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FIELD PROJECT TITLE PAGE

THE RESPONSIBILITY TO PROTECT AND SYRIA- LOOKING AT THE FUTURE
OF HUMANITARIAN INTERVENTION.

By Nikola J. Trahan

A Field Project Submitted in Partial Fulfillment
Of the Requirements for
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In the Department of Political Science
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Abstract:

In this thesis I will examine the principle of the Responsibility to Protect (R2P) in the context of the 21st century, particularly looking at the Syrian crises and analyzing why R2P has not been utilized in Syria. In order to do this, I will firstly analyze the evolution of international law to include intervention based on the prevention of human rights violations, international legal theory, and the case studies of Syria and Libya. I will also analyze the philosophy of liberal internationalism and how it has been used to craft R2P. Finally, I will critique the principle using the Syrian Civil War. In writing this thesis, I plan to examine the future of humanitarian intervention, and how it has been perverted since the first usage of it in the twentieth century.

I. Introduction

On March 3, 2012, chemical warfare rained down on Syrian civilians in Damascus and Aleppo. About 25 people were killed in the attacks from a mixture of mustard and sarin gas (Friedman 2013). The United States and the international community expressed outrage following the attacks. President Barack Obama made the official statement that his calculations on a military response would change significantly if the United States sees “a whole bunch of chemical weapons moving around or being utilized” (Shoham 2016). This declaration from Obama and the violent chemical weapon use from President Bashar Al-Assad of Syria was the first time I personally ever associated conflict with Syria, a country from which more than half of my family hails. To me, Syria was a place of rich heritage and culture, not the war-torn battleground many believe it to be today. I wanted so badly for the conflict to end and for America to step in and save my family who remained there. However, as I have grown up, I realized that while the international community has the power to intervene in Syria, it has fallen

short in aiding the Syrian people. The consequences of this lack of action are best illustrated by the situation of my family there, who I have not received any word from or news about in four years.

My research question is why has the legal norm the Responsibility to Protect (or R2P), failed to be applied in Syria and what does this say about the future of humanitarian intervention in the international system? To answer this question, I will be examining the history and evolution of R2P, including the failure to act in the Rwandan Genocide and how the principle was first applied to the human rights crisis in Libya. I will also provide the background on the Syrian Civil War and the politics of the Assad regime, and examine why R2P has not been applied to the genocide in Syria. I will do this by specifically looking at the particular attitudes of the international community towards the Syrian human rights crisis, the complexity of the conflict, and the geopolitics of the Syrian Civil War. Lastly, I will evaluate R2P, focusing on the following claims:

1. States that are most able to intervene usually include Western, liberal states who do not understand the complex politics/attitudes in the states whose sovereignty is breached.
2. R2P is an ambiguous principle that lacks clear guidelines or exit strategies during intervention (Busser 2019).
3. Humanitarian efforts by Western states may turn into a military operation based on acquiring economic or self-serving goods, or simply a cover for self-interested states, rather than the preservation of human life.

II. Sources of International Law

During the Thirty Years War, a conflict caused by tension between the Holy Roman Empire and power in Bohemia, the balance of power shifted in Europe. The Peace of Westphalia (1648) stated that the king gets to decide the religion (sovereignty) of his country. This agreement solidified the modern state as a key unit of state organization at the expense of other political forms. It became the first concept of state sovereignty in international law (Gross 1948). Sovereignty has evolved to include legal and normative frameworks that constitute the state as the final authority over its people and territory. It consists of the right to make decisions over all domestic matters without outside interference. This also is related to the principle of non-intervention, which limits interference in the affairs of foreign states. In a common interpretation of international law, norms and principles of international law are always subordinate to the rights of states. State consent is the crucial element of international law. The need to consent implies that states can choose to violate international law, or make rules that do not apply to them (Reisman 1990).

States obey international law most of the time and there is a culture of compliance within the international system (Foster 1909). States obey international law due to various reasons such as peer pressure, the promise of future cooperation, preferring tacit rules for interaction, predictability, the promise of reciprocity, and the shadow of the future. Also, there are various options for states to enforce different international rules within the theory of realism, including retorsion, reprisal, demonstration, and intervention (Gardam 1993). Unlike diplomacy and negotiation, these methods are degrees of force. For future cooperation and prosperity, states must maintain a reputation as a trusted partner in diplomacy and negotiations.

International law has elements of both common and civil law; however, it is considered to be *sui generis*; or of its own kind (Foster 1909). International law is a collection of rules and

norms that states and actors within the international community are obliged to obey.

International law guides and shapes state behavior, facilitates cooperation among states, identifies membership in international society, regulates interest (greases the wheel), and empowers the weak. It can be differentiated from domestic law, which are the rules and regulations that govern a country and its people. It consists of civil law, which is based on the application of code, and/or common law, which is based on code and case law (precedent). International law differs from domestic law because domestic law is hierarchical, whereas international law is anarchic.

International law takes many forms, including:

- *Customary law, which includes state and legal practices.* Customary law includes the customs of states over time. Customary law acquires power over time and through the widespread applicability of its norms. International customary law dissuades states from acts of aggression. These rules and customs of the international community develop as states interact with one another and resolve conflicts. Customary law is distinguished from newer principles and norms because it has different origins. Customary law has evolved from the ways states behave, or their customs over time, rather than being a written source. Rules of customary law consist of internationally implemented practices that most states obey, such as sending diplomats or granting diplomatic immunity.
- *Treaties or written agreements between states that are governed by international law.* Treaties are ratified by a majority of countries, particularly those involved within the international system (UN members, EU members). The more ratifiers a treaty has, the more powerful it is. U.S. hegemony means that a treaty ratified by the United States carries more power. Treaties consist of principles or rules that are widely accepted by

judges, politicians, diplomats, and other international actors. Treaties usually require best practices and interpretation, meaning that states are compelled to observe treaties or face being “ostracized” in the international sphere. This mechanism induces states to change their behavior in response to perceived or real social pressures, to assimilate and conform to other states. Treaties, especially ones ratified by multiple states, are the most powerful sources of international law. Following treaties, customary law is the second most powerful, and finally, principles are the weakest. *Commentary*, or the legal conclusions of judges, international lawyers, and other legal actors in the international sphere (Villiger 2009).

- *Principles and rules*, or laws embedded in the international sphere that lack any teeth or enforcement powers. A legal doctrine or rule of law that is general and abstract, principles, unlike treaties or customs, have not been posited according to formal sources of law. However, principles are still considered to be a component of positivist law, and they constitute necessary rules for the functioning of the international system (Nerlich 2017). Principles of international law do not have the enforcement powers or authority to ensure that states actually follow them. Hence, R2P (a principle of international law) has been considered more of a political norm, not a legal one, and so it is significantly more complex to intervene when human rights violations are committed due to the lack of such legal guidelines. Therefore, this shows why R2P lacks any “teeth” in the international sphere, and why it is so difficult to enforce.

R2P, as will be discussed later, is a principle of international law and as such has no real enforcement power, unlike treaties. Following the outcomes of the 2005 UN Summit, which

established R2P, principles of humanitarian intervention were formed into three pillars of law, discussed in detail below.

III. International legal theory

Prior to World War II and the Holocaust, international law had consistently affirmed that a state's sovereignty was to be upheld in all cases, and that states had the power to internally manage their affairs without interference from other international actors. However, after the conclusion of the Second World War in 1945, international law evolved to normalize relations within states (Lechner 2017). This shift was driven in part by the Holocaust, where the international community agreed on a new standard that extremely egregious internal affairs could be regulated. This consensus was the groundwork for the emergence of R2P as a form of natural and positivist law.

Positivism is from the Latin root *positus*, which means to posit, postulate, or firmly affix the existence of something. Legal positivism is a school of jurisprudence whose advocates believe that the only legitimate sources of law are those written rules, regulations, and principles that have been expressly enacted, adopted, or recognized by a governmental entity or political institution, including administrative, executive, legislative, and judicial bodies (Posner 1998). Legal positivism is the legal philosophy that argues that laws are nothing more and nothing less than simply the expression of the will of whatever authority created them. Thus, no laws can be regarded as expressions of higher morality or higher principles to which people can appeal when they disagree with the laws. It is a view that law is a social construction. The creation of laws is simply an exercise in brute force and an expression of power, not an attempt to realize any loftier moral or social goals. Therefore, from a positivist perspective, it can be said that "legal rules or

laws are valid not because they are rooted in moral or natural law, but because they are enacted by legitimate authority and are accepted by the society as such” (Posner 2012).

International law is not fully based in legal positivism, or a philosophy of law that emphasizes the conventional nature of law- that it depends on social facts and not just legal merit. Legal positivism can also be governed through a series of norms and standards that states are inclined to comply with. The positivist thesis does not say that law’s merits are unintelligible, unimportant, or peripheral to the philosophy of law. It says that they do not determine whether laws or legal systems *exist*. Whether a society has a legal system depends on the presence of certain structures of governance, not on the extent to which it satisfies ideals of justice, democracy, or the rule of law (Lefkowitz 2020). What laws are in force in that system depends on what social standards its officials recognize as authoritative; for example, legislative enactments, judicial decisions, or social customs. The fact that a policy would be just, wise, efficient, or prudent is never sufficient reason for thinking that it is actually the law, and the fact that it is unjust, unwise, inefficient or imprudent is never sufficient reason for doubting it (Hart 1994). According to positivism, law is a matter of what has been posited (ordered, decided, practiced, tolerated, etc.). Legal positivism argues that codes within law are what should be examined. Legal positivism is the view that law is fully defined by its existence as man-made law. The function of positive law is to define natural law and make it explicit; to make it effective through sanctions. The positivist approach has a recurring problem of the separation of law from moral law and natural law. Positivists criticize the idea that natural laws are inherent in the concept of law (Posner 1998).

In his 1993 Hague Lectures in Public International Law, Thomas Franck's tour d'horizon of international law asserts that nations “obey powerless rules” because they are pulled toward

compliance by considerations of legitimacy (or "right process") and distributive justice. Some socio-psychological studies suggest that individuals are much more likely to conform their behavior to norms to which they have an internal volitional commitment, and that such commitments are correlated with perceptions that the relevant rule is fair. (Franck 2009, 706-730). Compliance is thus influenced by perceptions of fairness apart from rational calculations of costs and benefits (Franck 2009, 720). Furthermore, the modern transformation of sovereignty has remade international law so that international legal norms now help construct national identities and interests through a process of justifiable discourse. If legal positivists only consider a standard of written law, they are undermining the power and true impacts of natural law such as rules, norms, and regulations (Koh 1999).

For example, the European Union was not formed due to any legal guidelines in place before it, but rather was shaped through like-minded states all of whom agreed to comply and implement the standards of the organization (Koh 1999). True power in international law is not limited to military or economic power, but rather through ideas, norms, and compliance. International human rights law is not enforced through states acting in self-interest to achieve their own goals, but through a complex transnational legal process consisting of three phases: the institutional *interaction whereby* global norms of international human rights law are debated, *interpreted*, and ultimately *internalized by* domestic legal systems (Austin 1948, 65).

This complex transnational legal process plays a large part in enforcing international human rights law. While this enforcement has fallen short in cases like Rwanda, Bosnia, and Cambodia, it has the potential to be nurtured into a structure of support in which states can conduct clear intervention (Nuruzzaman 2013). Therefore, R2P has potential power if it

eventually becomes a universal standard that states support and follow within the naturalist context of international law.

Protectionism v. Liberal internationalism

R2P emerges from the philosophies of liberal internationalism, or the foreign policy philosophy that calls for the intervention of liberal states into other sovereign states in order to pursue liberal objectives. The aims of liberal internationalism are expanding democratic practices and free trade, defending democracy from its rivals while protecting and promoting human rights (Hoffman 1995). Like its earlier iterations of Democratic Peace Theory, liberal internationalism argues that states should aim to achieve multilateral agreements to promote peace and that it is the duty of Western, liberal states to intervene in other states in order to stop violence. Liberal internationalism is problematic in the sense that it “succumbs to the fallacy of believing that all good things can come together” (Hoffman 1999) or that the theory in practice can be more harmful than good when a Western state intervenes in another country. In this context, only Western countries are able to intervene due to the fact that most of them possess the resources to intervene, unlike non-western states. Such intervention can either include humanitarian aid or even military invasion (Dornan 2011).

The goal of liberal internationalism is to achieve global structures within the international system that are inclined towards promoting a liberal world order. It foresees a gradual transformation of world politics from anarchy to common institutions and the rule of law. To that extent, global free trade, liberal economics and liberal political systems are all encouraged (Hoffman 1995). In addition, liberal internationalists are dedicated towards encouraging democracy to emerge globally. Once realized, it will result in a 'peace dividend', as liberal states

have relations that are characterized by non-violence, and that relations between democracies are characterized by the democratic peace theory (Dornan 2011). Liberal internationalism states that, through multilateral organizations such as the United Nations, it is possible to avoid the worst excesses of "power politics" in relations between nations. In addition, liberal internationalists believe that the best way to spread democracy is to treat all states equally and cooperatively, whether they are initially democratic or not (Powers 2019).

While liberal internationalism encourages states to intervene in conflict in order to expand democratic practices, its opposite is the philosophy of protectionism or isolationism. Isolationism includes the policy or doctrine of trying to isolate one's country from the affairs of other nations by declining to enter into alliances, foreign economic commitments, international agreements, and generally attempting to make one's economy entirely self-reliant. As a philosophy, it seeks to devote the entire efforts of one's country to its own advancement, both diplomatically and economically, while remaining in a state of peace by avoiding foreign entanglements and responsibilities. Isolationism is criticized by liberal internationalists because it fails to aid other states with major international troubles. Liberal internationalism calls for democratic states to try and establish a new global order through establishing democracy in other states, whereas isolationism takes the opposite approach, namely, that a state should not involve itself in international politics.

IV. R2P: history and legal status

While R2P is a new principle, the idea that individuals should be held accountable for war crimes is not. Beginning with the Geneva Convention in 1949, states established the standards of international law for the humanitarian treatment of civilians during conflict (Kurtha

1972). They unilaterally agreed that it was the obligation of states to intervene during violent atrocities such as the Holocaust. This became the first standard for the creation of the Responsibility to Protect in 2005 (Bellamy 2009). Conflict in the late 20th century furthered the idea of collective intervention, especially following the genocides in Rwanda and former Yugoslavia in 1994 and 1992-1995, respectively. During these catastrophic events, violence and targeted ethnic cleansing was able to proceed unchecked.

Twentieth-century efforts to adjudicate genocide first began following the Second World War during the Nuremberg and Tokyo trials. These mass trials were a part of an effort by the allied forces to try and convict German and Japanese war criminals under international and military law. Beginning with the Nuremberg Trials, many Nazi war criminals were brought to justice under counts of genocide, crimes against humanity, and war crimes. One hundred and twenty-seven defendants were convicted and sentenced to death, including notorious war criminal Master Sergeant John C. Woods. The Nuremberg trials were the first step towards the establishment of an international criminal court, and set an important precedent for dealing with later instances of genocide and crimes against humanity (Cunliffe 2016).

The trials held in Nuremberg became a model for the trials that followed in Tokyo. Ordered on January 19, 1946, by General Douglas MacArthur, the International Military Tribunal convened to put leaders from the Empire of Japan on trial for joint charges of conspiracy to start and wage war (Cunliffe 2016, 4). Arrested Japanese leaders faced charges of war crimes, crimes committed against prisoners of war, and crimes against humanity. Twenty-five defendants were found guilty; seven of these were found guilty of inciting atrocities and executed. Both Tokyo and Nuremberg created a new standard for international justice and set the example for accountability under international law (Halliday 1988).

Rwanda & Bosnia

During the second half of the twentieth century, crimes against humanity became more frequent. In response to this, the international community evolved to include the prevention of genocide particularly after the Rwandan and Bosnian Genocide. The Rwandan Genocide took place over about four months in 1994 and resulted in the deaths of more than half a million ethnic Tutsis by the Hutu (Human Rights Watch 2004). Although UN peacekeepers were present during the genocide, they were extremely limited in what they could do to intervene without the approval of the Rwandan Government. After two weeks of civilian massacre, the UN Security Council (which had established the peacekeeping force in Rwanda in 1993), withdrew all but a nominal presence of its forces from Rwanda, allowing the genocide to proceed unchecked.

The genocide set a new precedent for how humanitarian aid and intervention should be conducted. The UN established the International Criminal Tribunal for Rwanda (ICTR), which indicted 93 individuals and was one of the first tribunals to recognize rape as a form of genocide (The United Nations 2015). This court was important in developing how the international community could respond to and prosecute individuals who had participated in genocide, war crimes, and crimes against humanity (The United Nations Security Council 2010). The establishment of the court was only made possible due to shifting constructs about genocide in the international community.

Also during the 1990s, violent conflict broke out in the Former Yugoslavia. Conducted by Bosnian-Serb forces, and with the backing of the Serb-dominated Yugoslavian army, atrocious and violent crimes were committed against the Bosniak population (Bosnian Muslims), and civilian Croatians (Biserko 2012). Estimates of Bosniaks killed by the government forces ranged between 7,000-8,000 people. Following this, the United Nations would later establish the

International Criminal Tribunal for Yugoslavia (ICTY) at The Hague, Netherlands (The United Nations 2015). The ICTY would eventually indict 161 individuals of crimes and would be the first sitting tribunal to convict a sitting head of government for acts of genocide.

After the violations of human rights in Rwanda and Bosnia, the United Nations sought to ensure that no such crimes would take place again without intervention (Bosco 2013). In 1994 the United Nations Security Council and General Assembly called for an improved structure of humanitarian intervention, that is, of a legal system in which other states would intervene in a sovereign state in order to prevent egregious violations of human rights (Hehir 1977). The question at the heart of the matter was whether states have immutable sovereignty over their affairs or whether the international community has the right to intervene in order to provide humanitarian relief or prevent a humanitarian disaster.

After the 1990s, the United Nations General Assembly determined that systematic and gross violations of human rights warranted intervention (Biserko 2012). The cries of “never again” by states following the genocides in Rwanda and Bosnia, and evidence that the early decades of the 21st century would continue to be marked by atrocity crimes led to UN deliberation about the prevention of egregious crimes (Bosco 2013). A number of other situations featured grave and systematic violations of human rights or international humanitarian law—by both state and non-state actors—that entailed significant risk of further escalation, or virulent forms of violent extremism that posed a particular threat to religious and ethnic minorities (Welsh 2002). The idea that states have a responsibility to intervene in response to human rights violations such as genocide, war crimes, ethnic cleansing, and crimes against humanity emerged from previous notions of humanitarian intervention, as advocated by human rights groups such as the World Federalist Movement, Human Rights Watch, and Secretary-

General Kofi Annan. Before the 20th century, the United Nations primarily sent missions to African countries that had internal conflicts following decolonization or to the Middle East where cold war proxy wars threatened civilians. While peacekeeping forces were deployed, the idea that genocide should also be stopped by the international community remained delayed. It was not until the 1990s that United Nations policy shifted to include the prevention of genocide (Chandler 2009).

The emergence of the principle

As discussed above, R2P, as an international legal principle, was established by the United Nations World Summit Meeting in 2005. It was first drafted as a concept in the International Commission on Intervention and State Sovereignty (ICISS) in 2001. This commission drew upon the concept of R2P from Francis Deng's idea that state sovereignty is a responsibility and affirmed the notion that sovereignty is not just protection from outside interference – but rather is a matter of states having positive responsibilities for their population's welfare (ICISS 2001). The concept of R2P was furthered following the ICISS Commission by two UN Reports entitled, *A more secure world: our shared responsibility* (United Nations Secretary General Report 2004), and, *In Larger Freedom: towards development, security and human rights for all* (United Nations General Assembly 2005). These reports endorsed the principle that state sovereignty carried with it the obligation of the State to protect its own people, and that if the State was unwilling or unable to do so, the responsibility shifted to the international community to use diplomatic, humanitarian, and other means to protect them (United Nations General Assembly 2005). The official principle of R2P became a staple in international law during the 2005 high-level UN World Summit Meeting ([A/RES/60/1](#)). This

commission affirmed the principle that international actors must prevent and respond to genocide and other violations of human rights.

R2P embodies the political commitment of states to preventing genocide, crimes against humanity, ethnic cleansing, and other egregious violations of human rights (Cunliffe 2016). R2P is both the legal and political expectation that a state has the responsibility to protect its own population under its own sovereignty, and if it should fail to do so, other actors on the international level (states, institutions, etc) have a responsibility to intervene in order to protect civilians from harm (Fontanelli 2012). R2P is a legal expectation in the sense that it was created by the United Nations via resolution, although it can also be defined as a political norm in which states are expected to comply with in order to maintain a good reputation in the international system. Furthermore, R2P consists of three pillars of responsibility that states have, including:

1. Pillar One: States have the responsibility to protect their populations from genocides, war crimes, and atrocities.
2. Pillar Two: The wider international community can use its powers to encourage and assist states in protecting their populations.
3. Pillar Three: If the state fails to protect their own populations, the international community may intervene to stop genocide and other atrocities.

Universal Jurisdiction and Jus Cogens

The creation of the International Criminal Court (ICC) following the establishment of the ICTY and ICTR set a new precedent for how genocide and other humanitarian violations could be prosecuted. Established by the Rome treaty, the ICC was the first permanent international criminal tribunal, unlike its sister courts the ICTR and the ICTY, and separate from the UN. The

ICC's jurisdiction includes genocide, war crimes, crimes of aggression, and crimes against humanity. The court can try individuals from the countries that ratified the Rome Statute or individuals who have committed crimes in member countries; a state party can refer a situation within its own territory to the court; or The UN Security Council can refer a situation to the court. The ICC also has territorial jurisdiction, which includes the territory, registered vessels, and registered aircraft of states which have either become party to the Rome Statute or accepted the Court's jurisdiction by filing a declaration with the Court.

The ICC is considered a founding step for R2P. R2P holds that states have the responsibility to protect civilians from mass atrocity crimes, and when they fail, the responsibility falls to the international community. This comes on the heels of the birth of the ICC, which advocates a similar mission: it is up to the international community to prosecute crimes when a state cannot. The ICC's principle of complementarity also holds that states have the responsibility to prosecute those responsible for mass atrocity crimes committed within their borders. Only when a state is unable or unwilling to do this will the situation fall under the jurisdiction of the ICC. Taken together, these two initiatives offer a framework to advance how the world responds to genocide and crimes against humanity. As a result, the ICC is a product of liberal internationalism because it aligns with its goal to provide global justice, and is a complement to and a continuation of the right to protect. Like liberal internationalism, the reality of the ICC's mission calls for the disregard of a significant principle in international law- sovereignty. The ICC in implementing its mission violates a country's internal sovereignty in order to prosecute human rights violations.

21st-century developments

As the principle of R2P was developing, the threat of genocide from the government of Muammar Gaddafi emerged in Libya by following the Arab Spring protests in 2011. Prior to the Arab Spring, civil society in the Arab world had often been depicted as underdeveloped and incapable of generating momentum for democratic change (Hehir 1977). The “Orientalist” notion that Arabs were predisposed to authoritarianism was certainly facilitated by this conception (Hamid 2016). As is now clear, however, underneath the facade of order, tensions were mounting (Kingsbury 2012). In Libya, Gaddafi’s failure to create a strong sense of national citizenship amongst the population, coupled with his oppressive policies and remoteness, had created a dangerous disjuncture between the people and the regime (Lynch 2011). While Libya displayed few overt signs of looming rebellion, people began to critique Gaddafi’s regime, and soon the first uprising began on February 15, 2011. Such violent outbursts and the cruel disposition of the regime led to the confirmation by the international community that unilateral peace enforcement would have to be initiated in order to enact democratic reform (Evans et al. 2013). Already, on the eve of intervention, the death toll was estimated at somewhere between 1,000 and 2,000, at a time when the international community’s tolerance for the Arab Spring–related mass killings was still fairly low (Varvelli 2020).

On February 25th, the UN Human Rights Council convened a special session during which they condemned the violence and called for Libya to be suspended from the Council. This decision was motivated by the belief that there was an imminent danger to non-Arab communities, bordering on genocide, which made the decision for intervention extremely time-sensitive (Lynch 2011). The formal suspension, the first of its kind, was unanimously endorsed by the UN General Assembly on March 1st. As stated in the UN Security Council resolution

authorizing force in Libya, the goal of the intervention was "to protect civilians and civilian populated areas under threat of attack" (Willmot 2017).

Within the Obama administration, a foreign policy group consisting of then National Security Advisor Susan Rice, then Secretary of State Hillary Clinton, and former United Nations Ambassador Samantha Powers. Collectively, Powers, Rice, and Clinton pushed President Obama for intervention, which, in turn, empowered other states to join the effort, leading to the creation of the North Atlantic Treaty Organization, or NATO coalition (Powers 2019). Such steps in the international community eventually led to the passage of Resolution 1973, which condemned the violence in Libya and expressly permitted the international community the power to “to ensure the protection of civilians and civilian populated areas and the rapid and unimpeded passage of humanitarian assistance and the safety of humanitarian personnel...” (Busser 2019).

Pro-interventionists greeted the Resolution with jubilation, believing the mission could be a quasi-experiment of the R2P doctrine. Libya became the target for intervention on March 19, 2011, when a NATO-led coalition formally launched a peace-enforcement mission in Libya and conducted airstrikes against military targets that posed a severe threat to civilians (Homan and Rogier 2012). After several months of intense fighting, the capital, Tripoli, fell to the rebels and the Gaddafi government collapsed soon after (Thakur 2011)

NATO actions failed to account for the aftermath of intervention and did not provide a framework for returning Libya back to normal or peaceful conditions, a circumstance that highlights the lack of post-intervention action within the R2P doctrine. (Halliday 1988) Although NATO leaders hoped that Gadaffi’s ouster would mark the end of Libya’s violence, the country spiraled into even greater chaos. Rebel forces split into competing militias and continued to fight a civil war that had already left thousands dead and displaced (Tinnes 2014). Today, Libya is

considered a failed state and a haven for extremist groups such as the Islamic State and Al-Qaeda. NATO's role in failing to prevent such conflict has been cited by former President Obama as the "worst mistake of his presidency" and would impact the future application of R2P (Williamson 2013).

V. The Syrian Case

Like many other movements in other Arab countries, Syrian student protestors took to the streets, demanding democracy for their country in 2011. They called for an end to the recent mass arrests of political prisoners, the abolition of the 48-year emergency law, and an end to pervasive government corruption. In March of 2011, many of these young protestors were arrested by the government and tortured, leading to more protests across the country (Howard 2015) In retaliation to the protests, forces of the Assad regime fired on open crowds of civilians and conducted mass arrests, especially targeting groups of student protestors. (Syrian Observatory for Human Rights 2015). By the end of 2011, the UN had estimated about 5,000 civilians had been killed in the struggle (The United Nations 2019).

Attention from the international community increased in 2012 when the NGO Human Rights Watch documented and presented evidence of chemical weapons used against Syrian civilians. Government forces targeted opposition forces (or those believed to be opposition forces) as well as home and medical facilities, tortured and killed prisoners, and denied the injured from life-saving medical treatment. The civil war also resulted in a mass influx of both internally displaced peoples and refugees. About 6.2 million people, including children, have been displaced in Syria, and more than 6.6 million people have been officially classified as refugees and now reside in neighboring countries such as Turkey, Lebanon, Jordan, and Iraq, as well as in Germany and the United Kingdom (UNHCR 2020). In a report published in 2012,

Amnesty International concluded that the “deliberate and unlawful killings are part of a widespread and systematic attack against the civilian population, carried out in an organized manner and as part of state policy” (Amnesty International Ltd 2012).

Moreover, the civil war involves many actors, complicating intervention. Firstly, there are the government forces that are loyal to Assad, including the militia and other armed foreign groups, as well as the official Syrian Army. The opposition to Assad is known as the Free Syrian Army, and is composed of different civilian brigades, which was formed by the first civilians who took up arms against the Assad regime (Human Rights Watch 2015). The conflict is further complicated with the presence of the Islamic State of Iraq and Syria (ISIS), composed of members who are radical jihadists coming from all over the world, eighty percent of whom are non-Syrian (McCarthy 2019). The objectives of ISIS are completely different from those of the Syrian insurgents opposed to the Assad regime. ISIS sought to establish a separate *Caliphate* that would eventually cover territory in Eastern Syria stretching near the border of Iraq. And lastly, the Syrian Kurds control the Northwest zone near Turkey. Their military forces are composed of local combatants, members of the PYD (Democratic Union Party), the Syrian branch of the PKK (Kurdistan Workers Party), and the Turkish Kurdish party of Communist origin (Tawhida and Butler 2006).

The civil war in Syria also contains various ethnic tensions that have contributed to the international community’s reluctance to intervene. Syria is a diverse country containing several different ethnic groups including Alawite, Sunni, and Shia Muslims, as well as Turks, Kurds, Arabs, and Assyrians (Heritage for Peace 2015). The Assad family belongs to the Alawite community, which represents about 10% of the population, but is heavily present in the military and the government. The Sunni majority which makes up about 72% of the population is

considered the “majority-minority,” and is denied positions in the government. In turn, the regime has tried to repress Christian or Sunni groups, creating clear ethnic tensions in the region. (Ferris 2019)

The lack of international intervention can be partially explained by the complexity of the conflict. Assad has intertwined extremist groups such as ISIS and Al-Qaeda with the original rebels in 2014 when he deliberately released 320 ISIS prisoners from the Aleppo Central Prison. Assad’s goal was to allow an influx of fighters into Syria in order to cloud the narrative of the war (Becker 2015). As a result, countries that previously considered intervention became increasingly hesitant to support the Syrian Democratic Forces, given they may be accidentally supporting ISIS or Al-Qaeda, clearing the way for terrorist groups to gain power after Assad. In addition, the UN is hesitant to overthrow Assad because of the anticipated power vacuum that could leave ISIS dominating the country through an Islamic state, a nightmare for Western powers. (Robinson 2017).

Moreover, the nature of the anti-government forces came under greater scrutiny, and comparisons with the Assad regime were offered. In this context, “the rebels’ supporters, which include al-Qaeda and Hamas, are potentially just as threatening to human rights and stability as Assad himself—perhaps even more so” (Najem 2013). Brutal as Assad is, many international actors are wondering if the best alternative for the world might not be “standing by and not doing very much’ (Najem). Tying in with the uncertainty of what might happen if Assad is overthrown, it is not entirely clear if it is in Western interests for Assad to be overthrown. One of the reasons for that was the presence of “foreign terrorists, Islamic extremists and al-Qaeda zealots” in the rebel ranks, and the other was the likelihood of full-scale civil war if he were to be forced from office (Robinson 2017).

The issue of Syria's chemical weapons enhanced doubts concerning the desirability of the anti-government groups. With the use of chemical weapons came the question as to whether the international community would prefer that these weapons fall into the hands of an ill-defined agglomeration of armed insurgents whose only shared interest is in seizing Assad's power for themselves. Furthermore, Syria, it was asserted, was going to fall apart "no matter what the rest of the world does," and in the international arena, no other country wanted to be left trying to use their own resources to put the pieces together again (Najem 2016). Moreover, half-hearted interventions like the imposition of a so-called, no-fly zone were dangerous and had to be avoided because they inevitably led to deeper involvement (Soupcoff 2012). Lastly, the discouraging example of the Democratic Republic of the Congo (DRC) was raised. If the rebels won, there would be long-term, continued chaos and violence in Syria just as was still occurring in the DRC. These factors led many to reconsider if intervention in Syria would even be effective (Najem 2016).

Legally, genocide is defined as the *deliberate* killing, displacement, or ethnic cleansing of a particular nation or ethnic group. In Syria, genocide is exemplified by the chemical weapons used against civilians, the forced displacement of millions, and the capturing and killing of civilians that oppose the Assad regime. Moreover, the sheer scale of people that have been forcibly displaced within Syria epitomizes the consequences of the Assad regime remaining in power. More than five million Syrian civilians have been classified as internally displaced persons (or IDPs), an astounding indicator of the brutality of the Assad regime and how the Syrian people have suffered from the conflict. The violent nature of the weapons and the sheer scale of murder conducted by the Assad government led many to call for intervention in Syria (Human Rights Watch 2019).

Internal dimensions were further complicated with the involvement of big powers such as the US and Russia in the civil war. Any collective action proposed by the UN General Assembly was effectively vetoed by Russia, whose President Vladimir Putin is allied with President Assad of Syria. The Syrian regime provides Russia with its only Mediterranean naval base and their lucrative economic agreements are worth almost 20 billion dollars (Homan & Ducasse-Rogier 2012). Soon after the war broke out in 2011, the US was quick to support the protestors, firstly providing them with non-lethal aid such as clothes and food. Eventually, the US started supplying the rebel leaders with weapons and means of intelligence, as well as participating in the bombing of government holdings in areas like Aleppo and Damascus (Amnesty International 2015). The United States had other interests involving its proclaimed “War on Terror” and targeted ISIS. In 2014, the Obama administration ran covert operations against ISIS, dropping an estimated 67 bombs a day in certain terrorist holdings (Institute for Economics & Peace 2020).

Following 2014, Russia (backing Assad) began its first airstrikes in Syria. Although they claimed to be trying to derail ISIS, many witnesses and members of the opposition parties reported missiles to be overwhelmingly targeting rebels. With Russian support, the Assad government was able to regain control of Aleppo. In addition, in 2017, President Trump began renewing attacks against ISIS and the Assad government, eventually leading to the fall of the Islamic State. However, the withdrawal of troops from Syria by the U.S. led to several attacks on Kurdish forces by Turkey, and by the end of 2020 many Syrians were living in destitution, with many millions more becoming classified as IDPs.

Currently, Syria is still considered a war zone. In February of 2021, President Joe Biden conducted an airstrike in Syria in order to retaliate against an Iranian-back rocket launch against the US. Now in its eleventh year, the Syrian refugee crisis is at its worst, with 13.5 million

displaced. The continued conflict has also created economic despair: families are unable to secure household products and food and young girls and women commonly become victims of human trafficking and child marriage.

VI. Argument

In this section, I will make three arguments: First, I will argue that R2P intervention is problematic because the only states that are capable of intervention are Western, liberal states. Second, I will argue that R2P is ambiguous and the lack of clear parameters for intervention has led to disastrous consequences in Libya in 2011 and current-day Syria. Finally, I will argue that intervention can easily become an operation not based on the preservation of life, but rather, a military operation based on acquiring economic or geopolitical benefits.

First, in the context of the 20th century and within the philosophy of liberal internationalism, only Western countries are able to intervene or utilize R2P. Such intervention can either include humanitarian aid or even military invasion (Dornan 2011). Following the creation of R2P, liberal internationalists have focused their efforts on advancing the principle. R2P is a part of the liberal internationalist philosophy because it has a similar purpose (although its purpose extends beyond just liberal/democratic principles)- to breach a country's sovereignty in order to protect civilian populations. Liberal internationalists tend to ignore the flaws of R2P and of intervention. Liberal internationalists argue that even if intervention is flawed and results in the placement of another unstable regime (as in Libya), this regime will stop some atrocities and deepen the general resolution of the global community to stop genocide (Powers 2019). Liberal internationalists correctly observe that the only viable regime under the existing hierarchical order is one skewed to the interests and values of the U.S. and other leading powers.

The apparent appeal, then, of adopting the R2P framework is it enables the advancement of such a regime (Graubart 2013).

R2P is considered a pragmatic form of liberal internationalism in which liberal or Western states are expected to conduct intervention in failed states. Liberal internationalism and R2P pose the threat of making a situation more complex than it was originally (Hughes 2013). With both liberal internationalism and R2P, states that intervene typically do not understand the complexities of the situation they are entering, and can oftentimes make the conflict in a country worse. For example, after NATO intervened in Libya in 2011 and disposed of Gaddafi, they ended up creating a power vacuum in the government and left Libya as a failed state subjected to warring governmental parties. As seen in Libya, intervention may lead to unstable power vacuums, poverty, displacement of civilians, and political unrest.

In addition, liberal internationalism encourages a breach of internal sovereignty by another country. Sovereignty is therefore challenged by the philosophy of liberal internationalism. Also, liberal internationalists have generally purged any explicit concern with the ethical goal of implementing democracy because they have been (excessively) preoccupied with the mechanics of change within an international system dominated by sovereign states. In other words, liberal internationalists have privileged questions on the “why” (human rights violations, lack of freedom) and the “purpose” of intervention, such as liberation, assistance, or salvation in international relations without much consideration about the methods of which intervention will be conducted (or the “how”). (Franceschet 2004)

Furthermore, as the Democratic Peace Theory offers: when states become republics and their citizens are given the opportunity to make decisions, they are less likely to choose to go to war. It is therefore reasonable to argue that as more states become republics and democracy

spreads, then the likelihood of war between nations becomes smaller until eventually all nations view war as irrational and peace triumphs over conflict (Kant 1795; Baylis 2008). However, intervention by Western countries runs the danger of becoming an expansionist movement in which democracy is imposed on developing countries. By justifying the imposition of democratic government on the Democratic Peace Theory, states can intervene in non-democratic countries, and set up a system of government that ends up hurting more than helping.

The decision to undertake a humanitarian intervention is not only determined by the gravity of the humanitarian disaster, but also by the desire of states to benefit themselves. Liberal states tend to undertake such interventions where the humanitarian motive can be combined with other interests (Lechner 2017) As a result, R2P may easily become an employment of military and other political agendas, or become a method in which states can practice intrusive state-building. These practices privilege the ‘international community’ as the dominant agent in the emancipation of weak ‘victims’ from violent state fragility (Cunliffe 2011). As such, the orthodoxy of prevailing liberal peace and security discourse marginalizes the very ‘victims’ purported to be at the heart of the R2P doctrine. Hence, by “privileging external, state-based military intervention and depoliticized capacity-building, over politically-conscious civil society insurrections, the practice of R2P subverts the politics of the ‘everyday’, which can engender agency and resistance” (Glover 2011).

The theory of liberal internationalism and the problems surrounding it and R2P can be exemplified in Syria. When the conflict first broke out, Western states such as the United States rushed in and immediately backed the Syrian rebels because those rebels desired to establish a democratic government. However, the United States also had ulterior motives for joining the Syrian conflict- the extermination of ISIS. The U.S. dropped hundreds of bombs and conducted

drone strikes in order to weed out ISIS, but instead would often hit civilian villages. Moreover, the presence of ISIS made the conflict more complex- the U.S. soldiers could not distinguish Syrian civilians from secret ISIS supporters. Moreover, due to the involvement of outside states (as encouraged by liberal internationalism), the conflict in Syria is caught between geopolitics that make the situation more complex. Russia and China back the Assad regime, while the U.S., the U.K., and France seeks to aid the Syrian rebels. Therefore, Russia and China vetoed attempts to introduce UN peacekeepers. Liberal internationalism and R2P dictate that states have the responsibility to protect civilians, but this is essentially rendered ineffective by the politics of the UN and states' interests in either preserving the Assad regime or enforcing a democratic system.

Furthermore, the early motivations informed by liberal internationalism in Syria failed to consider the spread of arms, the radicalization of additional civilian populations by our involvement, the balance of power within the Islamic world between Shia and Sunni forces, the potential breakdown of state borders across the region, the rival ambitions of regional powers from Iran to Turkey to Saudi Arabia to Egypt – and the depletion of U.S. “blood and treasure.” (Schnurner 2014).

Second, in the hierarchy of international law, principles such as R2P are considered weak due to a lack of legal guidelines and any enforcement power. R2P is ambiguous in the sense that the successes of the missions conducted using it will always be debatable. Missions conducted using R2P as a justification will always be marked with partial wins for the international community as, for example, seen in Libya, where the removal of Gaddafi cleared the way for political unrest and warring government parties. Its costs, meanwhile, will be painfully evident in the form of military expenditures and casualties, and in whatever unintended consequences may follow an intervention. For that reason, the doctrine will struggle to build a record of success and

to cement its place as an international norm. R2P has not been created to foster an institutionalized, strongly embedded social structure of responsibility through which such practices of holding actors accountable might be invigorated or sustained. International law is constantly shifting to normalize different relations among states, but there is no clear definition of the principle (Koh 2004).

R2P fails to give explicit guidelines for intervention and is further muddled by the anarchic quality of the international system which is characterized by the lack of supranational authority that regulates international order (Lechner 2017; Cunliffe 2016). Furthermore, R2P lacks a clear “exit strategy” in which the intervention group can safely depart from the state without causing more chaos. After neutralizing the immediate threat to Benghazi, the NATO-led coalition provided *de facto* air support for Libyan rebels, who counterattacked and ultimately destroyed the Gaddafi regime. This, in turn, provoked an angry response from several countries, including some that had voted for intervention and now accused NATO of using R2P as a cover for regime change. The NATO coalition, after disposing of Gaddafi, left a failed state behind, with no clear leadership. If an operation achieves its immediate goal of protecting a threatened population, it must then devise an “exit strategy” of one kind or another. The problem, however, is that the requirements for terminating such a mission are different – and more expansive – than the initial goal of preventing mass killing. As a result, humanitarian intervention appears to have a built-in propensity toward mandate-expansion (Thakur 2011).

Despite the original optimism of the international community during the passage of R2P, the principle has failed to generate effective humanitarian intervention, as seen in Syria for almost ten years. The violent nature of the weapons and the sheer scale of murder conducted by the government of Assad led many to call for intervention in Syria. While some individual

countries such as Turkey, the UK, the U.S., and France have made a number of actions trying to aid civilians and rebels, no efforts to utilize R2P have been made (Laub 2012). The international community is once again divided on the appropriate balance between respecting a state's sovereignty and protecting human rights. The conflict in Libya and the 2011 NATO intervention shattered international consensus on humanitarian intervention.

In addition, the lack of international consensus has made it extremely difficult to intervene. Unlike the Libyan crisis where the U.N. The Security Council voted to impose a no-fly zone and use "all necessary measures" to protect Libyan people from Gaddafi. The Council is not unified on Syria. China and Russia, two Syrian allies, veto legislation that is designed to condemn the Syrian regime and provide legitimacy for a Libya-like intervention. Because of this division, intervention through the UN is essentially halted and there would be effectively no kind of unilateral or NATO operation with international legitimacy. Also, no country seems to want to act unilaterally. Doing so would result in the depletion of resources, casualties in the military forces, and economic strain. Therefore, without any international condemnation (as seen in Libya), intervention in Syria seems unlikely.

The narrative in Syria is not simple enough for Western intervention (Mathias 2019). Many international actors are wary of intervention in war-torn Syria given the complexity of the situation coupled with the presence of terrorist groups. Syria is very much divided between the government and the rebel groups. In 2016, Al-Assad still had 20 to 30 percent support of the population since many still buy his message that he is fighting terrorist groups who are backed by an international media conspiracy (Almond 2016). Many of Assad's supporters are Christians and Alawites, the Shiite sect to which he belongs. Most of the country's rebels are Sunni Muslims. The message that Assad sells his people is that only he can provide protection, while

the Syrian opposition taking power will result in a mass depletion of resources and the relocation of civilians. (Almond).

Combined with the ambiguity of R2P, Western states are wary to utilize the principle, given it could lead to disastrous consequences for the intervening nation. Because R2P does not give a clear exit strategy, this means that soldiers or any other aid on the ground could get caught up in a war in which they have no clear way out. R2P's guidelines for intervention are too ambiguous for most states to properly utilize, meaning that there is no way of telling what would qualify as a "successful" intervention.

Third, intervention via R2P may easily become a military operation not based on the defense of civilians, but rather based on gaining either economical or geopolitical advantages. Predicated on the liberal logic of international security and underpinned by the dominant trope of mitigating further state collapse, the invocation of R2P is frequently accompanied by repressive and exclusionary practices associated with militarization, securitization (Aradau 2008), and highly intrusive statebuilding (Mansur 2012).

Former President George W. Bush's invasion into Iraq in 2003 is a prime example of the abuse of humanitarian power that can come with intervention. This invasion was one of the starting points of the Iraq War, where initially a U.S. coalition aimed "to disarm Iraq of weapons of mass destruction, to end Saddam Hussein's support for terrorism, and to free the Iraqi people." (Aradau 2008). The invasion of Iraq hence was justified by claims of preemptive war, meaning that by launching an invasion, the United States aimed to protect both its population and the civilians threatened by the regime of Saddam Hussein (Hinnebusch 1997). However, after a bloody mass invasion into Iraq, it was revealed that threats of Iraqi weapons of mass destruction (WMDs) were hollow, and the actual motives and causes (which were not humanitarian) for the

invasion were shown. Since the war, the deception practiced by the Bush administration has been exposed; but even before this, it was clear to ex-weapons inspectors and Iraq specialists that Hussein had no serious WMD capability and certainly not one capable of threatening the U.S. (Hinnebusch 1997).

The George W. Bush administration did not explicitly cite R2P as a justification for invasion into Iraq but would ultimately argue that Saddam Hussein's brutal treatment of many Iraqis was a reason to overthrow him, as well as promoting democracy (Bardis 1990). Therefore, humanitarian issues and human rights were used to justify an illegal intervention in which the Bush administration used to further its own agenda. In his invasion into Iraq, Bush met little resistance from the international community. This is due to the fact that the international system lacks a higher authority. Without such authority, there is no one who can decide which cases merit intervention and which do not. While it is unlikely that Bush's humanitarian arguments would have met the standard for R2P, the Iraq war set a precedent for large-scale military invasions based on humanitarian efforts. (Doer 2008)

Syria also exemplifies how R2P's initial goals may be muddled by different states. While the United States has remained steadfast in its support of the Syrian opposition and cited humanitarian reasons for becoming involved, it has been revealed that the U.S. has ulterior motives in Syria. The first motive is that the United States has an invested interest in eliminating the terrorist group ISIS. In 2017, President Donald Trump issued a statement stating that the U.S. has "very little to do with Syria other than killing ISIS" (Pearson 2019). Although the United States provides aid to the rebellion forces, their primary interest in the conflict is best exemplified by the fact that most of the ground troops and assistance the United States provides

is employed in order to target ISIS forces, rather than helping the rebellion, which the country cited as its first reason for entering the conflict in 2011 (Pearson 2019)

The second motive of the United States is that it opposes the forces allied to Assad due to its alliance with Israel. Tensions between Iran and Israel have existed since Iranian leaders have sought to dissolve the Jewish state. Iranian General Aziz Nassirzadeh, who heads Iran's air force, said his soldiers are "impatient and ready for a fight against the Zionist regime to wipe it off the earth," in comments circulated on a news site with links to state media (Pearson 2019). A long time ally and economic partner of Israel, the United States is determined to keep it safe from a looming Iranian threat in Syria. Iran has allied itself with President Assad, so if he retains power after the conflict, Iran could establish a permanent military presence in Syria. Therefore, The US seeks to block Iran and the Lebanese Shiite militia Hezbollah from establishing a permanent presence in Syria that could threaten Israel.

Although the United States has cited humanitarian reasons for its efforts in Syria, the last motive is access to the lucrative oil wells in the Middle East. Under President Donald Trump, the U.S. has gained access to a politically connected oil company that operates in northeast Syria in accordance with Trump's pledge to "keep the oil" produced in the region. Trump repeatedly spoke of keeping some U.S. troops in Syria to help "keep the oil" and "secure the oil," but his aides sought to dispel the idea the United States was trying to profit from the region's oil reserves. The U.S. decision to allow an American company to refine and market oil was denounced by Assad's government and ally Russia after it became public last August, not long after then-Secretary of State Mike Pompeo acknowledged during the a congressional hearing that the Kurdish-led administration in northeast Syria had come to an agreement with an American

oil company. Moreover, Donald Trump has been transparent in the U.S. interest in oil- “We stayed back and kept the oil,” Trump told reporters in November 2019.

Other people can patrol the border of Syria ... and Turkey. Let them. They’ve been fighting for a thousand years. Let them do the border. We don’t want to do that. We want to bring our soldiers home. But we did leave soldiers because we’re keeping the oil. I like oil. We’re keeping the oil (Pearson 2019).

The U.S. under Donald Trump had a vested interest not in protecting the civilians suffering under Assad, but rather in acquiring economic benefits from the Middle East.

In addition, presidential orders issued during the Obama administration had invited U.S. companies to apply for licenses in agriculture, telecommunications and oil and gas in Syria. The U.S. has been keeping access to the oil reserves in northeastern Syria, despite their initial claims that they did not have an interest in the oil. Following the Trump presidency, President Joe Biden has furthered U.S. inaction in humanitarian aid to Syria. Instead of withdrawing totally or sending help, the Biden administration continues blockages on trade to Syria, and still benefits greatly over the oil reserves in the Middle East (Ivanescu 2021). The conflict in Syria has been relegated by now three consecutive U.S. administrations—long enough that serious re-engagement would seem too audacious today, as the present domestic constraints on the Biden administration are unlikely to encourage bold or risk-tolerant initiatives, and the complexity of the Syrian conflict offers no easy answers (Ivanescu 2021).

VII. Conclusion

While R2P has the potential to prevent gross violations of human rights, it has not been applied successfully in situations that would merit it (such as Syria), and there is no existing framework where successful intervention can be implemented without lasting complications. There will be cases in which mass atrocities occur, but states will continue to decline

intervention because, under R2P, it could do more harm than good. The inevitable result is inconsistency in humanitarian aid, which in turn erodes the credibility of R2P. While R2P has the potential to prevent gross violations of human rights, it has not been applied successfully in situations that would merit it (such as Syria), and there is no existing framework where successful intervention can be implemented without lasting complications. However, R2P has set new precedents for international law and human rights intervention. Prior to World War II, intervention based on humanitarian arguments (and genocide) was not considered to be a method of stopping atrocities, and world powers tended to take on isolationist positions in order to avoid intervention. After the Holocaust and the efforts of humanitarians, international actors began to build the legal structures to protect individuals from human rights violations by the state. The birth of R2P echoes this sentiment, and still should be considered a revolutionary principle for its time. Until it is utilized correctly, however, R2P will remain an ambiguous form of law that has fallen short in the wake of some of the worst crises in the 21st century, including the Syrian civil war.

R2P could be more successful with the inclusion of clearer guidelines and more participation outside of the West. An improved R2P would involve preventive intervention rather than military intervention at the earliest stages of crisis, as well as an emphasis not only on military power, but also political, economic, legal pressure in order to stop atrocities. Ideally, the institutional challenges of R2P would also be reformed to include clearer guidelines on who should or could intervene, and how to properly conduct intervention. R2P should have a focus on mobilizing political will, meaning that states would have to be motivated to intervene in other countries or contribute more funds towards UN intervention. Until then, Syria will continue to

be caught in a crossfire as the international community debates between how to effectively intervene in humanitarian crises.

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