grave humanitarian crisis on Syria in 2011, this thesis will examine the occurrence of humanitarian intervention from the perspective of Neorealism. As such, on rational choice bases; power-relations, national interests, geostrategic considerations, and domestic support will heavily influence the discussion. Since rationale approach will look at the states as a “unitary-self-conscious” actor, there will only be limited account taken for non-state actor’s involvement in the discussion. This research will explain how the international law and norms clashed with basic state survival concept in light of humanitarian intervention concept, with the question of how intervention could not happen in Syria while it can happen in previous instances through analytical method to answer its explanatory objectives. In this research, the author found that Neorealism view is still by and large governing the interactions within international relations. It can be seen when there is a conflict between idea of humanitarian norms and national interest; national interest still prevails (in this case strategic-survival level that could overshadow other form of interest). Difference of interest between U.S and Russia in the case of humanitarian crisis hinders any form of humanitarian intervention from happening in Syria. In short, a humanitarian intervention will not happen if the intervening state security-survival is at risk and/or that risk is not accompanied by commensurate gains. IO’s—in this case UN Security Council—become an extension of realist view as resources for states to be utilized to advance their interest. The R2P as a norm is still heavily leaning towards non-interventionism as what adopted in 2005 world summit. Nevertheless, if there is a shift to the end point of interventionism, the reasonable prospects clause in R2P could be reconsidered. Finally, this author hopes that this thesis could give the reader an insight of humanitarian intervention practice through the lenses of Neorealism; theoretically and practically.

Keywords: Humanitarian Intervention, Syrian Humanitarian Crisis, Politics, Power, Neorealism.
ABSTRAK

Terinspirasi oleh krisis humanitas di Syria di awal tahun 2011, skripsi ini akan menganalisa implementasi from intervensi kemanusiaan melalui perspektif Neorealisme. Dengan demikian, from dasar teori rational choice; distribusi kekuatan, kepentingan nasional, konsiderasi geostrategis, dan dukungan from domestik akan mempengaruhi diskusi ini. Karena pendekatan rasional melihat negara sebagai suatu kesatuan aktor, pembahasan melalui peran from non-negara akan dibatasi dalam tulisan ini. Riset ini akan menjelaskan bagaimana norma dan hukum internasional bertaburukan dengan konsep keberlangsungan hidup negara dalam sorotan intervensi kemanusiaan, dengan pertanyaan dasar bagaimana intervensi tidak dapat dilakukan di Syria sedangkan dapat dilakukan sebelumnya melalui metode analisa kualitatif agar dapat menjawab tujuan explanatory-nya.


Kata Kunci: Intervensi Kemanusiaan, Krisis Kemanusiaan, Politik, Kekuatan, Neorealisme.
“You can, you should, and if you’re brave enough to start, you will. The scariest moment is always just before you start.”

-Stephen King
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8. and at the end, thanks to you, reader. If you are reading this line after the others, you at least read one page of my thesis. Thank You.

There was a quote that rhyme like this, “Theory is when you understand everything but nothing works. Practice is when everything works but you don’t why.” In this research, we combine theory with practice: “nothing works and noone knows why.”

Now that this writing is completed, I will carry on to my next stop in a life grand adventure. Do wish me luck for my future endeavors, as I have wished yours trully.

With Love,

Jonathan Davy

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<tbody>
<tr>
<td>GA</td>
<td>General Assembly</td>
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<tr>
<td>GDP</td>
<td>Gross Domestic Product</td>
</tr>
<tr>
<td>ICISS</td>
<td>International Commission on Intervention and State Sovereignty</td>
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<tr>
<td>IGO</td>
<td>International Governmental Organizations</td>
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<tr>
<td>NATO</td>
<td>North Atlantic Treaty Organization</td>
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<tr>
<td>R2P</td>
<td>Responsibility to Protect</td>
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<tr>
<td>U.K</td>
<td>United Kingdom</td>
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<td>U.S</td>
<td>United States of America</td>
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<td>UN</td>
<td>United Nations</td>
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<td>UNOCHA</td>
<td>United Nations Office for Crisis of Human Assistance</td>
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<td>UNSC</td>
<td>United Nations Security Council</td>
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<td>UNSMIS</td>
<td>United Nations Supervision Mission in Syria</td>
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<tr>
<td>WMD</td>
<td>Weapon of Mass Destruction</td>
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I. INTRODUCTION

I.1. Background of Study

“Si Vis Pacem Parra Bellum: if you want peace, prepare for war” - Vegetius

War has always taken part in driving human histories and has always found its way to take part in shaping our world as we know it. Since the end of Cold War, however, a new form of war has been emerged. It is namely the war that involves more and more civilian casualty in the process. Now a day, civilians were routinely targeted and make up to 90% of the casualties.

The term “new war” was emerged by Kaldor as the response to the phenomenon in which civilians’ casualty is primary strategic aim of warfare. Kaldor argues that our current civil war is more than just a privatization of neither violence nor ethnic conflict. It is rather a form of new political economy of war in which the struggle for power were preferred by using identity to force population expulsion known as ethnic ‘cleansing’—and genocidal—rather than direct border confrontation between states.

The rise of current globalization has brought new measures to the context. First, it allows armed forces to be sustained via remittances, diaspora fund raising, external governmental assistance and the diversion of humanitarian aid. Second, it allows the involvements of international community to give pressure or even intervene whenever there are grave violations to human rights. Thus, today’s war will no longer be the concern of conflicting states (or domestic affairs) only but also involving concern from international community.

\(^1\) “Epitoma Rei Militaris,” by Vegetius (Publius Flavius Vegetius Renatus.
\(^4\) Ibid
Social contract suggests that a state were given the given legitimacy (in form of sovereignty) from the society in return for the security and welfare. When the state could not provide such necessity, the state then lost the contract given from the society and the government could be overthrown. With the failure of the states comes the question of who shall protect the people when its own country could not—or even worse, were the one massacring them?

In 2001 ICISS report on Responsibility to Protect proposed that when a state fails to protect its people; either through lack of ability or lack of willingness; the responsibility shifts to the broader international community.

States’ failure to protect people today is defined by its incapability to provide security or its act on committing grave human right violation such as genocide, ethnic cleansing, mass starvation and crimes against humanity. By definitions, these are the breaches that were owed to international community as a whole.

The wave of Arab Spring that started in Tunisia on January 2011 has reached Syria on March 2011 as a full-blown uprising following the Day of Dignity protest held in Damascus. The protest demanding democratic reforms were shifted into demand to overthrow Bashar Al 'Assad regime which leads to a larger scale of civil war with more than 100,000 death tolls by 2013.

The grave atrocities in Syria have been going on for almost 4 years now. While ideally this condition would call for intervention, none has ever been seen in Syria. Several United Nations Security Council initiatives were proposed in the

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7 Francesco Francioni and Christine Bakker. Responsibility to Protect, Humanitarian Intervention and Human Rights: Lessons from Libya to Mali. p.15. The Transatlantic Relationship and the future Global Governance ISSN 2281-5252

8 Syrian Network for Human Rights
past but none has passed. Neither do we see real intention for unilateral intervention was displayed by United States as the global power or by NATO.

I.2. Problem Identification

The Syrian Civil War today has been arguably one of the worst humanitarian atrocities in modern history. However, as of December 2013, there is no sign of viable intervention could be conducted in the near future.

In this instance, allow the author to compare the conflict in Syria with conflict in Libya where both shows similarities in nature yet attract different responses from international community.

Both conflicts in Syria and Libya are domestic affairs starting from uprising of a historical-brutally-repressed people. In both cases, the regimes were massacring its people and consciously conducted torture, imprisonment, and indiscriminate shooting to its own people. Furthermore, both cases present similar motives where the civil war was started by young populations demanding democracy, eradication of corruption and welfare. While in Libyan case, the number of casualty were estimated to about 1000 people, the number of casualty in Syria has already reached 8000 within March 2011 to March 2012.


It seems that both cases should have drawn similar response from International Community. However, in reality, the responses from international community were significantly different between the two cases. In Libya, United States with NATO had concluded 1,210 airstrike missions and 101 predator drone strike missions since April 1 and by the end of July 2011 had spent approximately $896 million.12

Only 31 days after the first protest begun on February 16, United States with NATO has launched Operation Odyssey to directly engage Gadhafi regime. French fighter jets begin enforcing the no-fly zone over Libya, and the U.S. launches more than 100 Tomahawk missiles at targets in Libya in Operation Odyssey Dawn. 13

Meanwhile, Syrian leader has Bashar Al Assad has not received such response even after the death toll were estimated above 4000.14 Such significant difference might be portrayed through one of the comments by Secretary of States, Hillary Clinton, where distance and lesser commitment could be inferred;

“Syria’s future is up to the Syrian people,” she said, “but of course the efforts by the opposition to come together to organize in order to articulate a political agenda is an important part of political reform.”15

The use of chemical attack in late 2013 has put U.S in a closer position “to act” as stated by Obama:

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14 “We are placing the figure at 4,000, but really the reliable information coming to us is that it is much more than that,” United Nations High Commissioner for Human Rights, Navi Pillay in Syria in state of civil war, death toll 4,000: U.N. by Stephanie Nebeha. (2011). [Online] available at: http://www.reuters.com/article/2011/12/01/us-syria-un-rights-idUSTRE7B01M720111201

“This attack is an assault on human dignity... It endangers our friends and our partners along Syria’s borders, including Israel, Jordan, Turkey, Lebanon and Iraq... the United States should take military action against Syrian regime targets... [but to do so] I will seek authorization for the use of force from the American people’s representatives in Congress.”

The statements were great yet arguably without real enforcing capability since it has been quite clear that the congress would not be willing to pass the resolutions as what happens in U.K a few moments earlier. He also agreed to pursue a diplomatic solutions backed by Russia before launching any strikes;

“It’s too early to tell whether this offer will succeed, and any agreement must verify that the Assad regime keeps its commitments,”... ”But this initiative has the potential to remove the threat of chemical weapons without the use of force.”

It is important to highlight that there was, indeed, several of motion of resolution floored to United Nations Security Council to put Syrian Civil War into measures but three times double veto from China and Russia has deemed the motion improbable.

Thus, this paper would like to analyze the possible factors of why have intervention never happened and most likely would not be viable in Syria.

I.3. Statement of the Problem

**Topic:** Prevailing Neorealism: Explaining How International Politics Hinders Humanitarian Intervention in Syrian Civil War.

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Research Question: How is armed intervention\footnote{Armed Intervention is a form of humanitarian intervention that uses military forces. Further explanation sees definition of terms. Further Reading: C. A. J. Coady. (2002). The Ethics of Armed Intervention. UNITED STATES INSTITUTE OF PEACE. 1200 17th Street NW, Washington, DC.} could not happen in Syrian humanitarian crisis from the perspective of Neorealism?

I.4. Research Objectives

The form of this thesis research objective will be explanatory research. Explanatory research is a form of research intended to explain, rather than simply describe the causal relationship between variables (measuring the relationships between variables).\footnote{C.R Kotari. “Research Methodology: Methods and Techniques.” New Age International Publisher. 2004.}

In this regards, this thesis will examine the occurrence of humanitarian intervention with association to the overarching international relations concept that influence the interactions between major power states which shape international order. As such, power-relations (such as balance of power, power struggle, balance of threats), national interests, geostrategic considerations, reciprocity, and struggle for dominance will heavily influence the discussion.

Thus, this research will explain how the international law and norms clashed with basic state survival concept in light of humanitarian intervention concept would turns out issues such as Syrian Humanitarian Crisis becomes Humanitarian Disaster.

I.5. Significance of the Study

This thesis is the manifestation of analysis on how international relations are perceived by the author. The thesis examines and compare the rational factors that would proves influence the interactions and decisions within international relations; national interests, rational choice of benefits and loss; legitimacy and
legal considerations as well as universal humanities values consciously perceived by states.

This thesis will further analyze whether there will be determinant factors in the conduct of states especially under the framework of rational choices for humanitarian intervention.

The author hopes that the result of this thesis would be able to portray the nature of international affairs in humanitarian affairs and could be used to predict an outlook for intervention in the future; theoretically and practically.

### I.6. Theoretical Framework

In framing this research, the author will be using the one of the main branch from the international relations debate to frame the interaction in the process; Neorealism. This author sees the non-intervention in Syrian Humanitarian Crisis as prove of pragmatic-rationale choice of major states to secure their own survival. Although there is an international institution such as UNSC that serve as a platform of interactions to endorse the humanitarian value, the structure of international system will still be hold by the major power interactions (ordered-anarchy system).

The author would also bring rational choice theory to the table, where he considered states as unitary actor (or strong leader assumption) that can identify their interest and put priorities on various interests. Another consequences of rational choice theory is a believe that actors were able to perform a cost-benefit analysis; whereas applying power is costly, so in return, state should produce commensurate gains. Oftentimes analogy used to describe the interaction process of this theory is the scenario of Prisoners Dilemma.

As the author mentioned before, realist paradigm used to portray the interactions between major states in current International system will be as follows;
I.6.1. Realism and Neorealism

Realist approaches were based on realpolitik, which define the interaction between states is the currency of power play. As the nature of international system is anarchic (without centralized, world governance), states have to depend on their own power to ensure survival (main interest).

As such, scholars of realism such as Hans Morgenthau argue that prudence and practicality become the bases of national interest and states actions (not psychological motives of decision makers). During the cold war, he opposes the act of United States going to war with communist Vietnam, arguing that it will not harm U.S national interest—A statement that were similarly recreated in 2002 by 33 prominent realist scholar before U.S invasion to Iraq.20

Thus, realist assume international relations could be best explained by the choice of states operating as autonomous actors rationally pursuing their own interest in an international system of sovereign states without central authority.21

Neorealist, in turn, share the ideas of realism explained above. The distinctive feature that differentiates realism and neorealism is the nature of actor. While realist believes that human are inherently evil—thus resulting in evil collective entity, neorealist sees that it is the system that makes states behave in certain ways, not human nature.

20 Morgenthau, Hans J. We are deluding ourselves in Vietnam. The new york times magazines, Apr 18 1965. Advertisement in the new york times september 26, 2002. The target of the IR scholars were Foreign Policy makers under bush administrations namely the neo-conservatives who advocated more energetic use of American power, especially military forces to accomplish ambitious goals such as democratizing the middle east. Those said groups were later diminished and realist influence on American Foreign Policy were growing stronger after the result of Iraq war.
Neorealist does not believe religion, morality, ideology and other socio-economic factors as a basis of state action. They argue that states with very different background on the said quality were quite similar when taking action in regards to their national interest.\(^{22}\)

Neorealist also sees that international organizations and law have neither power nor force and they exist solely for the purpose of state's interest—a major power state for that matter. When states do not accept international organizations, they cease to exist (functionally).

To advance their interests, many neorealists assume that the actors (usually states) exercise their power as a single entity that can think. This approach attempts to simplify the process of advancing national interest as often interest of particular politicians, parties, economic sectors or region of a country may be conflicted.

As a result of this approach, states were to be involved in a complex decision making process that should calculate which approach could serve their interest best. In this research, the author will simply take the result of the decisions as the bread and butter for the discussion (the policy output); hence put lesser concern over the process of the domestic decision making itself.

I.6.1.1. About Power

Based on their timeliness, there exist two kind of power: long term and short term power\(^{23}\). Long term power includes total GDP, populations, territory, geography and natural resources. These attribute changes slowly. Less tangible form of such power also includes political culture, patriotism, and education of the


\(^{23}\) Introduction to International Relations Fourth Edition.
population, scientific and technological base. The credibility of commitment (reputation) is also a long term power for states as well as the culture and values to consistently shape the thinking of other states (power of ideas).

The use of geography as an element of power is called geopolitics. With strategic locations, a state could enhance their military capability by securing allies and bases close to rival power or along strategic trade routes or by controlling key natural resources.

The most recognizable short term power would be military power. The size, composition and preparedness of states military forces will matter more in a short term military confrontation than do their respective economy or natural resources.

Less tangibly, the support and legitimacy that an actor commands in the short term from constituents and allies are capabilities that the actor can use to gain influence. So is the loyalty of nation’s army and political leaders. As the limited resources of states could incur tradeoffs, states tend to strive to gain the most fungible power, liquid cash.

I.6.1.2. Power Distribution and Balance of Power

As explained thoroughly above, inherently, each state would want to develop their capability to gain power. Hence, in order to fulfill the needs for power and ensure survival, states will need to at least accumulate more power compared to their closest neighbor so they could feel a little secure. This process, however, instigate fear to the neighboring states because in the anarchy of international system, state should not pay attention to the intention of other states, but rather their capability.
Balance of Power emerges as a concept where such capabilities were balanced between states or alliances or it can simply mean relatively equal in ratio. Alternatively, balance of power could mean the process by which counterbalancing coalition formed to prevent one state from conquering an entire region. History have repeatedly witness this form of balance of power.

The many forms of balance of power:

**Figure 1**
Bipolarism

- Φ Split Hierarchy
- Φ Dominance within Blocs
- Φ Reciprocity between Blocs
- Φ Stable

**Figure 2**
Unipolarism

- Φ Steep Hierarchy
- Φ More Dominance
- Φ More Stable (Questionably?)

**Figure 3**
Multipolarism

- Φ Flat Hierarchy
- Φ More Reciprocity
- Φ Less Stable
Neorealist emphasizes the fluidity of alliances. They are not marriage of love, rather of convenience. Alliance is based on interest and can shift as national interest changes. Lord Palmerson (1848) said that “we have no eternal allies and we have no perpetual enemies. Our interests are perpetual and eternal and that interest is our duty to follow.”

In the context of balance of powers, great powers faces a real danger of being dragged into wars with each other over relatively unimportant regional issues if their respective client go to war. If the great power do not come to their protection, the may lose credibility with other clients, but if they do, they might end up fighting a costly war.

I.6.1.3. Principle of Negative Reciprocity

Based on Reciprocity principle, state could develop the organization and rules to facilitate cooperation, specifically by forming a world federation resembling today’s UN. Realist voice a critic to this principle where in a world of reciprocity, conflict will still arise. If there is a positive reciprocity, there will be negative reciprocity where any actions taken by a state perceived to be hostile or threatening will be reciprocated on the same manner. This will turn out to be a dangerous game of reciprocal actions; eye for an eye, tooth for a tooth, and evil for evil.
I.6.2 Conceptual Framework

In this research, the author will see how international organizations failed to fulfill its purpose because of the conflicting interest of major states within. The author believes that IGO such as UNSC is easily politicized by major powers (P5) to suite their interests. That is why; armed intervention in Syria would not likely to happen—unlike the precedence such as Kosovo or Libya—remembering the significant conflict of interest between the veto holders.

The conflicted interest above is a consequence of the structure of international system which is differentiated by their relative distribution of power. In Kenneth Waltz theory of Neo-Neorealism, he argued that all states performing the same tasks and in that way is similar. They are similar in a way that their struggle for power was derived from their cost-benefit analysis which ultimately determines their decision upon certain given conditions. The casual logic of this theory is interpreted as follow;
I.7. Scope and Limitations of the Study

The focus of this thesis will be on the interaction of actors in state, regional, and systemic levels; focusing in the state level. In this case, the actors are global power in which the United States and Russian Federations are the main focus, rather than Syria itself. This is because of the nature of Humanitarian Intervention which inherently depends upon the will of great powers to be ‘willing’ to act. Iran will be briefly described not because of its power, but because of its character of relations with the two global powers at play in the region, hence deemed its importance to be mentioned.

The dimension of analysis that will mainly be used in this case is military and political dimension. This is due to the preference of the author to limit the discussion as close to the guiding principles of R2P itself.

On another sphere, this thesis will pinpoint the discussion on the unsuccessful implementation of Humanitarian Intervention within the framework of R2P because of the interests involved in the case. Thus, the focus is on ‘how’ the intervention is not happening and not the technical reason that follows.
It is important to note that although the focus is on state level, the main interactions between states will be discussed within the context of United Nations Security Council (IGO). This is a direct consequence of the nature of our current international system where humanitarian intervention, in whatever form, should only be exercised through UNSC’s mandate.

Lastly, the author will narrow down the literature regarding humanitarian intervention and R2P to what is being used in this thesis, since a comprehensive discussion about the subject will derive from the subject that the author would like to highlight in this thesis

I.8. Research Methodology

Qualitative approach will be used on framing the kinds of interaction between states. It is especially chosen remembering the significance of qualitative approach on discovering the underlying motives of states behavior and assessing interactions thus is in line with the purpose of this research.

The type of this research will be analytical research, where the author will use facts or information already available, and analyze these to make critical evaluation of the materials. This methodology is considered best to portray the explanatory objective of this research remembering the inter-correlations of the critical evaluations to create conclusive result for the objective of research.

I.9. Definition of Terms

In order to avoid biases and misled discussion, the author will explain several definitions of terms being discussed within this paper:

1. **Humanitarian Intervention** means “the use of coercive interference in the internal affairs of a state, involving the use of armed force, with the purpose of

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24 *OP. CIt C.R Kotari. Fn 18.*
addressing massive human rights violations or preventing widespread human suffering’... “Of individuals other than its own citizens without permission of the states within whose territory force is applied.”\textsuperscript{25} Humanitarian Intervention in principle should be conducted with the approval of UNSC. However, history suggest that there have been several interventions conducted without such legitimacy, thus practically suggesting two kinds of humanitarian intervention; by Unilateral Act and by United Nations Security Council (one that could be referred to as Responsibility to Protect principle). In this thesis, the author will use the term Armed Intervention interchangeably with Military Humanitarian Intervention or simply Intervention. This will also limit the kind of intervention that is not using military force or intervention in on disaster relief.

2. National Interest or raison d’états is a country goals and ambitions whether economically, militarily or culturally. The concept have a broad definitions with many debates revolved around it, however, most scholars in this field sees national interest as what is best—defined in term of power and security—for a state in relations with other states.\textsuperscript{26}

National interests were first coined through the principle of Neorealism. The world is seen in anarchical system, without authoritative institutions, rules, or norms to rule over sovereign actors thus resulting to a feeling of insecurity.\textsuperscript{27} Thus, the national interest could be interpreted as a strategy to secure states survival and gain power.

Later down the road, other scholar such as J.J. Rousseau in his book, the social contract, believes that a country is a political body consists of all people consent thus is based on a social contract. Therefore, people are the custodian of national interests and national interest is the collective interest of the people


within that state. In this 21st century, people have started to consider intangible values like human rights, freedom from economic deprivation and freedom from disease as part of national interest.

National Interest, however, is not laid around as a whole giant package, since there will be conflicting national interest one to another. That is why most scholars classify the interest based on the intensity of the interest into survival, vital, important and peripherals. These four pillars will also be part of the foundations in which the research will be laid upon.

Survival interest is the most important interest and is the top priority of the states that cannot be compromised. It is related to the longevity and stability of a state—the protection of citizens—territorial integrity, independence, etc. Fail to secure this interest will lead a country to demise.

Vital interest is an interest that is very crucial that would only be compromised only when it crosses survival interest or other specific circumstances. Achieving or denying this interest would determine great benefit or severe damage to the states being. It includes prevention of nuclear proliferation in the region, favorable international strategic balance, guarantee of important economic interest, etc.

Important interest is an interest that is favorable to be pursued only when there is not imminent threat. It is significant in nature, but not detrimental in a state survivability. In pursuing this interest, state will more willing to do compromise and negotiation rather than confrontation. The role of this interest is rather supportive including improving bilateral friendly relations;

29 Although in the implementation, the ensurance of state survival oftentimes overshadow other aspect of National Interests as it falls in the most important aspect of national interest. Adapted from Alan G. Stolberg, *Crafting National Interests In The 21st Century*, International Studies Association Westconference, San Francisco, California, 2007
promote freedom, peace and stability; maintenance of technological superiority; etc.

Peripheral interest is an interest that is not involving a threat to the state security nor affects strategic economic interest. It is a desirable condition that has minimum direct impact to the actor.33 A private citizen economic interest abroad is the example of this interest.

3. Sovereignty: “The doctrine that states exercise both internal supremacy over all other authorities within a given territory, and external independence of outside authorities.”34 It means that state “is subject to no other state and has full and exclusive power within its jurisdiction without prejudice to the limits set by applicable law.”35 Ernst Kantorovich in his book the King's Two Bodies (1957) gave insights of how the concept of sovereignty evolves throughout the middle ages.36 He argues that our modern political entities is the result of a collective social organizations described as a single, unified one, confined within territorial borders, possessing a single set of interests, ruled by authority that was bundled into a single entity and held supremacy in advancing the interests of the polity.

Those qualities are arguably referring to ‘Westphalian Sovereignty’, a result from Peace of Westphalia in 1649 which have instituted the modern concept of

33 Ibid
nation states based on the right of state to govern the people within their jurisdiction as they see fit.\textsuperscript{37}

Sovereignty, however, is a legal term. Thus, it is not necessarily referring that with \textit{de jure} right of sovereignty, state has \textit{de facto} capability to exercise such act. Formally, all states are sovereign and there are no gradations of sovereignty.\textsuperscript{38} However, in practice, there are many cases where states sovereignty existed in a vague realm when we refer to definitions above. Thus, in this thesis, the author would like to use the definition coined out by Krasner as “Unbundled Sovereignty” as he distinguished four types of sovereignty:\textsuperscript{39}

a. \textit{Domestic sovereignty}: the effective organization of authority within the territory of a given state.

b. \textit{Interdependence sovereignty}: the ability of a state to regulate movements across its own borders.

c. \textit{International legal sovereignty}: the fact of recognition of an entity as a state, by established states.

d. \textit{Westphalian sovereignty}: the exclusion of external authority structures from the decision-making processes or statecraft process of a state.

\section{I.10. Thesis Structure}

\textbf{Chapter I - Introduction}

The first chapter of this thesis intends to give a glance of the issue as well as the purpose of the research getting the readers to read the research further. It contains many of necessary parts of a research such as background of study, problem

\begin{itemize}
\end{itemize}
identification, statement of problem, research objectives, significance of the study, conceptual framework, research methodology, scope and limitations of the study, and definition of terms. This chapter is comprised as the basis of this research writing.

Chapter II – About Syrian Humanitarian Crisis

The second chapter will describe the chronological case of Syrian Humanitarian Crisis. How the conflict started, the background as well as the actors involved in the crisis will be delivered here. In addition, there will be a brief historical background of Syria and its relations with major power in the world.

II.1. Background of Conflict

This sub-chapter will discuss the motives and causes of the conflict as well as chronology of how it started (Timeline). There will also a discussion of the conflict in light with the global context of Arab spring.

II.2. Actors Involved

The second sub-chapter will discuss about the actors that are involved in Syrian Humanitarian Crisis. There will be two segmentation of actor: internal and external actors. Internal actors will be comprised of the conflicting actors: Government and the Protester; whereas the External actors will be comprised of the major power in stake which is U.S and Russia.

II.3. Grave Human Rights Violations in Syria and the Failure of International Community

The last sub-chapter will examines the grave human rights violations and accuse of genocide conducted by the government of Syria towards its own people and the ardent response of international community for it. It is important to note that this
sub-chapter shall also shows how relevant is the atrocity happened to the call of humanitarian intervention principles.

Chapter III – United Nations Security Council and Responsibility to Protect

The third chapter will discuss about United Nations Security Council decision making process and the basis of responsibility to protect. It will also deliver how the stakeholders in the conflict were trying to exercise their capability to resolve the conflict and/or to fulfill their moral obligations in delivering humanitarian aid through UNSC.

III.1. Principles of International Organizations

This sub-chapter will describe about the principles of organizations through theoretical lenses. As such, there will be an explanation to see how IO could be seen as: actor, fora, or resources


This sub-chapter will describe all about UNSC; the system, mandate, organs, and especially the decision making process. Furthermore, the author will add a bit of critical analysis on the system that will support the discussion in the next chapter

III.3. Responsibility to Protect: Principles and Functions

This sub-chapter will describe all about R2P; the origins, principles and its functions. There will also be a glimpse of past exercise of R2P in the world. This chapter will not discuss the debate on the legitimacy or legality of the norm.

Chapter IV – The Neorealist Logic Behind Non-Interventionism in Dealing with Syrian Humanitarian Crisis

This chapter will discuss about the difficulties of humanitarian intervention in Syria using Neorealism framework. The author argues that using rational choice
approach, intervention will less likely to happen as in both approaches, intervention is a costly choice. Thus, Humanitarian intervention is as principles will not going to be exercised in Syria as its entire norms were overridden by the logic of states survival and basic states interest.


This sub-chapter will analyze how United Nations initiative were insignificant and could not mobilized armed forces with regards to the principle of R2P and its technicalities, decision making process in United Nations Security Councils (and the stalemate) because there is a heavy risk of costly war if the intervention where forced to happen in Syria and the commensurate gain of interest is uncertain.

IV.2. Flawed Implementations of R2P’s Principle

This sub-chapter will analyze the principles of R2P that actually incorporate a lot of Neorealism assumption. It means that although were built on the strength of liberalism with great intention, in implementation it will still heavily rely on the principle of Neorealism.

Chapter V - Conclusion

Chapter V will be a closing statement that concludes the contents and context of this research. Recommendations and analysis may be outlined in this chapter for further studies on humanitarian intervention exercise or the case of Syrian Civil War.
II. ABOUT SYRIAN HUMANITARIAN CRISIS

The aim of this chapter is to portray the condition in Syria, the motivation behind the crisis and the sides that fight there as well as the grave atrocities and human rights violations phenomenon accurately so the reader may have a comprehensive understanding upon the issue.

II.1. Background of Conflict

II.1.1. The Wave of Arab Spring

The Syrian Civil War were largely affected by the ‘trend’ of arab spring which shake the region on late 2010\(^\text{40}\). Arab Spring started in December 2010 where large protest began in Tunisia. Not long after Tunisia, several other countries in Middle East and North Africa began their own democratic transition.

There are several reasons identified as the cause of Arab Spring. Reasons including corruptions by the ruling governments, economic depravity and decline, dictatorship or absolute monarchy were to mention some of it.\(^\text{41}\) These causes were the platform for the unsatisfied-educated youth in the respective countries to refuse the status quo and march protests.

Significant traits of this series of events are:

- Most of the movements were pro-democracy who rose up against decades of dictatorship or absolute monarch regime.
- Most of the movements were popular uprising by the people, absent of the figurative leadership, and uncompromising in demanding total change.


By the end of 2013, Arab Spring have grown major demands for democracy in form of violence and peaceful means within Tunisia, Egypt, Libya, Yemen, Bahrain, Syria, Algeria, Iraq, Jordan, Kuwait, Morocco, Sudan and several other countries.

II.1.2. The Beginning of Syrian Civil War

Since the first escalation of Syrian civil war in 2011, the condition has gone dire. According to UNOCHA, about 50% of populations, 9.3 million people, are in need of humanitarian assistance on the end of 2013. Without access to public services, destruction of infrastructure and a devastating economic fall-off, Syrian people were trapped and without access to humanitarian assistance.

Looking back to the beginning of the conflict, there were small peaceful protest on 26 of January 2011. A man was assaulted and arrested in Damascus by the police. The protester called the release for that man and set up “day of rage” via social media on February 4, but it was uneventful. It is believed that this is because there are still fear for the police secretly arrested critical citizens.

It was young boys from southern town of Daraa who sharply initiated the entire event. In March 6, 2011; fifteen young boys were arrested by the police after spray-painting building demanding “the people want the downfall of the regime.” Arguably, they were following the hype for democracy that were widespread among Arab countries at the time. A phenomenon that were widely known later on as “Arab Spring.”

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43 Day of rage is a form of protest conducted following the Arab spring that usually takes place after Friday afternoon prayer.
The popular protest were quickly escalated into a fully-fledged conflict after a series of loose promises and violent response (as well as killings of protesters) were conducted by the government. Such relentless violence could be seen in 18th of March 2011, where security forces shoot and kill six protesters in Daara. Yet the real spark began of the Bloody Friday, on April 22nd where more than 120 people dead in Daraa, Damascus and elsewhere which draws the condemnations from United States and United Nations.46

As the uprising began, Assad regime exercise a form of martial law that allow police and the security forces to detain a suspect for eight days without warrant with the focus of political activist.47 About 27 government-run torture centers that was used to torture were exposed to public by human rights watch in 2012.48 Blockades were set up in order to limit the spread of the protest as well as avoid people movement to neighboring countries.

From April to June 2011 there were heavy siege activity conducted to the cities in Syria such as at Homs, Baniyas, and Tafas. Despite the heavy siege, the protests keep on spreading across Syria.

II.1.3. The Escalation of Conflict—the Rise of Opposition

Assad’s regime crushed another series of protest. In July 2011, there were an estimated of 500,000 protesters were marching in Hama as well as demonstrations in Damascus, Homs, Idlib, Latakia, and Deera. Although French and U.S ambassadors were in presence, the security forces were reported to fire

46 Ibid
at close range. This incident cost 13 peoples live and more than 40 were wounded.⁴⁹

In response to the regime crackdown on peaceful protest, the protesters organizes into groups of opposition. Some were defectors from Assad’s army, while other were civilians who joined the fight.

On the battlefront, a groups of army defectors were formed after the regime mobilized security forces for an expansive crackdown throughout Syria to stop the mass gatherings on “Friday of your silence is killing us.” On that day, a colonel in the Syrian Army defected to the oppositions along with “hundreds” of other military personnel and called his group the Free Syrian Army; a group that later became the choice of external supports funding ⁵⁰

Meanwhile, in the other front, many groups were gathering to form unified opposition. One of the noteworthy one is the Syrian National council that eventually transformed into The Syrian National Coalition for Opposition and Revolutionary in 2012. This organizations is one of the major opposition for Assad’s governance; save for several group of extremist such as ISIL and Al-Qaeda—Al-Nursah.⁵¹

II.1.4. Kofi Annan Six Point Peace Plan

In March 2012, the United Nations supported by Arab League launched the six point plan as a response for the growing atrocities in Syria. This Peace Point Plan were the result of “friends of Syria” conference in Tunisia. 70 nations were attending the conference, without Russia and China.⁵²

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The essence of the plan were basically addressing the legitimate aspirations and concerns of Syrian people, stop fighting, pullback military concentrations from times, and commitment to cease fire from every elements of the conflict.\textsuperscript{53} Kofi Annan had to go to Moscow on 24 March 2012 in a lobby to gain Russian support for his plan.\textsuperscript{54}

Both Bashar Al-Assad regime and the Syrian oppositions agreed on the term and promising a cease fire in the deadline as of 10 April local time for Assad’s army and 12 April for the rebels. The ceasefire were arguably effective as a unverified reported that Syrian Army have been shellings in the cities of Hama and Homs.\textsuperscript{55} Some event regard the ceasefire promise as an extended time to massacre all of the oppositions before the agreed term.

Evenso, Kofi Annan assessed that “as of 12 April, the parties appeared to be observing a cessation of fire.”\textsuperscript{56} United Nations Supervision Mission in Syria (UNSMIS) was the unarmed UN peacekeeping missions sent to Syria in April 2012. Major general Robert Mood command the observers activity.

On May 1, the UN Under-Secretary-General for Peacekeeping Operations, Hervé Ladsous said that both Syrian government and the oppositions were violating the ceasefire agreement.\textsuperscript{57} Worsening situations were observed after two opposition-controlled villages were sieged on May 25 2012. On 1 June, the Free Syrian Army respond firmly, announcing the resume of “defensive

\textsuperscript{57} "UN: Both sides in Syria are violating the truce’. CBS News. 1 May 2012. Retrieved January 2015
As of June 16, UNMIS suspended its mission after an "escalating violence," marking the failure of Kofi Annan peace initiative.

The failure of Kofi Annan peace plan also marked the new reign of chaos in Syria that seems bottomless and bloody. Not long after, the atrocities of humanitarian disaster as well as the number of casualty were increased with the better organizations of opposition.

II.2. Actors Involved

II.2.1. Internal Actors

The Regime; President Bashar Al-Assad

Assad's father, who came from a poor Alawite family, seized power in a 1970 coup. Hafez al-Assad ruled Syria with a firm hand and was accused of numerous human rights abuses over the years.

Bashar Assad presented himself as a reformer when he succeeded his father in 2000. But critics have called any changes largely superficial, and Assad's crackdown on protests in March 2011 sparked the current civil war. Support for Bashar Assad has held firm among the Alawite minority, who make up about 12 per cent of the country's population.

Syrian Opposition

The Syrian National Coalition for Opposition and Revolutionary Forces was designed to bring together members of various religious sects opposed to...
II.2. External Actors

II.2.2. The United States

United States has not been in good diplomatic relations with Syria for at least the last couple of decades, mainly because of its relations with U.S ‘dearest’ ally in the middle east, Israel. Since the 1973 Arab-Israeli war, Syria has not been on a good term with U.S, with Syrian support for palestine on one end and series economic and political sanction by U.S on the other.

From 1976 to February 2008, at least 15 series of economic and political sanction have been imposed on Syria by the U.S including The International Security Assistance and Arms Export Control Act of 1976, The Antiterrorism and Effective Death Penalty Act of 1996, and especially the harsh implementation The 2003 Syria Accountability Act and its differentials in Bush Administration.61

Syria has also been regarded by the U.S. as an avid supporter of terrorism. According to the U.S Department report on terrorism, “The Syrian government has not been implicated directly in an act of terrorism since 1986, although an ongoing UN investigation into the February 2005 assassination of former Lebanese PM Rafiq Hariri continued to examine Syrian Involvement.”

Since taking office, Obama administration has been trying to normalize the U.S.-Syria relations by administering a “friendlier” approach compared to the harsh policy in Bush administration. Although Assad’s regime— to some extent— has recognize the merits of this new approach, Syria points out that there are still grievances with United States policy such as United States economic sanction to Syria have not been addressed as Assad mention, “What has happened so far is a new approach. Dialogue has replaced commands, which is good. But things stopped there.”

As the United States and Syria relations remains distance, Syria’s economy and armament were certainly affected by the numerous sanction by the U.S. such as the The International Emergency Economic Powers Act of 1977 and The Anti-Terrorism and Arms Export Control Amendments Act of 1989.

In one report, Alstom, General Electric, and Mitsubishi all declined to bid for construction of power plants in Syria. Without sufficient energy production, many company withdrew themselves from the prospect of investment in Syria.

However, despite its lack of economic capacity and arguably docile military armaments, Syria remains a key player in the region’s geopolitics. Syria has been accused of supporters of terrorist groups in the past such as sponsoring Palestinian resistance group (Hamas, Palestinian Islamic Jihad, the Popular Front for the Liberation of Palestine) and Hezbollah of Lebanon, all of which have offices in

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62 Ibid
63 Ibid
Damascus and operate within Syria's borders. Syria has also been on uneasy terms with Israel seeing eye to eye from time to time.

U.S policymakers has been called by several experts to shy away Syrian leaders from Iran. It has been a growing concern for them as Syria and Iran grew closer in the absence of U.S in Syrian affairs. U.S foreign operations gave several million dollars annually for democracy program in Syria.

Geopolitically speaking, Syria also possess strategic location in the middle east—mainly for political and security concern. Take a look on the figure map of Syria below:

![Figure 6 Map of Syria](source.jpg)

Source: Map Resources. Adapted by CRS.

After the rise of Arab Spring cost United States their formidable allies in the region—Mubarak’s Egypt—United States were concerned by the isolation of Israel of the middle east. Egypt used to play an important role for Israel from

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66 Op Cit. CRS. Syria Background and U.S Relations.
67 Ibid
within the Arabic region, especially in balancing "anti-infidel" states such as Iran. With the absence of Egypt, the existence of a ring of democratic middle east will certainly in favor for U.S interest.

More than that, RAND analysis conclude that Syria's civil war could evolve into a wider regional war. In that case, the spill-over would certainly pose security question for Israel, Turkey, Iraq and other U.S allies in the region. This concludes several reasons as to the question of why democratic transition and shift of power in Syria will be beneficial for U.S.

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**Figure 7 U.S. Presence in the Middle East**

*Source: Map Resources. Political Dog*

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68 The RAND Corporation is a research organization that develops solutions to public policy challenges to help make communities throughout the world safer and more secure, healthier and more prosperous. RAND is nonprofit, nonpartisan, and committed to the public interest. Brian Michael Jenkins, "The Dynamics of Syria's Civil War," RAND.

II.2.2.2. Russian Federation

Syrian civil wars has been one of the worst human rights violation in history. Russia’s stance on the issue is one of the reason for minimum foreign intervention happening there, especially from the west. Russia has vetoed two Western-backed UN security council resolutions, together with China contest a double veto, against Syria in 2011 and 2012.

It is widely believed that one of the basic reason of Russia’s adamant support for Syria is the close economic relations between the two. Since 2005, Russia has been major stokholder of Syria arms trade with 3.5-3.8 billion dollars contract value.\(^70\) Stockholm International Peace Research Institute reported that Russia has been supplying 78% of Syria’s arms for the last five years, an increase by 580% from the 2002-2006 period to the 2007-2011 period.\(^71\)

Although the number is relatively smaller compared to Tunisia or Estonia (1% from 2005 to 2010, 4% between 2011 to 2012 of Russia’s total export); transaction with Syria is important. This is because the commodity for transaction in Syria is focused on defense and energy industries as highlighted by connolly, “The vast majority of Russian exports to Syria are armaments, which makes Syria relatively more important as an export destination for the Russian defense industry.”\(^72\)

2005 breakthrough has also open pathway for Russian investment in Syria, reaching 19.4 billion USD in several sectors. Syrian Civil Wars will undoubtly costly for those investment as it halts production and threaten future contracts. Thus, Russia’s stances in endorsing the system is a form of protection for its


\(^{72}\) Richard Connolly, lecturer in political economy at the University of Birmingham in Yousef Gamal El-Din, “What’s at stake for Russia in Syria,” CBCN. 3 September 2013.
economic interest, favoring the regime which opened up the opportunities for their company.\textsuperscript{73}

Interest of Russia in Syria also cover the geopolitics sphere. It is mainly because the existence of Tartus Mediterranean port, a Russian naval maintenance and supply station. Tartus were initially offered to Russia in 2008, triggering wild speculations whether there will be relocation of Russia’s navy fleet to Tartus. At first, it only had one fully operational deck, but reconstruction has been planned ever since to convert the facility into a full naval base. In one of his interview, Treisman mentioned “Of course Russia would like to preserve its naval base in Tartus, but it will have to adjust to the outcome of the civil war, whatever that is.”\textsuperscript{74}

Tartus strategic use is commonly believed not because of its military significance, but rather a representation of a Russian influence in the region and Russian naval base outside of post-soviet states. "It is... of symbolic importance. It marks Syria as one of the few countries in the region with which Russia continues to enjoy warm relations," Connely said.\textsuperscript{75}

\begin{footnotesize}
\begin{itemize}
\item \textsuperscript{74} Daniel Treisman, professor of political science at the University of California, Los Angeles in Yousef Gamal El-Din, \textit{Op Cit}. Fn 71.
\item \textsuperscript{75} \textit{Op Cit.} Connely.
\end{itemize}
\end{footnotesize}
Ironically, since his first period of administration, Vladimir Putin has been trying to re-establish Russia’s presence in the Middle East. In a writing by Freedman, Putin’s Russia has built friendly relations not only with anti-American states such as Iran and Syria, but also with the moderately open states to western presence such as Egypt, Saudi Arabia, and UAE—which of course, leads to a problematic decisions in several instances. With the current escalated conflict in Syria, Russia will be torn between the two contelations.

Russia will certainly needs to keep its friendly relations with the anti-americans on the ground of common interest, yet its new ambition will be maintaining good economic relations with middle eastern countries. Which means, Russia also need to be aware of the risk of spill over conflict from Syria could escalate into a regional scale conflicts which is bad for business (Freedman, 2010).

II.2.2.3. **Worth Mentioned: Iran**

“Iran involvement 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.”

Syria and Iran is a strategic ally for quite a long time. Their alliances were based by fundamentally common interests, history of close relations and the perceived threat of U.S presence in the region. For one, Syria was sacrificing much of its prestige in Arab world after shattering Arab world consensus when sided with Iran in its eight-year war with Iraq. It is also important to note that to date, there were many of sunni Arab countries compared to Shiite one, thus another Shiite ruling class in the region is more welcomed compared to the more hostile Suni ruled countries.

On 16 June 2006 the defense ministers of Iran and Syria signed an agreement for military cooperation against what they called the "common threats" presented by Israel and the United States. Details of the agreement were not specified, however then Syrian defense minister Najjar said “Iran considers Syria's security its own security, and we consider our defense capabilities to be those of Syria.” The visit also resulted in the sale of Iranian military hardware to Syria. In addition to receiving military hardware, Iran has consistently invested billions of dollars into the Syrian economy.

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79 Dr Kayhan Barzegar is an Assistant Professor of International Relations at Science and Research Campus, Islamic Azad University and a senior research fellow at the Center for Middle East Strategic Studies in Tehran. Iran’s Foreign Policy towards Iraq and Syria.


The result of Syrian conflict will certainly affect the reshaping of middle east, considering the strategic central position of Syria bordering Lebanon, Israel, Turkey and Iraq. In the interest of retaliating western presence in the Middle East, Iran is set to prove its worth and shows that middle power-Arab states like them is an emerging power who must be taken seriously. These ambitions were guided by the increase of Iran capacity in nuclear technology, hence giving them an edge on negotiations with the West. Such a weapon will give Iran immunity and a more strategic position to influence the region.\textsuperscript{82}

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.\textsuperscript{82}

\textsuperscript{82} \textit{Op cit.} Segall, M. (2012)
<table>
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<tr>
<th>Past Relations</th>
<th>Russia</th>
<th>United States</th>
<th>Iran</th>
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<tr>
<td>Close, one of</td>
<td>Bad, a threat to U.S</td>
<td>good, an alliance forged by mutual interest and convenience</td>
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<td>Russia’s valuable allies in the region</td>
<td>allies and a supporter of terrorist groups</td>
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<th>Russia</th>
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<th>Iran</th>
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<tr>
<td>An important arms clients, supplying 78% of weapons in Syria</td>
<td>Target of sanction; a very limited trade with roughly $500 million ex-im.</td>
<td>Consistently invested in Syria, including the recent $10 billion natural gas agreement with Syria</td>
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<td>Transactions total</td>
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<th>Russia</th>
<th>United States</th>
<th>Iran</th>
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<td>Geopolitics; Presence of naval base in Syria and a symbol of Russia’s involvement in the region</td>
<td>Geopolitics; Securing middle east dominance as well as ensuring the safety of closely related allies</td>
<td>Important partner in playing their proxy game and a leverage towards Western Countries</td>
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<th>Opportunities</th>
<th>Russia</th>
<th>United States</th>
<th>Iran</th>
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<tr>
<td>Re-emergence of Russia to be perceived as great power</td>
<td>Decreasing the safehouse of terror group activities and a leverage in middle east presence</td>
<td>Increase of bargaining power</td>
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II.3. Grave Human Rights Violations in Syria and the Failure of International Community

After showing the general picture of Syrian civil war in the previous subchapter, this subchapter is intended to highlight the international response initiatives on the case as well as the violations to multi-aspect of human rights.

Since the first wave of Arab Spring reached Syria in early 2011, there have been an increasingly great death toll and human rights violations up to 190,000 to date. With the brutal response from the governing regime, the term “Arab Winter” were coined, highlighting “the regime has not been able to suppress the protests, and the protesters have not been able to topple the regime.”

Initially, the protest were demanding political reform and end of corruptions as their main goals. However, as the crackdown by the government-led forces, the protest shift into a revolutions to topple down the regime.

Bashar Al-Assads denied the massacre he had ordered and accuse that foreign plot were involved in scheming his downfall. He also tried to settle down the masses by lifting the nearly five decades emergency—martial law. Martial law is supposed to be a “temporary rule by military authorities, imposed on a civilian population especially in time of war or when civil authority has broken,” but in Syria this law has been in effect for almost 48 years.

On August 2011, United Nations Security Council condemned the crackdown of Assad regime against the protestor and demand for ending violance, respect for

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85 From 1963 until 2011, Syria has been under a state of emergency. It has been more than 48 years since martial law was imposed on the civilian population in Syria. The regime imposed martial law in 1963 under the pretext of being at a state of war with Israel and by permanent threats posed by terrorist groups and individuals. SYRIA PROFILE, “International Debates”, Academic Search Elite, Vol 9, Issue 6.
human rights and compliance to international law. This is also followed by expanded embargo of European Union, condemnation by the neighboring countries, U.S and European Union calls for resignation of Bashar Al-Assad and another following sequences of ‘desperate measures’ of International Community.

These decisions draws response from President Bashar Al-Assad, warned the international community meddling with domestic affairs in Syria, saying “‘Any action against Syria will have greater consequences [on those who carry it out], greater than they can tolerate.” Russian President Medvedev also warned the western states to not increasing pressure on Syria since it was “absolutely not needed.”

As a result, in the following month, Russia and China made sure U.S-led proposal in the United Nations Security Council to impose sanctions against Syria on September and European drafted United Nations Security Council resolutions that condemned their violent suppression and called for sanction if Syria did not immediately stop the crackdown were failed with the later by Veto on the October conference.

Arab League also tried to mediate the Syrian government and opposition to find a peaceful solutions. However, President Assad responded with hostility saying, “Western action against his country would cause an ‘earthquake’ that would

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91 UN news Center, Russia and China veto draft Security Council resolution on Syria, Published 4th of October 2011.
burn’ the whole region.” Immediately after the response, Anders Rasmussen, Secretary General of NATO, stated that NATO had no intention to spearhead a no-fly zone or intervene in Syria.

Independent International Commission of Inquiry on the Syrian Arab Republic under United Nations Human Rights Council report that,

“...government forces have committed gross violations of human rights and the war crimes of murder, hostage-taking, torture, rape and sexual violence, recruiting and using children in hostilities and targeting civilians with sniper attacks. Government forces disregarded the special protections accorded to hospitals, medical and humanitarian personnel and cultural property...”

The government also utilizing Chemical-type-WMD-armed rockets to the civilian residence and agricultural belt around damascus, resulting in vague number of casualty between 300 to 1400 people. This is practically breaching every single notion of humanitarian law ever created in human history and fundamental prohibitions of common article 3 of the Geneva Conventions.

As of July 2013, the death toll count by the UN has reached above 100,000 people and the agency has stopped updating ever since. The case continue to developed till today and has not seen a shed of light for peace to return in Syria, at least the modern state Syria as multitude of international efforts and

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measures has been reaching rockbottom on finding a agreeable solutions for conflicted Syria.
III. UNITED NATIONS SECURITY COUNCIL AND RESPONSIBILITY TO PROTECT

The third chapter will elaborate about the tools of discussion in this thesis. Thus, this chapter will explain the principles of International Organizations such as United Nations Security Council as a catalyst of decision making process that serves as of responsibility to protect. It will also deliver the guidelines for understanding the channel for intervention; with UNSC authorizations (R2P) and without. This chapter will not discuss the debate on the legality of humanitarian principle as it does not serve the purpose of this thesis.

Several approaches have been developed throughout the years in order to ensure human rights preservation across border. On one hand, states today play on the ground of legality, where international legal positivism believed that humanitarian intervention could only be authorized based on UN Security Council approval as regulated under Chapter VII. This came out as a result of interpretation of *opinio juris* and international practice of UN Charter.98

On the other hand, the natural law theorist argues that the incapability of a state on protecting their own citizen from the grave human rights violations—or even become the perpetrator themselves—others have the right and/or duty to intervene. In this regard, humanitarian intervention does not need the authorizations of UN Security Council.99

Another generally believed notion also state that the act of breaching international law at the beginning could become the foundation of ‘legal

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readjustment’ when there is consent of within the international community to adopt the norm; arguably such as what happened in R2P.

On the many levels of possibility to justify intervention in Syria, as of today, none has been initiated into concrete actions. To further understand this phenomenon, the author would like to invite the reader to take a look at principle of international organizations and UN Security Council mechanism below:

III.1. Principles of International Organizations

III.1.1. Ontological View

III.1.1.1. International Organizations as Actors

International organizations are sometimes actors in world politics. Under this assumption, international organizations are considered separate entities from their founding and member states. In short, this view put a ‘personhood’ status on international organization. Consequently, international organizations as actors have legal standing, with certain rights and obligations, can sue and are sued.

Usually, this is emphasized in a founding clause such as what happens in Article 4(1) of the international criminal court’s statute, declaring “the Court shall have international legal personality.” However, International Organization inherently created to have a body independent from its founding states. Thus, agency of personality is essential in its existence even without such declaration.

Behaving as an actor means the international organization needs social recognition and capacity for action. This means,

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international community acceptance is a must and in that community, their decisions have some impact.

III.1.1.2. International Organizations as Fora

Another view on international organizations is its role simply as places in space and time; as physical building, conferences, and schedules of meetings for discussion of interests and problems of mutual concern.

In this regards, the international organizations mostly have no roles other than as a physical location with a support staff, which is very different from previous role.

Here, the international organizations functions represent ‘forum’ in its clearest form. The “forum” function is arguably the most basic function of international organizations, and it most directly reflects the interstate contract at the heart of formal intergovernmental organizations.

The dilemma in this is the inclusivity of membership. As a result, they tend to have either few executive powers or high standards of consensus for decisions or both. The UN General Assembly fits the first category—it can make recommendations but has few powers to take legally binding decisions. The UN Security Council fits the second—it can take important decisions such as deploying humanitarian action but only when all members agree (or at least when none of the P5 is willing to formally oppose it).
III.1.1.3. International Organizations as Resources

Yet another view of international organizations could be seen as political resources; an extended arms of states to pursue their domestic and international goals.

States support their positions using the decisions, statements or other means available within the framework of international organizations. What international organizations should say and do—and the impact to world politics—could prove to be a very useful resource to advance states interest.

Instances of examples would be in a scenario when states seek counsel to the International Court of Justice (ICJ). Given the nature of ICJ of mutual consent, it is highly doubted that the other party will obey unfulfilling result. Even so, the result will undoubtedly affect the development of the case; a tools that would have been otherwise unavailable without the existence of international organizations.

In addition, the limits of international organizations are not a taboo when we approach it by viewing it as resources rather than solutions to problems. In an unfavorable circumstance, there are big possibilities for international organizations to be marginalized as powerful actors seek to keep them out, or when no one sees an advantage in bringing them into action.

Figure 9 United Nations Organs and Mandate

Sources: Map Resources. Adapted from United Nations.

UN Security Council is the strongest organ within United Nations. Its primary responsibility is to maintain international peace and security. Today, it is the most prominent body in the world to manifest the dream of ‘collective security.’

The UN Security Council consist of 15 Members, five permanent members (U.S, U.K, France, Russia, and PR China; hence P5) and ten non-permanent members.

101 United Nations.

The non-permanent members were selected through UN General Assembly voting and of an equitable representation of geographic region; five from Africa or Asia, two Latin Americas, one Easter Europe, two Western Europe and other areas; for the period of two-year term.

Dispute or complaint could be brought forward to UN Security Council by any state. In the face of threat to the peace or act of aggression, United Nations Security Council shall calls upon the disputing parties to settle it in a peaceful manner. It could recommend methods of adjustment or terms of settlement.

UN Security Council could resort to [\textit{calling upon its member to}] diplomatic or economic sanctions to maintain or restore international peace and security. It may also authorized International Peacekeeping forces to keep the warring parties apart to make room for negotiations.\footnote{Ibid} If these methods proven inadequate, UN Charter allows UN Security Council to take military actions.

The resolutions by UN Security Council are obligatory; making the UN Security Council the only UN organs with the power to coerce the member states into implementation.\footnote{Ibid}

By the mandate entitled in UN Charter, the UN Security Council has four purposes:\footnote{Ibid}

a) to maintain international peace and security;

b) to develop friendly relations among nations;

\textit{\textsuperscript{103}} Ibid
\textit{\textsuperscript{104}} Ibid
\textit{\textsuperscript{105}} Ibid
c) to cooperate in solving international problems and in promoting respect for human rights; and

d) To be a center for harmonizing the actions of nations.

To help the task of UN Security Council, it has several subsidiary bodies of: Military Staff Committee, Sanctions Committees, Counter-Terrorism and Non-Proliferation Committees, Standing Committees and Ad Hoc Bodies, Peacekeeping Operations, International Tribunals, and Advisory Subsidiary Body.

IV.2.1 Decision Making Process

In UN Security Council, all members have one vote. However, Under Article 27 of the UN Charter, a negative vote by one of the P5 could automatically prevent resolutions from passing, even if it already reached required threshold.

Procedural matters needs an affirmative vote of at least nine of its members and cannot be vetoed. Consequently, an issue could not be avoided from being brought into discussion.

Investigation of a dispute, applications of sanction and authorization for the use of force falls into a substantive voting. In substantive matters, a minimum of nine affirmative votes are also needed, but there cannot be negative vote from any veto holders.

In many cases, the P5 will vote for abstain when they do not necessarily need a veto but also did not want to support the proposal. Abstention will still pass a resolution, unless in the agenda to amend the UN Charter or to recommend the admission of a new UN member state.107

From 1996 to 2012, there have been 7 Russia’s veto, 5 China’s veto, and 13 U.S’s veto. U.K and France did not use the veto.108

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106 Article 27 of the United Nations Charter states: Decisions of the Security Council on all other matters shall be made by an affirmative vote of nine members including the concurring votes of the permanent members. This has been the result of realizations in League of Nations when great power were not accommodated into the security talks, it renders the decision unrealistic.


III.3. Responsibility to Protect: Principles and Functions

In International Relations, there are many definitions of Humanitarian Intervention. One of the most generally agreed character of Humanitarian Intervention, however, is defined as the use of military force across border with a primary intent by interveners to protect “large-scale human rights violations”\(^\text{109}\) or “the innocent victims of large-scale atrocities.”\(^\text{110}\) As of today, the most recognized umbrella for Humanitarian Interventions fall under the norm of Responsibility to Protect.

The responsibility to protect was premised into three different elements: responsibility to prevent, responsibility to react (intervene), and responsibility to rebuild.\(^\text{111}\) Considering the nature of the Syrian Civil War discussed in this thesis, the author will focus the discussion on responsibility to react—responsibility to protect people against their own government.

Responsibility to Protect is one of the popular notions in modern International Relations debate today. Responsibility to Protect (R2P) initiatives could be traced from the past twenty years where genocide in Rwanda and Yugoslavia has drawn significant international concern.

In light of International Community failure to address the humanitarian catastrophe, Kofi Anan, the Secretary General at that time, question: “If humanitarian intervention is indeed an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica—to gross and systematic


violations of human rights that offend every precept of our common humanity?\textsuperscript{112}

This sense of awareness becomes the pathway for the creation of international norms that could adequately respond to humanitarian disasters: as individual states obligations to fulfill the human rights of its people; and as a collective responsibility to protect when the given states fail to do so.

In 2001, the said sense of awareness was formulated in the International Commission on Intervention and State Sovereignty (ICISS). The framework of Responsibility to Protect intend to shift the common believe of sovereignty as absolute legal right into a responsibility bear by states to fulfill the basic rights of its people—namely human protection.

As suggested above, the basis of responsibility to protect lies on the value of human rights as codified in the first chapter of UN Charter Article 1(3). Our value system today have generally agreed that “all states have an international obligation to respect human dignity and to refrain from committing gross violations of human rights such as genocide, torture, slavery, systemic racial discriminations or severe and widespread deprivations of the rights and freedoms of their citizens;”\textsuperscript{113} a later interpretations by international court of justice recognize it as erga omnes.\textsuperscript{114}

It is important to note, however, that although there has been a ‘confirmation’ of acknowledgement in state’s needs to treasure human rights in its relations to ‘unbundled sovereignty,’ the International Law Commission insists that grave

violation of human rights may only be owed to international community through ‘lawful’ means and consistent with the UN Charter.\textsuperscript{115}

This instance could be seen through the adaptation of the original ICISS report in 2011 into the ‘watered down’ 2005 UN World Summit version.\textsuperscript{116} In the later version, implementation of R2P use of force should solely remain by the authorizations of UN Security Council and to be taken on a case by case basis.\textsuperscript{117}

The Syrian Humanitarian Crisis has certainly posed a challenge to the R2P success as a norm. Although it has been rigorously hailed for its prospective future role in defending crimes against humanity, its worth has been denied upon the case of Syrian Humanitarian Crisis.

One of the contending arguments for the failure of this norm in Syria was observed on the instances where selective enforcement based on incentive to the ‘coalition of the willing’ is the reason this norm exists anyway. Is R2P really a responsibility to protect all people indifferently or just another tools for states to advance their interest? Let us take a look at it closely and hopefully, the reader might attain a certain set of idea on this principle.

III.4. Principle of Responsibility to Protect

The principle of R2P lies within 3 pillars agreed by the head of states in UN 2005 World Summit, namely:\textsuperscript{118}

\begin{itemize}
\end{itemize}
In exercising those principles, the ICISS report articulates six guiding principles that need to be fulfilled as criteria for military intervention:¹¹⁹

1. **Right Authority** - The most appropriate body to authorize military intervention for human protection purposes is the United Nations Security Council. However, should the Council reject a proposal or fails to take up a situation within a reasonable amount of time, alternatives are the following:

   A. the General Assembly can consider the matter during an Emergency Special Session under the “Uniting for Peace” procedure; and

   B. Regional or sub-regional organizations can act within their geographic jurisdiction, subject to their seeking subsequent authorization from the Security Council.

   If those mechanisms fail to discharge their responsibility to protect in conscience-shocking situations, concerned states may

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not rule out other means to meet the gravity and urgency of that situation.

(2) Just Cause Threshold - In order for military intervention to be warranted, serious and irreparable harm must be occurring to human beings, or imminently likely to occur. Two broad circumstances provide justification.

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.

(3) 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.

(4) 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.

(5) Proportional Means - The scale, duration and intensity of the planned military intervention should be the minimum necessary to secure the defined human protection objective.

(6) 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
IV. THE NEOREALIST LOGIC BEHIND NON-INTERVENTIONISM IN DEALING WITH SYRIAN HUMANITARIAN CRISIS

"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).

This Chapter will discuss about the difficulties of humanitarian intervention in Syria using Neorealism framework. The author argues that using rational choice approach, intervention will less likely to happen because it is a costly choice and the establishment of the norm has not overrule the principles of interest—rendering a lack of political will to intervene. Thus, Humanitarian interventions will not going to be exercised in Syria as its entirety as a norm were overridden by the logic of states survival and basic states interest.


In previous chapter the author have discussed about the nature of Syrian Civil War (Chapter II) and the concept of Humanitarian Intervention—Responsibility to Protect (Chapter III). Looking through the lens of 2011 when ‘the first and most successful humanitarian intervention’ in Libya was conducted, one would have expected to see an intervention to liberate Syrian people from cruel massacre from their own government.

Those expectations do not come without a base. After more than 100,000 casualties, the use of chemical-weapon of mass destruction, nowhere near solutions diplomatic approach; the legal grounds for intervention has certainly be fulfilled.

The procedure delivered in ICISS (2001) report was clear in guiding the humanitarian intervention. However, as much as we want to have a world where peace could prevail, as a realist would argue, we have to admit the anarchy system that engulfs the world interactions today.

As the most notable world representation today, the United Nations have about 193 members states with each have different national interests and approaches in dealing with issues around the world through General Assembly forum. We think that this might cause a problem in generating consensus, but it is on entirely new level if we take a look on UN Security Council.

As what have been elaborated in Chapter III, the UN Security Council is the only platform for ‘action’ within today’s system while other bodies could only ‘recommend’ to governments. It consists of region representatives plus 5 winner of World War II; in which hold their own right to veto a resolution. In short, a conflict of interest with any of this P5 could cancel out any draft resolutions proposed in the chamber.

In drafting R2P, ICISS wanted to make it as close to practical implementation as possible. They calls on the permanent member to ‘resort to abstention’ when discussing humanitarian intervention. The three-times double veto in the resolutions to condemn the Syrian Civil War proves that these call were not even close in persuading abstention. States will necessarily go through every channel it has to maximize their interest.

Multitudes of resolutions have been proposed by the West and Arab Leagues—and vetoed for that matter—since the beginning of Syrian civil war.
The draft resolution that condemned “the continued grave and systematic human rights and violations in Syria and the use of force against civilians by Syrian authorities” in 2011 and the following premise in 2012 were double vetoed by Russian and Chinese.

Neorealists believe that state survival is the main motive behind how a state interact one to another. The state survival is translated into achievement of national interest and preservation of security. The anarchic system endorses these behaviors by having no sort whatsoever of higher authority to endorse conforming behavior.

Synthetizing that logic, the veto by Russia and China is understandable; it is the most rationale option that serves their best interest. Apart from the strategic ties that Russia has with Syria and their agenda post Syrian Civil War, Russia and China has experienced uncalculated loss after their abstention in resolution 1973 which prelude intervention to Libya.122

With the conflict of interest between the US-led West and regional powers; of Russia and China; there is a growing concern that R2P is only another tool to advance the political interest of the intervening country. To put the reader into picture, the author would like to invite the reader to deep dive into the interest of actors above;

IV.1.1. United States Logic on Dealing with Syrian Civil War

In 2010, the National Security Strategy (NSS) agency published the guidelines of U.S focus for its role in international politics.123 It is mainly about protecting U.S citizen and allies, growing economic

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122 Shirley van As. “ Why not in Syria? ‘R2P not the rule but the exception.” 2013
liberalism, universalism of norms and values, as well as maintenance of U.S roles as hegemony.

The released document also stating about the goal to spread the universal value of human rights—promoting peace and security for its citizen and those who face grave human right violations. It may not necessarily involve military deployment, but it is open to, when there is a 'need' for one.

In regards to the Middle East in general, United States is determined to follow its goals of “regional security, U.S military access, bilateral trade and investment, counter proliferation, and the promotion of human rights.” In practice, this also means protection of its allies-interest (especially Israel) and promotion of democracy.

Although U.S national interest definitely support and allow humanitarian intervention, not necessarily U.S is willing to implementations for one. It is largely reviewed on case-per-case based on political constraints and the significant result of intervention. Obama’s respond on loose-grip-yes-no kinds of interventions is what said to “justify doing nothing.”

To some extent, United States should have an interest in weakening current regime—or even change it—in Syria as it will significantly reduce Iran position in the region; eliminating another strategic ally

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125 Such as what has been elaborated in chapter II, when Obama is firmly ready to deploy military forces to Syria save for congress approval. Elliot Abrams sees this move as "politicizing intelligence" where "Using intel, or more often partial intel, to produce an effect in line with White House policies rather than giving a full picture of a particular situation." Utilizing media tantrums, the Obama tried to prevent military intervention without losing face in its domestic and international playground. Elliot Abrams, "Politicizing Intelligence on Syria." The Weekly Standard. http://www.weeklystandard.com/blogs/politicizing-intelligence-syria_633443.html?page=1
of Iran which has been a pain to U.S for quite some time. However, U.S response in Syrian Civil War has suggest the otherwise which can only means other interest taken into account is equally (if not more) prominent to be addressed. Not to mention that U.S military intervention in the past have created a negative mindset for its domestic politics and some of international community—such as Russia and China—perspective upon intervention.127

To comprehensively understand the U.S interest, we will discuss it through the lenses of Neorealism namely in the aspect of geopolitics and domestic politics elements of power;

Geopolitical Interests

“You cannot make war without Egypt, and you cannot have peace without Syria.”

(Henry Kissinger)128

Syria is located in the center of Middle East bordering Israel, Turkey, Iraq and Lebanon. It is closely affiliated with Iran and Russia and has been a ‘terrorist-sponsor state’ since three decades ago. Standing on itself, however, Syria is not really on U.S interest directly. It is because of his political ties with Iran and Russia that makes it increased its direct importance to U.S

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126 Iran is one of the states who opposes U.S hegemony in the region, with increasing tensions as of recent year regarding its pursue of Nuclear capability (in which leading to hormuz strait tension). Obama warned Iran stating he will “take no options off the table to achieve that goal” [to stop nuclear proliferations of Iran. Mark Landler, “Obama Says Iran Strike Is an Option, but Warns Israel. New York Times.” Available [Online] at http://www.nytimes.com/2012/03/03/world/middleeast/obama-says-military-option-on-iran-not-abluff. html?pagewanted=all

127 Mark Landler, Iraq, a War Obama Didn’t Want, Shaped His Foreign Policy, NY Times, A 16, December 18.

interest. Remembering the nature of hostile relations between Iran and U.S, strategic grasp on Syria will help to deter Iran ambition to attain nuclear capability.

The same case apply for Russia, as United States policy to balance the presence of regional powers with its presence, the loss of Russia’s alliance with the current regime will help to achieve that goal. Thus, Syria’s regime change, save that certain set of criteria were met, is favorable for United States in alienating Iran further as well as containing the re-emergence of Russian presence in middle east.129

To some extent, the possibilities as explained above have its merit. However, another assessment on U.S view on this matter is arguably some of the reason that deters U.S willingness to intervene.

The first is regarding U.S-Israel relations which have been established for more than four decades. United States sees the regime change could have uncertain effects to Israel. It could get better for Israel if the regime changes lead into a stable-reasonable democratic government. In contrast, it would become worse if the fall of current regime turns Syria into a ‘failed states’ with multitudes of extremist such as what happen in Afghanistan or the newly seizing power has a more hostile policy towards Israel and United States.

The second is the prospect of intense civil war that could spill into regional conflict. The conflict has often been called as

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129 Those criteria are including established transition into a legitimate government and not militant factions and regime, transcended from failed states prospect, and a new-less harsh government towards Israel.
Syrian Civil War, but the intensity of the violence has yet to reach an all-out civil war. Although currently it has not reached the threshold, `technically,' an all-out civil war that could spill into a regional conflict surely is a realistic prospect.

The conflict would become civil war if it were triggered by foreign involvement (arming the intervention) or foreign intervention that could draw reciprocal support from the regime allies militarily and financially. The author argues this considering the facts that oppositions—although ferocious—would not be able to defeat the regime’s forces on its own.

It will definitely become a problem, since an all-out civil war will draw the neighborhood involvement—namely Iran and Russia in support of the regime and the Sunni states in support of opposition—hence destabilize the entire region.

As a consequence, U.S. ally in the region such as Israel will be threatened, and without legal authority to keep pressure on, United States would not be able to reprise it. It will ruin the forty years effort of stabilizing Middle East and firming U.S presence within.

Lastly, United States intervention to a Syria in a civil war context would require a lot of resources and sacrifices. A regime transition into an established-self-sufficient-democratic regime would then require United States presence in the peace building norms; to end the conflict and to rebuild it from scratch. Past cases of Iraq and Afghanistan have proven this to be un-

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fulfilling for U.S interests and thus, avoiding the scenario will serve U.S interest better.

**Domestic Politics**

United States public is already war-weary after series of intervention aboard: Iraq, Afghanistan, and Libya. Military campaign in Afghanistan in 2001 and Iraq in 2003 has cost those 6000 casualties and 6 trillion USD.\(^{131}\)

Obama’s decision to reconsider no intervention to Syria is based on experience in Libya in 2011. On that same year, only 27% populations agree that U.S should do something about Libya, while 63% were against it.\(^{132}\)

Not much of a difference with Libya, the U.S domestic has any significant interest to intervene in Syria. Just 25% of U.S populations believe the U.S has a ‘responsibility to do something’, while majority 73% reject any responsibility.\(^{133}\)

Even after the use of chemical weapon in 2013, only as much as 29% of populations were in favor for limited airstrikes, while 48% is against it.\(^{134}\)

United States domestic today has definitely caught in intervention fatigued; negative public opinion upon it and the economic cost; has render the notion of unilateral intervention

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\(^{132}\) National survey conducted by PEW Research Center for the People &Press , March 10-13, 2011.


\(^{134}\) National survey conducted by PEW Research Center for the People &Press, August 29-September 1, 2013.
negligible. This is why United States will be less likely to conduct another intervention without official mandate from the UNSC. The NATO’s ‘coalition of the willing’ is heavily reliant on U.S presence and with the imminent threat of a cold-war like situations with Russia, the author doubt there will be significant unilateral military initiatives. [end of domestic politics part]

Apart from the fact that three-times double vetoes by Russia and China has been nullifying every effort of UN Security Council to keep pressure to the regime, United States has its own struggle in the system and within its domestic politics. Even if Russia and China to shift position, it is more likely that the United States would not lead the intervention to Syria at this time around.135

There is a good chance of political and military risks that harm U.S Geostrategic interest in reckless intervention to Syria; In regards to its allies in the region, a backlash of intervention that transform Syria into failed states, as well as a fuel to the growing sentiment in Americanism resulting into increasing worldwide terrorism. Before U.S could act to intervene, it will need to perceive a clear political implication to ensure minimum destabilization after-effect in the region and clear cut commensurate gains.

IV.1.2. The Motives Behind Russia’s Determination to Defend the Regime

One could argue many things regarding the case of Syrian Civil War but it is ultimately could not be separated from the involvement of Russia in the region. It is largely because of Russian involvement on UNSC draft resolutions that addressing the “grave and systematic

human rights violations and the use of force against civilians by the Syrian authorities” by stating it would be counter-productive, it “did not take into account the violence directed by extremist against the government in Syria” or “sending an unbalanced signal to the Syrian parties.”

Russian Federations are firm to pursue diplomatic solutions compared to Western-led intervention that would harmful for Russia’s position in the region.

There are many reasons as of why Russia is very adamant in supporting Syria-Assad regime. One of it is protection of non-intervention regime. Russia has experience an ‘embarrassing loss’ when it is not invested enough in keeping Libyan intervention in line with the mandate delivered within the framework of the UN Security Council. It is also considering Russian view that Libya today has

136 Op cit UN News Centre; and “Syria: Ban voices deep regret after Security Council fails to agree on resolution.”
descend into a 'puppet state’ by the West. This time, Russia is not going to let the Syrian government be ruined—to prevent another Libyan Scenario from happening.\textsuperscript{137}

Moreover, like China, Russia is worried about the increasing incidence of humanitarian intervention. Russia’s commonly have close political ties with countries that are hardly democratic and the recurring intervention is making Russia vexed. As power look to maintain the autonomy and integrity of their domestic politics,\textsuperscript{138} Russia seeks to maintain its control over its territory, no matter what the cost. Keeping in mind that one day intervention could be directed towards Russia, it would want to invest for its future to maintain the stagnancy of the norm.

Regarding the case of Syria itself, Russia has several considerations in maintaining its position such as;

\textbf{Geopolitical Interests}

Apart from the traditional interest; which in this case strategic economic partnership and its valuable Tartus naval base; Russia have certain geopolitical concern that has been existed since a long time ago and just surfaced as well as geopolitical interest which crystalized in the event of the crisis.

First, Russia is trying to re-emerge its perceived image as great power. In the past, with the end of Soviet Union, Russia lost most of its former influence in the Middle East playground.

\textsuperscript{137} Vladimir Putin, ‘Russia and the Changing World’, Moskovskie Novosti
\textsuperscript{138} Mearsheimer, J. J. (2001). \textit{The tragedy of great power politics}. New York: W.W. Norton.
Its alliances with Syria have given Russia an access to the region once more. Syria’s strategic location and ties to Lebanon and Palestine is a good start to enter the region. It is in particular become important to Russia who want to return its presence to the region by becoming one of the actors in important peace deals provided by Syria-Russia-Iran ties (although eventually have not really been proven in practice).

With the blooming of the crisis, the Russian-Syrian relations were seen in a whole different light. As Russia keeps on defending the current regime, it boost the image that Russia is ‘still’ an important player—a great Eurasian power—which cultivates for itself. Although it is detested by majority of the West, Russia makes its own appeals.

Second, Russia is trying to marginalize Western-US presence in the region and bolster its own regional presence. It is proven through the stance of Russia that prefers regional and multilateral diplomatic approach rather than intervention. Russia supports for the monitoring mission of Arab League to be expanded and multilateral-based-non-coercive Kofi Annan’s peace plan are instances this could be seen.

Russia also realizes that there is a systemic incentive for playing in this case. Even if the Syrian government were to be persuaded into negotiation or end the Syrian crisis, it will be done not with the presence of the West, but by Russian way and its preferred outcome. The nominations of Moscow as the

negotiation place for the conflicting parties in 2012 were one of such example. In short, Russia’s support to Syria were somewhat influenced by the role that Russia could assume—in assisting Syria, Russia matters once more.

Third, Russia is protecting Iran—a strategic partner of Russia in retaliating West presence. As the last solid partner of Iran—of similar characteristic—the fall of Shiite regime in Syria would be troublesome. It is concluded by considering the case of Tunisia, Iraq and Egypt where those after-intervention states were closer to the West than their original stances is. It is openly declared by Churkin that Syrian regime downfall would weaken Iran’s position in Middle East. Geopolitically, the Syrian Crisis is a conflict of a super power with former super power.

Domestic Politics

Apart from the geopolitical aspect of Syrian Crisis, Russia’s investments in confronting the West in Syria were also backed by the domestic appeal. As the Russia also face domestic difficulties from time to time—such as what happens in annexation of Crimea—a call for anti-Western, nationalist approach works greatly to subdue to the populations.

It is proven by multitude of survey that Russian populations were strongly backing up its government on non-interventionism in Syria. “Some 28% sympathize with the Syrian authorities, 5% speak in favor of the insurgents and 40% deny

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140 Ibid
support to both warring sides,” the Public Opinion Foundation said.142

The same survey also points out as much as 77% of populations were against international military operations against Syria, compared to only 11% support one.143

On the question of “with which of the following statements would you describe the situation in Syria” the answers were resulted in 6% believed Assad’s regime were massacring the opposition, and some 28% believed that terrorist, instigated by the West, are carrying out a bloody struggle against the legitimate government.144

These shows how domestic politics strongly support Russian action in international playground, thus giving them an edge on this character of power in the matter.

It is important to note that Russian stances in this matter are the absence of Western intervention. It is mainly revolves in solving the conflict by diplomatic means to secure the current regime survival and avoid civil war as it is also harmful to Russia’s strategic interest.

In analyzing both of the state’s interest, there is a clear-cut of difference. In one hand, U.S, although have certain set of interest in Syria, could not or did not want to intervene because of its limitations;

143 ibid
1) Russia—another great power—that have a preference for the current regime and is not willing to compromise its stances,
2) a possibility of spillover and agitated regional extremist as a backlash against intervention from United States which is dangerous for the region stability and alliances, and
3) The war-weary domestic populations that is not willing to have another intervention abroad

On the other hand, Russia, with its economic limitation and unpopularity in today’s international community, is willing to hinder any effort for military interventions because of:
1) A very important Geo-political interests for Russia to re-emerge as the middle-eastern perceived great power,
2) Securing Iran as Russia’s strategic alliances and marginalizing US-West presence in the region,
3) Investing for the future of Russia by discouraging principles of humanitarian intervention and upholding non-interventionism to avoid further political pressure to Russia’s own case such as in Crimea, and
4) The supportive populations on the non-interventionism.

These reasons were outweighing the value of human rights and advancement of sovereignty as responsibility—a bolding statement of Neorealism.

IV.2. Flawed Implementations of R2P’s Principle

Another argument that the author proposed in this thesis is the existence of flaw in implementing R2P as a guiding principles of humanitarian interventionism and to proof this, the author would like to invite the readers to re-examine the principles of Responsibility to Protect. The author will point out that because of the loophole within the acceptance on the norm itself; it is admitting submission to the realist’s notion that
realpolitik and geopolitics outweigh the fundamental value of human-rights.

There are six basic principles to guide the exercise of R2P: Just Cause, Right Intention, Last Resort, Proportional Means, Reasonable Prospects and Right Authority.

The Good to Go(s)

The principle of Just Cause and Proportional Means is undoubtedly one of the magnificent breakthroughs that are presented within the norms of R2P in terms of foreign interventionism. By incorporating the principles of Just War into the principles of interventions, the implementation of humanitarian intervention within the framework of R2P could be guided by the purpose of going to war.

Last resort principles were a ‘compromise’ between the idea that intervention is necessary in grave human rights violation and the necessity to uphold state integrity and sovereignty. Under this principle, a military intervention could only be justified if other diplomatic-peaceful solutions have been explored. It is important to remember, however, that it does not mean that every other solution should be tried and exhausted. It’s rather means that after considering all of the options, the only reasonable solutions is by military intervention.

These principles falls into the category of the good principle in regards to the acceptance and implementations of this norm take into account significance of human rights. However, one might argue that this principle is of great technicalities and lesser strategic importance—thus enabling consensus.
The Gray Areas

The principle that falls into the gray areas are the one argued prone to be abused or broken by nature. In this light, these principles are the one needed to be honed to shift the balance between non-interventionism to interventionism of R2P.  

Right motivations were a grey area of how much concern states give to the actual humanitarian crisis. It is true that this principle explicitly mentioned that aversion of human suffering should be the only justifiable intention. To ensure this, there is elaborated mechanism such as intervention should be done on multilateral basis, support from the people that is supposedly ‘liberated,’ as well as neighborhood assessment.

However, in reality, intervention oftentimes happens with mixed motives. Rarely a country is willing to intervene without certain set of its own interest at stake, mainly because it is a costly action—lives and resources. So, the implementation of these norms is kind of ‘greyish’ which in turn trigger the states with opposing interest to counter-balance interventionism.

Reasonable Prospects also falls into this category. In principle, it makes sense in a way that the conduct of humanitarian intervention should results in a better outcome compared to consequences of inaction. After all, intervention should seek to alleviate the humanitarian crisis, not descend it into a full-scale war.

However, in the practice of this norm, humanitarian intervention is a double-standard norm since there would rarely be a reasonable prospect

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145 Will be elaborated later on in the figure of centre of gravity within the principles of Humanitarian intervention.
of winning when facing against the P5. Evan and Shannon justify this by arguing, “The reality that interventions may not be plausibly mounted in every justifiable case is no reason for them not to be mounted in any case.”

Lastly, the principle of Right Authority is ultimately pin-pointing UN Security Council as the only source of legitimacy in authorizing Humanitarian Intervention. Security Council became the main platform for the case-per-case bases of humanitarian intervention.

The luxury of time is unavailable during humanitarian crisis and UN Security Council track record on dealing with the issues is questionable. Such example of failure to act timely and effectively could be seen in Syria.

Lack of international consensus within the UN Security Council—such as what happen in Syria by Russia and China—would hinder any form of coercive intervention. As a result, the approach that could be used is on the realm of diplomacy, mediation and soft power sanctions. The following picture will display the level of consensus that represents center of gravity in Responsibility to Protect:

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Figure 10: The non-intervention vs. intervention continuum.

Source: Burgman Journal II, 2013

As elaborated above, the author believed that the implementations of today’s R2P norm are heavily aligned to the non-intervention end-point as a result of lack of consensus. This lack of consensus is a result of unclear intention in the conduct of intervention which in turn affects the reasonable prospect of success, ultimately paralyzing UN Security Council as the authoritative body.

This also proves that in today’s system, Neorealism still very relevant in explaining the behavior of states, such as in governing humanitarian intervention. Although the notions of humanitarian intervention is intended to be the prelude of humanity regime, the logic of implementation today as we can see is still heavily gravitated from realist assumptions.
V. CONCLUSION

Neorealism still by and large governs the interactions within international relations. It can be seen when there is a conflict between idea of humanitarian norms and national interest; national interest still prevails. National interest here, however, is not unitary in itself. National interest that is mentioned here would be the strategic-survival level that could overshadow other form of interest. In short, a humanitarian intervention will not happen if the intervening state security-survival is at risk and/or that risk is not accompanied by commensurate gains.

In analyzing both of the state’s interest, there is a clear-cut of difference. In one hand, U.S, although have certain set of interest in Syria, could not or did not want to intervene because of its limitations;

1) Russia—another great power—that have a preference for the current regime and is not willing to compromise its stances,
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These reasons were outweighing the value of human rights and advancement of sovereignty as responsibility—a bolding statement of Neorealism.

IO’s in this regards failed to fulfill its role as an actors or regimes that could shape world politics. Instead, they become an extension of neorealist view as resources for states to be utilized to advance their interest. It is a form of *politicing* the role of United Nations to suit the powerful through a decision making process designed; such as in the UN Security Council. The adoption of 2001 ICISS report in 2005 World Summit validates this where we can see states manipulated the mechanism of humanitarian intervention to suite their needs: via United Nations Security Council only with case-per-case bases review.

In anarchic system where relative capacity defines state behavior; power distribution, existence counter-balancing axis, and conflict of interests between great powers matters more in determining whether or not humanitarian intervention will be conducted rather than the condition within the country itself. Syrian Civil War is the proof of this assumption where although the humanitarian crisis is rampant, the humanitarian intervention debate is going nowhere close to implementation with two contending power at play.
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