

Inadvertent Legitimization of Despotism:

A Qualitative Case-Study of the International Approach to the War in Syria

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Abstract

In the early 2000s the United States helmed Western interventions into Afghanistan and with what might be considered an optimistic overconfidence in Western statebuilding expertise. Since the disastrous failures in Somalia in the early 1990s, results had arguably improved in later statebuilding interventions throughout that decade. By the early 2000s some experts and politicians thought that lessons had been learned and operations in Afghanistan and Iraq would be quick. However, both interventions have struggled with generating positive results and notably suffered from both internal and external legitimacy issues.

Consequently, confidence in statebuilding efforts have dropped steadily the last 20 years. Western powers have refrained from intervening in the Syrian Civil War and most recently abandoned their efforts in Afghanistan. Yet, abandonment in Afghanistan and abstaining from intervention in Syria have both been met with criticism. A common argument is that the international community is failing in their “responsibility to protect”. A prevalent critique of the efforts of statebuilding in Afghanistan and Iraq concerns its implementation and not the statebuilding practice as a whole. On the contrary, many would argue that statebuilding is still the best tool to deal with the threat that so called “failed”, “fragile” and conflict-affected states pose to global stability.

Through a literature review of current theory, this thesis explores the consequences of a de-facto ‘non-intervention’ approach by the international community, and the ramifications of inaction on different forms of state and international legitimacy. Further, the thesis questions whether inaction inadvertently legitimizes a regime guilty of human rights violations and if it in the process undermines the integrity of international human rights. Lastly, the thesis compares inaction in Syria to different approaches in similar cases and ponders whether the “inaction-experiment” in Syria is even more problematic than that of the humanitarian interventions of previous decades.

Abbreviations

3RP	-	Regional Refugee and Resilience Plan
CFM	-	U.S. Army/Marine Corps Counterinsurgency Field Manual
COIN	-	Counterinsurgency
CWC	-	Chemical Weapons Convention
EU	-	European Union
FSI	-	Fragile State Index
HRW	-	Human Rights Watch
ICISS	-	International Commission on Intervention and State Sovereignty
ISIS	-	Islamic State of Iraq and Syria
MEI	-	Middle East Institute
NATO	-	North Atlantic Treaty Organization
OECD	-	Organisation for Economic Co-operation and Development
OPCW	-	Organisation for the Prohibition of Chemical Weapons
ORHA	-	Office for Reconstruction and Humanitarian Affairs
OSCE	-	Organization for Security and Co-operation in Europe
PLO	-	The Palestine Liberation Organization
R2P	-	Responsibility to Protect
SDF	-	Syrian Defense Force
SIGAR	-	Special Inspector General for Afghanistan Reconstruction
SNC	-	Syrian National Council
SOHR	-	Syrian Observatory for Human Rights
UAE	-	United Arab Emirates
UAR	-	United Arab Republic

- UK - United Kingdom
- UN - United Nations
- UNGA - United Nations General Assembly
- UNHCR - United Nations High Commissioner for Refugees
- UNSC - United Nations Security Council
- US - United States of America
- WPR - World Politics Review
- WW1 - World War I
- WW2 - World War II

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Chapter 1: Introduction

1.1 Statebuilding in the political vogue.

Statebuilding and international peacebuilding interventions are somewhat controversial practices that have gone in and out of the political vogue over the past 30 years. As a result of the Cold War ending in 1989, Western powers no longer had an ideological challenger (the Soviet Union) in their way. There was an almost naïve, and perhaps overly cited, “The End of History” moment (Fukuyama 1989, 4). In this moment, the West sought to reshape the international community, structuring it on democratic, free market ideals. Additionally, there was an expectation that with the decades long ideological Cold War now in the history books, the West shouldered the responsibility to protect human rights of people unfortunate enough to live in so called “fragile”, “weak”, “failed” and conflict-affected states which did not provide these rights to their citizens. As such the international norm of ‘non-intervention’ would make way for a “world society based on universal human rights” (Brock et al. 2012, 101-103).

Compared to the constrained international relations of the Cold War, humanitarian interventions would become the new normal of the 1990s. International interventions and peacebuilding operations were initiated in Angola, Cambodia, El Salvador, Mozambique, Liberia, Rwanda, Bosnia, Croatia, Guatemala, Timor-Leste, Sierra Leone, Kosovo, and the Democratic Republic of Congo (Paris and Sisk 2009, 2) as well as Kuwait, Somalia, and Haiti. Over the course of the decade these operations, conducted mainly by the United Nations (UN), the North Atlantic Treaty Organization (NATO), and the United States (US), steadily became more ambitious. Going from primarily overseeing ceasefires and demilitarized zones, to attempting to reunite countries, initiating elections, and installing democratic governments (Dobbins et al. 2007, iii-iv). However, the results of these operations were considerably varied. Early failures in Somalia, Rwanda, and initial efforts in former Yugoslavia, raised questions surrounding the overall ability of interventions to have a positive long-term impact (Brock et al. 2012, 106). Yet, many of the interventions did provide encouraging results, and over the decade there was a sense of increased professionalism and expertise involved in these efforts (Dobbins et al. 2007, iv-v).

This progress would grind to a halt in the early 2000s. Particularly with the new Republican government in the US which had argued against involvement in such operations during their election campaign. The new Bush administration was less interested in “nation-building” (used interchangeably with statebuilding) and preferred launching fairly quick “get

in and get out” missions more akin to conventional wars (Dobbins et al. 2007, v-vi). Furthermore, after the 9/11 attacks on the United States in 2001 the main argument for interventions shifted from that of a “responsibility to protect” towards a sense that intervention was the best defense against the “ills” of fragile and conflict-affected states. Fragile states were now considered more dangerous to global stability than conquering states (Brock et al. 2012, 8). Afghanistan exemplified such ills by functioning as a safe haven for terror organizations. In similar vein the Bush administration accused Iraq for allegedly attempting to develop weapons of mass destruction, as well as being in league with terrorist organizations. Subsequent wars started by the Bush administration in Afghanistan and Iraq suffered severely due to lack of planning for long term engagements and reflected that much more money was allocated for military spending rather than government rebuilding (2012, 109-110).

Consequently, the terrible results in Afghanistan and Iraq have almost universally increased skepticism in the ability of military humanitarian interventions and statebuilding attempts to yield good results. Additionally, the 2011 intervention in Libya has further hamstrung the reputation of external interventions, as the removal of dictator Moammar Gaddafi has since resulted in the complete collapse of the Libyan state (Heydemann 2016). As a result, Western willingness to engage in new interventions has perhaps reached an all-time low. This reluctance has been prominent in Syria, where government use of chemical weapons against civilians in 2013 did not initiate a Western intervention, even though then US President Barack Obama stated that this would indeed be a “red line” if crossed (Hellestveit 2018, 138). Further complicating the issue of “responsibility to protect” is the legitimacy issue such interventions pose to the idea of state sovereignty. When exactly does the international society have this responsibility thrust upon them, and when is a country’s internal conflicts their own (Brock et al. 2012, 114-115)? The latest damage to the integrity of external statebuilding efforts is the West’s abandonment of its effort in Afghanistan. After a 20-year Western presence, current US President Joe Biden decided to go ahead with troop withdrawal, claiming that “nation-building” was never the intent of the war in Afghanistan (Lang 2021).

Some argue that the exit from Afghanistan might turn out to be the biggest mistake of the entire process (Lang 2021), and the “lesson to be learned” is not that statebuilding does not work. Rather they reiterate that both policies and budgets show that the efforts in Afghanistan never properly shifted from war to reconstruction. Moreover, reconstruction efforts never dealt with the large-scale corruption that damaged the statebuilding operation (Landers and Aboneaj 2021). Furthermore, it is important to note that neither the statebuilding efforts in Afghanistan

nor Iraq originated in local uprisings seeking peaceful transition to democracy. It is difficult to assess whether a humanitarian intervention into a country like Syria, where civil war erupted after such an uprising would have produced different results (Heydemann 2016).

Noteworthy, there might be a need for such international pressure on certain regimes in fragile states. From the early 1990s until 2011 there was a steady decline in global conflicts, correlating with a period of strong international pressure and an effective UN Security Council (UNSC). However, in the last decade this trend has changed, the number of violent conflicts globally is on the rise and fragile, and conflict-affected states continue to be a blight on human rights and remain a security concern for global stability (Strand and Hegre 2021). How then does the international community engage with such fragile and conflict-affected states, and the conundrum regarding sovereignty vs. human rights going forward?

1.2 The Case – Understanding Syria

Syria is unquestionably a conflict-affected state. Since the Syrian government's initial violent response to its "Arab Spring" uprising in 2011, the following civil war in Syria has been raging havoc for over 10 years and has become a "human-made human catastrophe" only surpassed by World War II (WW2) (Katerji 2021). War crimes and human rights abuses have been committed by just about every larger actor in the civil war (UN News 2020; Amnesty 2019), and the Syrian regime is probably the worst of the lot. Already many years ago, Syrian President Bashar al-Assad was mentioned by name in the same sentence as previous war criminals such as Slobodan Milosevic of Serbia and Charles Taylor of Liberia (Anna 2015), and yet the most likely outcome of this decade long civil war seems to be one in which the current regime remains in place. Though not yet a certainty, this is a probable outcome. The most involved external actors in the civil war, Russia, Turkey, and Iran are the drivers of the current peace negotiations, the Astana Peace Process, which have so far made more progress than earlier Western-led peace processes. Importantly, none of these countries seem as adamant as the West to have the current regime removed (Cengiz 2020, 210-212). Such an outcome is problematic for the West as it would potentially re-elevate the Syrian regime's international standing and force the West to engage with a regime they have primarily wanted to remove (Cengiz 2020, 207). Yet, the humanitarian crisis and political instability caused by the Syrian Civil War is monumental and difficult to ignore (Helgason 2020, 3), there are millions of refugees that need

help, and stabilizing Syria would likely alleviate some of the problems of the crisis. It is therefore difficult to imagine the West unwilling to take part in a potential rebuild of Syria.

Furthermore, it is paramount for any potential state reconstruction project to realize that the civil war in the Syrian Arab Republic is about much more than just regime dissatisfaction. While the Arab Spring might have been the spark that lit the fire for the civil war in Syria, the territory that we now recognize as the Syrian state, and its surrounding areas have been plagued by countless tensions and conflicts that have shaped and influenced the country for over a century. Especially noteworthy are the consequences of the mandate period of the League of Nations, Pan-Syrian and Pan-Arab nationalism, the many state coups, Arab-Israeli tensions, and various Islamist movements. These issues have had an enormous impact on the geographical shape of the Syrian state as well as the complex mixture of ethnic, religious, and tribal groups that inhabit the territory. Moreover, the resulting political cleavages between these groups and their neighbors have been the cause of civil unrest, violence, or war, both within and beyond the country's current borders. Few, if any of these issues have ever been adequately solved. Instead, before the civil war, these issues were overlooked, ignored, or neglected by society, hidden just well enough to avoid turmoil. However, during the civil war many of these cleavages have resurfaced, thus the situation in which the Syrian state and its people find itself in is a product of these countless tensions and problematic conflicts that have shaped the country (Dukhan 2019; Hellestveit 2018; McHugo 2017; Pipes 1990). Therefore, if any post-war reconstruction is to have any success in fully extinguishing this proverbial fire, it is critical that it takes heed of all these underlying issues before mapping out any plausible scenarios for reconstruction of this war-torn state. Yet, with the regime remaining in place, reconstruction might involve more human rights violations as Syrian laws have been changed by the government, effectively allowing them to change the country's ethnic and sectarian demography so as to ease their ability to remain in power (Osmandzikovic 2020).

Therefore, the internal legitimacy problems present at the onset of the Syrian Civil War not only persist, but they might also have grown. Furthermore, the way events of the civil war in Syria have transpired over the last decade has caused enormous ripple effects that has also damaged the legitimacy of the state internationally. The West have argued that the current Syrian regime is illegitimate and guilty of war-crimes. Allowing it to remain raises serious questions about the legitimacy of human rights laws and how they pertain to state sovereignty and "rogue regimes".

Chapter 2: Objective and Research Questions

2.1 Thesis Objective

The research conducted in this thesis aims to review the current literature on state legitimacy and statebuilding theory pertaining to externally led humanitarian interventions and human rights. Specifically, the thesis examines the consequences of non-intervention in an extreme case (Syria), where the regime has been considered illegitimate by the vast majority of the state's own population as well as the overwhelming majority of the international community of states. The thesis aims to assess whether non-intervention in such extreme cases is in itself problematic and damaging to the various forms of legitimacy which the international community adheres to. Further, the thesis considers whether a shift toward a predominantly human rights law dominated perception of legitimacy, as opposed to the current sovereignty dominated perception of legitimacy, is better for the long-term legitimacy of states themselves and the international community as a whole.

2.2 Thesis Problem and Research Question

In 2019, addressing the then escalating civil war in Syria, UN Secretary General António Guterres stated that “*any solution to the conflict needed ‘to respect the sovereignty of the territory and the unity of Syria’*” (Deccan Herald 2019). Moreover, the UN Secretary General also stated that he still does “*[not] believe in military solutions for the Syrian problem, also for any other problem in the world. I always strongly believe in political solutions.*” (UN News 2019). However, this approach to the civil war in Syria by the UN, has had devastating consequences for the country, its citizens, and the international community as a whole. Furthermore, this “sovereignty first” approach seems to ultimately serve to retain a despotic regime that has committed multiple severe human rights violations and war-crimes (HRW 2019). With this in mind this thesis is built around the overarching question:

Does de-facto ‘non-intervention policy’ in Syria inadvertently legitimize a regime guilty of human rights violations?

2.3 Research Questions

The study conducted in this thesis was built around one overarching question:

- *Does de-facto ‘non-intervention policy’ in Syria inadvertently legitimize a regime guilty of human rights violations?*

The following sub-questions have been guiding the research process and analysis:

- a) *What was the status of state and regime legitimacy in Syria before the civil war?*
- b) *How, if at all, has legitimacy in Syria changed due to the civil war?*
- c) *What are the international consequences of the civil war in Syria? Specifically, in terms of how it pertains to various forms of legitimacy.*
- d) *Has de-facto ‘non-intervention’ yielded better results than interventions of the past? Or should the international community attempt a return towards a “right of intervention” and the original intent of the ICISS’s “Responsibility to Protect”?*

2.4 Structure of the thesis

Chapter 1 and chapter 2 of this thesis serves as introductory chapters presenting the topic and objectives of this research. In chapter 3 the methodological approach utilized for the study is outlined. Chapter 4 reviews relevant theory on legitimacy and statebuilding for the problem central to this thesis. The chapter opens with defining and explaining concepts relevant for the thesis before delving into statebuilding theory, where the focus is predominantly on the dilemmas that emerge between statebuilding and legitimacy. In chapter 5 the Syrian case is presented with key aspects relevant for legitimacy examined. Chapter 6 conducts an analysis of the current conditions for legitimacy within the Syrian state after a ten year long civil war. Thereafter the chapter assesses how a de-facto non-intervention stance by the international community affects the validity and legitimacy of sovereignty and human rights. Lastly in this chapter compares these results to other possible approaches and their effect on these same issues of legitimacy. Chapter 7 summarizes and provides the concluding remarks for this thesis.

Chapter 3: Research Methodology

Within any research, finding an approach that can best explore the subject of investigation in hopes of yielding valuable information is essential. This chapter will outline and explain the methodological approaches utilized for the research conducted in this thesis. This includes the general research approach, the research design, as well as the limitations of the study. The chapter opens with an explanation of the qualitative research approach, before moving on to the specifics of the research design for this study. Lastly, ethical considerations and the limitations of the study are laid out. The case-study is conducted mainly through literary review and secondary data content analysis.

3.1 The Qualitative Research Approach

The two main branches of research methods in social science, quantitative and qualitative research, can in simplistic terms be differentiated by their number of dataset observations. Quantitative research has a large number of dataset observations akin to statistical analysis, while qualitative research focuses on causal-process observations and few dataset observations (Gerring 2012, 362). Therefore, rather than focusing on data involving numbers and questions like “how many”, which generally is the focus of quantitative research, qualitative research focuses on data involving words and attempts to answer “how”, “what” and “why” questions. Consequently, qualitative research is often understood as more interpretive, and analysis of the data often precedes hypotheses (Ritchie et al. 2014, 3).

The interpretivist epistemological framework of qualitative research argues that people’s “lived experiences” within a historical and social context is important for understanding a social phenomenon and values the interpretations of the participants being studied as well as the investigator conducting the research. (2014, 11). This is an essential part of qualitative research as it rejects the notion of a “value neutral” reality. Moreover, a related constructionist approach also rejects a value neutral reality. Through their lens, knowledge is not simply being perceived by individuals; it is also being constructed by them. Qualitative research, by including every participant’s view and actions, can be understood as attempting to acquire a holistic understanding of the world (2014, 13). One of the main values of qualitative research lies in its ability to use causal-process observations for theory development or to elaborate on existing theory (Mahoney 2010, 125). In qualitative research, early ideas inform the initial design. However, the data collection, theory and design phase are iterative and inform each other during

the study. This flexible approach to research allows qualitative research to test theories, as well as develop new theories that it can incorporate into the research (Ritchie et al. 2014, 52).

For this thesis, I decided to use a qualitative research approach. As this thesis attempts to answer questions that require an assessment of current theory (statebuilding theory) and evaluate that theory within a specific context (Syria), the research conducted here primarily attempts to answer questions for which there is little statistical data. The ability of the qualitative research approach to look deeper into specific cases while heeding both the experiences of the people involved, as well as the historic context in which the theory is to be applied makes it well suited for this thesis.

3.1.1 The Main Criticisms of Qualitative Research

With any research, the research design and method will come with its disadvantages, trade-offs, and limitations. As such, it is imperative for any researcher to be aware of these potential pitfalls so that they can be circumvented, and the quality of their research retained.

The four of the most common criticisms of qualitative research concern its *subjectivity*, *replicability*, *transparency*, and issues with *generalization* (Bryman and Bell 2019, 211-212). Qualitative research is reliant on the interpretation and inferences of the researcher and is therefore commonly criticized as being *too subjective* and impressionistic, as this leaves the research prone to bias and misinterpretation. The argument is that the values and opinions, as well as possible personal connection to the subject matter, might influence the selection and interpretation of the data, and in turn the resulting findings of the research (Bryman and Bell 2019, 211; Grønmo 2016, 180-181). This apparent issue is further worsened by issues of both *lack of transparency* and *replicability* prevalent in qualitative research. It is argued that, compared to quantitative research, qualitative research tends to be less transparent. How and why data and participants were chosen for the research is not always clear, and this lack of transparency can make it difficult for other researchers to evaluate and *replicate* the findings. As a norm, research should aim to be as transparent as possible and make sure that how data led to conclusion should be easy to follow (Bryman and Bell 2019, 212; Gerring 2012, 94-95). Critics of qualitative research also point to how the central role of the researcher in qualitative research, along with its unstructured format and in-flux subject matters, further propagates the problem of *replication*. These critics highlight how some qualitative research in social science is all but impossible to replicate due to these issues (Bryman and Bell 2019, 211). Another prominent criticism of qualitative research is its lack of *generalizability*. Since qualitative

research usually concerns a study of a select few individuals, observations and/or cases, this small sample size compromises the ability of these studies to generalize across larger populations. However, the counter argument to this complaint is that generalizability is not necessarily the goal of most qualitative studies. Instead, the goal of qualitative studies as it pertains to generalizability is to produce theories that can contribute to generalizable knowledge using other methods in further studies (2019, 211-212).

3.1.2 Ensuring Quality

Managing the limitations and potential pitfalls of the utilized research method and design is of course crucial to ensuring the quality or rigor of any research. However, within qualitative research, there is considerable methodological debate as to how one should evaluate the quality of research. I will abstain from indulging in this debate too deeply here, as it is a decades long debate that could easily be the topic of another thesis. However, I would argue that gaining an awareness of these different forms of quality indicators, and the methodological debate itself, before starting my research was beneficial to the entire research.

In the natural sciences and quantitative research, the concepts of *reliability* and *validity* have become the standard tools of measurement for which most researchers assess the quality and credibility of their research. *Reliability* when referring to whole research processes takes the shape of *replicability*. Replicability meaning “consistency”; if the research were to be repeated in the exact same fashion, would the research yield the same results? In qualitative research, the researcher is encouraged to document the proceedings of the study for others to understand how the researcher arrived at their conclusions. *Validity* on the other hand concerns the “truth-value” of the reported results. Further, there are three core aspects to *validity*. First, *Measurement validity*, meaning the extent to which measures manage to successfully capture or indicate concepts. Second, *internal validity*, referring to “the extent to which causal statements are supported by the study”. And third, *external validity*, which regards to which degree the findings might be generalized to broader populations or other cases (Ritchie et al. 2014, 354; Seale 2012, 528-529). It should be mentioned that generalizability can be considered to consist of three different but related forms of generalization. *Representational* generalization, whether the research can be considered equally true for the parent population of the sample being studied. *Inferential* generalization, whether the findings in the research are transferable to other settings or contexts. And *theoretical* generalization, whether findings within a study can be used for a wider application (Ritchie et al. 2016, 364-365).

However, it is in the utilization of *reliability* and *validity* as quality indicators within qualitative research that sparks methodological debate. The argument is that these measurements, as defined within quantitative research, do not lend themselves well as indicators of rigor or quality within qualitative research. The three core aspects of *validity* all focus on different types of measurement, yet measurement is not really the focus of most qualitative research, nor do they necessarily aim to generalize. Similarly, *replicability* is often argued as being inconsistent with the epistemological and ontological position that different researchers will interpret situations differently (Bryman and Bell 2019, 204; 211-212).

One solution to this problem is to reject these measurements outright and use a different set of criteria to evaluate the quality of qualitative research. Some scholars, such as Lincoln and Guba, advocate for the utilization of the criteria *credibility* (internal validity), *transferability* (external validity), *dependability* (reliability) and *confirmability* (objectivity) instead. However, some consider this approach to finding alternatives to be a somewhat radical constructionist stance (Seale 2012, 535; 541). Robson and McCartan argue that since science needs rigor, rejecting these terms is problematic. Since rigorous research must by definition be valid and reliable, rejecting them would indicate that qualitative research is neither of the two, and therefore cannot be considered science. Rather than rejecting the terms for new ones with better resonance with qualitative research, Robson and McCartan propose that a better solution is to find different ways to operationalize *validity* and *reliability* for qualitative research, different from that of quantitative research (Robson and McCartan 2016, 169). Seale argues that much of this debate cannot really be solved through further discussion and is instead a matter of preference. Seale instead advocates for a more pragmatic approach, recommending that researchers consider what they are researching and through methodological awareness evaluate which criteria might be important for the research at hand (Seale 2012, 541).

In this research I heeded the advice of Seale and attempted to take all these different methodological opinions into consideration. As such, I wanted to make sure that my research was both credible and valid, and therefore used triangulation of multiple data sources (detailed later in the chapter) to assess the *credibility*, or *internal validity* of my data and findings. With these measures applied to both the case data on the local Syrian context as well as my data collection of statebuilding theory, there should be enough detail and information for other researchers to evaluate whether this research is *transferable* to similar cases. Attempting to be as transparent and *reliable* and *dependable* as possible, this research has been done using a detailed coding process, which will be detailed in the “data collection” and “analysis” section

of this chapter. While remaining objective can be very difficult in qualitative research due to its interpretive nature, it is important that findings are not biased by personal values. I have documented my data, thought process and findings to the best of my ability in the subsequent chapters of this thesis to achieve *confirmability*.

3.2 Research Design

A study's research design can be thought of as the study's framework for data collection and analysis. The choice of research design fitting for a study depends on the type of research that is being conducted, as well as what research question the researcher wants to answer (Bryman and Bell 2019, 27). Good research design is important in that it can help the researcher avoid measurement errors, insufficient observations, biased samples, and other issues that can hurt the analysis phase of the research. Particularly in statistical research, bad research design can lead to data analysis that is completely unusable and post-research adjustments can struggle to make up for such bad research design. In more experimental research, the design always precedes analysis. In more observational research, design and analysis might be more intertwined, yet it is still advantageous for any research to have a well thought out framework in which to operate (Gerring 2012, 78-79).

3.2.1 The Case Study – What is it?

For this research, a case study research design was chosen. Gerring (2004, 341), who considers resonant definitions of concepts essential for methodological purposes, advocates for a minimal definition of a case study, and defines the case study as:

“[A]n in-depth study of a single unit (a relatively bounded phenomenon) where the scholar's aim is to elucidate features of a larger class of similar phenomena.”

Despite his attempt to formulate a precise definition of the case study, it is interesting that some might argue that Gerring still misses the mark quite considerably. For instance, Robert E. Stake (1995, xi; 4) formulates his understanding of a case study quite differently:

“[T]he study of the particularity and complexity of a single case, [...] it is not sampling research. We do not study a case primarily to understand other cases. Our first obligation is to understand this one case.”

This disparity in the understanding of the research design is interesting because it highlights that there are considerable differences in opinion within the methodological debate as to why one should conduct a case study. Consequently, it is useful to utilize a more inductive explanation of the case study for further understanding of the research design:

The case study is a research design that attempts to make a detailed and intensive analysis of a specific case. Such a case can be many things; an event, a person, a community, a state (Bryman and Bell 2019, 44). Whatever the unit of interest may be, the defining features of such a research design is that it attempts to understand the research phenomena within a specific context and by using multiple perspectives, either through single or multiple data collection methods (Ritchie et al. 2014, 66). Even though a large variety of research designs can be interpreted as a case study, it is mostly associated with qualitative research. It is the case itself that is interesting, and the researcher attempts to highlight its specific characteristics by collecting in-depth data on the case (Bryman and Bell 2019, 44). This means that a case study has a narrower scope for which the analysis can prove or demonstrate causal arguments. For this reason, the “What?” and “How?” questions which fall within the category of “descriptive inference” are easier to answer than “Why?” questions which more often require cross unit analysis. However, the case study’s ability for an in-depth analysis of the case at hand is still considered one of the method’s main virtues. Gerring articulates this by stating that the case study method enables the researcher to learn “more about less”, whereas a cross-unit analysis enables the researcher to know “less about more”. In contrast, the latter has a wider scope and therefore allows for greater breadth and boundedness in its causal arguments (Gerring 2004, 347-348).

As with qualitative studies in general, one of the main criticisms of case studies is their lack of external validity. Since case studies narrows its scope to the effects of a phenomenon within a single case, the findings do not allow for broad generalizations. However, a case study can produce findings about a phenomenon within that single case that could potentially be used in further theoretical analysis. Such findings may also unveil new elements that might warrant further research in other, similar cases (Bryman and Bell 2019, 45; Swanborn 2010, 3). This can be explained as the single unit analysis of a case study is lacking in *representativeness*, which is “the degree to which causal relationships evidenced by that single unit may be assumed to be true for a larger set of (unstudied) units”. The trade-off, and value of the case study, will instead be in its comparability to other cases. However, qualitative research often provides causal insight that differs from that of quantitative. Quantitative research often approaches

causal arguments by estimating *causal effects*, meaning measuring the effect of X on Y. In turn, qualitative research such as case studies approach causal arguments in an investigative fashion attempting to provide empirical knowledge that can identify the *causal mechanisms* needed to make a causal argument. In other words, they provide evidence that X has a plausible impact on Y. It is important to note that these are the typical traits of the research types, that does not mean that qualitative research is unable to measure causal effects or vice versa (Gerring 2004, 348-349). This investigative approach of the case study means that the research will often be exploratory, striving to discover new relevant aspects and results, allowing for flexibility and diversions along the way. The theories developed through such an exploratory approach can then be further tested in later research with a more testing approach that aims to confirm or falsify the theory (Swanborn 2010, 30-31).

3.2.2 Literature Review

Reviewing the existing theory on a subject is important for most research. It helps the researcher establish what has already been well documented within a field, and it can potentially highlight what part of the theory might need further research. This prevents the researcher from wasting valuable time and resources on “re-inventing the wheel”. Through a literature review the researcher can identify key terminology and concepts that could be relevant for their own research (Ritchie et al. 2014, 51), and examining previous research allows a researcher to contrast their findings against that of others. Moreover, a literature review enables the researcher to learn from potential mistakes of earlier research. As such, a literature review is expected for any research (Bryman and Bell 2019, 366).

3.2.3 Data Collection – Theoretical Sampling of Secondary Data

Data collection in qualitative research usually takes the form of *purposive sampling* where the researcher attempts to find sources that can inform the study. While this is not necessarily a straightforward approach and might require some digging, literature reviews can help narrow the field for where to search for the right information (Bryman and Bell 2019, 232; 366). In this thesis, the aim of this research was to study existing statebuilding theory, with the intention of gaining a deeper understanding of how it might pertain to a potential rebuild of the Syrian state if the current regime remains in power. As such, a *qualitative content analysis* of existing *secondary data* using *theoretical sampling* was the natural choice of method for data collection in this thesis. *Secondary data analysis* aims to utilize existing qualitative data with the hopes of generating new important findings (Ritchie et al. 2014, 53). *Theoretical sampling* is a “defining property of *grounded theory*” which was used for the analysis approach to this thesis. This

approach to data collection encourages the researcher to label their data by their properties and dimensions and data collection is ongoing until the point of “theoretical saturation”, meaning no new properties and dimensions of the data emerges upon further inspection of the data. While one of the benefits of qualitative content analysis is its flexible approach to research in which data collection and analysis inform each other, preparation for the initial data collection phase is important to clarify the aim of the process. In addition to establishing what type of documents might be relevant to examine, developing multiple guiding research questions that can inform the data collection process is also helpful (Bryman and Bell 2019, 233; Grønmo 2016, 175-176). For this research, the questions in **Table 1** were used.

Table 1: Data Collection – Guiding Research Questions

Research Question	Unit of Analysis	Information sought
What was the status of state and regime legitimacy in Syria before the civil war?	Secondary data – mainly history books and articles examining Syrian political history.	<ul style="list-style-type: none"> - Identify important actors in Syrian politics and the development and evolution of the Syrian state. - Understanding of international and regional relations. - Insight into key sources of legitimacy in Syrian politics.
How, if at all, has legitimacy in Syria changed due to the civil war?	Secondary data – contemporary literature detailing the effect of civil war on the political situation within Syria.	<ul style="list-style-type: none"> - Identify involved actors and their roles. - Understanding how their actions and goals impact Syrian state politics and legitimacy. - Understanding the implications of the civil war for future regime survival.
What are the international consequences of the civil war in Syria? Specifically, in terms of how it pertains to various forms of legitimacy.	Secondary data – contemporary literature elaborating on the civil war’s impact on the international community of states.	<ul style="list-style-type: none"> - Identify key international actors (states and organizations) and their roles. - Understanding of the implications of the actions or lack of action by these key actors, as it pertains to various forms of legitimacy.
Has de-facto ‘non-intervention’ yielded better results than interventions of the past? Or should the international community attempt a return towards a “right of intervention” and the original intent of the ICISS’s “Responsibility to Protect”?	Secondary data – statebuilding literature dealing with the results of other interventions.	<ul style="list-style-type: none"> - Identify similar cases. - Understanding of key relatable factors that can be relevant for the Syrian case. - Both positives and negatives, from these cases.

3.2.4 Analysis – Qualitative Content Analysis and Triangulation

Qualitative data collection usually results in the accumulation of large amounts of textual information, which with its non-numeric nature can be difficult sort out. There are no strict coding rules for sorting qualitative data in the same sense that quantitative research can sort their numeric data. Instead, the research is codified based on the researcher’s interpretation of

the data collected (Bryman and Bell 2019, 305-306). One of the most common approaches to analysis in qualitative research is referred to as “grounded theory”. In this approach to analysis, data collection and analysis are not really separated in time, rather the two processes are constantly informing each other by employing an inductive explanatory approach. The idea is for theory to be generated by being “grounded” in the observations (Swanborn 2010, 118). This approach employs a three-part coding process in which the researcher organizes the data by coding it with different labels. In the first *open coding* stage, the labels are simple and aim to capture the meaning or theme of the data. At this stage data is often coded with more than one label, so that context and meaning of the data is retained. Next in the coding process is *axial coding*. Here the researcher attempts to collect and fit the initial codes into overarching codes that can relate the codes to each other in what might be called a “coding tree” where open coding labels can be linked by context. The third process is *selective coding* in which the researcher aims to select core categories that are central in the network of categories, these core categories the aim to highlight the focus of the other categories. An example of such a category for this thesis could be “statebuilding strategies” (Bryman and Bell 2019, 307-308; Swanborn 2010, 119). The coding is not only a tool for making the collected data more manageable, but also an instrument that lets the researcher consider and comprehend the meaning and importance of the data. However, while coding is a useful tool it is only part of the analysis. The researcher also must interpret the data and attempt to find connections in the data that might lead to insight that can answer the research question (Bryman and Bell 2019, 314). As such it is important that the coding process does not become too abstract as then the researcher risks losing the original context and meaning of the data (2019, 317). This type of “content analysis” can enable the researcher to improve understanding of the data gathered in new contexts by testing new theoretical issues, which in turn can provide new insights of the phenomenon being analyzed (Elo and Kyngäs 2007, 108).

For the research conducted in this thesis, I have utilized a grounded theory coding system, reading through most of the documents used in this research multiple times. Generally, my first read through my sources would be done without coding, simply giving me an initial impression of what data could be extrapolated from the source. Upon further reading the material was coded extensively using *open coding* to mark important information relevant for the study before subsequent *axial* and *selective coding* was utilized to help me navigate my sources and make my analysis of the case more manageable.

Additionally, this research aimed to use *data triangulation* as a means to increase the confidence in its findings by gathering multiple sources of data to rely upon (Seale 2012, 535). *Triangulation* is a commonly used method where the researcher uses either multiple sources, observers, theoretical perspectives, or methods to increase the confidence in the findings produced by the research (Bryman and Bell 2019, 334-335; Swanborn 2010, 108-109).

3.3 Ethical considerations

As a rule, a researcher should always make sure that they approach their research in an ethical manner. Within social studies the most important concern is research includes and could potentially cause harm to research participants. However, since this research does not include any research participants and was conducted only using open secondary sources, this is not a concern for the research conducted here. The main ethical concern regarding secondary sources is the use of citations to properly credit the original source of the material (Grønmo 2016, 32-35). In this thesis, I have gone through the material extensively to make sure every source has been cited as per ethical guidelines.

3.4 Thesis Limitations

All research techniques have limitations, as such it is important to be aware of the limitations that follow with the choice of research design. Some of the most important that pertain to qualitative research and case studies is that they are vulnerable to suffer from lack of generalizability (Bryman and Bell 2019, 211-212). Additionally, qualitative studies are subjective the interpretation of the researcher, as such the researcher might overlook or exclude findings of significance (Swanborn 2010, 30). One of the main disadvantages of content analysis is that it will always be limited by the documents it utilizes for the study (Bryman and Bell 2019, 300).

Chapter 4: Literature Review – Legitimacy and Statebuilding Theory

A quick overview of the scholarly work concerning statebuilding reveals an immensely large, interdisciplinary field with a long and ever-evolving history. Covering all this literature would be a project beyond this thesis. Consequently, this thesis attempts to narrow the field by examining literature that focuses on the question of legitimacy, as it pertains to statebuilding. However, while conducting this literature review, it became apparent that there are certain definitional inconsistencies of key terminology throughout the literature (perhaps due to its interdisciplinary nature). Different authors can have divergent definitions of central words, terminology may have changed or adjusted their meaning over time, and certain terms are not necessarily always “fashionable” at different points in time. Therefore, within this chapter several key terminologies will be explained and defined as they are to be understood in the context of this thesis. Opening with defining the state itself and the concept of legitimacy, this chapter will then proceed with a review of the statebuilding practice.

4.1 The (modern) State and Government

Given that this thesis seeks to understand the legitimacy of the state and statebuilding, it is reasonable to first understand the role of the state in the modern international system. In the modern international system, “the state” has become the de facto standard unit in global or “international society” of states (Krasner 1999, 46-47). Further, the modern international society of states can be understood as largely built on the Weberian understanding of what a state is. Weber’s definition of the state is minimalist. Simultaneously it captures the mandatory core needs of a State to be accepted, both by its own citizens and the international community. According to Weber (1919, 78), the exclusive trait of the state is that:

“[...] a state is a human community that (successfully) claims the *monopoly of the legitimate use of physical force* within a given territory”.

Weber highlights that “territory” is thus of course one of the other characteristics of the state, and “legitimate use” of force means that the state is the only source with the “right” to use violence, whether they conduct this themselves or permit other institutions or individuals to do it on their behalf (1919, 78). Weber emphasizes that the monopoly of violence is not the only element that characterizes the modern state. Modern states also have an “administration”, a controlled legalized bureaucracy, and a justice system that operates as an extension of, and on behalf of, those who rule the state (1919, 79-80). The characteristics of such an administration

is in coherence with the Merriam-Webster (*Merriam-Webster*, s.v. “government,”) definition of government:

“The organization, machinery, or agency through which a political unit exercises authority and performs functions and which is usually classified according to the distribution of power within it”.

Another important dimension of how to examine the state is how it is recognized externally. Through such a lens Birch (2007, 14) explains the state as:

“a legal entity possessing sovereign independence, having unfettered control over its own territory, defining its own citizenship rules, and equal in international law to all other states.”

In other words, states are the major political units of the world (Connor 2004, 39). The definition of the state as a political entity (polity) that maintains a legitimate monopoly of the use of force, remains the most common minimalistic definition. In international law, the definition stipulated in the Montevideo Convention on the Rights and Duties of States of 1933, establishes that *“all states are equal sovereign units consisting of a permanent population, defined territorial boundaries, a government, and an ability to enter into agreements with other states.”* Further, the Montevideo Convention also had a provision that proclaimed that the signatories would *“not recognize territorial gains made by force, and all disputes should be settled peacefully”* (*Encyclopædia Britannica*, s.v. “Montevideo Convention,”). The Montevideo Convention remains the most widely accepted definition of the legal entity of the state (Grant 1999, 403). Which other political functions and institutions a state government should consist of is much more debatable. However, these definitions highlight key issues that are central to the discussion of statebuilding, legitimacy and sovereignty which this literature review will examine in the following pages.

4.2 Legitimacy and Sovereignty

Legitimacy and sovereignty play a central role in the context of the state and statebuilding. Within statebuilding theory legitimacy continues to be one of the elements considered most critical for success. Moreover, both legitimacy and sovereignty affect the acceptance of the state or the statebuilding project in the eyes of the state’s citizens and the international community of states. Legitimacy as it pertains to the state can be divided into two types. Internal and

external legitimacy. The first can be described as domestic acceptance, the second mostly concerns whether the international community recognizes the sovereignty of the state.

4.2.1 Internal Legitimacy

The foundation of internal legitimacy rests on the answers to two questions: First, why would anyone, willingly, let themselves be governed or ruled by someone else? Secondly, on which premise are those who rule and govern a state accepted as the rightful and legal actors in power by their own citizens? John Hobbes' theorized that the human rationale for accepting to be ruled was built on an imaginary "social contract". Hobbes claimed that the "contract" between ruler and ruled meant that the people would allow themselves to be governed by "good" rulers if these rulers could ensure that their subjects would be able to live more secure and predictable lives. In other words, giving up on anarchy and absolute freedom in exchange for giving power and authority to a sovereign ruler (Aarebrot and Evjen 2014, 44-45). A key is of course that the citizens continue to accept their ruler(s). If enough citizens do not, they might revolt and demand change. 14th century Arab historian Ibn Khaldun explained the rationale behind the demand for such change within dynastic regimes, which is arguably somewhat transferable to modern-day dictatorships. According to Khaldun, regime change was a consequence of the growing imbalance between the "center" and "periphery" within the state. A circular tendency, this would usually happen within two or three generations of dynasty's rule, as the rulers in the state's "center" would grow further apart from the periphery which they originally hailed (2014, 18-19).

Weber explained that there are three premises for approval, or "basic legitimations", on which those who govern (the regime) can base their right to do so: Traditional legitimacy, rational-legal legitimacy, and charismatic legitimacy. *Traditional legitimacy* would be that of a king or some other form of monarch, where legitimacy was based on tradition, in the sense that the ruler, or their family had always ruled. *Rational-legal legitimacy* is based on the idea that a certain set of agreed upon laws form the rationale through which the citizens accept to be ruled (Weber 1919, 79). A democratic society is based on this kind of rationale. Essentially the citizens have themselves decided how they should be governed by creating what they perceive as rational and legal institutions that can coerce themselves. As such the "citizens generate the legitimacy of their own sovereignty" (Ignatieff 2012). Like that of a monarch, *charismatic legitimacy* is centered around an individual, however, a charismatic leader has not acquired power through inheritance or tradition such as a monarch, nor because of their political stature. Rather, power has been acquired through charisma. The people believe in the individual and

are willing to give this individual the right to rule despite the lack of traditional or rational-legal legitimacy. Weber clarifies that these are ideal-types, of which there are many variants, but insight into the many complex variants in the contemporary world is contingent upon an understanding of these ideal-types (Weber 1919, 79). These definitions help elucidate internal legitimacy and the relationship between the state and its citizens.

4.2.2 External legitimacy

External legitimacy is understood through the lens of “international legal sovereignty” and the mutual recognition and acceptance of states in the context of an international community of states. The community of states can be understood as a political framework in which states are committed to a consensually mediated application of norms of legality, morality, and constitutionality (Clark 2005, 7). International legal sovereignty means that states treat each other as equals within this community and recognize that each state has certain “rights”, comparable to the rights of an individual citizen on the domestic level of a state. The most common criteria to be recognized as such a political entity (a state) has been to have territory and formal juridical autonomy (Krasner 1999, 14). The right of sovereignty functions as the “core principle of non-intervention” (Chandler 2010, 3). However, the criteria for such recognition do at times vary, and just like people can be exclusionary, so have states been within this international community of states. Additional rules and/or exceptions have been applied to weaken or strengthen target governments, and recognition or exclusion, whether it is from the international community in general, or from international or supra-national organizations such as the United Nations, can be a political act by other states (1999, 15).

Sovereignty, as its own concept, and as it pertains to a state, can be conceptualized in four different ways: *International legal sovereignty*, which is the mutual recognition of states. *Westphalian sovereignty*, meaning the exclusion of external authority actors from within a state. *Domestic sovereignty*, the organization of a domestic public authority by the state that exercises control within its territory. And *interdependence sovereignty*, which is the ability of the public authority of the state to control trans-border movements (Krasner 1999, 9). As these conceptualizations show, sovereignty, legitimacy and the monopoly of violence are all closely linked. The three latter types of sovereignty all relate to internal legitimacy and the monopoly of violence. The first, second and fourth types of sovereignty relate to external legitimacy. A state can have some of these types of sovereignty but not others. However, when a state lacks one or more of these it can affect the legitimacy, strength, and ability of the state (1999, 4). This intertwinement of sovereignty and legitimacy reveals that *capacity* is key for determining both

sovereignty and legitimacy. It is therefore important to clarify that sovereignty has two very distinct meanings, it can be understood as both a *right*, and as *capacity* of the state. Therefore, in the eyes of the international community, a country might have “de jure” sovereignty (international legal rights), while simultaneously lack “de facto” sovereignty (capacity to effectively govern) (Chandler 2010, 48). While such reduced sovereignty within a state is often what causes a state to become fragile or weak, or eventually fail, it is important to note that a deficiency or disappearance of one kind of sovereignty does not necessarily mean that the state will lose the others. On the contrary Krasner claims that both Westphalian and international legal sovereignty are best described as “organized hypocrisy” since the principles can work against each other and are therefore constantly violated. Often rulers or governments will base policy and political action on whichever principle of sovereignty best fits their current political needs as a means to defend their course of action (1999, 24). Selective use of the concept is particularly relevant to the idea of intervention and statebuilding, and the understanding of sovereignty to legitimize such actions. Which leads us to a third relevant type of legitimacy, which often juggles these two ways of interpreting sovereignty.

4.2.3 International Legitimacy

While *internal* and *external* legitimacy concerns the validity of the state as a political entity, A third type of legitimacy relevant to the discussion of statebuilding is *international legitimacy*. *International legitimacy*, understood here as the legitimacy of international relations, is how we judge the validity of international actions such as intervention or statebuilding (Clark 2005, 1-2). The actions of international relations are legitimized by whether they are within or break away from the norms, morality, and constitutionality of that which the international community of states have themselves agreed upon (2005, 7).

4.3 Fragile, weak, and failed states

States that struggle to perform the tasks that we usually expect of modern states have many names in the literature. Weak, failing, fragile or failed states are common labels for such states. Brock et al. argue that the word fragile is possibly the most accurate label to assign states that struggle to fulfill the Weberian ideal type of a state. The critique of the other labels is that they can either be perceived as too narrow, or misleading. For instance, the label “weak” can be misleading since its antonym “strong”, or in this case “strong state”, often speaks to the military capacities of a state. Yet, a “weak state” does not necessarily have a weak military. Moreover,

failed or failing can be perceived as narrow, in the sense that they indicate that there is a problem that causes failure, and this problem can be fixed (2012, 15). The word fragile on the other hand, meaning “easily broken”, “shattered”, “damaged” (*Dictionary.com*, s.v. “fragile,”), while probably also with its drawbacks, works better when speaking of how something is supposed to live up to an ideal type. The Weberian definition of a state, while minimalistic, is still an ideal type. Since this thesis uses a Weberian definition of the state, the Weberian ideal type will also serve as the way to measure whether or not a state fits the label. Therefore, this thesis will also use the term “fragile state” when speaking of states, such as Syria, that struggle to live up to this ideal.

With the Weberian definition of a state in mind, the defining features of a “fragile state” would therefore be one that does not manage to live up to the task of maintaining a legitimate monopoly of violence as well as be able to deliver the basic functions of a bureaucratic state apparatus. Brock et al. defines fragile states as “*ineffective in terms of ability to plan and execute state defined policies and they lack legitimacy in terms of being considered lawful and just by the population*”. Fragile states also “*lack coherent national economies [...] capable of sustaining a basic level of welfare for the population and providing resources for running an effective state*” (2012, 16). Further, “*the sovereign state’s physical boundaries do not correspond to the boundaries of the imagined communities with which the people who reside within them most identify*” (2012, 17). Such imagined communities are primarily referred to in the literature as either ethnic or national.

4.4 Ethnicity and Nationality

An ethnicity is a group identity where the ethnic group shares “*a belief in or an intuitive conviction of common descent*” (Connor 2004, 36). This conviction within the group is often based on narratives that they hail from the same geographical area, share certain traditions or religion, race or language (Selvik and Stenslie 2011, 78). A nation or feeling of belonging to a nationality is based on similar narratives as an ethnic group, the differentiating characteristic is that a nation is such a group that has also become politically aware. Such political awakenings can cause conflict and spark ambitions of separatism if they happen within the borders of an already existing state (Aarebrot and Evjen 2014, 260). However, Renan specifies that nations do not simply remember their history and their common descent, their perceived nation also decides to forget. Past atrocities committed between those now belonging to the nation must be

forgotten. Using France as an example Renan demonstrates, “[n]o French citizen knows whether he is a Burgundian, an Alan, a Taifale or a Visigoth, yet every French citizen has to have forgotten the massacre of Saint Bartholomew” (Renan 1990, 11). Selvik and Stenslie define a nation as “an ethnic group that lays claim to – whether successfully or not – sovereign power over a certain territory”, and nationalism as “an ideology that contributes towards legitimizing this claim” (2011, 79). In other words, the idea of a nation and nationalism can be understood as politicizing ethnicity. There are two primary approaches for such an undertaking, often referred to as the French and German model. In the case of France, existing state boundaries were more or less established before the development of nationality. In the case of Germany, a nationalism based primarily on the German language came first and the nation was cemented by the creation of a larger German state (Aarebrot and Evjen 2014, 273).

Even though many politicians enjoy using the phrase “nation state” in countless contexts, a “nation” should not be confused with a “state”. Only in exceptional cases would they be the same. A “nation state” would signify that the concepts of state and nation completely overlap, all the states citizens would belong to the same nation and none of the citizens would live in territories that didn’t belong to the state (Aarebrot and Evjen 2014, 333). In the contemporary globalized world, such an occurrence is unheard of.

4.5 Statebuilding – General Overview and conceptualization

As mentioned, the ever-evolving field of statebuilding includes literary works with somewhat divergent conceptualizations of statebuilding. Most noticeably “statebuilding” is often used interchangeably with “nation-building” or post-conflict “peacebuilding”. However, while these concepts are related and might at times even overlap, they are not synonymous. Acknowledging the differences between them is important to fully comprehend what each process involves.

Post-conflict peacebuilding aims to create conditions where violent conflict does not re-emerge (Paris and Sisk 2009, 14). However, there are a myriad of activities which might be considered peacebuilding, therefore peacebuilding is perhaps the vaguest of the three processes in terms of what exactly it entails. Peacebuilding can involve everything from demobilization of soldiers and their reintegration back into society. Humanitarian aid such as emergency relief, food aid and civilian assistance. Further, peacebuilding might also include development activities and reconstruction, as well as military operations (Paris and Sisk 2009, 5; Bigome, Collier and Sambanis 2000, 335). The peacebuilding term only really emerged around 1990, as

part of the post-Cold War liberalistic statebuilding paradigm (Chandler 2017, 11), but has in recent years again fallen out of favor. Especially with the UN who understood it as “*too linear and reductionist*”, with the term implying that there is an easy fix to the problem. Instead, the UN has in recent years wanted to move away from its previous “*white-SUV culture*”, and instead preferring the term statebuilding and shift the focus to local institution building “resilience” and reconciliation processes (2017, 7-8).

Comparatively, nation-building is somewhat narrower in scope, nation-building can be described as “*employing measures aimed at unifying the population in a national community*”. Thus, the goal of nation-building is to convince the population of a geographical entity to abandon identity traits such as language, tradition and culture that are contradictory or in opposition to a new state. Preferably, the citizen should rather have loyalty to the state and share its core values (Selvik and Stenslie 2011, 79). When a state or statebuilder is conducting nation-building it is perhaps best understood as “national integration” (Birch 2007, 18-19), this is often an attempt to consolidate and stabilize the country. Thus, nation-building attempts to create unity by strengthening the feeling of a collective national identity within a population (Paris and Sisk 2009, 15).

Similarly, to nation-building, statebuilding is narrower in its definitional scope than peacebuilding. Nonetheless, statebuilding can also be a sub-component of peacebuilding and somewhat overlapping with nation-building. Statebuilding focuses on the entity of the state and either “*strengthening or constructing effective and legitimate governmental institutions*” (Paris and Sisk 2009, 14-15). Extending his definition of statebuilding from the Weberian definition of the state, Lake defines statebuilding as the “*process of consolidating the monopoly of legitimate force in all corners of a country’s territorially defined realm*”. Thus, successful statebuilding would be a state that “*can sustain this monopoly without outside assistance against potential challengers*” (2016, 9). Yet, such a monopoly is difficult to achieve without legitimacy, which is why Lake also states that “[t]he central task of all statebuilding is to create a state that is regarded as legitimate by the people over whom it exercises authority” (2016, 1). Moreover, a common misconception about statebuilding is that it solely rests on a “top-down” approach to strengthen institutions. This is not the case. Statebuilding seeks to create *legitimate* government institutions and states acquire such legitimacy differently from both internal and external sources. It is paramount for internal legitimacy that the state assures that there is a good relationship between civil society and the state’s institutions (Paris and Sisk 2009, 14-15).

In modern political science literature, statebuilding has become synonymous with what can be defined as external or interventionist, *international statebuilding*. International statebuilding is considered one of the primary tools through which the international community can deal with the internal issues facing fragile and conflict-affected states, as well as the threats and problems that such states pose to their own citizens and the international community as a whole. The goal of such external international statebuilding can be understood as the international community of states attempting to “*develop and export frameworks of good governance*”, meaning assisting so called “fragile” and conflict-affected states in achieving peace, sustainable development, and democracy (Chandler 2010, 1). However, international statebuilding faces significant complicated ethical and legal dilemmas that are central to understanding the difficult task that external statebuilders embark on. Perhaps at the core of these dilemmas are the competing international legal rights of the sovereignty of the modern state and the international human rights of the citizen (Chandler 2006, 26-27). This highlights the “organized hypocrisy” surrounding sovereignty as described by Krasner (1999), since the action of external statebuilding clashes with the norm of non-intervention established through the right of state sovereignty. Consequently, international statebuilding understands sovereignty as capacity. Through this lens, if a state lacks the necessary capacity to deliver on their duty to protect its citizens as well as the international community, then the lack of capacity *necessitates* intervention. Statebuilding can be understood as attempting to correct the lack of capacity that led to state weakness and “fragility” and create a state capable of sustaining peace (Chandler 2010, 3; Lemay-Hébert 2019, 1-2).

4.6 The Evolution of the State, Statebuilding and Legitimacy

4.6.1 “Classical” Statebuilding

The origins of statebuilding theory are to be found in the evolution of the modern state and its legitimacy. In essence, statebuilding theory aspires to explain and identify the essential and decisive aspects and circumstances needed for the creation, development, stabilization, and consolidation of states. Most such consolidated states are found in Europe, East Asia, and North America. The statebuilding process these states went through took centuries, fueled, and encouraged by competition between different political units. Moreover, despite the political competition that hastened the need for political development, this process was mainly an internal development (Lake 2016, 1). Through the use of force and war-making European states would eventually create supporting bureaucracies that would in turn be central to support and

reinforce the size and strength of these growing and consolidating states. The key processes of this could in a sense be considered “classical” statebuilding. These processes have been summarized by Charles Tilly, whose theory focuses on how the application of force and war-making was central to the formation and establishment of the European states as we know them today. Quite bluntly, Tilly explains that “*War makes states*” (1985, 170). There are four main activities that Tilly (1985, 181) identifies which he considers at the heart of this consolidation process:

- 1) *War making: Eliminating or neutralizing their own rivals outside the territories.*
- 2) *State making: Eliminating or neutralizing their rivals inside their own territory.*
- 3) *Protection: Eliminating or neutralizing the enemies of their clients*
- 4) *Extraction: Acquiring the means of carrying out the first three activities.*

As the fourth activity listed implies, these activities were overlapping. In his theory Tilly argues that holders of territory would need the means and resources to be able to expand and secure their territory. Their pursuit of territory and control required resources and capital. Although the intentions of these powerholders were not to create states nor political organizations in the modern sense, these processes would shape the story of early European state-makers as they built their states to cope with the demands of these activities (1985, 172). Moreover, the war-making activities of the early European states resulted in numerous peace treaties that gave rise to some of the earliest, still relevant, international agreements that to this day helps define both the state, and legitimacy in the modern international society of states. Although there certainly is debate surrounding the individual importance of each of these agreements, as well as their degree of individual influence, most scholars do agree that treaties, such as the ‘Peace of Augsburg’ (1555), ‘Peace of Westphalia’ (1648), ‘Peace of Utrecht’ (1713), the ‘Vienna Settlement’ (1815), the ‘Treaty of Berlin’ (1878), the ‘Versailles Settlement’ (1919) as well as the aftermath of WW2 form the base on which the modern international system rests (Krasner 1999; Philpott 2001; Clark 2005). Notably, this evolutionary process of consolidation took the European states centuries to achieve. Modern external statebuilding attempts find a way to produce stable and functioning states *without* going through the centuries long experience of European states.

4.6.2 Decolonization and “Statebuilding 1.0”

Although some might associate external statebuilding and interventions with colonialism, it would arguably be more accurate to consider external statebuilding as a product of the

decolonization process. The infrastructure built during colonialism was primarily a means to support and safeguard the process of extraction of goods and resources from the colonies back to Europe. Whereas it was only during decolonization that the European states first started exporting their concept of the modern state. Prior to decolonization Europe had split most of the world into different territorial entities such as “colonies”, “protectorates”, “dominions” and “mandates” that all lacked sovereignty and significant development (Aarebrot and Evjen 2014, 243-245; Chandler 2010, 47;145). Only once colonization became ethically problematized and criticized would development and statebuilding become relevant. Further, this nascent statebuilding mainly served as apologia to prolong the end of colonialism as well as an explanation for the support of non-democratic regimes (Chandler 2010, 144-145). Arguably, colonists were not worried about the legitimacy of statebuilding. Rather, statebuilding served as a legitimizing element of extended colonialism and military interventions.

The League of Nations (predecessor to the United Nations) “mandates” exemplifies this extension of colonial rule. The mandate system, established in the aftermath of World War I (WW1), was created to rationalize the control of territory given to the victors of the war. For instance, Britain was “given” control over Palestine and Iraq, these territories included modern day Israel and Jordan, while France received Syria and Lebanon. The purpose of these mandates was not annexation into Britain and France. Rather, the mandated territories were judged as “not ready to govern themselves” and Britain and France were supposed to develop these newly acquired territories politically and economically. Once “developed enough”, and deemed capable of governing themselves, the mandated territories would gain their full independence and their time under allied administrative control would end (*Encyclopædia Britannica*, s.v. “Mandate: League of Nations,”). In essence, the mandates of the League of Nations can be described as a means to “civilize” countries of the Middle East as the territories were placed in a form of “custodial care” of the West. While the intentions of the mandate might sound admirable on paper, the mandate years would go on to have a devastating political impact on the region, and little development would be done. As Seale proclaims, the League of Nations Mandates were just a “fig leaf” for colonial regime (Seale in Chaitani 2007, XII). Moreover, while countries with a Mandate, would have to account for its rule to the League of Nations Mandates Commission, this commission had little to no power to hold the nations accountable (McHugo 2017, 70).

The early interventions and statebuilding activities of the United States (perhaps the most prominent statebuilder) show similar lack of attention to legitimacy as neither the

legitimacy of statebuilding itself, nor the legitimacy of the regimes they supported were of any concern to the US. Instead, according to David Lake (2010, 260), US statebuilding actions from 1890s until the end of the Cold War can be understood to have had the following priorities (in descending order):

- 1) *“Loyalty to the United States, especially the forswearing of alliances or special economic relationships with any other great power.*
- 2) *Domestic political stability.*
- 3) *Foreign and economic policies preferred by the United States, particularly receptivity to American military bases and investments.*
- 4) *Democracy, if consistent with other priorities.”*

Speaking of how the US have preferred loyal dictators over democracy in a whole list of countries, Bruce Fein references President Franklin Delano Roosevelt’s famous quote, when he proclaims that “[t]he soundtrack of our foreign policy for a century has been: ‘He may be a son of a bitch, but he’s our son of a bitch’” (Fein 2017). The main concern was that the regime in place served the interests of the United States, the US were willing to topple a democratic regime and install an authoritarian one if it would benefit America. Even though this statebuilding practice, which Lake labels “[US] Statebuilding 1.0”, did evolve over the 20th century, it remained unconcerned with legitimacy and democracy was not prioritized. For instance, the average time from (US) intervention to election was 7.3 years when including all cases, and still 3.8 years when accounting for Panama as an extreme outlier (2010, 263).

The two most well-regarded statebuilding efforts of this period are Germany and Japan and they are both products of Statebuilding 1.0 policies. For instance, in Germany, the United States sought to ensure loyalty and stability over democracy after WW2. By providing economic support through the Marshall Plan, the United States managed to bring Western Europe and Germany into its sphere of influence. Importantly, the total defeat of fascism, ensured that the *illegitimacy* of fascism was more important than what would eventually replace it. Moreover, since Germany was almost fully reshaped to suit American preferences, democracy was possible (2010, 262). Even so, and significant when comparing these cases with later statebuilding efforts, statebuilding in Germany and Japan were products of years of planning. Post-war reconstruction planning of Japan was already underway in 1942 (Monten 2014, 178). Furthermore, and possibly a key to statebuilding success, these statebuilding projects were initiated by a political administration with an inherently positive view of the state. President Truman’s administration, who would lead the statebuilding efforts in Germany and

Japan, planned post-war reconstruction within the framework of New Deal ideology. An ideology that had massively strengthened and expanded the US federal state to deal with the significant problems caused by the Great Depression (Monten 2014, 187).

Essentially, Statebuilding 1.0 theory only considered *realpolitik* and therefore emphasized that “might makes right”. Except for a brief period during the presidency of Jimmy Carter (attempting to enhance US standing in the wake of the Vietnam War), it is only by the end of the Cold War that the question of legitimacy becomes significantly relevant (Lake 2010, 264-265). Perhaps, even more notably, the *illegitimacy* of the “other” could even be considered the primary means for the legitimacy of state-intervention during the Cold War, as both the United States and the Soviet Union frequently explained their actions as efforts to stop the influence of the other. This was a means to widen their respective spheres of influence even though the international community had embraced a norm of “non-intervention” as per Article 2/7 of the UN Charter (Brock et al. 2012, 100-101).

Non-intervention was part and parcel of a set of new norms and rules that changed the understanding of international legitimacy during the 20th century. Although the international community remained mostly unconcerned by the legitimacy of statebuilding, the norms and rules surrounding the legitimacy of the territorial entities of the world went through a highly consequential change. Prior to the 1900s, territorial conquest and loss was a common cost of war. However, such annexation was increasingly considered a threat to international peace and security. Therefore, over the course of the century, international agreements including the aforementioned Montevideo Convention, as well as agreements enacted through both the League of Nations and later the United Nations, sought to “freeze the political map of the world in its existing pattern of state jurisdiction”. The territorial integrity of states reached a previously unprecedented level of legitimacy, and any changes to international borders (including that of states based on previous colonial borders) were considered illegitimate unless accepted by the international community of states. The aftermath of WW2 reflected this as all states, except for the Soviet Union, reverted and were rebuilt in accordance with their pre-war frontiers (Holsti 2004, 97-99). Similarly, when the Soviet Union dissolved after the Cold War, most countries reverted to what were largely considered their “traditional borders” (2004, 103). Yet, it is well worth noting that such reversal to perceived prior borders did not occur upon the independence of most colonies.

4.6.3 Post-Cold War – “Statebuilding 2.0” the “Right of Intervention”

The end of the Cold War marked a significant change in the way international statebuilding was conducted and a “new beginning” of sorts for the international community of states. Void of any ideological competitor on the international stage western statebuilding efforts significantly changed its character towards its own ideals (Brock et al. 2012, 100). Prioritizing building states that would be considered “rightful” by its citizens was to be central, with highly inclusive elections as well as high levels of representation within those controlling the state as legitimizing factors (Lake 2010, 265). The “Charter of Paris for a New Europe” embodies this change. The Charter, signed by most European governments, including the Soviet Union, as well as Canada and the United States, leads with the headline “*A new era of Democracy, Peace and Unity*”, and encourages a community of democracies, dedicated to promoting human rights, democracy, rule of law, economic liberty, social, justice and environmental responsibility (OSCE 1990, 3-4). Moreover, the charter specifically states that it supports the United Nations increasing role of promoting international peace and “*protect and advance the community of fundamental human values*” (1990, 5-6). In this new era of statebuilding, dubbed by Lake as “Statebuilding 2.0” (1990-2007), statebuilding activities would become increasingly multilateral (although the US remained the leading statebuilding actor) as the new democratic community of states sought to promote peace and human rights by building “legitimate” states that corresponded with the values of the western world (Lake 2010, 265-266) Thus the international norm of state relations turned from “non-intervention”, to a sense of “right of intervention” based on human rights and freedom (Chandler 2010, 118). Fragile states were therefore a challenge to the new liberal world order (Brock et al. 2012, 103).

In practice, this meant that legitimacy during the post-Cold War statebuilding era pivoted towards liberalistic principles akin to those of the United States. The United States had won the Cold War, and to the contemporaries of that time, the shift in international politics was considered monumental. To some, like Fukuyama it was perceived as an “End of History Moment”, which he described as “*not an ‘end of ideology’ or a convergence between capitalism and socialism [...] [but] an unabashed victory of economic and political liberalism*” (1989, 3). Within statebuilding the US focused on their own “perceived” history with democracy and the market, and exporting these liberalistic values were supposed to form a legitimizing package to be used in “failed states”. Lake highlights four primary principles of liberalism that became central to this new strategy as legitimizing effects of statebuilding and the states they were trying to build (2010, 269-270):

- 1) *Democracy legitimizes states by means of inviting its citizens into its public sphere and allow for the exchange of ideas, deliberation, party competition, a free press, in an attempt to accurately represent the “will of the people”.*
- 2) *Democracy legitimizes states by ensuring government responsiveness to the demand of its citizens.*
- 3) *Democracy legitimizes states by having clear rules that allow for smooth transition of power and fairness through ‘one person, one vote’.*
- 4) *Under liberalism, liberal economic policies such as limited state regulation, open trade are understood to maximize social welfare, while simultaneously constraining the state.*

Lake argues that especially the first three points show that democratic process can have a large legitimizing effect, giving the example of the Iraqi election in 2005 where voters proudly showed that they took part in the political process by displaying their dyed fingertips (a mark to show they voted). Additionally, market-liberalistic economic policies would constrain the state by limiting its hold on resources and thereby the benefits of public office. Liberalism, understood to be “*good on its own terms*”, would preserve, reinforce, and legitimize democracy in the long term (2010, 269). These economic policies, the “Washington Consensus” (aptly named by economist John Williamson due to its primary promoters, “*the technocratic Washington of the international financial institutions (IFIs), the economic agencies of the US government, the Federal Reserve Board, and the think tanks*”, all being based out of Washington D.C), was largely consistent with earlier statebuilding policies. These were policies favorable to US interests and prescribed deregulation, privatization, and open trade as part of the economic policy packages aimed to help failed and fragile states (Babb and Kentikelenis 2021, 521; Lake 2010, 266). These institutions understood their role as promoting “*sustainable economic and social development*” through what they labeled “good governance”. Which the World Bank, one of the most influential Washington institutions, defined as (1994, vii):

“Good governance is epitomized by predictable; open, and enlightened policymaking (that is, transparent processes); a bureaucracy imbued with a professional ethos; an executive arm of government accountable for its actions, and a strong civil society participating in public affairs; and all behaving under the rule of law.”

Despite its perceived universal appeal by the West, liberalism and democracy would prove to be difficult exports even without an ideological challenger. Consequently, post-Cold War

statebuilding would prove to be a steep learning curve for the UN and the Western states. Moreover, many “lessons” learned would come from devastating conflicts, and the new norm of “right of intervention” on behalf of human rights would be challenged or modified throughout the decade.

The new norms of the 1990s led to a significant increase in humanitarian interventions as a response to several humanitarian crises across the globe (Paris and Sisk 2009, 2). Although interventionist statebuilding efforts proved to deliver lasting peace in countries such as Cambodia, El Salvador, Namibia and Kosovo, the earlier failures in Yugoslavia and Somalia (Dobbins et al. 2007, vi) would sow doubt surrounding democracy’s ability to deliver peace. The UN efforts in Somalia would prove significantly impactful, as the UN military intervention ended in complete exodus of the UN troops there. During the civil war in Somalia the international effort started by providing humanitarian aid, and the UN negotiated with local warlords attempting to decrease the violent conflict. Yet, the initiative to build democratic institutions refueled the conflict as the local warlords perceived it as an attempt to remove them from power while empowering others in their place. Prominent warlord General Aidid who broke with the UN and Somali militias began attacking UN personnel. Subsequently the UN Security Council (UNSC), attempting to eliminate all those they labeled obstructionist, approved the use of force to arrest and put on trial those that disrupted the process. The attempted attack on General Aidid was unsuccessful and resulted in the deaths of 23 Pakistani and 18 US soldiers. Moreover, the UN failed to disarm the local warlords and their clans, did not improve the functions of the state and was no longer a neutral party in the conflict. The failure was complete upon the US exit in 1994. To make matters worse, the UN became vary about how to engage in further conflicts and upon the next humanitarian crisis in Rwanda that same year, the UN response was delayed, despite warnings of possible ethnic killings. Within the first hundred days of the conflict the death toll might have been as high as 800,000 (Brock et al. 2012, 103-105; Lake 2010, 270-271). In Europe the US first preferred a non-intervention policy in the break-up of Yugoslavia. However, after the UN failed to protect a safe haven in Srebrenica from ethnic killings, the UN, and the US “bombed the Serbs to the negotiating table” (Brock et al. 2012, 106-107).

4.6.4 “Responsibility to Protect” and the Peak of Liberal Statebuilding

By the end of the 1990s, many would become disillusioned by the potential prospects of intervention, and George W. Bush’s campaign for presidency in the United States advocated firmly for less US military in “nation-building” abroad (Dobbins et al. 2007, iv-vi). Moreover,

the UN experiences in Africa, as well as the breakup of Yugoslavia, showed large inconsistencies in the way the UN and the international community responded to humanitarian crises and violent conflicts. With a lack of consistent rules of engagement such inconsistencies and irregular implementation of interventions lead to questions surrounding the validity of the “right of intervention”, and there was a rising debate surrounding the dilemma of compatibility between a country’s right of sovereignty and the human rights of people (Brock et al. 2012, 107).

The call for having the rules of intervention properly defined would also come from the UN itself. In 1999, the Secretary General of the United Nations Kofi Annan proclaimed that sovereignty was being redefined by “*globalisation and international co-operation*” and that “[s]tates are now widely understood to be instruments at the service of their peoples, and not *vice versa*”. Questioning both inaction (Rwanda) as well as action without international consensus and “*clear legal authority*” (Kosovo), Annan implored that international policy on intervention must become consistent in respect to human rights and state sovereignty. Annan also highlighted that “intervention” cannot be understood simply as the use of force, it must also include peacekeeping and humanitarian assistance. Further, when a crisis is acted upon there must be commitment to both the conflict as well as the peace that comes after (Annan 1999). The debate surrounding sovereignty, human rights, and the rules of intervention, lead directly to the creation of the International Convention on Intervention and State Sovereignty (ICISS) by the Canadian government which in turn created the “Responsibility to Protect” report in 2001. This report attempted to address the “new types of conflict” and create a new framework through which the international community could deal with state fragility and failure (Brock et al. 2012, 107).

Signed unanimously by the society of states at the 2005 UN World Summit, the “Responsibility to Protect” (R2P) is built on the understanding of sovereignty corresponding to the one described by Kofi Annan in which the state is supposed to be an instrument in the service of its people. According to the ICISS, state sovereignty “*implies responsibility*”. Primarily a responsibility to protect *all* the people within its borders, but sovereignty also implies that in the society of states, each state shoulders a “*residual responsibility*” to people outside its own borders. In cases where “*a population is suffering serious harm, as a result of internal war, insurgency, repression or state failure, and the state in question is unwilling or unable to halt or avert it, the principle of non-intervention yields to the international*

responsibility to protect". The version of the Responsibility to Protect adapted by the UN is construed into the three following "pillars" (Glanville 2016, 161-162):

- *Pillar I: Sovereignty entails a responsibility to protect populations from four specific crimes: genocide, war crimes, ethnic cleansing, and crimes against humanity*
- *Pillar II: States pledge to support each other in their responsibility to protect and should do so upon the request and consent of the sovereign state.*
- *Pillar III: Should encouragement and assistance be insufficient, the society of states may rightfully take measures to enforce the protection of populations.*

However, the original ICISS report attempted to codify R2P as a means for the international community "*to prevent, to react, and to rebuild*", yet the World Summit R2P focuses mainly on prevention. Even more problematic, the World Summit R2P is essentially detrimental to ICISS's perceived original intent of codifying the rules of intervention and set limits to state sovereignty. In the World Summit version of R2P, the ability to react was made more difficult and a responsibility to rebuild was not included (Weiss 2013, 375). In its final rendition the UN had distanced R2P from intervention by excluding the "right of intervention" from its language and made R2P fully dependent on the UN Security Council for the use of force (Chandler 2010, 129-130). Rather than justifying intervention, the UN R2P's focus on prevention emphasizes that the primary responsibility lies with the sovereign state first. Though perhaps unintentional, this arguably prioritizes the right of sovereignty above that of human rights and effectively means that any intervention conducted without approval from the UN Security Council is suddenly delegitimized. Additionally, intervention could now easily be vetoed against by one of the permanent members of the UNSC (Chandler 2010, 131). Originally, the approval of the UNSC was not to be an absolute necessity, though certainly desirable (Weiss 2013, 380).

The growing debate surrounding sovereignty and human rights and the rules of intervention, would increasingly chip away at the ideologically framed parts of the early post-Cold War liberalistic statebuilding paradigm. By the end of the 20th century there was an increased focus on increased institution building. In stark contrast to the Washington Consensus, the Responsibility to Protect seemingly encouraged more state control, not less. According to Brock et al. "*bringing the state back in*" (referencing the 1985 book of the same name which highlights the importance of the state as an independent actor), was necessary if

the state were to be able to handle its “responsibilities” as a sovereign to its own people as well as to the international community. Which, in the aftermath of September 11 also included cooperating in preventing and fighting international terrorism (Brock et al. 2012, 107-108). Further, the post-Cold War statebuilding era saw elections being initiated at a much quicker rate. As mentioned, before the end of the Cold War, elections were only initiated after 3.8 years on average (with extreme outliers removed). In the post-Cold War era, planning for elections began immediately, and except for those interventions where violence reoccurred before the election could be held, elections were always held within 3 years. Rapid democratization and marketization were the trademarks of statebuilding interventions in the 1990s, both of which saw a rapid increase in its international legitimacy. In the mid-1980s only 41 percent of the world’s countries were considered democracies, just a decade later that number had surpassed 61 percent, and virtually all countries had implemented some form of market-oriented economics (Paris 2004, 19-21). However, the early post-Cold War liberalistic peace paradigm, which can perhaps be framed idealistically as an attempt to export human rights, democracy, “good governance”, and freedom, would in many cases struggle to have the desired impact and in fragile and conflict-affected states, as the results were not necessarily as encouraging as the above numbers imply. Establishing liberalistic democratic institutions in fragile countries was thought to be a cure to their respective problems, yet in cases, such as Bosnia, democratic liberalism seemed to increase the political divide (2004, 105-106). Similarly, in Nicaragua economic liberalism seemed to recreate the socioeconomic conditions that led to conflict in the first place (2004, 121). The presumption driving democratization and early elections was built on the central argument that democratic societies rarely, if ever, engage in interstate war with other democracies, and democracies also show less tendency to engage in domestic armed conflict (Hegre 2014, 159). Nonetheless, liberalization and democracy in fragile and conflict-affected states, especially early transitions from dictatorship, can have an incredible destabilizing effect and make countries especially prone to civil war, revolution, as well as ethnic and sectarian violence and international conflict (Mansfield and Snyder 2007, 5). The paradox of democratization and capitalism as tools for peace is that both democracy and capitalism encourage conflict and competition. Moreover, in democracies “*political contestation itself provides a means of containing and reconciling social conflicts*” (Paris 2004, 158).

4.6.5 The Withering of Liberalistic Statebuilding

The growing concern regarding the liberalistic statebuilding model would reach its peak with the failures in both Afghanistan and Iraq in the mid-2000s just as previous seemingly positive results in Kosovo and East-Timor also showed re-emergence of conflict (Kahler 2009, 289).

Decisively, the death-knell of democracy focused liberalistic statebuilding came when Iraq plunged into Civil War in 2006 after the deeply flawed, and basically nonexistent, initial US statebuilding plan failed (Iraqi statebuilding will be examined in more detail in the thesis analysis). The model described by Lake as “Statebuilding 2.0” was finally scrapped, the US quickly transitioned into a new form of statebuilding (dubbed by Lake as “Statebuilding 3.0”) which was implemented in both Iraq and Afghanistan. This new US statebuilding is primarily informed by Dobbins et al.’s *Beginner’s Guide to Nation-Building*, as well as the *U.S. Army/Marine Corps Counterinsurgency Field Manual* (CFM), which was co-written in part by General David Petraeus. Petraeus, unlike most other US commanders in Iraq, had used counterinsurgency with great success in Mosul during the first year of the war and implemented the strategy upon his return to Iraq as Commander of the Multi-National Force-Iraq in 2007 and later in Afghanistan while Commander of United States Central Command. In both CFM and Dobbins et al.’s “Guide”, democratization has been relegated towards the bottom of statebuilding priorities (Lake 2010, 272-273; Lake 2013, 299). Dobbins et al. list the new statebuilding priorities in the following order (2007, xxiii):

- 1) *Security: Peacekeeping, law enforcement, rule of law, and security-sector reform.*
- 2) *Humanitarian relief: return of refugees and response to potential epidemics, hunger, and lack of shelter.*
- 3) *Governance: resuming public services and restoring public administration.*
- 4) *Economic stabilization: establishing a stable currency and providing a legal and regulatory framework in which local and international commerce can resume*
- 5) *Democratization: building political parties, free press, civil society, and a legal and constitutional framework for elections.*
- 6) *Development: fostering economic growth, poverty reduction, and infrastructure improvements.*

Statebuilding 3.0, more commonly referred to as “counter-insurgency” (COIN) statebuilding still aims to create states that will be considered legitimate states in the eyes of the local citizens. Yet, rather than using liberalism as a perceived self-legitimizing tool, security takes priority as a means to win the “hearts and minds” of the local population (Lake 2010, 273; Lake 2013; 293). However, COIN demanded higher commitment to statebuilding than the Bush Administration’s preference for “conventional wars” (Dobbins et al. 2007, v). The lack of interest in statebuilding can be summed up by former UN ambassador and national security advisor John Bolton who has repeatedly claimed that the main mistake was to not leave Iraq much earlier and “*give them a copy of the Federalist Papers and [wish] them good luck*” (Hartsoe 2020; Lake 2013, 295).

Prior to the Iraq War the US military had become accustomed to waging wars without significant American loss of life. Sarah Sewall highlights this in CFM proclaiming that, since the Vietnam War Americans had almost “enjoyed relative immunity from wars fought in their name”. Additionally, historically, military forces did not have to concern themselves with the modern standards of human rights as well as “domestic and international scrutiny”. However, CFM argues that if military intervention such as those in Iraq are to succeed in the future, then the lust for quick “traditional war” missions must be abandoned. CFM acknowledges that this will likely demand a higher cost of human lives than what Americans have become accustomed to, as “nation-building” and “governance” will demand the employment of more nonmilitary power at great risk, to help secure and rebuild a state. CFM claims that statebuilding is a long and costly adventure, these practices can succeed if there is political will, such as in the aftermath of WW2 (2007, xxxvii-xxxviii).

Emphasizing this with a moral point, Sarah Sewall writes (2007, xxxviii-xxxix):

“[...] if we fight these wars, and if we wish to succeed with any approximation of honor, counterinsurgency will demand more than we are accustomed to giving. These demands are the essence of the doctrine. Will Americans supply greater concentrations of forces, accept higher casualties, fund serious nation-building, and stay many long years to conduct counterinsurgency by the book? If we reject the manual and take the nihilistic military route, we will become the enemy we fight. If the United States wants both decency and success in counterinsurgency, it must reckon with the consequences. The costs are real, but they are not inherently unbearable. Willingness to bear them is a choice.”

Such political will to bear this burden was already fleeting, not only in the US but within the international society of states as well. The fate of R2P exemplifies this lack of political will and the further withering of humanitarian interventions. Ironically, one of the larger criticisms originally aimed at R2P was that it would be a means for powerful states to legitimize continued interventions reminiscent of imperialist and colonialist behavior (Weiss 2013, 378). However, due to its limitations and reliance on the UNSC, R2P has struggled to have its intended effect, or at least the intended effect of the ICISS to codify a template in which the international society could directly intervene to protect human rights. Quite contrary, the UN Secretary-General follow up report in 2009, made it particularly clear that the UN R2P does not codify humanitarian interventions claiming that this understanding of responsibility would be problematic for sovereignty. Instead, the follow up report argues that “*the mass killings [and] brutal legacy of the twentieth century*” was due to the “*failure of individual States to live up to their most basic and compelling responsibilities*”. The UN R2P aims to strengthen sovereignty, by helping those weaker states fulfill their duty by encouraging “good governance”. Chandler argues that this understanding of R2P squarely places the responsibility back on the weak states themselves, and further contends that reframing the atrocities of war and conflict in the form of institutional failings is a “*crude and institutionalist re-reading of history*”. Moreover, Chandler claims that these overwhelming changes to R2P’s original intent, into what he considers a “post-liberal governance statebuilding framework” benefits the UN. Allowing for interventions without UN approval would have threatened the UN institution and the UNSC which is based on the sovereignty of its members. By turning state failure into an institutional “governance issue”, the UN and the UNSC cements its authority (Chandler 2010, 134-135).

4.6.6 The Contemporary State of Statebuilding

The remainder of the 00s as well as the 2010s have seen a sharp decrease in humanitarian statebuilding interventions. Significantly R2P has only been utilized for approving a humanitarian intervention once, in Libya in 2011 after dictator Muammar Gadhafi threatened retribution for the Arab Spring uprising with language that hinted at genocide. Enacted unanimously by the UNSC resolution 1970 demanded the “*immediate cessation of violence, established a political process aimed at finding a negotiated settlement, imposed targeted financial sanctions on the regime and an arms embargo, and referred the matter to the ICC for investigation*” (Bellamy and Dunne 2016, 9). However, the Gadhafi and the Libyan regime failed to comply, and in a further resolution the UNSC again unanimously. This time, resolution 1973 authorized the use of force against a state to protect civilians. The first time the UNSC

authorized force for humanitarian reasons without the consent of the government concerned. The NATO coalition of the willing created as a response managed to prevent an anticipated massacre in Benghazi, and after a few months of stalemate the regime finally fell, and Gadhafi was killed. The latter would prove to be highly consequential for further implementation of R2P. Provoked by the results in Libya, Russia argued that the UN and NATO had gone beyond their mandates, avoided further attempts at political dialogue and instead contributed to regime change. Unwilling to be part of further potential forced regime changes Russia has rejected any calls for intervention in Syria, effectively locking the R2P within the doors of the UNSC (2016, 10). Moreover, the UN R2P arguably failed in Libya. By not committing to rebuilding Libya, R2P did not protect the population from the chaos and anarchy in the aftermath of intervention (Mabera and Spies 2016, 217).

The current deadlock in the UNSC and arguable recent lack of success in Iraq and Afghanistan have been highly detrimental to liberal statebuilding paradigm and humanitarian interventions. The financial burden on the states involved, further combined with the 2008 financial crisis also have made states much less ambitious as to what they perceive can be achieved in statebuilding endeavors. The economic costs of Afghanistan and Iraq are numbered in trillions of US dollars, and while these can't be considered the average type of interventions, their results (or lack thereof) have led to a shift in policy with a new focus on "resilience" through "good governance". Low expectations are encouraged, so much in fact, that the current expectations have dropped to "good enough governance". The institutional approach adapted by the UN encourages involvement through the UN itself or regional institutions and multilateral trust funds, delivering aid primarily to local governments, who then retains the responsibility of making use of those contributions and gain legitimacy in the process. Leaving the responsibility in the hands of those local governments thus makes failure the responsibility of the recipient state, or "it merely vanishes in the haze of multilateralism" (Haldrup and Ros 2017, 364-365).

The resilience paradigm to statebuilding attempts to implement a coaching and mentoring approach where "South-South" cooperation (cooperation between developing countries) is encouraged, and the individual rather than institutions is the focus and entry point for reform with the aim of improving individual capabilities as the main source of organizational and societal change. Instead of having goals of creating "Western-like institutional constructs" statebuilding is instead process oriented and conducted on a much more "ad hoc" basis, aiming instead to improve "whatever is there in the first place". Arguably this

“resilience-capacity” paradigm can be understood as a pragmatic way for Western states to escape responsibility, since capacity building in this form which can at best be understood as “help-to-self-help” which keeps the responsibility for development “far away from any western donors” (Haldrup and Ros 2017, 365-366).

Kahler perhaps somewhat unsurprisingly predicted that the current statebuilding results of the 00s would produce two prominent camps in the literature. The revisionists who are critical of the current UN paradigm and continue to seek solutions that can lead to even better results in statebuilding, and those disenchanted enough to call for statebuilding disengagement and instead seeking local solutions (Kahler 2009, 289). With this thesis aim of examining possible future statebuilding and legitimacy solutions for the currently war-torn Syria. The UN’s current “resilience-capacity” paradigm seems insufficient and inadequate. If “over-optimism” can be considered one of the main faults of the post-Cold War liberalistic statebuilding (2.0) era, then the lack of positive results from the most recent statebuilding (3.0) era has pivoted the opinion of many scholars to that of defeatist negativity. However, as David A. Lake claims the “humanitarian rationale of ‘do something’ to stop the suffering”, will need statebuilders, and it is very possible the liberal statebuilding paradigm is the correct model, though it has yet to succeed. It is not unthinkable that current statebuilding failure is mostly due to poor implementation and lack of planning, such a rushed elections and similarly rushed withdrawal of troops and resources the moment a strategy seems to be working (Lake 2016, 199-200).

Chapter 5: Syria – The Case and the Context

This chapter is split into four parts and will attempt to summarize some of the most important aspects of the Syrian case and identify various elements that might be consequential for the legitimacy of the Syrian state and its regime. The first part will give a quick overview of the demographics of the Syrian population. Thereafter follows a geographical overview of Syria. The geographical entity of Syria is in itself a source of great contention; therefore, an understanding of Syria's provinces and their inhabitants will help clarify the broader picture of the Syrian case. After establishing a quick contemporary demographic and geographical overview, the third part of this chapter takes a look in the historical rearview mirror. This short review of recent Syrian history identifies elements of historical significance that contribute to some of Syria's inherent problems with legitimacy. Lastly, key stakeholders in the Syrian Civil War that significantly affects legitimacy questions relating to the Syrian case will be identified. Additionally, the interests and agendas of these stakeholders will be highlighted.

5.1 Syrian Demographics

The Syrian population is a diverse tapestry of different ethnic, religious, and ethno-religious groups. More than twenty such groups can be found in Syria and Lebanon (Roald and Longva 2011, 245). Due to the civil war in Syria, accurate numbers are difficult to come by. Sectarian numbers are also difficult to come by as there has been no official census on religion since 1960. At the onset of the Syrian Civil War in 2011, the Syrian population is estimated to have been around 23 million people. Estimated numbers assume that 74 percent of the population were Sunni Muslims. 12 percent of the population belonged to various Shia sects, such as Alawites and Ismailis. 10 percent of the population are Christians and about 3 percent Druze (Hellestveit 2018, 22). Additionally, ethnic diversity further complicates the population demographics of Syria. Here some pre-Civil War numbers claim that the population consisted of roughly 90 percent Arabs alongside Arameans, Kurds, Turkomans, Assyrians, Circassians and Armenians (Wieland 2006, 33), though some more recent estimates claim that the Arab percentage of the population is now significantly lower, at 50 percent (C.I.A. World Factbook, s.v. "Syria,"). However, the war has led an estimated 13,5 million people to flee. Half of these are internally displaced within Syria, the other half are refugees worldwide, though the majority are located in nearby countries (UNHCR 2021). The following table provides another estimate of the pre-civil war population numbers, as well as new estimates during the war, and shows

significant percentage changes in the population. These numbers are from estimates done by the “Gulf 2000 Project” at Columbia University in New York.

Table 2: Ethnic Groups in Syria

Demographic groups	2010 numbers	2010 %	Mid 2018 numbers	Mid 2018 %
Total Syria	21.38 million	100%	18 million	100%
Arabs (Sunni Muslims)	12.63m	59,1%	8.8m	48,9%
Alawites (Arabic speaking Gnostics)	2.5m	11,8%	3.1m	17,2%
Levantines (Arabic speaking Christians)	2m	9,3%	1.7m	9,2%
Kurds (Mostly Sunni Muslims, some Yezidi and Alevi Gnostics)	1.9m	9%	1.9m	10,6%
Druze (Arabic speaking Gnostics)	684k	3,2%	730k	4,0%
Ismailis (Arabic speaking Sevener Shia Muslims)	450k	2,1%	550k	3,1%
Nusairis (Arabic speaking Gnostics)	280k	1,3%	330k	1,8%
Imamis/Ja'faris (Arabic speaking Twelver Shia Muslims)	240k	1,1%	340k	1,9%
Assyrians (incl. Chaldean, Jacobite Syriacs, and other Christians)	230k	1,1%	180k	1,0%
Armenians (Apostelic Christians)	170k	0,8%	150k	0,7%
Turkomans (Turkic speaking Alevi Gnostics, a few Sunni Muslims)	150k	0,7%	180k	1,0%
Circassians, Kabardas, Chechens (Sunni Muslim)	110k	0,5%	100k	0,6%
Arameans	10k	0,04%	10k	0,05%

Source: “Gulf 2000 Project”, Michael Izady. Columbia University, New York. Numbers are rounded up.

Noteworthy, the ethnic and religious minorities in Syria have historically been granted state protection from persecution since Syria became an independent state. The Ba’ath party has kept this policy for most of their reign, on the condition that religions were not politicized. However, since the regime lost control of much of the country in the civil war the religious minorities have not received the protections they have needed. Especially in the northeastern territories such as Jazira, the religious minorities have been the target of persecution from extremist groups (Hellestveit 2018, 43-44).

5.2 The Syrian Geographical Entity

The geographical shape and size of Syria is a source of great contention. Many of the political issues that plague the Syrian state today can be traced back to the partition of the Ottoman

Empire at the end of WW1. Additionally, other border disputes have surfaced over the last century.

Figure 1: Map of Syria



Source: Nations Online Project 2021

Contemporary Syria is carved out of a territory in the Middle East known as “Al-Shaam” or “Greater Syria”, which is in itself somewhat overlapping with the area known as the Levant. The area of Greater Syria is understood by most to include the modern states of Syria, Lebanon, parts of southern Turkey, Palestine, Israel, and Jordan. In some cases (for Pan-Syrian Nationalists) a part of Iraq is also included (McHugo 2017, 35; Pipes 1990, 82). Even though the idea of Syria and Syrians can be traced back millennia (McHugo 2017, 35-42) the borders of the Syrian state which are currently recognized by the international community have their roots in the aftermath of WW1. Prior to WW1 the Ottoman Empire controlled much of the Middle East, including Greater Syria. At the end of the war, the victorious Allied Forces (among them, Britain, and France) decided to divide the remains of the Ottoman Empire between them. Like many borders drawn up by European colonial powers, these borders were drawn mostly out of imperialist interests. In this case these interests were justified as “compensation for the

war”, with little consideration given to how the borders would affect the inhabitants of the territory they crossed (2017, 53). What was left of “Syria” after the lines were drawn was to many would be “Syrians” an almost unfunctional state as ancient relationships between interior and coast cities were ruptured. Damascus was cut from Haifa and Beirut. Aleppo from Alexandretta (now Hatay), and Homs and Hama in the Orontes Valley lost their connection to Tripoli (Hinnebusch and Tür 2013, 97). The outcome has turned Syria into a melting pot of countless different tribes and ethno-religious groups, spread and divided into various parts of the Syrian territory. And some claim that Syria have only been “kept together by Baathist tyranny and violence” (Ignatieff 2013).

The Syrian state is divided into 14 governorates, each with several districts and subdistricts, as well as province capitals with the same name as the province. In the north-west there are 5 governorates: Aleppo, Hama, Idlib, Latakia and Tartus. Latakia and Tartus connect to the Mediterranean and are Syria’s only access to the sea. In the north Latakia borders the Turkish province of Hatay and Tartus borders Lebanon in the south. Tartus also famously hosts Russia’s only port in the Mediterranean. Latakia and Tartus are the only two governorates with an Alawite majority and Qardaha, the hometown of the Assad family, is in Latakia. East of Latakia is Idlib, a governorate mainly consisting of farmland and villages. During the ongoing civil war Idlib has been one of the main stages of conflict due to a multiplicity of political and ideological differences. During the civil war, hundreds of different militia groups have formed in Idlib (Hellestveit 2018, 24-33). East of Idlib is the city and governorate of Aleppo. As Syria’s largest city, Aleppo was the main economic hub in Syria prior to the war. Aleppo is an ancient historical city with a rich merchant elite and a Sunni-Arab majority. Support for the opposition has been strong in this region during the civil war. As such, Aleppo has, along with Idlib, been one of the civil war’s main battle stages (2018, 27-28). South of Idlib and Aleppo is Hama. Here, the cities and towns are stretched in a line from north to south, east of the mountain range that separates these cities from the coastal provinces of Latakia and Tartus. Hama is the home of many conservative Sunni Muslims and has a strong presence by the Muslim Brotherhood. In 1982, an Islamist uprising in the city resulted in a massacre carried out by Hafez al-Assad’s regime. When demonstrations again rose in 2011, Bashar al-Assad’s forces responded in similar fashion, reportedly, killing over a hundred demonstrators (2018, 31-33).

In north-east Syria, the region of Jazira covers most of the northeastern governorates of Deir al-Zour, Al-Hasakah, Raqqah as well as the easternmost part of Aleppo. Jazira, which means “the island”, references the territory that lies between the river Euphrates and the river

Tigris. The Euphrates crosses through the middle of Syria, Tigris marks the easternmost border toward Iraq in the north. Jazira also stretches into Turkey in the north and Iraq in the south. The Euphrates is Syria's most important water supply, and while much of Syria is desert, Jazira forms part of the "fertile crescent" of the Middle East, stretching from the coast, towards Aleppo and down along the Euphrates River. Jazira is the home of various minorities and tribes, many of whom have historically had their religious freedoms protected by the al-Assad regimes, on the condition that their religions remained apolitical. When the government lost control of much of the east in 2012, minorities such as the Yazidis became the target of ethnic cleansing by extremist groups like ISIS which have had fluctuating control of the region during the war (Hellestveit 2018, 42-46; Hopwood 1988, 2-3). In addition to the many minorities in Jazira, the province of Deir al-Zour has a Sunni Muslim majority with a stronger Kurdish presence in the north. There is also a strong Kurdish presence in Raqqah and Al-Hasakah. This Kurdish presence in the Syrian periphery has been strategically used by the Syrian government. The Kurds have sought their own state for over a century, and thus Assad counted on the Kurds to pursue their own agenda and fight for the establishment of their own state, rather than side with the opposition. In their northern enclaves of Kobane, Afrin and Kurdish Al-Hasakah the Kurds have during the civil war declared their territory as an autonomous region, named Rojava or "West-Kurdistan" (Hellestveit 2018, 46-50).

The largest and most geographically central governorate is Homs. Homs, the province capital is an industrial city with a large working class and Sunni Muslim presence. The city is found in the west of the province, south of Hama and north of Damascus. It was here, maybe due to these demographics, that the first violent clashes that would launch the civil war took place. The civil war has turned most of this city to ruins as the government held the city under siege until 2014. It is now under government control (Hellestveit 2018, 33-34).

Finally, in the south west, is Al-Suwayda, Damascus, Dara'a, Quneitra and Rif Dimashq (Hellestveit 2018, 34-42). Rif Dimashq, the countryside around Damascus, is the only governorate without its own provincial capital, as Damascus itself is the country's capital, but also its own governorate. Damascus is surrounded by many smaller and much more conservative villages with a Sunni majority. In the early years of the war these villages became hosts to much of the opposition. However, with the help of the Lebanese Shia-Muslim Hezbollah organization, the Assad regime laid a relentless siege to these villages which forced Sunni Muslims away from strategic areas in the country (2018, 34-36). South-west of Damascus, towards Israel, is Quneitra, a governorate that also technically includes the Golan.

However, the Golan has been occupied by Israel since the Six-Day War of 1967, despite Hafez al-Assad's efforts to retake the Golan in 1973. A cease-fire has been in place since 1974, but the Golan is still under Israeli occupation. The occupation is considered illegal by most of the international community. Israel has over the years tried to use the Druze population of the Golan against Syria, including giving them Israeli citizenship. However, while some Israeli Druze now are against the Syrian regime, the majority of Syrian Druze have supported the regime in Damascus (2018, 38-41). In the very south Al-Suwayda and Dara'a border Jordan and are mainly desert. Al-Suwayda has a large Druze population and was the home of the historic Druze leader Sultan al-Atrash who led the revolt against the French during the uprising in the 1920s. Druze support for the Assad regime has varied, but they have rarely been in direct opposition to the government. Dara'a on the other hand has a Sunni majority and its province capital was the origin of the Arab Spring in Syria (2018, 40-42). It was here that the first demonstrations took place. The arrest of children that drew anti-Assad graffiti on their school building and the subsequent refusal of the authorities to release the children led to numerous demonstrations that resulted in violent clashes in which many demonstrators lost their lives. In the wake of these events, demonstrations and uprisings spread to other cities in Syria (McHugo 2017, 221-222).

5.3 A Summarized Historical Overview

5.3.1 Lines in the Sand – Creating the Syrian State

The borders that emerged in the Levant in the aftermath of WW1 transformed Greater Syria from an insignificant outskirts province in the Ottoman Empire, to the epicenter of numerous political movements in the Middle East. This newfound political relevance was primarily the result of multiple irreconcilable promises that Britain had given to different parties during the war. The Husayn-McMahon Correspondence, the Sykes-Picot Agreement, and the Balfour Declaration were particularly problematic (Pipes 1990, 22).

In the Husayn-McMahon Correspondence, Sharif Husayn of Mecca agreed to incite an Arab revolt against the Ottoman Empire. In return, British High Commissioner Henry McMahon promised that Britain would uphold the independence of the Arabs and promised the Arabs their own state (McHugo 2017, 55). Vaguely described, the imagined Arab state included the Arab-speaking Ottoman provinces and the entire Arabian Peninsula. The exceptions being Aden (at the time a British colony), the districts of Greater Syria west of Damascus, Homs, Hama, and Aleppo as these could not be considered "purely Arab". Baghdad and Basra in modern day Iraq were also excluded. It is important to note that Sharif Husayn did not actually have a general Arab following. Husayn's army was created by rallying a select few tribal

leaders, and the revolt was a result of the Sharif's wish to be king of the Arabs rather than the result of a popular movement (Selvik and Stenslie 2011, 29-30). The vague nature of the language used in the promises made to Husayn were deliberate, the British had conflicting interests and did not want a strong Arab state nor want a potential Arab state to fall into the hands of a different external power. Moreover, the British were allied with France and the Allied Powers all wanted their spoils from the defeat of the Ottoman Empire. Thus, the Sykes-Picot Agreement was a secret agreement between France and Britain which divided the Greater Syrian territory between them. France was promised large parts of Greater Syria, from Mosul in modern day Iraq to Lebanon and the Mediterranean coast up towards Anatolia. Britain would keep Palestine, Jordan, the remaining parts of Iraq, Kuwait, and parts of the Gulf further south (2011, 30). This agreement was hardly compatible with the promises made to Husayn. Additionally, Husayn hoped to acquire the Palestinian territory (at this time still frequently referred to as "southern Syria") in a future Arab state (McHugo 2017, 72). Unbeknownst to Husayn, Britain was not willing to consider giving Palestine to the Arabs. In fact, through what would be known as the Balfour Declaration, Britain promised the Zionist Movement the creation of a "national homeland" for the Jewish people in Palestine (Selvik and Stenslie 2011, 31). The Levant would finally be divided between Britain and France. Formalized through the League of Nations into "mandated territories", Britain received the mandates of Palestine and Iraq (including modern day Israel and Jordan). France received the mandates of Syria and Lebanon (Pipes 1990, 28-29).

In accordance with Seale's description of the mandates as a "fig leaf" for colonialism (Seale in Chaitani 2007, XII), the French did not enter Syria as "enlightened guests" with good intentions from the League of Nations. They came as conquerors and the French military leader Gouraud proclaimed upon entry in Beirut "We come to you as descendants of the Crusaders" (Hopwood 1988, 23). A peek into the history books will show that France had little to no interest in "developing" its mandated Syrian territory into something that would become an independent state and identified the Syrian nationalist movement as a central challenge to their rule, not something to be used as a foundation for a state (Dukhan 2019, 42). Further, Dukhan argues that if the French had wanted to develop a modern state, they could have done so, but instead they were invested in their efforts to divide and rule for their own interest. The French divided Syria and Lebanon into seven semi-autonomous regions along sectarian lines and empowered the tribes to diminish the Syrian nationalist movement (2019, 44). The French created a state centered on Damascus and a state for Aleppo, Alexandretta with its Turkish population was to

be semi-Autonomous within Aleppo. The Alawites were given Latakia, the Druze were given the Hawran, and Jazira. The east of the Euphrates was given to the various Arab Bedouin tribes dominating the steppes. Further, the old Ottoman Sanjak of Mount Lebanon, mostly dominated by Maronite Christians, along with areas around Tripoli, Ba'lbek, Sidon and Tyre became "Greater Lebanon". Lebanon was also promised its own statehood upon the conclusion of the mandate period (Dukhan 2019, 42; McHugo 2017, 75-76). It should be mentioned that the reasoning behind the division of the territory into different autonomous states is somewhat disputed. Much of the literature today considers the division a French attempt to utilize a divide and conquer strategy against any opposition towards the French presence in their mandated territory (Dukhan 2019, 42; Hopwood 1988, 24; McHugo 2017, 75). However, White argues that the French did not deliberately attempt to implement a divide and conquer strategy. According to White, the French understood Syrian tribalism as "already divided along religious lines", and that these small groupings of people were both nationally and religiously oriented at the same time. This was a misconception stemming from their understanding of the old Ottoman millet system (White 2011, 49-50). Before the mandate period, since 1864, the Ottomans had also split the Syrian territory into different administrative districts. The vilayets of Aleppo, Damascus, and Beirut, as well as the province of Jerusalem and the mutasarrifiya of Mount Lebanon. However, except for Mount Lebanon, these districts were purely administrative and did not impact the movement of citizens and had no political significance (Chaitani 2007, 5).

Regardless of the original intent of the partition of their mandated territory, the French tactic had two major consequences for the future of Syrian politics. First, regardless of the original intentions of the French, most of the population of Syria considered the partition of Greater Syria to be a French attempt to divide the people among themselves and prevent them from uniting against the mandate powers. Thus, the tactic became political fuel for both a Pan-Syrian as well as a Pan-Arabic movement within Syria (seeking a united Greater Syria and an ethnic Arab-nation respectively). The French were met with resistance already upon their initial arrival in Syria (McHugo 2017, 75; Pipes 1990, 45-46), and the division of and mismanagement of the different partitions would end up having an almost toxic effect as resentment for the mandate grew. In 1925 a Druze revolt led by Sultan al-Atrash spread to large parts of Syria and marked the first significant attempt by Syrians to gain independence and form a united Arab Syria (2017, 82-84). Second, while the French attempt to nationalize different ethnic groups within Syria worked to their own detriment during their mandate, its effect on Syrian politics

after independence has been equally consequential. Prior to the mandate period, different communal groupings were mostly religious, and the idea of other minorities and ethnicities were hardly mentioned. Thus, the French mandate policies strengthened, politicized, and legitimized Syrian nationalism while they also “ethnicized” several minority identities that previously had no clear communal identity (White 2011, 45-50). As a result, when French troops finally left Syria and Lebanon in 1946, Syria was an independent but fragile state, attempting to sustain an equally fragile democracy with little institutional capacity. Moreover, the country’s national borders suffered from legitimacy issues both locally and regionally (McHugo 2017, 110-112). Drawn by colonial powers, these borders made just as little sense to Syrians upon independence as they had at the onset of the mandate period. These borders closely resemble the current borders of the countries in the Levant.

5.3.2 Independence, Instability, and the Emerging Ba’ath Party.

From its inception, the Syrian Republic was marked by significant political turbulence. In the years 1946-1970, the fledgling republic struggled to find its footing as an independent state and went through numerous political cabinets and regime changes without gaining any real sense of stability. The French had spent little effort on developing infrastructure or education, and the economic progress of the mandate years had been very underwhelming. Transportation was still dependent on French-owned railways and Syria was dependent on Lebanon for proper port-access to the sea (McHugo 2017, 111-112). If the mandate truly had been put in place to develop the Syrian state, France had failed. Not only did Syria lack functioning and reliable institutions, but Syria’s politicians also lacked governing experience. Most pre-independence political energy had been exerted into expelling the French and politicians primarily utilized their political influence to retain powerful positions. Syrian politicians therefore had little experience with economic and social policies, much less building state institutions (Hopwood 1988, 31). This made the transition to independence a rough one for Syria. Moreover, since the French and British had introduced the idea of “nation” to the Middle East, almost every tribe, ethnic, religious, or geographical grouping would to some level aspire to nationhood. Syrian politicians therefore struggled to find common ground, both among themselves as well as the people, on how to define what the Syrian nation was supposed to be (Moubayed 2006, 28).

Political events of Syria’s first two decades as a state continue to have significant impact in contemporary Syrian politics. While the list of reasons for the political turbulence in Syria during this period is long, some stand out more than others. Syria’s geographical borders were still perceived to lack legitimacy and remained central to many political events both internally

and externally. Just about every larger political party in Syria of the mid-20th century used the territorial entity of Greater Syria as source of the nation, many of which also had a pragmatic approach to the Pan-Arabic movement. The ambition of a Greater Syrian state, as well as the extreme discontent with the existing and internationally recognized borders, fueled domestic unrest and made foreign relations in the Levant volatile for decades. Particularly it is a contributing cause for the Arab-Israeli wars, as well as Syria's short-lived union with Egypt as the United Arab Republic (UAR). Yet, the ambition for a Greater Syria has only ended in misfortune and every attempt at fulfilling this dream has ended in ruin (Pipes 1990, 107-110).

Britain terminated their mandate in Palestine in 1947. The Jewish people of Palestine rejected the idea of living in an Arab state with special privileges for Jews and the Arabs rejected the idea of giving away their territory. With neither side willing to give up their claim as the rightful owners of Palestine, Britain found it impossible to compensate both the Jews and the Arabs and decided to give up on their promises from WW1. A UN attempt for a two-state solution also fell on deaf ears. In May 1948, the Jewish settlers proclaimed the founding of the Jewish state of Israel, effectively provoking the first Arab-Israeli War. Palestine still had a majority native Arab Muslim and Christian population; a Jewish state was technically impossible. Therefore, the Zionist militias of Jewish settlers started evicting, and in some cases even cleansed whole areas of the local Palestinian society by force. The collapse of the Palestinian society meant that countries like Syria and Egypt could not stand idly by, for both moral and humanitarian reasons. Inaction risked damaging their national legitimacy, as many Arab states had laid claim to the Palestinian Territory. The Jewish state of Israel was not only strategically problematic, but also an insult to Arab national pride. Thus, in the same month, the Arab League entered Palestine. Completely unprepared for war, the Arab countries were ill-equipped, unorganized, overconfident, and badly led. The military response was a disaster and their troops returned not just defeated but humiliated as Israel came out of the war having seized even more territory. However, Pro-Palestinian rhetoric continues to be a strong source of legitimacy for the regime in Syria, and the country has for decades hosted Palestinian refugees and pro-Palestinian leaders (Hopwood 1988, 33; McHugo 2017, 123-124; Wieland 2006, 26-29).

Syrian leadership had deliberately reduced the size of the Syrian army after independence in fear of a coup to the young and ill prepared state. Yet, when the Syrian politicians attempted to save face by blaming their own army officers for the humiliating defeat in Palestine, the feared coup became a reality (McHugo 2017, 125-126). Military coups became

a regular occurrence in Syria. In 1949 there were three of them, the last of which endured for four years and was Syria's first extended run of military dictatorship. During these years of political instability, the two relatively small parties the Arab Socialist Party and the Ba'ath Party merged their parties to the Arab Socialist Ba'ath Party in 1952 and grew their support base in the country. Once parliamentary government returned in 1954 after the ousting of the dictatorship the Ba'ath would become a powerful force in Syrian politics (Hopwood 1988, 34-36; McHugo 2017, 130-131). The sudden political power would result in the only significant attempt at changing the political structure of the region with an attempt at Pan-Arabic unity with Egypt. Popular in the Arab world, Gamal Abdel Nasser had survived a joint invasion by British, French, and Israeli forces, after nationalizing the Suez Canal in 1956. Moreover, he advocated that Arabs hold a neutral stance in the Cold War between the West and Soviet Bloc and was immensely pro the Palestinian cause. Nasser shared the Syrian Ba'ath Party's ideology of Arab Unity, though a unity under his leadership. With other parties also finding enough common ground, Egypt and Syria became the United Arab Republic (UAR) in February 1958 (Hopwood 1988, 37-40; McHugo 2017, 134-136). However, the union was short-lived. The Nasser-centered regime abolished all other political parties in the union, and the new political cabinet was two-thirds Egyptian, including the most important positions. Dissatisfaction quickly spread among Syrians with political influence who lost their power, such as businessmen, the army, and "landowners" (tribal leaders). The latter became a target for Nasser's agrarian redistributive reform and consequently, some tribes left Syria for good during the union with Egypt. The tribesmen who did not leave Syria with their Sheiks sought work in the cities as Syria was hit by famine-like conditions during the years of the UAR. While some Ba'athists lauded the new laws that stripped the tribal Sheiks of power, the union was not the success the Ba'ath Party had hoped it would be as the Ba'athists themselves were marginalized by the Nasserist political approach (Dukhan 2019, 53-55; Hopwood 1988, 40-41).

A coup d'état supported by the business elite in Damascus, and the kingdoms of Jordan and Saudi Arabia (both of whom feared Nasserist social Pan-Arabism) pulled Syria out of the UAR in 1961. Two more coups followed in 1962, and in 1963 Ba'athist officers took power through yet another coup (McHugo 2017, 143-144). The following years became an extended power struggle within the Ba'ath Party. The "Military Committee" that organized the 1963 coup on behalf of the Ba'ath, was a group of mostly left-wing Ba'athist officers that came from the lower classes of society and included Salah Jadid and Hafez al-Assad, two Alawites from Latakia. Steadily they filled both the military and government positions based on tribal,

sectarian, or familial relationships from the lower middle class. Importantly, many of the positions would be filled by minority groups such as Alawites and Druze with rural backgrounds, and gradually the influence that the Sunni majority previously had would wane. In the penultimate regime change of the century, Salah Jadid seized power in another bloody coup in 1966 with a military now filled with young, arrogant, and mostly uneducated soldiers that had no patience for the old party guard, whom they blamed for the dissolution of the party before the failed union with Egypt (Hopwood 1988, 44-46; McHugo 2017, 146-148).

The lack of experience of the Syrian military became a fateful embarrassment to the Syrian regime in June 1967 as the Six-Day War broke out between the Arab states and Israel. Overconfident in their military might, while fearing an Israeli attack due to Russian intelligence, Syria, Jordan, and Egypt all tried to fearmonger the Israeli state into not attacking them. Although the rumors of an Israeli attack might have been exaggerated or even false, the fearmongering did not have the desired effect. Fearing invasion and defeat, Israel struck first. In just days, the Israeli Armed Forces had destroyed the Egyptian forces on the Sinai and taken East Jerusalem and the West Bank from Jordan. Lastly, with almost no resistance from Syria, they captured the Golan Heights. Israel has occupied the Golan Heights ever since, causing decades of Syrian embarrassment. Consequently, reclaiming the Golan has been a Syrian regime goal for half a century (Hopwood 1988, 48-49). The war produced an internal split between the two Ba'ath men that dominated power. Salah Jadid, who now led the radical political "branch" of the party, and Hafez al-Assad, the minister of defense that controlled the military, represented the moderates. They both respectively built their power bases and clashed on policy directions of the party. Jadid and his radicals wanted to export the Syrian Arab-nationalism revolution to the Arab Gulf as well as continue the land reform measures aimed at expropriating land from tribal leaders, with hopes of establishing cooperatives or state farms on the land. Assad on the other argued that the best defense against Imperialism and Zionism was cooperation with other Arab countries against Israel while focusing on national unity within Syria, including renting out the expropriated land to merchants and tribal leaders as a more profitable economic approach, though less idealistic. After Jadid initiated an intervention to protect Palestinians in Jordan without Assad's approval, Assad made his move in November 1970. Having placed his loyalists in most of the military ranks, the security apparatus, public radio stations as well as other party organizations, Assad arrested Salah Jadid and took control of Syria. Assad would remain in power until his death in 2000 (Dukhan 2019, 70-71; Hopwood 1988, 50-52; McHugo 2017, 152-153).

5.3.3 The Hafez al-Assad Regime, Stability in Syria

Hafez al-Assad's approach to government would become notoriously Machiavellian. Writing upon Assad's death in 2000, Irish politician Conor O'Brien, labeled the late dictator the "*most thoroughly Machiavellian statesman of the late twentieth century*", and perhaps rightfully so (O'Brien 2000). During Assad's regime, pro-Palestinian, anti-Israeli and anti-imperialistic rhetoric were two main sources of regime legitimacy, though his approach to both (and everything else) would prove to be extremely pragmatic. Ideological conviction could be temporarily ignored in favor of regime survival at any point. Assad would rule mercilessly, and his regime would prove willing to use violence both domestically and internationally to eliminate enemies of the state. Yet, despite taking power in a country marred by political chaos, Hafez al-Assad managed to remain in power for the rest of his life and achieve stability in Syria where no one before him had. When Assad died in 2000, he had been the ruler of Syria longer than the entire mandate period of the French (McHugo 2017, 155).

Attempting to strengthen the legitimacy of his coup, the 1970 coup d'état was named the "Correctionist Movement". According to Hafez, "radicals" had been an internal threat to the country, removing them was an effort to "correct" the country's course. Additionally, Assad relinquished his military rank and called for a referendum. He was officially elected President of Syria in February 1971 with 99,2 percent of the votes. A parliament, the People's Council, was established and included 87 Ba'athists, 8 communists and 36 representatives of the farmers among its 173 members (Dukhan 2019, 71; Hopwood 1988, 56). Arguably, little nation-building was done. Assad's Syria was an authoritarian regime controlled by repression and extensive patronage networks that extended into ethnic, sectarian, and tribal communities, where access to political power and resources was key. Patronage networks ran through all parts of government, parliament and military and security services. Assad deliberately placed Sunni Muslims in important positions of the state to avoid being perceived as an Alawite leader. Alawites would instead hold many positions in the military. Assad attempted to balance all the sectarian and political groupings of the country while promoting national unity and reconciliation. Even tribal leaders were invited back. Recognizing the Syrian economy's dependence on the tribes, especially Syria's agriculture, the regime invested heavily in infrastructure and resources to convince tribes to return and stay in Syria (Dukhan 2019, 72-73). Loyalty to the regime could lead to inclusion into the political fold and access to resources and power. The security apparatus included the deployment of multiple intelligence agencies which kept an eye on the general population as well as other branches of intelligence. Different

branches of the apparatus usually employed different sectarian groups or tribes. Assad successfully employed a divide and rule tactic, ensuring that no faction could gain enough individual power to perform another coup (2019, 72-73; 89).

Hafez al-Assad's only significant internal challenge would come in 1982 from an armed Islamist revolt in Hama. Originating among conservative Sunni's that were discontent with the secular Alawite regime, militants backed by the local Muslim Brotherhood leadership killed over 70 Ba'athists in the town. Though well-armed and plentiful in numbers, the regime response was ruthless (McHugo 2017, 193). With Sunni discontent brewing for the past few years, the regime decided to, not just quell the rebellion, but absolutely destroy it. After roughly a month of fighting, Syrian Troops had killed somewhere between 5000 and 20000 people in Hama. And in a conscious effort to rid the town of their religious elements, much of the town's damaged structure was leveled and entirely rebuilt with schools, malls, a hospital, and cultural centers (Seale 1988, 334).

Assad's two most important external political issues were the recovery of the Golan and justice for Palestinians. Both of which were non-negotiable. The Six-Day War had been an embarrassment to the Arab forces, and Assad was obsessed with reclaiming the territorial losses. Though initially rejecting the 1967 UNSC Resolution 242 as a political settlement on the Palestinian question, Syria finally acknowledged the resolution in 1972. Syria's interpretation of the resolution meant full Israeli withdrawal from the Golan heights, and restitution of Palestinian rights (Hopwood 1988, 56; McHugo 2017, 156; Seale 1988, 185). When Israel showed no sign of such withdrawal, Syria in tandem with Egypt launched a surprise attack in October 1973. Better prepared and re-equipped by the Soviet Union (Syria's only option during the Cold War), the Syrian forces performed much better than in 1967. However, once a cease-fire was established, Israel still occupied their gains from the Six-Day War. The cease-fire of 1974 is still monitored by UN-observers, though Israel is known to break it sporadically. Though this was the last all-out war, Assad's resentment towards Israel grew and he became increasingly less willing to compromise when dealing with Israel (Hellestveit 2018, 184; Hopwood 1988, 58-59; McHugo 2017, 156-157). Realizing that conventional military means would not lead to success against Israel, Assad would instead support the Palestinian cause through different groups with an ideological commitment to Palestine. Many of these were considered to be terrorist groups by the international community. Additionally, as Pan-Arabism become increasingly anti-American, to many Pan-Arabic rhetoric become connected with terrorism (Byman 2005, 100; Wieland 2006, 30). However, Assad fervently denied any

accusation that he supported terrorism, and in regard to Israel, he elegantly stated his commitment to a peaceful solution in a joint press conference with then US President Bill Clinton in 1994 (Neff 1997, 75):

“Syria seeks a just and comprehensive peace with Israel as a strategic choice that secures Arab rights, ends the Israeli occupation and enables our peoples in the region to live in peace, security and dignity...We want the peace of the brave -- a genuine peace which can survive and last -- a peace which secures the interests of each side and renders all their rights...We are ready to sign peace now.... If the leaders of Israel have sufficient courage to respond to this kind of peace, a new era of security and stability with normal peaceful relations shall dawn.”

As Arab leaders blamed each other for the failure of the war, the dream of a united Arab world was largely shattered, and Egypt entered a peace treaty with Israel. With a united Arab world farther away than in years, Greater Syria became the “centerpiece” of Syrian foreign policy and Assad would claim publicly that Lebanon, Palestine, Jordan, and Alexandretta (Hatay), all belonged to Syria (Hopwood 1988, 60; Pipes 1990, 5; 119).

Despite his ruthlessness, Assad importantly introduced many state improvements that served citizens well and was arguably a decent statebuilder. Infrastructure was expanded in the entire country; many regions would for the first time get electricity and water provided by modern infrastructure. By 1992, 95 percent of villages had electricity, prior to Assad’s regime the number had been below 5 percent. The number of railways quadrupled, and the increase in all-weather asphalt roads was even higher. Schools were built, illiteracy rates in Syria dropped significantly. In 1960 only about 50 percent of boys over the age of ten could read, and among girls only about 15 percent of girls were literate. By 1990 these numbers were 90 percent and 70 percent respectively (McHugo 2017, 185-186). However, the expansion of the state did take its toll on the Syrian economy. Not counting the police and military, the state bureaucracy had ballooned to over 700,000 employees in 1992, and Hafez al-Assad struggled to encourage private investment in the rigidly planned economy. Moreover, corruption was ripe, and the state economy was exploited by much of the elite, a problem that would remain when Bashar al-Assad replaced Hafez upon his death (2017, 187).

5.3.4 From Damascus Spring to Arab Spring

The ascension to power for Bashar al-Assad, while not unprepared, was a happenstance ‘caused by the death of his older brother in a car accident in 1994 (Wieland 2006, 11). Prior to this Bashar was studying to become an eye doctor (ophthalmologist) in London. Upon returning to Syria after his brother’s death, Bashar would spend the next few years being groomed to take the place of his late brother Basil as the heir to power in Syria. Bashar first trained at the military academy and reached the rank of Colonel in the elite Republican Guard. Later Bashar was placed in charge of the country’s anticorruption campaign as well as appointed chairman of the Syrian Computer Society in order to give him a positive image in the eyes of the public as a modernizer. Furthermore, his future wife Asma was an ethnically Syrian Sunni-Muslim and London native, and there was real hope in Syria that perhaps a Bashar al-Assad presidency could ease both ethnic tensions and put Syria on a more democratic path (McHugo 2017, 203). While some were cautiously optimistic of the new president, many thought that Bashar would be unable to last long in his new role. Perceived to lack both the charisma, experience, and political acumen of his father, many considered Bashar “too small” to be president, much less president of Syria, and assumed that the real political power was controlled behind the scenes (Wieland 2006, 7;15).

This was perhaps proven by the Damascus Spring, the common name for the time following the death of Hafez al-Assad. At the time Bashar al-Assad spoke of unity, liberalization, transparency, constructive criticism, and a future in Syria that presumably could ultimately be more democratic. Whether this was something Bashar truly wanted is difficult to assess, it certainly was not the outcome. After an initial period where the regime granted licenses to new independent newspapers, released political prisoners, and created civil society and human rights groups, Bashar would soon be met by critics within the Ba’ath Party. Critics from his fathers’ time in power, threatened to overthrow him if he continued his political reform. Restrictions of political freedom, reappeared in the summer of 2001, and on September 11, 2001 the government were gifted a surprisingly “good day, to bury bad news”, and arrested many political activists and opponents (McHugo 2017, 206-207) In an attempt to delegitimize the Damascus Spring’s apparent democratic ambitions, and the political movement spawned by it, Bashar al-Assad claimed that “Western Democracy” had to follow social and economic modernization, not vice versa (Hinnebusch and Zintl 2015a, 8). September 11, 2001 had large consequences for Syria’s foreign policy during Bashar’s first decade in power. At first, Syria shared intelligence with the US, gaining some good-will in the process. However, when the US

declared a “War on Terror” in which everyone was either with or against them, Bashar was arguably left without a choice. This was not a simple black or white question to Syria. By being simply “pro-USA”, Bashar would risk losing much of his legitimacy to rule. Since the US and Syria were perceived as being on opposite sides regarding the status of Palestine. Consequently, Syria became the target of sanctions that isolated Bashar from much of the international community (McHugo 2017, 209; Wieland 2006, 27-28).

The old guard of Hafez loyalists combined with a struggling economy, was the younger Assad’s main political challenges during his first years in power. The old guard were particularly resistant to economic reform, worried that they would lose their influence, benefits, and positions of power. The Ba’ath Party had used redistribution and benefits as a means to ensure loyalty and recruit members and had functioned as a legitimizing power for the old regime (Hinnebusch and Zintl 2015a, 6). Attempting to appease both those in favor of reform as well as those opposed to reform, new economic reforms and modernization were introduced as a new “social market economy”, In reality, the reform was simply rebranded neoliberalism which served as a means for Assad to co-opt his own technocrats into positions of power and build a new powerbase of loyalists around him. While arguably managing to create a somewhat more capitalist economy, the new loyalists of the political elite transitioned into private ownership and benefited from a new “crony-capitalist” system that gave tax reductions to the rich and cut subsidies for the working class. For instance, much funding was drawn by deliberately cutting state financed rural social services, expecting Islamic non-governmental organizations to fill this gap (Hellestveit 2018, 60; Hinnebusch and Zintl 2015a, 7; McHugo 2017, 218).

If Bashar had seemed weak during his very first years as president, by the end of his first decade in power he had replaced much of the political figures that could be considered opponents with his own loyalists (Hellestveit 2018, 64). The political changes imposed by Bashar al-Assad solidified his control of the country among the political elite, the upper middle class and very few select tribal leaders who became the new base of power in Syria (Dukhan 2019, 102). A strategy of close loyalists differed vastly from Hafez’s strategy of many different bases of support. Consequently, while fewer in numbers than their predecessors, Bashar’s loyalists became directly affiliated with the regime, and dependent on its survival (Hellestveit 2018, 65). Yet, these changes simultaneously sowed seeds of discontent among workers, peasants and tribes that had previously benefited from Hafez’s social policies of redistribution. Moreover, with privatization and smaller state structure, less jobs were available and those that

were available were perceived to favor Alawites (Dukhan 2019, 102-103). In his very first speech as president, Bashar had talked about taking measures to develop Syria. However, rural Syria was neglected, Bashar had concentrated on what he perceived to be “useful Syria” (Damascus, Aleppo, and the coast). By 2006 the extent of the economic and ecological decline finally prompted the president to establish a commission to deal with issues in such “less useful” areas such as Jazira. However, the commission was primarily from Damascus, with no knowledge of local problems and no experience in dealing with tribes. Moreover, the commission focused primarily on wildlife and environment conservation. Similar projects led by the First Lady Asma suffered from comparable problems. Consequently, by 2010, the economical as well as ecological decline had driven over 65.000 families to cities in an internal displacement disaster that not only affected the countryside, but also the outskirts of the cities to which these internally displaced citizens moved. (Dukhan 2019, 105-107).

5.3.5 Arab Spring and Civil War

When the Arab uprisings in northern Africa and the Middle East, commonly referred to as the “Arab Spring”, began to spread throughout the region in late 2010 – early 2011, many assumed that Syria might not see much of an uprising. Relatively new to power, Bashar was still popular compared to many other Arab leaders, it was expected that he would get the benefit of the doubt as alternatives might be worse. Moreover, where many other Arab leaders were increasingly viewed as “Western clients”, Bashar had stood up to the US by having been against the war in Iraq and prioritized the Palestinian cause. Having navigated the subsequent international isolationism had given him legitimacy as leader in the eyes of many Syrians (Hinnebusch and Zintl 2015b, 286-287). Yet, despite having co-opted enough of the elite to control political power at the top, the new Bashar centered regime did not have the political reach that the Ba’ath Party centered Hafez regime had relied on. The “economic upgrading” that Bashar had conducted still undermined the previous populist cross-sectarian coalition-building of Hafez, perhaps especially in rural areas such as Dara’a, and thus was not immune to the coming Arab Spring. Over the course of the 10-year civil war in Syria, the momentum of power has shifted multiple times during the war and can be understood as going through five different phases (Hinnebusch and Zintl 2015b, 285-286; McHugo 2017, 218; Yacoubian 2021).

The first phase begins with the initial large-scale public protests that arose in Dara’a, March 2011. Responding to the arrests of a group of teenagers that had sprayed anti-regime graffiti on a school wall. The Syrian people were almost surprisingly united in their discontent against the government. Regardless of political, religious, and ethnic differences, their slogan

was “unity” and demanded a new regime. However, the regimes initial armed response of uncontrolled repression and aggression resulted in the deaths of many, mostly peaceful protestors, and the regimes actions quickly eroded their legitimacy and any residual public confidence that might have been left (Hellestveit 2018, 84-85; McHugo 2017, 224-225). Despite some signs of early concessions by the regime to appease the protestors, continued armed response from the regime saw the protests spread across the country quickly. Moreover, some concessions, such as releasing political prisoners that were Islamist militants, was done with the explicit intention and hope that these militants would join the protestors, and thus legitimize the governments violence against them (Hellestveit 2018, 87-88). Notably the uprising in Syria remained, for the most part, a peaceful civilian protest during its first few months. However, as the government violence escalated. UN human rights organizations estimated that 2000 people killed by the end of July, and tens of thousands more were fleeing the country (McHugo 2017, 226).

The second phase began when the Syrian army started to see large defections by June and July. On July 29 the “Free Syrian Army” (FSA) was formed, which marked the beginning of the armed insurgency against the government. Nonetheless, compared to Libya, desertions among the top ranks of the regime were rare, a factor that ensured that the Syrian regime was not easily toppled. The Syrian National Council (SNC) was formed in Istanbul in November, attempting to establish a united opposition front that included many political exiles and other regime opponents that had not lived in Syria for years. The SNC sought Arab and International support opposing the regime (McHugo 2017, 226-227; Yacoubian 2021). In February 2012, Russia, and China vetoed a UNSC Resolution that would have initiated a UN supported and Arab League led humanitarian intervention (Dag Hammarskjöld Library 2021; UNSC 2012a). The SNC and other opposition groups established the National Coalition for Syrian and Opposition Forces (National Coalition). In December 2012 the coalition became formally recognized as the “legitimate representative” of the Syrian people by the US, UK, France, and Turkey as well as numerous Gulf states. However, the Coalition struggled gaining acceptance from numerous groups fighting within Syria, many of whom even denounced the National Coalition. The credibility of the National Coalition was further damaged when its first chairman, Moaz al-Khatib, resigned due to frustrations caused by the inability of the international community to back the same factions. The loss of al-Khatib, whom McHugo describes as “the walking antithesis of sectarianism”, hurt the opposition’s image as a cross-sectarian force, especially as more Sunni Islamist forces emerged in the war (BBC 2019a;

McHugo 2017, 228-230). As the government started to lose territory and cities to various rebel groups in 2013, many of which were funded by foreign interests, Hezbollah and Iran respectively sent fighters and military advisors to help Assad. The Syrian government also used chemical weapons against rebel forces and civilians, and a chemical attack in August killed more than a thousand civilians. Though the use of chemical weapons had been proclaimed a “red line” by US President Barack Obama, threats of a humanitarian intervention were not followed up. Instead, the Syrian Government signed the Chemical Weapons Convention (CWC) and let the Organisation for the Prohibition of Chemical Weapons (OPCW) dismantle and destroy all chemical weapons (Hellestveit 2018, 138-139; Yacoubian 2021).

The third phase of the civil war is characterized by the growth and expansion of Islamic State of Iraq and Syria (ISIS) in 2013 and 2014. ISIS as well as other Islamist extremist groups claimed proclaimed territory in eastern Syria and western Iraq as their own caliphate state (Hellestveit 2018, 167; Yacoubian 2021). ISIS, a Sunni Muslim extremist organization, had attracted many ex-Iraqi Ba’ath Party affiliates and military that had been target by US “de-Ba’athification” policies during the US intervention of Iraq. The brutal organization proudly murdered “non-believers” and destroyed any non-Islamic cultural monuments, the Christian and Yazidi minority in Syria were among those severely affected by these brutalities. Due to the rapid growth of the ISIS insurgency the civil war changed character as ISIS claimed Raqqa as their capital in 2013 and started to eclipse the more moderate rebels in numbers when they claimed their state in the summer of 2014 (Hellestveit 2018, 168; McHugo 2017, 231). The rapid and bloodthirsty expansion of ISIS prompted an international, US and Sunni-Arab-led intervention to halt ISIS (Hellestveit 2018, 177-178). The first UN orchestrated peace negotiations between the National Coalition and regime representatives gained no grounds when held in early 2014. The regime refused talks of a transitional government. Instead, the Syrian elections were held in June. Assad won by a landslide in an election which the EU, the US and Gulf states considered illegitimate and a “farce”. Due to the civil war, millions of Syrians were unable to vote. By the end of 2014, death tolls had reached 200.000. 3.4 million Syrians had fled the country, 6.45 million were internally displaced and 4.6 million people were under siege or in difficult to reach areas (Cooper 2014; Khan 2014; McHugo 2017, 232).

In 2015 and 2016, the fourth phase of the civil war, Syrian ally Russia intervened and provided large-scale support for the regime. With primarily military airpower as well as air defense systems Russia increasingly helped Syria fight various moderate rebel factions. Additionally, Iranian and Hezbollah support increased as well (Yacoubian 2021). In 2015, the

numbers of refugees fleeing Syria (in addition to other countries such as Libya) reached unprecedented numbers. With more than a million refugees seeking asylum in Europe, of which Syrians were the largest group, and millions more located in neighboring countries such as Jordan, Lebanon and Turkey, the crisis is branded as the largest humanitarian crisis since WW2 (OECD 2015, 1-2). Responding to the threat of ISIS along the Turkish border, Turkey shifted to an interventionist policy. In August 2016 Turkey launched a military intervention into northern Syria helping rebels fight ISIS and as well as Kurdish groups which Turkey also perceives as terrorists (Shaheen 2016).

Even though there is a chance that the war could again escalate or shift momentum, the Civil War's fifth phase is presumably its endgame. There is still heavy fighting going on in the country to the north and east. In Idlib there is a strong opposition presence supported by Turkey. Furthermore, the situation along the northern border and to the east is volatile. Here the regime, the opposition and the Kurds are all involved, as well as Turkish and Russian forces and other proxies. However, already by the end of 2016, the Assad regime started to again consolidate control over multiple areas of the country. First, by gradually retaking territory on the western side of the country, along with major cities like Aleppo in 2016, larger parts of the countryside in 2017, and the suburbs of Damascus, Dara'a, and the south in 2018 (WPR 2021; Yacoubian 2021). Moreover, since regaining the upper-hand in the war, the Assad regime has currently been experiencing a normalization process with the international community. For instance, the UAE has re-opened their embassy in Damascus and other countries such as Cyprus, Greece and Hungary have begun reestablishing diplomatic relations with the regime. Similarly, Jordan and Egypt as well as other Arab states are reestablishing diplomatic relations. Though the US and the EU remain steadfast in their opposition regardless of the actions of individual EU member states (Cambanis 2021; Kotan 2021; MEI 2020).

The civil war in Syria has had a terrible cost. The estimated GDP loss in Syria is assessed at 1.2 trillion US dollars. Add the impact on children's health and education and that number rises to 1.7 trillion. Additionally, the upcoming state rebuild is estimated to cost 1.4 trillion US dollars through 2035, although that number is almost a year old and depended on the war ending "today" when that report was released. The civilian death toll is estimated at 600,000 people dead (Girgin 2021; SOHR 2021). The civil war has placed more than 13 million people inside Syria in need of humanitarian assistance. Furthermore, 13.5 million people have been displaced and fled, about half of which are internally displaced within Syria. The other half are refugees outside of Syria, most of which are in nearby countries. However, over a million refugees from

the region have made their way to Europe. This significant number of refugees has also caused political instability in Europe triggering support for anti-immigrant populist parties. Refugees have also been “weaponized” by countries such as Turkey and Belarus, who have threatened to let refugees further into Europe (Galeotti 2021; Helgason 2020, 15; OECD 2015, 1-2; UNHCR 2021). Yet, an end to the war might not mean a return home for the people displaced by the war. The government has been preparing for reconstruction by enacting multiple laws that allow the government to perform demographic engineering in the country. Heavily criticized by human rights organizations, these laws allow the government to easily target any area in the country for reconstruction while circumventing citizens’ property rights. This enables the government to claim the property of the millions that have been displaced or fled during the war without compensation, many of whom are Sunni. For many refugees this would make a return to Syria almost impossible. Despite having committed numerous well documented war-crimes and deliberately breaking international human rights laws, Bashar al-Assad will seemingly emerge from the civil war still in charge of Syria (Ghosh-Siminoff 2020; HRW 2019; MEI 2020; Osmandzikovic 2020).

5.4 Picking sides: Other Key Stakeholders and Sources of Contention

The Syrian Civil War has multiple key stakeholders outside of the regime and its opposition, both internally and externally to the country’s borders. The following section will elaborate on the key stakeholders that have a significant impact on the legitimacy question pertaining to the Syrian case. Due to the many intricate layers of the civil war, constructing a “pro-regime” or “pro-opposition” dichotomy would be insufficient for understanding the war’s inherent complexity. Therefore, the following section elaborates on these key stakeholders individually, considering that their actions and allegiances might be contingent on their own agendas. The section is divided into two parts, understanding the actors through the framework of the internationally recognized borders. The first part will assess actors that can primarily be considered internal to the state. These actors are mainly different types of ethnic or religious groups as most political cleavages are drawn along these lines. The second part outlines the actors that exist primarily externally to the state. These are either countries or supranational entities, they will be assessed according to their current political relations with Syria and interests within Syria.

5.4.1 Internal factions, ethnic groups, and other actors

Sunnis and Shia

As with many conflicts in the Middle East, the Sunni and Shia divide within Islam plays a significant role in Syrian domestic and international politics. The religious divide stems from an age-old power struggle after the death of the Prophet, creating a divide between the majority Sunni and the minority Shia. In the modern power struggle these two sects are predominantly represented by Saudi-Arabia and Iran respectively. However, at its onset, the Syrian Civil War was not a sectarian issue. At first, peaceful demonstrators just wanted the regime and the dictatorship gone (Hellestveit 2018, 84-85; Majed 2013). Nonetheless, by 2013 the increased number of proxy fighters, backed by Iran and Hezbollah (both Shia) and the Gulf countries (mainly Sunni), as well as the rise of ISIS (Sunni extremists), made the sectarian factor much more prevalent. Moreover, the Assad family are of the Alawite Shia minority making the increased sectarian nature problematic, especially as Bashar had gradually eroded the cross-sectarian foundation for the regime that Hafez had built before him (Dukhan 2019, 102-103; Hellestveit 2018, 168; Majed 2013).

The Alawites

Originally called the Nusayri, the Alawites consider themselves the descendants of Muhammad Ibn Nusayri. Nusayri was a disciple who split from the Shia branch of Islam during the ninth century, originating in Iraq settling in Syria. After centuries of being considered a mystical heterodox sect, with a negative reputation in the Levant, the Nusayri changed their name to Alawi, the followers of Ali, the cousin of the Prophet Muhammad, whom Shia Muslims consider Muhammad's righteous successor (Kerr and Larkin 2015, 3). Today the Alawites are considered a Shia sect. However, their religious beliefs differ significantly from that of traditional Shiism and therefore they are considered non-Muslims by many (Pipes 1990, 159). The Alawites are mainly located along the territories of the Syrian coast in Latakia and Tartus, as well as the now Turkish Hatay-province. Latakia is also where the Assad family hail from (Hellestveit 2018, 24). Alawites have over the course of centuries been discriminated against or persecuted by other groups, especially the Sunni (Pipes 1990, 162-165). Thus, at the beginning of the Mandate period the Alawites welcomed the idea of their own autonomous state. However, in the early 1920s they rebelled against the French, though arguably this had more to do with France's relationship with the Ismaili sect. Yet, the Assad regime has over the decades pointed to this event as proof of the Alawites anti-colonist credentials. Once the Alawites actually received their autonomous state, their support for the French returned (Pipes

1990, 166). In fact, the Alawites publicly favored French rule and helped French forces break up demonstrations and quell rebellions, fearing a return to Sunni rule. Particularly interesting is the temporary incorporation of the Alawi state into Syria in 1936. During this process a letter sent by Alawite notables, including Sulayman Assad (the great-grandfather of Bashar al-Assad), stated several points: “Alawis differ from Sunnis religiously and historically; Alawis refuse to be joined to Syria, for it is a Sunni state and Sunnis consider them unbelievers (kafirs); ending the mandate would expose the Alawis to mortal danger; ‘the spirit of religious feudalism’ makes the country unfit for self-rule; therefore, France should secure Alawis freedom and independence by staying in Syria” (1990, 167). Upon independence, Syria was under Sunni dominance from 1946-1963. During this period the Alawites would rebel and cause uprisings in the early years, but once they came to terms with the fact that they would not get their own state they began to climb the ladders of the military and the Ba’ath party (1990, 168). The Alawites’ poor conditions during the early years of the French Mandate period made joining the French Army one of the very few ways that the Alawites could work their way out of poverty. Consequently, Alawites joining the French Army of the Levant led them being overrepresented in the Syrian Army upon independence in 1946. Moreover, by the time Hafez al-Assad came to power in 1970, the over-representation in the military as well as in intelligence bureaus had become institutionalized (Kerr and Larkin 2015, 85-86). Alawites have now dominated powerful positions in the military and state apparatus for almost half a century, and through their own eyes, they have been the protectors of Syria’s different minority groups. There is a real sense of fear of the consequences among many of the minorities if the Sunni majority were to gain power. Therefore, the regime enjoys significant support among Alawites, but also other minorities (Hellestveit 2018, 95-97; Wieland 2006, 31).

The Druze

One such minority is the Druze. The Druze is an Islamic sect which blends Greek and Hindu philosophy with Islamic monotheism (Chatty 2010, 106). The Druze are estimated to make up about 3-4 percent of the Syrian population (Izady 2018). Most of Syria’s Druze population are settled in the southern province of Suwaidah, and the Druze have a storied past in recent Syrian history. The Druze leader Sultan al-Atrash defied the French mandate and fought for Syrian unity when the French attempted to split Syria into autonomous provinces based on sectarian lines. (Hellestveit 2018, 41). This Druze-led resistance would later be known as the Great Syrian Rebellion of 1925-1927 and was the first uprising during the mandate and first attempt at establishing an independent unified Arab Syrian state (McHugo 2017, 90). In the ongoing

Syrian Civil war, the Druze remained sidelined in the early years. However, once the opposition became more Sunni oriented, the Druze mostly supported the regime. Nonetheless, lack of regime support during Druze clashes with regime opposition has led to a much less regime enthusiastic Druze population (Hellestveit 2018, 41-42).

The Kurds

The Kurdish population of Syria is the country's biggest ethnic minority group. However, as with all estimates of the Syrian population, these numbers are contentious due to the lack of a public census. The Syrian government estimated that the Kurds made up about 7 percent of the population in 2011, however the Kurds do not trust the Syrian regime estimates. The Gulf Project estimated the Kurdish numbers to be as high as 10,6 percent in 2018 (Izady 2018; Hellestveit 2018, 23). Inhabiting mostly the areas surrounding the border of Syria, Iraq and Turkey, the Kurds were famously left without their own territory during the partition of the Ottoman Empire after WW1. Any attempt by the Kurdish population to establish their own state has been met with heavy resistance (McHugo 2017, 257-258). During the civil war the Kurdish population of Syria have established their own autonomous region in the north-east, Rojava or "West-Kurdistan", which both the Syrian government and Turkey oppose. This was possible due to the retreat of the Syrian Army to fight rebels elsewhere. The Kurds have been an important factor in combating ISIS and have been supported by the US in their efforts to do so. In 2015 the Kurdish militia together with other local Arab militias created the Syrian Defense Force (SDF) and have continued to fight ISIS militants in the region as well as Turkish forces crossing into Syria. Additionally, the Kurds have set up camps to host internally displaced people and provide humanitarian aid, as well as prisons for ISIS fighters (BBC; Hellestveit 2018, 46-50).

The Bedouin Tribes

The Bedouin tribes are arguably a somewhat underestimated "power player" in Syrian politics and have served that role for hundreds of years. The different tribes of the Middle East have been an important source of legitimacy and a key to retaining political power in the region (Dukhan 2019, 1-3). During the French Mandate they were strategically used against the nationalists and after independence the tribes remained a large part of the patronage system. Attempts at curbing tribal power through agrarian reform failed many times, the tribal Sheiks exploited the new agricultural technology to grow their own riches while essentially using their tribesmen as slaves. With their growing wealth and control of land, tribal Sheiks remained important to the wealthy merchant elite as trade partners and sources of political capital

(Dukhan 2019, 49-53). Not until Syria's union with Egypt were the tribal sheiks' powers really tested. Nasser ended the almost feudal power of the Sheiks with strict agrarian reform, including land redistribution. The Sheiks lost all rights to function as a legal authority, the tribal schools were closed, and the tribes were to be subject to state law and schooling. The blow to the Sheiks was severe as they lost both economic and political influence and many of them would leave Syria entirely with their tribes for Saudi Arabia or Iraq (Dukhan 2019, 53-55). Upon gaining power Hafez al-Assad recognized the importance of the tribes to Syria's agriculture, the regime invested heavily in infrastructure and resources to convince tribes to return and stay in Syria (Dukhan 2019, 72-73). Bashar al-Assad's reforms again reduced the powers of the Bedouin tribes (Dukhan 2019, 101-102). During the civil war the myriad of tribes have been used by virtually all actors involved, national and international, for furthering both peaceful and armed activities (Dukhan 2019, 127-128).

5.4.2 International actors, their relationship with Syria and their own agendas

Relationship with Russia

As a permanent member of the UN Security Council, Russia is by far Syria's most important political ally. Russia's good relations with Syria stretches back to the 1960s and the Cold War when Syria developed a close relationship with the Soviet Union. There are quite a lot of Russian citizens living in Syria as a consequence of this decades-long relationship. The good relationship between the two countries is especially prevalent among the state elites. Russia's primary interest in Syria is its strategic geopolitical location. Through Syria, Russia gets better military access in the region via an air force base in Latakia, as well as a port in Tartus where Russia leases a naval facility with access to the Mediterranean Sea. Moreover, Syria functions as a buffer between Russia's interests in the Middle East and NATO countries (BBC 2015; Hellestveit 2018, 184). Syria is also economically important for Russia, particularly arms-sales and export of natural resources. Syria provides pipeline access to Turkey and Europe (Cengiz 2020, 208).

Russia's approach to Syria has been one that is eerily similar to the US "Statebuilding 1.0" model of the 20th century. By playing a similar "soundtrack to foreign policy", Bashar al-Assad is very much Russia's preferred dictator. With Assad in place Russia's President Vladimir Putin retains access to Russian interests in the region. Moreover, this ensures that Syria does not fall within the Western sphere of influence. Having blocked every UNSC resolution critical of the Syrian regime, Russia have equated all rebels to as "terrorists" and "extremists" (including those backed by Western powers) (BBC 2015; Cengiz 2020, 208).

Russia maintains that its military presence in Syria is in line with Pillar II of R2P. Russian forces have an official Syrian invitation that legalizes their presence. Meanwhile, Russia has been vehemently opposed to using the Responsibility to Protect as grounds for intervention in Syria (Pillar III), claiming that it would breach the principle of sovereignty. However, Russian alarm regarding what effect Pillar III might have on sovereignty seems to be limited to Syria. In Georgia and Crimea (Ukraine), Russia has attempted to use Pillar III (without seeking UN approval), arguing that they were protecting human rights and civilians against genocide. According to Russia, such concern for human rights does not pertain to the Syrian case. Russia participates as a mediator in the “Astana Peace Process” (Cengiz 2020, 208; Murusidze 2020).

The Iranian Connection

Iran and Syria have a long-standing alliance dating back to the Shia theocracy’s inception. Hafez al-Assad was the first Arab leader to recognize the nascent regime after the 1979 revolution in Iran, and Iran returned the favor by officially recognizing the Alawites as an official strand of Shiism (other respected ayatollahs in Lebanon and Iraq did not). Military and economic agreements have existed between the two countries since 1982 and Syria has been economically reliant on Iran for decades (Piotrowski 2011, 596-597).

Iran’s early policy towards the Arab Spring revolutions was one of pragmatism. At the earliest stages of the movement when the revolt was turning over regimes in Tunisia and Egypt, Iran considered this a chance for them to increase their own regional influence in the Middle East. Official Iranian propaganda claimed that the revolts were an “Islamic Awakening” inspired by Ruhollah Khomeini and the Iranian Revolution in 1979. However, once the uprisings threatened the regime in Syria, Iran criticized the revolts as “foreign-inspired sedition” and increased their military, economic and political support for the Assad regime. Syria remains geographically important to Iran to sustain its influence in the Arab dominated Middle East. It helps Iran restrict the Sunni influence of Saudi Arabia and good relations with Syria also keeps Iran better connected with the Shia group Hezbollah in Lebanon. In return Syria continues to receive just about any support Iran can afford to give them. Like Russia, Iran is now a mediator in the “Astana Peace Process” (Cengiz 2020, 208-209; Piotrowski 2011, 596-597).

Lebanon and Hezbollah, The Party of God

The Lebanese Islamist group Hezbollah, meaning the “Party of God”, started as a movement among the Shia Muslims in southern Lebanon during the Lebanese Civil War. Prior to the Lebanese Civil War, Islamist movements were mostly condemned for their anti-government

actions, particularly by Syria and Egypt. However, events that took place during the Lebanese Civil War provided the extreme anti-US anti-Israel political climate that allowed the Shia Islamist movement to grow into acceptance in southern Lebanon (Rogan 2009, 527). Hezbollah has now been a Syrian ally for decades. Despite being a Shia Islamist group, its support of Assad is not due to his Alawite ties but mainly to prevent US and Israeli hegemony as well as the dominance of Sunni-Muslim monarchies (McHugo 2017, 175; 234). The organization is well organized and has been a large source of assistance for the Assad Regime.

Beyond Hezbollah, Lebanon which has similar sectarian groupings, has its own bad experience with civil war in the 1970s and 1980 in which Syria played a large role (Vohra 2021). Syria has considered Lebanon a long-lost province since the French split greater Syria about a century ago (McHugo 2017; Pipes 1990). Consequently, Lebanon has remained mostly a neutral party to the civil war in Syria. Lebanon's stability is often tied to the stability of Syria, as such remaining neutral has been the dominant strategy (Tinas and Tür 2021, 326-327). Lebanon today hosts an estimated 1.7 million Syrian refugees (Vohra 2021).

Relations with Turkey and the issue of Hatay

Syria's relationship with Turkey has been a constrained and hostile one for the larger part of a century. The roots of this hostility lie within the borders drawn in the aftermath of WW1. The French Mandate was originally given the governorate of Alexandretta, but the French enabled Turkish annexation of the province in the 1930s when attempting to sway the Turks away from the Germans leading up to WW2. The loss of Alexandretta deprived Syria's largest city Aleppo of both its natural coastal port and its water supply from the Turkish diversion of the river Queiq. Turkey has since renamed the province Hatay and the province continues to be a frustration for Syria (Al-Taqi and Hinnebusch 2013, 97).

During most of the 20th century Turkey and Syria were caught on opposite sides of the Cold War. Turkey was very much aligned with the West in terms of recognition of Israel, lack of sympathy for the Pan-Arab movement and membership in NATO. Though Turkey became less pro-Western in the 1960s, a military coup in the 1980s inserted a pro-US military regime. Moreover, Syria has considered many of Turkey's actions, such as the acquisition of Alexandretta to be direct attempts to undermine Syria, including later irrigation projects redirecting water from the rivers Tigris and Euphrates away from Syria. As a move to counter Turkey's influence, Syria has supported the Kurdish Workers Party (PKK), as means to bargain with Turkey (Al-Taqi and Hinnebusch 2013, 98). The height of this tension was reached during

the mid-80s and 90s with Turkey threatening to invade unless Syria expelled PKK leader Öcalan. Syria eventually caved under pressure, and the countries began normalizing their relations. That Turkish President Sezer attended Hafez al-Assad's funeral was considered a gesture cementing this normalization. The relationship between the two countries grew during the 00s, aligning against Israel and together with Iran attempting to prevent fragmentation of Iraq (Hinnebusch 2013, 2).

Since the Civil War broke out in Syria the relationship has again soured. Turkey initially attempted to convince Bashar al-Assad to respond to the uprising with political reform. Since then, Turkey has hosted conferences of the Syrian opposition and collaborated with the Arab League to convince the UN to intervene (Hinnebusch 2013, 3). Turkey is now a main participant in the "Astana Peace Process", an ongoing negotiation between Iran, Russia, and Turkey to broker peace in Syria (Cengiz 2020, 200). In the early days of the Civil War Turkey was adamant that the Syrian regime had to step down. However, renewed attempts at Kurdish independence have caused Turkey to shift its gaze towards preventing such a state from coming into existence and have now moved troops into Kurdish controlled spaces of northern Syria (2020, 209). Additionally, Turkey hosts the largest number of Syrian refugees estimated at more than 3.6 million (UNHCR 2021).

Relationship with Saudi-Arabia and the Gulf monarchies

Saudi Arabia and other Gulf countries were adamantly anti-Assad for most parts of the war. For many years the Gulf countries have supported various rebel factions with arms and funding. Saudi and other Gulf monarchies, with their Sunni Muslim majority have particularly considered the Iranian influence in Syria problematic to their own regional interests (Ayton 2021a; BBC 2015). Noticeably all the Gulf countries and the Arab League supported the idea of an intervention, especially in 2013 after the Syrian regime had used chemical weapons against civilians. However, they were left frustrated when the US decided not to act. With the civil war slowly teetering toward an end, Saudi Arabia and other Gulf countries have accepted that the Assad regime is likely to stay. As such they are now looking to reestablish diplomatic relations with the Syrian government, with Saudi Arabia attempting to do so by helping Assad remove the (now somewhat invasive) Iranian presence that has helped Assad during the war (Ayton 2021a; BBC 2015; MEI 2020).

Relationship with the US and the West

As the previous historic section of this chapter shows, Syria's relationship with Western powers and the US have perhaps at their best been classified as on "negotiating terms". Syria's bad experience with the West dates back more than a century and their history as a mandated territory (after the Arabs were promised their own state by the British) has left few traces of affection towards the West (McHugo 2017, 55). Additionally, with Syrian regimes grounding their legitimacy firmly in pro-Palestinian rhetoric, US and Western handling of the Palestine/Israel conflict and occupation have made them almost natural advisors to Syria (Wieland 2006, 26-29). Syria's relationship with the West became somewhat better by the end of the 20th century. However, what little ground was gained here was ultimately lost when placed on the US's list of countries on an "axis of evil" after refusing to accept the binary "with us or against us approach", in the aftermath of September 11 (Hellestveit 2018, 19; McHugo 2017, 208-209).

During the civil war the countries of the West have been appalled by the Syrian regime's human rights abuses and war crimes, chemical weapons attacks in particular. Many of the Western countries recognized the opposition as the legitimate representative of the Syrian people and attempted multiple peace negotiations, although these amounted to very little (BBC 2019a; Cengiz 2020, 206). Together with the Arab League there has been attempts at conducting a UN sanctioned military humanitarian intervention in the spirit of R2P, however due to the power of the UNSC every attempt has been halted by Russia and China vetoes (Cengiz 2020, 207; Dag Hammarskjöld Library 2021; UNSC 2012a). The war in Syria has contributed to significant political instability in the West, particularly in Europe, as more than a million refugees have made the journey to the continent (Helgason 2020, 3).

Chapter 6: Analysis and Discussion

The previous chapter highlighted some of the most important of the many aspects that affect, or can affect, internal legitimacy of the state and regime in Syria. The previous chapter also highlighted influential external actors whose actions can significantly impact the internal legitimacy of the state as well as how the state and its regime is perceived by the international community of states. This sixth chapter of the thesis will attempt to answer the research question, “*Does de-facto ‘non-intervention policy’ in Syria; inadvertently legitimize a regime guilty of human rights violations?*”. Guided by the sub-questions formulated in chapter 2 this analysis is split into three parts, each of which revisits case data and examines it through the lens of statebuilding theory. First, the legitimacy of the Assad regime and the Syrian state prior to the civil war will be assessed and compared to the regime’s current status of legitimacy. Thereafter, follows an analysis of how the events that led to the regime’s current standing affects legitimacies in an international context. Lastly, the chapter will do a further comparison and consider whether the implications of the de-facto non-intervention approach of the international community in Syria is preferable to that of intervention approaches of the post-Cold War era now in the past.

6.1 State and Regime Legitimacy in Syria

6.1.1 The House that Hafez Built – Legitimacy Prior to Civil War

A) *What was the status of state and regime legitimacy in Syria before the civil war?*

What is the Nation?

As mentioned in the first part of the historical summary in chapter 5, the territorial entity, state, and regimes recognized by the international community of states as the Syrian Arab Republic has since its inception had issues with many facets of its legitimacy, internally as well as externally to the state. Syria inherited what can be perceived as almost arbitrary drawn borders from its time as a mandated territory. Created quite literally by carving up the map of Greater Syria, all the countries in the region have for about a century struggled to come to terms with the hands they were dealt by Western WW1 victors. Moreover, even though all the countries affected by this long-ago occurrence have been handed various complicated dilemmas, Syria’s predicament can be considered particularly arduous. The Syria drawn up made little sense for trade dynamics and cut across ancient regional bonds. Syria was left almost without access to

the sea, and their rivers could be controlled by Turkey in the north. These inherent geographical weaknesses of the state have been difficult for Syrians to accept. Instead, Syrians have spent the majority of their independence resisting their colonial inheritance and adapted two nationalist movements that both envisioned a larger Pan-Syrian or Pan-Arab state (Pipes 1990, 107).

Prior to independence, both Pan-Syrian and Pan-Arab nationalism resonated well with anti-colonialist sentiments, who sought to create their own state. These nationalistic movements were powerful contributors to a sense of unity among the Syrian population which in-turn most likely expedited the French exit from the Middle East. However, upon independence expansionist nationalism would be detrimental to statebuilding. By applying the German approach to the nation and their statebuilding, meaning pursuing the creation of a larger pan-Syrian/Arab state, these nationalistic movements undermined the legitimacy of the existing Syrian entity. Perhaps particularly when multiple neighboring countries applied a similar approach, as that would mean the borders separating the larger “nation” was being illegitimately enforced upon the people by the international system.

Nonetheless, virtually all Syrian regimes since independence have claimed some sort of greater Arab or Syrian goal as part of their political ambition and making it central to their political legitimacy (Pipes 1990, 107-108). The repeated failures of these grand ambitions consumed most of the political energy of Syria’s first 25 years of independence. Internal infighting created a never-ending political merry-go-round, consisting of a myriad of political cabinets and dictators that led to constant instability. Consequently, unity under a “Syrian banner” was never accomplished and sovereignty was continuously challenged from within.

Even so, Syria’s demographical make-up explains why applying a Pan-Syrian or Pan-Arab nationalistic narrative was appealing to politicians. Syria’s many different sectarian groups makes the state particularly vulnerable to unwanted political cleavages. Something which Syrian politicians were well aware of after the French had tried to benefit from sectarian cleavages during their rule (Hopwood 1988, 25). Yet, since much of the population could identify as Syrian, Arab or spoke Arabic, a political movement centered around any of these identities was preferable to a dominant religious nationalism from a statebuilding perspective. Still the external ambitions of Pan-Syrian and Pan-Arab movements made them less than ideal and have for most of Syria’s existence been detrimental to the Kurds in the northern and north-eastern parts of Syria (McHugo 2017, 257). Furthermore, as explained in part 5.3.2 of this thesis, repeated failure, particularly the union with Egypt, the Arab-Israeli Wars, and the

subsequent loss of territory, all but ended any remaining hopes of establishing such a state. The little internal stability that was achieved during Syria's first decades of independence was primarily sustained through patronage networks. These often shifted with the changes in the regime, as such they contributed minimally to sustained state stability in this era.

The Man in the Middle

Hafez al-Assad's management of the state was infinitely better than any of his predecessors. Whether he was conscious of his drastically different approach is difficult to assess, but Hafez turned a chronically dysfunctional Syrian state and made it surprisingly resilient. Despite still clinging to a form of pan-Syrian or pan-Arab nationalistic ideal for the Syrian state, particularly in terms of retaining a strong pro-Palestinian stance, his approach was soundly founded in Syria with him as the leader. There would be no "handing over of the reins" on Hafez's watch, as had been done during the union with Egypt. The result of Hafez's usage of Pan-Syrian/Pan-Arab nationalism strengthened the legitimacy of the Syrian territorial entity by reaffirming Syria as the center of any eventual expansion. Moreover, with other Arab states gradually abandoning pan-Arabism, Hafez became perceived as the last Arab nationalist due to his continued refusal to compromise beyond his red lines on the Palestinian issue. This enhanced Hafez's legitimacy as a protector of Palestine and of Arabs as a whole. However, any sense of proper nation was never to be established, and instead Hafez's approach made sure that Greater Syria's partition would always be an almost inescapable political issue in Syria.

The label of Hafez as a true "Machiavellian" is rightfully earned, Hafez al-Assad ruled in proper Weberian "charismatic" fashion (though like many authoritarian regimes he facilitated elections to fabricate a perception of rational-legal legitimacy) and ruled by utilizing a police state that elicited obedience through fear. Hafez al-Assad seems to have had a much better understanding of the importance of legitimacy in general, as well as how to manage patronage networks and positions of power than any Syrian politician preceding him. While he might not necessarily have played *all* his political cards perfectly, as exemplified by the attempted war against Israel in 1973, he still did an exceptional job. His peasant upbringing is credited as the reason for ensuring that his patronage networks extended to the very lowest levels of society (McHugo 2017, 218). This is highlighted by the improvements to state infrastructure and institutions mentioned in the previous chapter. By embracing pro-Palestinian, Syrian-centered, Pan-Arabic rhetoric, within which there was an anti-Western and anti-Israel element, Hafez covered many inherent bases of frustration in Syrian society. Moreover, it sustained an "us vs. them" element that often is central to nationalism. Additionally, sectarian

cleavages were avoided despite being of Alawite minority and religious freedoms were sustained and protected in most of the country. And of course, as the massacre in Hama demonstrated, any attempt to politicize religious extremism was resolutely obliterated.

As such, the Syrian state that Hafez left behind was surprisingly durable. The Syrian state of Hafez was able to sustain all four key facets of sovereignty and had an apparent decent internal legitimacy. Considering the disarray that the Syrian state went through its first 25 years, the stability that Hafez al-Assad managed to create in Syria was in many ways quite an achievement. As far as non-monarchic depots go, staying in power for three decades and facilitating a peaceful transition of power to one of your sons is quite extraordinary. However, the state was also ripe with corruption and close to economic turmoil, and the state's patronage networks were overbearingly dependent on Hafez's own gravitas and political savvy. Elements that would be difficult for any successor to handle.

The (Un)Fortunate Son?

While Bashar al-Assad most certainly is not of the same political caliber as his father, the suggestions that his reign would be short were greatly exaggerated. However, his image as a reformer quickly waned, and any turn towards democracy was quickly brushed off, though it must be questioned whether that ever was the original intention. Either way, Bashar was always projected to have a difficult time following in his father's footsteps and with the state's patronage networks so closely woven around Hafez, Bashar's legitimacy was bound to suffer. This is a common problem for regimes of the Weberian charismatic ideal-type as there is no guarantee that any successor will have the same charismatic ability as his predecessor (Aarebrot and Evjen 2014, 64).

Like his father and many other authoritarians, Bashar used elections as a form of legitimizing element for his succession and continued presidency (McHugo 2017, 203-204). Similarly, Bashar also continued the pro-Palestinian rhetoric, as mentioned earlier this eroded any early "benefit of doubt" Bashar might have had with the West. Nonetheless, while this hurt his international standing, refusing to bend to Western powers was a positive for his internal legitimacy, and his legitimacy among many Arabs in the region (McHugo 2017, 209; Wieland 2006, 27-28). Bashar's legitimacy issues within Syria would mainly come due to the economic ills and increasingly corrupt and elite centered power structure Hafez's left him. Bashar was not able to amend these two ills while remaining in power without creating a small loyal group centered around himself. This minimization of the political core also limited political reach,

and the change resulted in an increasingly Alawite and elite-centered group of loyalists. Unable to keep the deep-rooted patronage networks that Hafez had survived on Bashar al-Assad, perhaps unknowingly eroded his own legitimacy.

As such, and answering sub-question A, at the time of the Syrian Civil War's onset, the legitimacy of Bashar al-Assad's regime can best be understood as split across all three of the Weberian ideal-types. Bashar inherited a charismatically based regime, without having the same charismatic political savvy or fear-inducing ruthless persona, required to do so. Bashar instead survived mainly on a form of traditional legitimacy by following his father, while using an election to give it a legal foundation. The regime itself prevailed on four main columns, with many connecting and overlapping beams between them. These were more or less the same sources of legitimacy that Hafez had maintained; Syrian centered Pan-Arabic nationalism, Pro-Palestinian rhetoric, secularism, and a social balance with a "tolerable gap" between the rich and poor (Wieland 2006, 39). However, with Bashar's increasingly Alawite and elite-centered politics the last two were of these were increasingly fragile, though up until the civil war the state still upheld its sovereignty both internally and externally. Internationally, Syria was a political outsider having been placed on the US's list of countries on an "axis of evil".

6.1.2 Burning Down the House – Civil War and Current Legitimacies

B) *How, if at all, has legitimacy in Syria changed due to the civil war?*

Bashar, in his attempt to consolidate his power by altering the regime's power-structure, might have sowed the seeds for his revolt. In hindsight, the Arab Spring uprising in Syria seems to be an almost textbook example of Ibn Khaldun's theory of circular regime change. Bashar realigned power in the state *center* at the expense of the peasant base in the *periphery* of which his father had hailed from. A move which Hafez al-Assad would most likely never have done as Hafez seemed to understand the political value and legitimacy that the peasantry and tribes provided. Moreover, Bashar's move of treating parts of the country as "useful", while ignoring development in other areas seems particularly unwise. The subsequent, and apparently incompetent commission and development projects created to deal with these peripheral problems once they became unruly, further creates an image of a leader out of touch with much of his citizenry. Consequently, Bashar al-Assad's regime was perhaps on much shakier ground than first assumed by many observers of the initial Arab Spring uprisings in the Middle East. As such, when the Bashar al-Assad regime responded to the initial peaceful protests with what

was considered repeated unnecessary violence, his legitimacy among many Syrians finally crumbled.

With an ongoing civil war rampaging the country for over a decade, Syria now undoubtedly falls within the category of a *fragile state* as defined in point 4.3 of this thesis. As such Syria has placed within the bottom five on the Fragile State Index (FSI) the past five years, currently sitting at its worst third (FSI 2021). Even though the regime has maintained control in some few areas of the state at all times, the lack of control and ability of the government to properly govern has at times been so diminished that it could be considered failed or broken. Although, most certainly not in a sense that means it could be easily fixed. Due to the civil war, there is an obvious lack of a claimed legitimate use of violence. As such the regime has been unable to uphold its sovereignty, and for over a decade it has lacked the capacity to fully reclaim it. There are and have been multiple large-scale actors within Syria, including the regime, opposition forces. Furthermore, both the Kurdish minority and ISIS have claimed authority within Syria, diminishing *domestic sovereignty*. There are also multiple external actors, therefore undermining *Westphalian sovereignty*. The regime has had little capacity to maintain control of its borders which deteriorates *interdependence sovereignty*. Lastly, as mentioned in 5.3.5, the international community of states partially stopped recognizing the Assad regime as the legitimate representative of the Syrian people, as some states instead recognized the opposition's National Coalition.

Additionally, it is difficult to see how the previous columns of regime legitimacy such as sectarianism, Arabism and pro-Palestinian rhetoric might resonate well with the current regime after the civil war. The war quickly took a sectarian turn once full-scale war broke out, and Assad relied heavily on Shia forces from both Hezbollah and Iran. Moreover, the regime is also attempting to demographically engineer the country as it sees fit. Incorporating external forces such as Lebanese and Iranian Shia combatants and their families, while excluding former Sunni property owners in Syria that have fled. Thus, simply claiming that every opposition group was terrorists and extremists will not necessarily remove these sectarian political cleavages. In similar excluding fashion, Assad's focus the entire war, and his plans for reconstruction seems to still be on the parts he considers "useful Syria" (Ghosh-Siminoff 2020; Osmandzikovic 2020), areas that hold some of the highest numbers of minorities. Since the regime has continued to play on the sentiment that they have protected minorities, this is perhaps a claim that might resonate with parts of the remaining "pro-regime" population once the war ends. Yet there are political issues that need to be solved within the Syrian minorities

as well. The Kurds are still a large minority, and they claim autonomy in the north-east, though they have remained neutral in the civil war. This is an uncertain issue, but history does not favor the Kurds in their quest for independence or autonomy.

To answer sub-question B, legitimacy in Syria has most certainly changed during the Syrian Civil War. It would seem that the civil war has starved the Assad regime of internal legitimacy, capacity for sovereignty as well as external legitimacy, except for certain key allies with their own interests. The regime will most likely be highly reliant on help from these allies and others for the foreseeable future in-order to remain in power and facilitate any form of reconstruction. As such any external power with an interest in Syria will probably be heard. This seems to be the tell-tale signs from the first cases of rapprochement from anyone willing to live with Assad as dictator in Syria.

6.2 The Civil War's Consequences to International Legitimacies

C) What are the international consequences of the civil war in Syria? Specifically, in terms of how it pertains to various forms of legitimacy.

6.2.1 Syrian Civil War – An International Responsibility?

Insight into the current conditions of legitimacy and sovereignty within Syria is paramount for any discussion of the civil war's international consequences. As outlined within the first two points of chapter 4, the international community of states functions through the concept of mutual recognition, as conceptualized through the Montevideo Convention. Consequently, it is this recognition that enables states to interact and engage with each other as part of a larger community of equals. As such, the concepts of legitimacy and sovereignty of states form the very bedrock of the international community as these two concepts define and determine who qualifies as a member of that community.

However, even though these concepts function as the international community's foundation, the international community has set certain additional standards for what it expects of its members, namely the protection of human rights. The aforementioned "Responsibility to Protect" (R2P), signed by every UN member state, outlined these new standards. According to R2P, sovereignty entailed protecting one's population from genocide, war crimes, ethnic cleansing, and crimes against humanity. If unable to do so, states should be ready and able to assist each other upon request. If such assistance proves insufficient, and the state is still unable

to protect its population, the international society may then intervene to protect the population, even if this breached the concept of sovereignty. As such, the Syrian case needs to be examined through a lens that considers both the elements that underpin the international community, as well as the duty which the international society has placed upon each state and themselves to protect human rights.

As established by answering sub-question B, the civil war in Syria has depleted the Assad regime of most of its legitimacy as well as its capacity to maintain any kind of sovereignty. To make matters worse the regime has committed numerous well documented war-crimes and human rights violations (Amnesty 2019; HRW 2019; UN News 2020). Consequently, the current Syrian state has not just been unable to fulfill its commitment to protect its population against human rights abuses, as per the R2P agreement. The Syrian state has been the perpetrator of these crimes against its population on numerous occasions. As such, these well documented and continued war-crimes and human rights violations against the Syrian population by its own state, most certainly makes the Syrian case a responsibility of the international community as articulated by the UN R2P agreement. This raises the question; why has the international community not evoked *Pillar III* of R2P through the UN?

6.2.2 An Inability to Protect – De-Facto ‘Non-Intervention Policy’

The lack of intervention in Syria is a result of the inability of the UN member states to initiate an intervention through its own system, even though a majority of its UNSC member states, with support from Arab League states, attempted to do so. Exemplified by the ill-fated UNSC Resolution vetoed by Russia and China in 2012 (Dag Hammarskjöld Library 2021; UNSC 2012a). As articulated in 4.6.4, the R2P agreement signed by the member states of the UN in 2005 lacked the ability to limit state sovereignty outside of UNSC approval. The ICISS’s original intention behind putting a limit on sovereignty was to favor human rights and embrace the idea that there is a limit to how states are allowed to behave. R2P was supposed to create a means for the international community “*to prevent, to react and to rebuild*” in relation to humanitarian disasters, with the tool of humanitarian interventions falling within the category of the latter two elements. By locking R2P’s ability for intervention behind a vote in the UNSC, R2P is still beholden to the will of states, and also the approval of certain states. Furthermore, this inadvertently actually makes the R2P doctrine vulnerable to abuse by states with little care for human rights. States with political interests in certain countries, such as Russia with its interests in Syria, can use the limits of R2P to their advantage. Russia has proven it is even willing to fully block international humanitarian aid (Amnesty 2021). Moreover, by having

codified R2P as *the* means through which the international community is supposed to conduct interventions, this also illegitimizes any other form of intervention initiated by the international community. Consequently, this is arguably exactly what happened in Syria.

Since the onset of the civil war in Syria after the proverbial wildfire that was the Arab Spring, the international community has watched the conflict in Syria with a keen eye. The UN boasts that its Security Council “*takes the lead on political action in Syria*” (referencing the 22 times the UNSC discussed Syria in 2020 as well as the 27 resolutions relating to the situation in Syria enacted since 2012) while supporting “*effort towards a Syrian-owned and led political solution*” (UN News 2021). However, upon examining these 27 resolutions, they can arguably be considered the bare minimum of action. The resolutions include three resolutions regarding the short-lived military observation missions in 2012. Multiple condemnations of/demands for - the cessation of violence. Demands for cross-border access for humanitarian aid, numerous authorizations of cross-border aid delivery without state consent. As well as numerous resolutions regarding the OPCW investigation into the illegal use of chemical weapons in Syria (Security Council Report 2021). Moreover, through its “Regional Refugee and Resilience Plan (3RP)” the UN aims to continue supporting Syrian refugees in neighboring countries, helping them become self-reliant and capable of providing for themselves. Additionally, the UN Human Rights Council investigates all violations of international law in Syria (UN News 2021; Regional Refugee and Resilience Plan).

There is no doubt that these measures are important, they help many of the millions of people affected by the war. However, these efforts all come up short in terms of making the Syrian regime change its course. Quite to the contrary, then United Nations High Commissioner for Human Rights, Navi Pillay, claimed in 2012 that the failure of the UNSC to agree on collective action “emboldened” the Syrian regime, arguably making them confident that they could have the war play out on their own terms (UNGA 2012). For instance, despite vast evidence of several instances of gross human rights violations, including the killing of civilians, medical personnel, and use of chemical weapons, all of which the UNSC has acknowledged, the UNSC has not been able to agree to authorize a humanitarian intervention in Syria. Even though the evidence and lack of protection of civilians, more than justifies the use of the R2P doctrine (Momani and Hakak 2016, 903). Instead, the UN’s legal approach to the use of chemical weapons, meaning condemning its use as illegal, arguably worked in favor of the Syrian regime. Prior to the civil war the Syrian government had never signed the Chemical Weapons Convention (CWC), thus the regime maintained that they couldn’t break a treaty they

had not signed. By cooperating with the UN, signing the treaty, and allowing the OPCW to dismantle and destroy chemical weapons sites and stockpiles, the UN lost leverage for military means in Syria. Meanwhile the regime continued its war (Momani and Hakak 2016, 907).

Furthermore, the long-lasting strategy of the US and NATO to isolate Bashar al-Assad and Syria from the rest of the world has gradually lost its momentum. While NATO and their allies (which early on included Jordan, Qatar, Saudi Arabia, and the UAE) have supported the armed opposition in Syria (though mostly as an effort to help Kurdish fighters defeat ISIS) as well as the ongoing humanitarian aid effort, the lack of collective action from NATO and the international community has over time shifted momentum away from the Syrian opposition. The withdrawal of most US troops in Syria in 2019 exemplifies this momentum shift as Russia, supporting the current Syrian regime, quickly filled the role the US had maintained as a “power broker” in north-eastern Syria. Moreover, only weeks after US withdrawal, Turkey (a NATO country, but with a leader acting mainly according to his own interest) grabbed the opportunity to fill the military vacuum left by the US and invaded Syria along large parts of Syria’s northern border. Turkey gained a significant foothold in the area at the expense of the Kurdish forces the US had been working with. The Kurds dare to hope they can establish their own state or autonomously controlled area in the region, but Turkey consider the Kurdish forces terrorists and vehemently opposes any Kurdish attempt at creating their own state. Similarly, Russian aggression assisting the Syrian regime has seen many humanitarian efforts withdraw from southern Syria which has come at the expense of many Syrians in the area in need of assistance. In the absence of international aid and forces in the south, the pro-Assad Iranian government has covertly supported the regime through Hezbollah and established a large cross-border smuggling network dealing in arms, drugs, and recruitment in Syria, through Jordan and Iraq (Ayton 2021b; Cengiz 2020; Lang 2019; MEI 2020).

Due to the prolonged situation of the civil war, the regime remaining in place, and Russia and China’s ability to veto every humanitarian effort in the country, including threatening not to authorize any cross-border access for humanitarian aid, the Assad regime is currently experiencing a normalization process with the international community. For instance, the UAE has re-opened their embassy in Damascus and other countries such as Cyprus, Greece and Hungary have begun reestablishing diplomatic relations with the regime. Though organizations like the EU remain steadfast in their opposition regardless of the actions of individual state members (Kotan 2021; MEI 2020).

The de-facto approach of non-intervention remains the officially preferred approach of the UN leadership toward the civil war in Syria, and the current UN Secretary General António Guterres has officially stated that he does “[not] believe in military solutions for the Syrian problem, also for any other problem in the world. I always strongly believe in political solutions” (UN News 2019). It is of course understandable that the UN would prefer a peaceful political solution to this conflict. However, it is difficult to argue that the last 10 years of civil war in Syria has been a peaceful approach to end the conflict. If anything, it has simply been an approach void of international responsibility. Though this is certainly not necessarily the preferred approach for all member states, as evident by the many drafted UNSC resolutions that show attempts at conducting interventions that are much more intrusive to Syrian sovereignty. However, all such resolutions were vetoed. Primarily by Russia, and sometimes China. Both the US and the UK ambassadors officially declared they were “disgusted” and “appalled” respectively, by the vetoes of Russia and China in February 2012 (Dag Hammarskjöld Library 2021; UNSC 2012b, 5-6). Consequently, at the current juncture, humanitarian interventions are, almost by default, off the table. Instead, “development”, “governance” and “resilience” are the preferred buzzwords of the UN, the humanitarian community, and the largest international actors. Though, as mentioned in the beginning of this section, Russia is willing to block aid as well if it provides a means towards accomplishing Russian interests.

6.2.3 Unintended Consequences – The Cost of Inaction

As mentioned at the end of the historical summary in chapter 5, the Syrian Civil War has already had devastating humanitarian costs. Millions of people are displaced within the country, and millions have sought refuge outside of Syria, resulting in a “refugee crisis”. The need for humanitarian help is overwhelming in many places. Politically, the refugee crisis has led to political instability in the region as well as much of Europe, and the refugees have themselves been used by states as political “weapons”. Similarly, the economic costs have been enormous, and the eventual rebuild of the country will further those costs astronomically.

Moreover, the current inability of the international community to intervene in Syria poses a serious challenge to established international political norms and legitimacies. Mainly the validity and ability of international human rights to carry significant political weight in terms of dictating how states ought to behave. This is exemplified by the fact that the Syrian regime’s legitimacy seems to inadvertently increase the longer the civil war goes on, despite the regime’s continued war-crimes and human rights violations with a seemingly complete

disregard for international human rights law. There are multiple factors that contribute to this increase in legitimacy.

When is a State Not the State?

Sovereignty poses a rather important paradox in the Syrian case. As previously mentioned, Russia has continuously refused to agree to intervention in Syria, claiming that such an action would breach with the established norm of state sovereignty which essentially the international community is based on. As such, Russia and China defend their choice to veto as protecting sovereignty and that the international community has no business conducting “regime change” (UNSC 2012b, 9). Ignoring the Syrian regime’s human rights abuses and failure to protect their own population, this is a valid concern. However, considering that the Syrian regime has been starved of both legitimacy and capacity for sovereignty for larger parts of the civil war (at least until it got significant help from both Iran and Russia), it raises the question, when is the regime no longer the legitimate state?

As explained by the theory on state legitimacy in chapter 4, legitimacy and sovereignty are *the* means through which we define the existence of the state. However, noticeably the Montevideo Convention which provides the foundation for international legal sovereignty and how the international community understands the state, does not include a criterion of any kind regarding the state’s internal legitimacy. Moreover, capacity is also only mentioned in terms of ability to enter into “relations” with other states, which judging by the Syrian case, the Syrian regime did not have that much trouble with, regardless of their lack of internal legitimacy and capacity for sovereignty. Furthermore, the Assad regime’s ability to invite Iran and Russia for help, becomes a somewhat contorted understanding of R2P’s *Pillar II* (in which a state can ask other states for help to protect the population). Consequently, R2P protected sovereignty, rather than the population that needed help. Consequently, not only have both Russia and Iran managed to protect their regional interests by manipulating the understanding of the existing international framework. The Syrian regime has managed to fend off what might have evolved into a modern example of Khaldun’s regime change theory. Over time, the Assad regime has managed to regain ground in the war and has been gradually increasing its capacity for sovereignty.

Aid for the State

With intervention beholden to the whim of the UNSC’s members, humanitarian aid has been the main source of help the international community has been able to provide in Syria.

However, it has been well documented the Syrian government also abuses the humanitarian aid entering the country. Much of the humanitarian aid that manages to reach Syria through the multiple hurdles placed by the government, is actually kept by the Syrian government for their own use and profit. Data from Human Rights Watch (HRW) shows that the Assad regime has diverted millions of dollars of aid, sometimes as much as half the yearly budget of the international aid into its own pockets (Hall 2021; HRW 2019). That is not to say that humanitarian aid does not do any good, but it should arguably be a short-term solution. It should ideally not be a solution that lasts for over a decade perpetuating and sustaining the very government that is responsible for the situation that caused the need for humanitarian aid in the first place. A government that by almost any measure should be held accountable to international humanitarian rights law, should not be accepted as “good enough” governance. Moreover, the transfer of goods to corrupt, incompetent and despotic regimes without oversight effectively legitimizes such regimes by increasing their capacity for sovereignty (Jackson and Rosberg 1982, 22-23).

A Seat at the Table

The international community itself has also contributed to the legitimization of the Syrian regime. The lack of agreement within the UNSC forces the UN towards an almost pedestrian approach. As such, one of these approaches has been the repeated attempts to negotiate a peace between the warring parties in Syria, bringing representatives of the Bashar al-Assad regime, the opposition, as well as civil society representatives to a negotiating table in Geneva. The UN has attempted to negotiate such a deal a number of times during the civil war (Cengiz 2020, 206), most recently in October 2021. These negotiations have had the main purpose of producing a new constitution that will then serve as the foundation for new UN-supervised elections in Syria. Considering that Syria just recently held their elections, despite a wide consensus by the international community that the election was a sham, it is rather obvious that the current Syrian regime has no interest in a new election or transitional government. Unsurprisingly, no consensus was reached, not even regarding when to next hold such a meeting. In expected fashion, blame for the failure of the proceedings was traded between the opposition and regime representatives (El Deeb 2021).

Since the Syrian regime has grown confident that the West will not intervene in Syria’s civil war, this UN approach is highly problematic as it is incredibly beneficial for the regime’s legitimacy. The negotiations present the Assad regime very little incentive to give any concessions at a negotiating table, since they are well aware that Russian and Chinese support

will ensure that no international intervention is coming to help the opposition. With a winning hand at the negotiating table, the Syrian regime is allowed to continuously claim its sovereignty on an international stage and simultaneously accuse the international community of not respecting that sovereignty. By seeming willing to negotiate a peace (that would essentially mean they would give up their power) and be allowed to refuse a proposal, they legitimize their right to that power. Additionally, this further proves that the current UN system is currently unable to differentiate between a people's right to state sovereignty and the right of a ruling regime to claim that right on behalf of the people.

Furthermore, these proceedings might place the UN in a somewhat positive light by giving the impression that the UN, as a neutral party that respects sovereignty, is attempting to find a peaceful solution. However, a significant consequence of these proceedings is that the complete disregard for human rights seem to have no political impact on the regime's claim to sovereignty. The seemingly miniscule ability of human rights law to impact the civil war in Syria is damaging to the legitimacy and relevance of these laws in the international community, as they are shown to have few means of enforcement. Moreover, it sets a path for future despotic and terrorizing regimes to get away with human rights abuses. Arguably this might at worst set a precedent that the importance of human rights is secondary to a state's right of sovereignty. Something that would be completely contrary to the prevailing perception of the role of the state in the modern world as articulated by Kofi Annan (1999):

“If states bent on criminal behaviour know that frontiers are not an absolute defence—that the council will take action to halt the gravest crimes against humanity—then they will not embark on such a course assuming they can get away with it.”

Getting Away with Murder

Sadly, the international community still allows sovereignty to be a means for guilty people to get away with such crimes. This not only seems to be the case with the crimes committed by the current Syrian regime, but also in the related, and recently resurfaced case of former Syrian vice-president Rifaat al-Assad, Bashar's uncle. As a related example that increases concerns that human rights violations take a back seat to sovereignty, Rifaat al-Assad, nicknamed “the butcher of Hama” returned to Syria. Rifaat al-Assad was convicted of money laundering and tax fraud in France, where has been in exile for four decades. Rifaat al-Assad is also under investigation in Switzerland, accused of war-crimes committed in Syria, specifically his role in

both the slaughter of prisoners in Palmyra in 1980 and the killing of an estimated 10.000-40.000 civilians during the uprising in Hama 1982. Yet, French authorities let him escape and Rifaat was welcomed back by Bashar in Syria, on the condition that he did not take on a political role. Trial International called the escape a “*severe blow to the fight against impunity*” and questioned the commitment of the “*machinery of justice*” that allows for the escape of someone suspected of these types of crimes to a country where he is out of reach (DW Akademie 2021; Trial International 2021).

Similarly, and answering sub-question C, the international consequences of the civil war in Syria, as it pertains to legitimacy, is the reinforcement of the norm of sovereignty. This comes at the expense of human rights, with the high risk of placing current and future human rights violators out of reach of international justice. Unable to intervene in the civil war in Syria due to the rules of the Responsibility to Protect doctrine, the United Nations has inadvertently, despite the contrasting wishes of many of its member states, proven that its primary concern is the right of sovereignty and is a protector of sovereignty first and foremost. With apparently human rights at best a distant second. Having locked the R2P doctrine within the doors of the UNSC, Sovereignty can be protected by a simple veto within those doors. The other side of that coin is human rights, and its status is undermined by the same veto. This is counter to the original intent of the Responsibility to Protect. The argument for restricting R2P to UNSC approval was arguably to prevent abuse of the doctrine, and abuse of interventions as a tool for “imperialism”. This has clearly backfired as R2P’s current form not only makes the doctrine beholden to the whims of the political interests of certain countries. Exemplified by Russia in Syria. Worryingly it potentially opens a Pandora’s box of legitimacy problems. States such as Syria can, by having an ally with veto ability in the UNSC, seemingly get away with war-crimes and human rights violations that might previously have provoked out-cry and interventions during the 1990s de-facto “right of intervention” era.

6.3 Those Who Cannot Remember the Past

D) *Has de-facto ‘non-intervention’ yielded better results than interventions of the past? Or should the international community attempt a return towards a “right of intervention” and the original intent of the ICISS’s “Responsibility to Protect”?*

6.3.1 To Intervene or Not to Intervene

Engaging the argument that interventions could undermine sovereignty and be used for imperialistic purposes Michael Walzer argues that (2011, 77):

“There are people who claim that all military interventions will inevitably be the work of rich and powerful states acting imperially and will all end in domination. This claim is right — sometimes, which means that it is not inevitably right. [...] Opposition to all interventions is a mistake, although opposition to some is sure to be morally necessary. [...] It is more often the case that powerful states don't do enough, or don't do anything at all, in response to desperate need than they respond in imperialist ways.”

Despite what one might think of the concept of humanitarian interventions, it is difficult to describe the civil war in Syria as “better” than anything. The Syrian case proves that the international community is at a highly problematic political impasse which might be difficult to maneuver out of. Inaction in Syria, though unwillingly by many of the UN member states, has proven to be an approach that has been disastrous to the people of Syria. The magnitude of the humanitarian crisis alone should be an argument for at least revisiting humanitarian statebuilding interventions as a viable option for the international community. Moreover, the abovementioned problems this approach has caused and continues to cause to the legitimacy and relevance of human rights, is equally concerning. It renders the international community potentially unable to hold perpetrators of war-crimes and human rights abuses accountable.

However, despite the effects of the devastating war in Syria humanitarian statebuilding interventions are still not particularly popular at this current juncture in history. Even highly respected scholars on the subject have seemingly lost faith in the ability of the statebuilding intervention process. In the opening pages of “Peacebuilding: The Twenty Years’ Crisis 1997-2017”, by David Chandler, Timothy D. Sisk comments that “[f]or more than two decades peacebuilder policymakers and scholars have considered at length the question ‘How do we build peace after war?’. The simple answer, as David Chandler [...] demonstrates, is ‘We can’t’” (Sisk in Chandler 2017, ii). Though mainly referring to the idea of a utopian all encompassing “one fits all” guide to peace, and that building peace should mainly be an internal process. These are still dispirited words coming from two of the most prominent scholars of the subject of the last 20 years.

6.3.2 The Cost of Action

The two wars in Afghanistan and Iraq are largely responsible for the current defeatism among many of the scholars of today's statebuilding literature, and in many ways understandably so. After the recent exit in Afghanistan, the cost of the 20-year effort in the country garnered considerable attention in international media, with the highest estimates calculating the accumulated cost to be in excess of 2 trillion US dollars. Though it should be mentioned that the highest estimates include interest on debt used to finance the war, as well as expenses on veterans care as well as the funding of a US base in Pakistan. Excluding these the costs in Afghanistan are still enormous, but closer to 1 trillion (BBC 2021). Estimates of the cost of war in Iraq show similar numbers (Cachero 2020). Without producing overall positive results, such numbers, combined with the cost in human lives and instability caused in the region, have tarnished the belief that humanitarian interventions can yield positive outcomes. However, there is an argument to be had that this defeatism is somewhat unfounded and exaggerated, as experiences in Afghanistan and perhaps especially, Iraq overshadows the rest of statebuilding history.

Even though Iraq is highly relevant for understanding the potential failures and successes of statebuilding policy, *while* statebuilding. The case is extremely problematic in terms of a discussion on humanitarian intervention. It is widely understood that the Iraq War of 2003 was *not* a humanitarian intervention. Quite to the contrary, Iraq falls within the category of interventions that Walzer argues people should be critical of. Iraq was an obvious pursuit of geopolitical interests by the US and UK, and as Weiss highlights, humanitarian intervention in Iraq was at best an afterthought (Weiss 2016, 145).

Moreover, the list of problems with the original plan for the "intervention" in Iraq is a long and depressing read. The Bush Administration were not only naïve in their assumption of how the Iraqi citizens would respond to their invasion (the overwhelming assumption was that the Americans would be uniformly greeted as "liberators"), but they were also famously unprepared for statebuilding. There is even a case to be made that there was no plan at all. President Bush himself had said in his political campaign that he didn't think "nation-building" was something the American military should engage in. The intervention was simply not planned as a statebuilding effort with an occupying or statebuilding force. The office originally tasked with the reconstruction effort, the Office for Reconstruction and Humanitarian Affairs (ORHA), was created only two months before the onset of the war and only had a budget of \$25.000 to rebuild the entire Iraqi government ministries. Furthermore, less than a month after

the war started the Bush administration was already planning to begin withdrawing American troops within 60 days. The administration had fully expected the Iraqi population to rebuild the country on their own, after being liberated they would simply “go back to work” (Lake 2013, 295-297).

Instead, the Americans were caught off guard by the deteriorated state of the infrastructure in Iraq as Saddam Hussein had exclusively focused on his immediate survival ever since the Gulf War a decade earlier. In similar naïve fashion, and despite warnings of the contrary, neither President Bush nor British Prime Minister Tony Blair thought it likely that there would be tension and warfare between religious and ethnic groups. Moreover, the expectation was that western friendly political exiles would be able to return to popular support in Iraq and run the country. Unsurprisingly, local political figures and elites found little legitimacy in this approach. Finally, contrary to the presumption that Iraqi military and police forces would largely remain intact and able to support the new government with stability and security, the military dissolved almost instantly. To make matters worse, what little was left would be officially disbanded as the Americans tried to “de-Ba’athify” the military, which only drove those individuals into the growing insurgency (Lake 2013, 295-297; Ricks 2006, 80-83).

The approach applied for statebuilding in Iraq is in many ways one which statebuilding scholars have passionately argued against in much of the academic literature, including the literature reviewed in this thesis. Moreover, the problems with the approach were pointed out at the very onset of the invasion in Iraq almost 20 years ago, stating that “[i]f the U.S. proceeds with its current plans for postwar Iraq, it will be ignoring the lessons of the occupation of Germany and further destroying the international order it helped build” (Grossmann and Nolan 2003). As such, there is a certain irony that the terrible results following this approach suddenly provides a valid case for why statebuilding does not work.

6.3.3 Learning the Wrong Lessons – Ignoring Successes

Failed statebuilding in Iraq and Afghanistan created outcomes desired by no one, yet they do not prove that statebuilding efforts are impossible. To say so would mean completely ignoring the statebuilding cases that have worked. It would even ignore the fact that despite being completely void of initial planning, over time, elements of statebuilding in Iraq and Afghanistan showed signs of improvement (Lake 2010, 273; Ricks 2006, 228-232). It was only in connection with withdrawal that both these cases became significantly problematic, proving

that political will to sustain and finish the efforts remain the biggest issues for international statebuilding (Hellestveit 2016, 9-10).

On the eve of the mission in Afghanistan in August 2021, the US Special Inspector General for Afghanistan Reconstruction (SIGAR) report points out, perhaps somewhat ironically, that “*Conclusion: Preparation Needed for Reconstruction to Succeed*” (SIGAR 2021). However, judging by the literature review of this thesis this seems to be a lesson that needs learning. Iraq and Afghanistan have proven that statebuilding is a difficult and incredibly vulnerable task, which can be severely undermined if undertaken without rigorous planning. Comparing the US efforts in Iraq to the US efforts in Germany or Japan mentioned in 4.6.2, shows that the two approaches are complete opposites in terms of results and planning.

There are primarily two common arguments against statebuilding comparisons with Germany and Japan. First, that because those two cases are both cases where statebuilding was conducted in the aftermath of a “traditional” war, the outset was remarkably different. Second, that the homogeneity of the population in these two countries makes the two cases difficult comparisons for countries with more heterogeneous populations (Monten 2014, 185). While these two notable conditions could very well prove to be a potential challenge for any future statebuilding project. However, that does not render every lesson learned from these two cases void of value. Moreover, if these elements were the only essential aspects of post-war reconstruction one has to wonder why the democracy of Weimar Republic Germany failed. Arguably most noteworthy from these two statebuilding projects is the Truman administration’s positive view of the state and the use of the New Deal ideology as well as their years of planning. This approach needs to be considered as potentially vital for future statebuilding success. Empowering the state rather than excessive privatization (Monten 2014, 187).

Another lesson of note is the element of state borders. International borders have legitimacy in the eyes of the international community, usually hell bent on not changing these borders. Yet, the legitimacy of these borders within local populations is much more contested. Heterogeneous populations such as that of Syria, could potentially be locked in their predicament due to the borders forced upon them. Further studies should potentially explore this element. Perhaps examining the break-up of Yugoslavia mentioned in 4.6.3, since in this case the international society of states allowed the Yugoslavian state to be split into pieces. Moreover, many of these states are today well-functioning members of the international community, though in statebuilding and intervention literature it is the more problematic aforementioned Kosovo that gets most of the attention. That is not to say that such a solution

would definitely work in the Syrian case. Even so, the Kurdish attempt to establish its own state in Rojava might warrant another look by the international community, though as brought up in 5.4.2, states like Turkey would most likely wholeheartedly object to international recognition of a Kurdish state.

In summary and answering sub-question D: Having the option to conduct humanitarian statebuilding interventions with better planning and organization is arguably also overall better for the state in question and international community. The many times repeated economic and humanitarian consequences of non-intervention in Syria most certainly does not make it a “better” case than that of states which experienced intervention. Better planning and coordination, as well as increased faith in the state (such as with the New Deal policies) has led to much better results in the past. Therefore, it should at least be an option available to the international community. Moreover, it might very well again increase the legitimacy of statebuilding operations and the legitimacy of human rights law (*vis-à-vis* the right of sovereignty). Most importantly if the results provide a better and more stable state, it might be considered more legitimate in the eyes of its citizens, such as Germany and Japan, or the majority of the ex-Yugoslavian states.

Chapter 7: Concluding remarks

The Syrian case shows that the international community of states have failed to protect the people of Syria from human rights violations and war-crimes. The failure to implement the Responsibility to Protect doctrine, as a means to protect the population of Syria from the atrocities committed against them, is harmful to the validity and legitimacy of international human rights as well as the legitimacy of the R2P doctrine in its current form. Furthermore, this inability to protect the Syrian people proves that the current UN system has a huge problem with how it understands the principle of international legal sovereignty. There is seemingly no means for the UN to differentiate between a people's right to state sovereignty and the right of a ruling regime to claim that right on behalf of the people. This in turn allows for a situation such as the Syrian case to arise, in which a despotic regime guilty of the most grievous of crimes is legally protected by having "friends in high places". With a political ally like Russia, the Syrian regime gets a free pass. It also gives Russia and China, two countries well known for not following the Geneva conventions on human rights, far too much leeway. Due to their veto rights within the UNSC they can continue to inflame conflicts through proxy actors, facing nearly no consequences, while civilians suffer. Russia and China will be opposed to international intervention in contested areas, as they have a relatively modern history with annexing territory and making claims of sovereignty, whether it is Russia's annexation of Crimea as well as China's potential future plans for Taiwan and the South China Sea. If they support intervention, then their claims might become hard to justify, with a potential international backlash.

The question of humanitarian statebuilding interventions in the context of Syria is important, particularly in the aftermath of Western withdrawals from Afghanistan. Syria serves as a reminder that a policy of "non-intervention" from the Western states does not necessarily produce an outcome that is better than one of intervention, such as in Iraq or Afghanistan. Sadly, one might make the argument Syria is reminiscent of Rwanda in the 1990s, a tragic parallel since R2P was intended to provide a tool to stop such cases from reoccurring. In the same vein, the Libyan case highlights that military intervention without dedication towards a statebuilding effort is potentially just as fruitless. Moreover, these different approaches to humanitarian intervention and statebuilding (inaction, action without statebuilding, and action with statebuilding) not only affect these countries themselves, but also international policy. Both in terms of future international responses and also the different forms of legitimacy, how they are

perceived and valued. As such, the outcomes of these different approaches are consequential for the political theory of which much of the political decision-making is based.

As the literature review shows, this is noticeable within statebuilding theory. The last 30 years has seen the literature on statebuilding, and humanitarian interventions, frequently mention “lessons learned”, and the literature has changed and adjusted accordingly numerous times over the past three decades. However, despite these lessons, policy within this realm of theory arguably has a surprisingly high recency bias. This is particularly evident in absolutist statements that claim that the two very worst cases of statebuilding interventions, Iraq and Afghanistan, prove that statebuilding “does not work”. Yet the two very best cases of Germany and Japan are ignored and discredited as special circumstances, though it could be due to considerable planning and confidence in the state by “New Deal”-politicians. Arguably the complete disasters of Iraq and Afghanistan are also due to special circumstances, though in those cases it could be due to being completely devoid of planning and lack of confidence in the state by “New Public Management”-politicians.

Moreover, Germany and Japan are not only exceptional in the sense that in these two countries statebuilding worked. They are also exceptional because they have resulted in what we today consider democratic countries with very high levels of freedom, strong economies, with prominent roles and substantial influence on international politics. Further, the current approach of non-intervention such as the one taken in Syria, is potentially damaging to several types of legitimacy, and might indirectly legitimize a regime that has committed numerous war crimes and human rights abuses over the course of a 10-year period of civil war.

Similarly, the UN’s preference of adhering to the current “frozen” state of the world map (in which the current existing sovereign states are not to be altered), continues to disregard the immense impact those international borders can have on the internal legitimacy of former colonies and mandates such as Syria with a Kurdish minority longing for a state of their own. Additionally, there is a curious discrepancy within the logic of decolonization and the reversing to “traditional borders” of post-Cold War Europe, and post-Yugoslavia Balkans. Despite the struggles of a few of those states, the majority of them have become stable and functioning states. Outside of Europe no such “lessons” have been learned. Although little attention was paid to the ethnicity, language, religion, and/or other societal cleavages of the populations within these territories upon decolonization. Effectively, these states continue to be forced to attempt to build unity in their states based on their civic relations rather than national, as the UN is unwilling to recognize the disintegration of current borders and the creation of new

independent states as an option. While this is understandable to a certain degree. It seems problematic that *any solution* would have to respect the unity of Syria (as stated by the current UN Secretary General) if a solution could be found through splitting up the state.

The Syrian state, and in particular the current Syrian regime struggles with several aspects of legitimacy, in fact, the Syrian state struggles with most types of legitimacy. Yet, the actions of the international community, particularly actions done through the UN, makes, remakes, and breaks different types of international legitimacy through its actions or inactions.

Answering the main research question of this thesis; *Does de-facto 'non-intervention policy' in Syria inadvertently legitimize a regime guilty of human rights violations?* The analysis of this thesis argues that the consequences of the current approach to the Syrian Civil War by the international community, *does* legitimize the regime. By acknowledging the Assad regime as a valid actor at the negotiating table the regime is legitimized as a valid international actor with rights of sovereignty. Moreover, by providing aid to the regime the international community contributes to the regime's capacity for sovereignty. Most worryingly, by being rendered unable to intervene on behalf of the people of Syria, the international community unwillingly contributes to the survival of a despotic regime. Additionally, since Russia can intervene on behalf of the Assad regime, their actions simultaneously undermine the validity and legitimacy of international human rights, while increasing the strength of the norm of sovereignty.

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