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International Intervention and the Arab uprisings: the
cases of Libya, Syria and Bahrain

By

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Dedication Page

To my loving parents,

I am, because of you.

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International Intervention and the Arab uprisings: the cases of Libya, Syria and Bahrain

Khaled Kabbara

ABSTRACT

Should every Human Rights violation lead to intervention? What are the major roles playing factors prompting the decision of intervention in the internal affairs of states?

This thesis probes into subject matters on international intervention practices, causes and motives by studying the cases of Libya, Syria and Bahrain, and hence, analyzes each of the situations while basing the arguments on the Responsibility to Protect (R2P) and Kenneth Waltz's analysis of international affairs and intervention (representing the neorealist approach). Despite existing similarities between each of the presented cases – especially in terms of human rights violations – the international community's reaction and intervention implemented carried different nuances and forms. This thesis will argue that nowadays international military intervention can only occur when it's justified; whether in terms of human rights violations and/or through projecting the threat the situation creates as a global concern. Furthermore, it will demonstrate that not every peace threatening situation where human rights are being violated should result in a direct military intervention.

In this respect, it discusses the prime reason which is mainly because states' interests continue to influence its actions, especially when deciding on how to respond to certain situations, whether to intervene militarily in the domestic affairs of states - in pursuit of preserving human rights and international peace and stability- or not.

Keywords: Intervention, Human Rights, Realism, Arab spring, Libya, Syria, Bahrain, interest, Responsibility to Protect.

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Chapter I

Introduction

Intervention and the Arab uprisings

Over the past twelve years, the international community has witnessed several instances of foreign military intervention in state's internal affairs, an issue that has always been viewed as a tool in the hands of powerful states, holders of military and economic capabilities, assenting to them their active intervention in cases without taking into account the severe repercussions it could have. In this respect, it would be adequate to cite as real-life examples countries like Afghanistan, followed by Iraq, and the recent case of Libya, making the issue of international military intervention one of the most controversial topics of our century.

In 2011, the Arab world witnessed a series of demonstrations and uprisings, leading to the drowning of the region in a wave of political instability, with it being the triggering factor of a potential civil war outbreak in several cases. Each of these demonstrations and uprisings carried within its nuances elements of frustration and call for change, from political rights and freedom, to the need for economic and structural reform.

The demonstrations in the Arab world were somehow similar in numerous instances, occurring in the form of protests, rallies, marches and strikes which, at many times, led to direct clashes with the ruling regimes' authorities, and reportedly resulting in a

considerable number of civilians' casualties. The similarity also stretches to include elements of human rights violations as well as international and regional military intervention.

Inevitably, the situation in the Arab world became one of the most debated topics amongst states, governments' officials, scholars and journalists. These units mainly discussed how the international community should respond to the unstable situations, where direct military intervention started to rise as a prominent action point aiming to end all clashes involving protestors, conflicting parties and the ruling regimes' authorities, and not to mention, to ensure the preserving of human rights values, civilian protection, and the maintenance of international peace and security.

The question of direct intervention and sovereignty started to surface. It started to arise especially amongst political researchers who were arguing on the main characteristics of sovereignty where they considered that state's sovereignty, in its conventional sense, does not grant permission to a government to commit inhumane practices against its people through its sovereign rights. This issue would lead to being subject to direct international military intervention, in attempt to preserve the government's humanitarian responsibilities. This intervention can be considered as a factor which reflects the rising importance of international values and standards, and the international community's responsibility, which are now based on the United Nations charter, relevant treaties and conventions, as well as the Universal Declaration of Human rights.

This thesis will be deeply probing into the issue of international military intervention, in light of the recent and ongoing situation in the middle-east, with a close emphasis on the case of Libya by comparing it to the developments in Bahrain and Syria, after a close revision of the internal situation in each of these countries, and identification of potential indicators, leading to direct military intervention.

Ever since each of the cases represent regimes' that were/still in power for a long period of time, few had predicted that a revolution will materials swiftly– precisely in the cases of Libya and Syria – which consequences would proliferate and turn into a massive call for change and ousting the longstanding regimes. They also reveal how fragile these regimes are, and to what extend they're willing to use violence or oppressive measures to secure continuity and remain in power. Furthermore, these cases will reveal international community willingness/unwillingness to put its interests aside and act upon and intervene in the situation to preserve Human rights.

This thesis will argue that nowadays international military intervention can only take place when it's justified, whether in terms of human rights violations or whether through projecting the threat the situation creates as a global concern. This thesis will demonstrate that in the case of Libya, the international community had intervened directly, however Syrian and Bahrain did not witness an intervention similar to the Libyan case. The international community has in fact intervened in states' domestic affairs on several occasions, in an attempt to preserve international values and standards.

If we look closely to the Libyan case, we deem it right to see that a revolution took place against the Kaddafi regime, which shortly evolved into a situation similar to a civil war, where clashes started to erupt across the country between the regimes' loyalists and the revolutionary groups. The situation led to massive violations of human rights and democracy, due to the increasing level of oppression practiced by the regime, as well as the atrocities that were committed against civilians.

The international community's response to the situation in Libya was to intervene directly under the authorization of the United Nations Security Council and the command of the NATO. And so, airstrikes were conducted against strategic regime loyalists' targets, helping the opposition gain control and topple down the Kaddafi regime. In light of this situation, the Libyan case will be regarded as an example to better answer the following question: will the international community intervene militarily against all governments that are violating human rights?

However, in other cases no apparent intervention was observed, even though there were confirmed reports on cases of human rights violations, which represents an issue that raises the following question: what is the main motivating factor for states to interfere militarily in states' internal affairs? Is it states interest? Is it the collective responsibility to preserve international values, peace and stability? Or is it a blend of both factors?

Nevertheless, by looking into these three cases, this thesis will also demonstrate that not every peace threatening situation would systematically call for a military intervention. And that is mainly because states' interests continue to influence its

actions, especially when deciding on how to respond to a certain situation, whether to intervene militarily in the domestic affairs of states, in pursuit of preserving human rights and international peace and stability, or not.

Furthermore, this thesis will argue that although a justification – based on human rights and/or a threat to international peace and security- had become a prerequisite for military intervention. Thus, the political will of the state to intervene remains to be the major determining factor for intervention. This argument will be made evident by analyzing the different intervention practices in each of the Syrian and Bahraini cases and by comparing it to the Libyan one.

Bahrain which was also affected by the revolutionary domino effect of the Arab world, a revolution against the ruling regime was calling for social justice and institutional monarchy, leading to an unstable situation, riots and confrontations between the security forces and the protestors, amidst several reported cases of human rights violations.

However, the intervention which took place in Bahrain was different from the Libyan one. The Gulf Cooperation Council (GCC) intervened militarily under the desert shield forces to end the revolutionary movements and riots, in support of the ruling regime and to maintain the stability of the gulf region. The international community's response to the Bahraini context was mainly rhetoric, viewing the issue as an internal challenge, and a regional matter to be dealt with by the regime and its regional allies.

The Syrian case on the other hand carries significant similarities between both the Libyan and Bahraini cases, as we give prominence to the fact that revolution is still ongoing for more than five years, creating a war-like crisis situation, atrocities and violations of human rights have been committed against civilians, and the number of refugees in neighboring country have reached its peak, thus far we see that no clear Intervention is yet expected to take place, similar to the cases of Libya and Bahrain.

This thesis attempts to define the real causes of military intervention in today's political practices, by answering the following questions:

- Was the military intervention in Libya in pursuit of preserving international ideas and values, such as democracy and human rights?
- Was it an interest-based intervention to implement or prevent a specific political, economic or a social agenda in the country, with the forged justification of preserving international values and standards?
- Why have Syria and Bahrain not witnessed an intervention similar to that of the Libyan one?

This thesis will be referring contemporary military intervention practices to the theory of realism in each of Libyan, Syrian and Bahraini cases, in order to better understand intervention justifications and the role played by states' interests. It focuses mainly on Waltz's analysis of international affairs, who himself believes that the anarchic structure of the international system obliges states to prioritize their national security to better safeguard its interests.

This thesis looks into states intervention in the affairs of other states, and explains the reaction of the international community towards this intervention. If we look into the theories of international relations, there are two approaches that can explain when and why foreign intervention takes place. The first is neo-realism and the second approach is the responsibility to protect. This thesis will argue that neither realism nor the Responsibility to Protect (R2P) known as being the doctrine which sets the framework and mechanism prompting direct military intervention in response to grave human rights violations, can on its own answer these questions. Arguing that both theories and approaches should be blended together to better explain when do states intervene and why, in addition to understanding international community's reaction towards this intervention, as explained in the following chapters.

Timeline and methodology

This thesis will employ a comparative approach to present its arguments. It will look into the Libyan case and compare it to the cases of Syria and Bahrain in terms of the reaction of international community to the protests that were taking place in those countries. Additionally, this thesis will acutely examine and comment on the different forms of protests which occurred in each of the instances, and the way in which dissimilar political regimes reacted towards these protests.

It will initially identify the different foreign and local actors involved in the three cases—Libya, Syria and Bahrain— investigate the main interest of the international actors involved in each case, and proceed to demonstrate how each of the actor(s) reacted and/or intervened in each of the presented cases.

As a result, this study will accordingly demonstrate that in all three cases violence—to some extent — was committed against protestors and civilians. Furthermore, it will describe the diverse reactions that were adopted by the international community and that is according to the differences being principally due to the range of foreign power interests involved in each case, through referring each of the cases to the pillars of the responsibility to protect doctrine and the theory of realism while focusing mainly on the theory of Kenneth Waltz.

Literature Review

Although the Arab revolutions and uprising are comparatively recent, a large amount of literature has focused on the subject in order to take advantage of the phenomenon, and benefit from the numerous articles and books written on the subject. It is in that vein that this thesis will study key inputs that consist of analyzing the unstable situation in current Arab affairs, through studying classic political theories, and applying a contemporary analysis to the current Arab upheavals, not to mention focusing on the international community's response, in addition to looking into military intervention practices, means and motives.

A text, for instance, may be mentioned as an example of these literary works such as Kenneth Pollak's "*The Arab Awakening: America and the transformation of the Middle East*", which tackles the issue of democratization and political structures of Arab states, commenting on the different protest movements that occurred through a state-by-state analysis. One can cite as another example also a work by James Petras, entitled "*The Arab revolt and the imperialist counterattack*", which questions the

intentions of the major powers' responses to the unstable situation in the Arab region, and especially the NATO led campaign against the Kaddafi regime in Libya.

However, "*Syria - a Decade of Lost Chances: Repression and Revolution from Damascus Spring to Arab Spring*" by Carsten Wieland, analyzes the socio-political situation in Syria through a series of interviews with Syrian opposition members, and describes the different characteristics of the Assad regime. Additional books on this subject are found useful to guide this research, such as Lin Noueihed and Alex Warren's "*The Battle for the Arab spring: revolution, counter-revolution and the making of a new era*" and "*the European Union and the Arab Spring: promoting democracy and human rights in the Middle East*" by Joel Peters, and many more listed in the tentative bibliography.

Other noteworthy texts describe the various means, circumstances, and challenges of intervention through analyzing several situations. One such work is "*Humanitarian Intervention: Ideas in Action*" by Thomas G. Weis, which provides an interesting introduction to the theory and practice of humanitarian assistance, and discusses the economic, political and ethical indicators potentially leading to military intervention, by examining prior divisive and controversial cases, and at last the UN's role vis-à-vis safeguarding protestors. Whilst Michael Walzer's "*Just and Unjust Wars*" was found useful in investigating the moral aspects which fall within the political sphere and in the examination of previous political and military practices from an ethical perspective. Watzler explores and highlights several conflicts that occurred in the past.

Furthermore, In *Agency and ethics: the politics of military intervention*, Anthony F. Lang, analyzes the role played by states political decision in providing aid or attempt to restore peace and stability, which is necessary for identifying the major motivating factors of the international community to intervene, an issue which often creates a rivalry between concerned and intervening powers. On the other hand, *In Legitimacy of humanitarian military intervention*, the author looks into current practices through studying their means and outcomes as well as its justification complexity. While *In The purpose of intervention: changing beliefs about the use of force*, will be used to look into military intervention practices, its methods and motives, to better understand why and when the international community should use force, and where answers to these questions would be found: Is it to secure states interest, is it considered to be a response to humanitarian crises, or to preserve international peace and stability?.

In addition, considering that the case studies employed in this research are amongst recent developments in international affairs, reports published by major think-tanks, international organizations, academic institutions and journals will be used to support the arguments and prove the presented hypothesis. As such, *The Dilemma of Humanitarian Intervention* published by the Council on Foreign Relation raises another important question on the role the international community should play in light of the escalating violence against civilians. It further compares between what took place in Libya to the Syrian omnipresent case, in an attempt to understand the responsibility the international community holds to mount humanitarian intervention.

Periodical articles such the World Politics review's "*R2P: Sovereignty and Intervention After Libya*", examines the Responsibility to Protect doctrine, which resulted in the NATO-led air force intervention in Libya, and how it was put under scrutiny after the incident that occurred in this war zone, and delves into the rising concerns on states sovereignty and the international community's responsibility to preserve the values of human rights and international peace and security. Furthermore, the article also projects the role played by the will of the foreign states in determining the intervention in Libya. Additionally, in the article *Lessons of the Libya Intervention*, published by the Atlantic, the author looks into the different opinion and positions towards the intervention that took place in Libya, especially on the role played by foreign states, mainly major powers in determining intervention.

Moreover, *Libya: thin line between respecting sovereignty and upholding human rights*, looks into the role played by the international community and the different factors that motivated military intervention, in attempt to end ongoing atrocities against civilians and limit the international threatening situation it might generate.

Also, *the Battle for Bahrain: What One Uprising Meant for the Gulf States and Iran* published by World Affairs Journal, discusses the role played by Gulf States concerns in light of the situation in Bahrain, and focuses mainly on how indirect factors such as interest and political influence had a key role to play in raising concerns about the region's stability, as well as foreign interests, leading to the intervention carried by the desert shield force with the aim of limiting the forecasted negative consequences in the region and ensuring the region's stability.

This thesis will also be examining several reports published by international research and study centers and organizations, such as the one published by the National Democratic Institute titled "*Now we have hope*", which provides an insight on the revolution and the NATO's assistance. In addition to articles written on the revolution in Bahrain on the issue of Repression and the escalating levels of violence in Syria, the above mentioned sources are valuable to sustain the arguments proposed about the motivation, timing, and the lawfulness of Intervention, to better compare the ways in which the international community responded to the situation in Syria, Libya, and Bahrain—such as BBC's "*The Right to Intervene*" by Lloyd N. Cutler, the New York Times "*Military Points to Risks of a Syrian Intervention*" by Elisabeth Bumiller, Foreign Policy's "*The Strange Revolution in Bahrain, One Year On*" by Christian Caryl. Although the MA thesis presented at the Lebanese American University and entitled "Libya, a case of political realism" by J. Kanaan, tries to study the theory of realism and the responsibility to protect while focusing mainly on the Libyan situation.

The majority of the above listed resources have stressed on the notion of how states interests have prevailed states' sovereignty, leading to the prevalence of the neo-realist practices in today's international relations. Thus, this thesis will also be adding the elements of the responsibility to protect to the realist approach to better understand international community's involvement in intra-states conflicts.

Chapter II

International Intervention

This chapter dwells into the subject of direct military intervention and how international actors justified their intervention in other states' affairs, and how the international community reacted towards this intervention. In order to do so, it will proceed by reviewing the relationship between the justification of international intervention and intervention itself, starting from the emergence of the Westphalia state system, to analyzing current practices, through providing a brief historical account on the development of the legal frameworks and mechanisms of intervention. Although international intervention can take place in different forms (i.e. economic, political or diplomatic), this thesis will be mainly investigating direct military intervention, since its application has always been regarded as a controversial one.

In this respect, this thesis will argue that during the Westphalia state system, the theory of realism was the dominant theory in explaining military intervention. However, with the developments of international relations, realism can no longer be the dominant theory in explaining international intervention, seeing that the responsibility to protect nowadays plays another major role along with realism in understanding and explaining why and when international intervention should take place.

The "Westphalia" state system

International intervention, in its contemporary definition, appeared when the nation-state system came into existence with the series of peace treaties of Westphalia in 1648, which terminated the anarchic structure of international affairs and limited all aspects of external influence¹. Its objective could be summarized in the following sentence: "Who rules a region determines its religion". The provisions of this treaty led to the creation of the Westphalian state system, providing a state of independence, and introducing the concept of absolute sovereignty, a concept that was regarded as the main source of stability in the international system, and is based on self-contained autonomous states.

The treaty of Westphalia guaranteed that no state should interfere in the internal affairs of other states, unless there has been a clear violation of a treaty, or in cases of self-defense². This concept of sovereignty signified that no interference in any way from an external actor could be practiced in the internal affairs of another, where the ruling party solely practices its will within their territories, given by their sovereign rights.

However, the Westphalia model failed to fully restrict intervention, and states continued to intervene in the domestic affairs of other states whenever its interests dictated so. Intervention used to occur to expand their territorial capacity, access to resources, influence and power, driven by the sole interest of the ruler.

1 Brown, Chris. *Sovereignty, rights, and justice : international political theory today*. Cambridge, U.K: Polity Press, 2002.

2 Johnson, Geoffrey P. "Intervention in Libya erodes national sovereignty." *The Sun Times*, 2011.

The treaty's nuances assume that the state is a unitary actor, and war is exclusively waged to secure states interests or to preserve its security or power, through following the realist perspective³. Not to mention that intervention used to take place with or without having any legal or moral justification, given that the Westphalian model also holds states responsible for the protection of their citizens and the preservation of their territorial integrity and security.

Accordingly, the realist approach was the best approach to explain when and why intervention in the domestic affairs of states used to happen.

Realist theorists consider the state as the main and central actor in the international system, while describing the rest as secondary or less significant actors. Furthermore, realists tend to believe in the nonexistence of an overarching power greater than the state apt to implement laws and other regulations upon states. Consequently, and according to the theory of realism, the international system is of an anarchic structure, the theory also speculates that states' highest goal and objective is to secure and ensure their own security and interest, where states cannot depend on one another and should be independent and self-sufficient in this matter⁴.

3 Mastanduno, Gene Lyons and Micheal. Beyond Wetphalia: state Sovereignty and International Intervention - Council of foreign Relations. Oct. 1995.

4 Dunne, T & B Schmidt. 2008. Realism. In: J. Baylis & S. Smith, Ed. The Globalization of World Politics Oxford: Oxford University Press.

On Waltz's realism, intervention and international affairs

Waltz considers that politics, just like society in general, is usually guided by objective rules rooted in human nature, where the essence of interest plays a major role in political determination and action. According to Waltz, states' actions could be explained by the international competition which limits states' choices⁵. Accordingly, he characterizes the structure of the international system from a three pillar view, "ordering principles", "the character of units", and "the distribution of capabilities"⁶.

In his first pillar, Waltz states which household systems are basically hierarchically organized, possessing a distinctive authority, which leads to an anarchic structure of the international system⁷, one where there's a clear "lack of order and organization"⁸.

In his second pillar, Waltz mentions that all states have a similar function in the international system and the only difference between them is a cultural one⁹; where he says and we quote: "So long as anarchy endures, states remain like units"¹⁰.

However, it is Waltz's third pillar or element, the distribution of capabilities, which is considered to be the most a primordial factor to explain the different encounters in

5 Dunne, T & B Schmidt. 2008. Realism. In: J.Baylis & S.Smith, Ed. The Globalization of World Politics Oxford: Oxford University Press.

6 Waltz, K. 1979. Theory of International Politics, London: Random House.

7 Brown, C. 2005. "Understanding international relations" Hampshire: Palgrave Macmillan.

8 Waltz, K. 1979. Theory of International Politics, London: Random House.

9 Jackson, R& G. Sorenson. 2007. "Introduction to International Relations – Theories and approaches" Oxford: Oxford University Press.

10 Waltz, K. 1979. Theory of International Politics London: Random House.

international affairs, quoting Waltz “structure of a system changes with changes in the distribution of capabilities across the systems’ units.”¹¹ Subsequently, states are obliged to constantly change their position on international issues depending on their power and capabilities (or in response to the power of the other), the issue that may create an international power and security dilemma¹².

Waltz, along with many realists, believe that the differences in states policies are a result of their different capabilities, power and interests¹³, with them turning a blind eye to the role of Human Rights and other social standards in current international affairs practices.

After carefully observing several international occurrences, it is still clear that realism continues to be the dominating theory that influences states' positions towards a certain crisis. However, and due to the rising importance of international values and standards presented by the Universal Declaration of Human Rights and the Responsibility to protect (R2P), states nowadays can no longer practice realism unilaterally. Hence, the only way a state can enforce its interests, power and influence over the international system is through projecting the threat a situation poses as an international one, and/or project grave violations of international values and standards such as human rights and democracy, and act upon these justifications through collective efforts and under the mandate of the United Nations. A situation

11Waltz, K. 1979. *Theory of International Politics* London: Random House.

12 Brown, C. 2005. “Understanding international relations” Hampshire: Palgrave Macmillan.

13 Dunne, T&B Schmidt. 2008. Realism. In: J. Baylis & S. Smith, Ed. *The Globalization of World Politic* Oxford: Oxford University Press.

that can be clearly seen in each of the Libyan, Syrian and Bahraini cases, and discussed thoroughly in the following chapters.

The United Nations system (1945- 1990)

The Westphalia state-system and its terms of intervention remained to be the major element and actor of international relations until the mid-twentieth century, where this era witnessed the establishment of the United Nations, and the rising role of other international and regional organizations, following the end of the Second World War.

The UN, along with other regional and international organizations, have adopted the sovereign state system and called for establishing a collective framework to preserve international peace and security. The framework was clearly stated in the UN charter to insure the sovereignty and territorial integrity of member states along with its responsibility towards the international community, non-intervention policies are now protected under customary International law and the UN charter article 2:4 & 2:7¹⁴ as follows: *"All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations"*¹⁵

"Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any

14 Chesterman, Simon. Just war or just peace? : humanitarian intervention and international law. Oxford: Oxford University Press, 2002.

15 The United Nations Charter

*state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII*¹⁶

Nevertheless the UN tried to improve and further develop the westphalian state system through establishing a legal framework that allows intervention, within the strict guidelines provided by its charter, where intervention can only be considered as a legally accepted option and that is when the domestic situation in the country threatens international peace and security.

Furthermore, the United Nations charter provided member states with the proper legal mechanism for intervention, where it should only be carried out upon the authorization of the United Nations Security Council under chapter VII, and after exhausting all peaceful and diplomatic efforts methods to settle the situation. And thus, creating a new legal framework for intervention through collective actions, a framework which provided the United Nations Security Council with the right to use force collectively, to preserve and maintain international peace and security.

However, during the cold war era, specifically between 1945 and 1990, the legal framework that was set by the UN charter failed to fully impose its restrictions on intervention. Consequently, states decisions to intervene militarily were mainly driven by their political interests, with or without holding any proper legal justification, and without taking into account the mechanisms determined by the UN

16 The United Nations Charter

charter, since during those times, military intervention used to happen to secure rivalry balance amongst the conflicting parties and in many cases to expand the power and influence each of the parties hold.

As such, International instruments such as the Universal Declaration of Human Rights, as well as the provisions of the UN charter, were extremely limited during the cold war, the increasing political rivalry between the east and the west, in addition to the lacking of a clear administrative structure for its implementation. These factors helped raise an issue that created a need to set a clear legal and administrative arrangement to preserve the main values presented by the UN charter, as well as preserving states sovereignty and the security of civilian individuals.

The right to intervene

Following the end of the cold war, crucial developments have led to the creation of a comprehensive legal framework for military intervention, which coincided with the emergence of the values of justice and reconciliation on the political sphere, rebuilding with it a political democratic system based on the values of human rights, in prevention of any potential future violations in regional and internal warfare¹⁷.

As it will be demonstrated in the following sections, a threat to international peace and security can no longer serve as the only justification for intervention anymore. In fact, a violation of human rights and other international values and standards are now considered to be major prompting factors for foreign military intervention.

17 Finnemore, Martha. The purpose of intervention : changing beliefs about the use of force. Ithaca : Cornell University Press, 2003

In the mid-1990s, military intervention has attained a level of consensus among states, basically on a proper conceptual and ethical approach concerning the legitimacy of international military intervention¹⁸. Due to the changing political and cultural identity, along with the evolution of international law, and including the individual as one of its main subjects, states currently have seemingly realized their responsibility and obligation towards protecting their own people¹⁹. Concurrently, international humanitarian intervention came into existence to serve the same purpose; however, several concerns about sovereignty, and territorial integrity started to rise, making it a contentious topic of debate on the international level.

Accordingly, intervention was not only to be prompted by threats that might affect international peace and security. It indeed became a strategy aiming at preserving and protecting human rights and the security of individuals in conflict zones. As a matter of fact, it has been applied by the US in the mid-nineties when it intervened in Somalia, Haiti and Kosovo in an attempt to protect civilians, justifying their right to intervene in view of the brutal events that are taking place against them²⁰ leading to humanitarian military intervention in situations where civilian individual's security is at risk, and human rights violations are being committed.

18 Linklater, Andrew. *The transformation of political community: ethical foundations of the Post-Westphalian era*. Columbia: University of South Carolina Press, 1998.

19 Maxwell, Peter Walker and Daniel. *Shaping the humanitarian world*. London: Routledge, 2009.

20 Moore, Jonathan. *Hard choices : moral dilemmas in humanitarian intervention*. Lanham, Md.: Rowman & Littlefield Pub., Inc, 1998.

Humanitarian military intervention continues to be one of the most debated fields of international relations, especially when dealing with the issue of state's sovereignty. Its legitimacy continues to be one of the major challenges the international community faces, due to the complexity in identifying the legal standards that support the notion of intervention, attempting to balance the equation of its legitimacy and applicability, while preserving states' sovereignty as well as international stability.

Humanitarian military intervention has several valid and definitive arguments equally supporting and condemning its morality and legitimacy. Two different opinions analyze the issue of humanitarian military intervention and states sovereignty. The first opinion contends that the notion of humanitarian military intervention clashes with the Westphalian state system²¹, especially when dealing with issues related to sovereignty, while the other opinion justifies intervention as both a right and a responsibility. In fact, the second opinion claims that states have the right to maintain its sovereignty through preserving international values and standards. These developments have led to the emergence of humanitarian intervention against war, known as “the right to intervene”²².

An effective way of identifying the current existing factors and legal standards that prompt international intervention, is to examine several political, legal, and

21 Mingst A.M., & Arreguin-Toft I.M. (2011). Essentials of International Relations (5th Ed.) *The Just War: The Debate over Humanitarian Intervention* (p. 263) W.W. Norton & Company

22 Bernard Kouchner, *Establish a Right to Intervene Against War, Oppression*, Los Angeles Times, Oct. 18, 1999, at B7.

humanitarian indicators, such as international values and standards, and identifying the main role players in each of the cases, in addition to evaluating the necessity to intervene against the condemned parties, in attempt to secure humanitarian values and standards²³.

Unfortunately, even though humanitarian military intervention is now recognized as a right which the international community holds to preserve human rights and insure civilian protection, it however failed to fully accomplish its humanitarian responsibility, such as the case of Rwanda in 1994, where it happened to be a little late when an intervention took place, due to lacking an explicit humanitarian framework that could have been adopted in situations where crimes against humanity are being committed. Viewing the actions implemented as belated, poorly executed and ineffective, the failure to act promptly in Rwanda was mainly due to lacking of both the clear administrative legal framework for its implementation as well as the interest factor. Thereby the international community only intervened when it was alarmed by the escalating humanitarian crisis.

This crisis in Rwanda resulted in recognizing the necessity of creating a clear legal and humanitarian framework, to clearly define and organize the standards and notions which would insure the international community's right to protect human rights through a clear collective framework.

23 Maxwell, Peter Walker and Daniel. Shaping the humanitarian world. London: Routledge, 2009

Unfortunately, humanitarian military intervention (also known as the right to intervene), did not succeed in limiting and administrating foreign military intervention, mainly because states interests are still considered to be the major influencing factor even in situations where massive violations of human rights are being committed.

The responsibility to protect

The developments that took place in the 1990s has signaled the necessity to create a more comprehensive framework, which would automatically identify international intervention prompting factors, to better understand why, when and how the international community should respond to situations where violations of human right are being committed.

The U.N. Secretary General Kofi Annan along with the Canadian government established an International Commission on Intervention and State Sovereignty (ICISS), with the purpose of setting a framework for the applicability and legitimacy of humanitarian intervention. This commission presented a report in 2001 on the responsibility to protect, providing several policy points to represent the foundations of an international policy debate, clarifying the issue concerning when and how the international community should respond towards a given crisis. The points were as follows:

- The first contribution was to approach the humanitarian crisis situation from a responsibility to protect rather than the right to intervene, this shift in the

usage of words would help build consensus around the situation, especially in issues where claims about violating national sovereignty are raised.

- The second contribution was on the issue of addressing states sovereignty as both a right and a responsibility, failing to protect its citizens would result in the loss of its sovereignty rights²⁴.
- The third contribution addresses the different standards, methods and strategies of intervention, such as the responsibility to prevent, through analyzing and dealing with the root causes of any internal conflict, the responsibility to react in response to compelling humanitarian situations, and at last the responsibility to rebuild which reasonably falls after the intervention occurs in assistance of the state that was subject to intervention.²⁵
- The fourth contribution of the ICISS was the one dealing with the guidelines and appropriateness of military action towards any situation. Concerning the issue of legitimate humanitarian intervention, the commission identified five different criteria the international community should examine before seeking direct actions, such as:
 1. Having a clear just cause;
 2. Holding the right intention of all intervening parties;

24 Tesón, F. "The Liberal Case for Humanitarian Intervention" in J. L. Holzgrefe and R. O. Keohane (eds.), *Humanitarian Intervention: Ethical, Legal and Political Dilemmas* (2003), http://papers.ssrn.com/sol3/papers.cfm?abstract_id=291661

25 Report of the International Commission on Intervention and State Sovereignty, 2001

3. Viewing military intervention as ‘a last resort’ after failing to settle the ongoing issue peacefully; and
4. The use of proportional means in term of planning the scale, intensity and duration of the military action, and having reasonable prospects to insure the fulfillment and success of these actions.

And as a result of the 2001, 9/11 terrorist attack on the World Trade Center towers in New York, and the international community's preoccupation with the issue of terrorism, the Responsibility to Protect (R2P) gradually gained international recognition.

The first formal acceptance of the R2P came into force during the high level panel meeting on threats where member states endorsed the legitimacy criteria set by the ICISS under the United Nations Security Council²⁶.

The second milestone was made by the U.N. Secretary General himself through including the recommendations of the commission in the report that served as the basic document of the 2005 World Summit. Thereby, as a result, the Responsibility to Protect was included in its outcome document.

This United Nations General Assembly outcome document called upon member states to act collectively against war crimes, genocide, and ethnic cleansing, compelling them to realize their collective responsibility to act, and their rights to

²⁶ The Secretary-General, *Report of the High-level Panel on Threats, Challenges and Change, A More Secure World: Our Shared Responsibility*, 2003, delivered to the General Assembly, U.N. Doc. A/59/565 (Dec. 2, 2004), available at <http://www.un.org/secureworld/report2.pdf>

intervene in attempt to end all kind of violations of human rights. This was later followed by UN Security Council resolution 1674 on the protection of civilians in armed conflicts, providing the responsibility to protect with a legal and ethical dimension for its application²⁷.

Thus, the Responsibility to Protect Doctrine (R2P) was created by the United Nations in 2005 subsequent to a series of international efforts made by the UN Secretary General Kofi Annan, urging member states to realize their individual responsibility towards protecting individuals through collective measures²⁸. This would be a mean to end all atrocities committed against civilians, and discontinue all types of war crimes. The adoption of the responsibility to protect provided the international community with the legal multilateral resource for legitimizing intervention²⁹.

However, regarding the question of the legitimacy of humanitarian intervention and states sovereignty, the responsibility to protect continues to be a debatable issue among international law researchers, arguing that the responsibility to protect is interpretable in different ways based on the factors involved. The concept of sovereignty is also viewed as reasonability rather than a right, while arguing that the responsibility to protect is a different form of international humanitarian intervention.

27 UN Security Council resolution 1674

28 Anan K. (2005) *In Larger Freedom: Towards Development, Security and Human Rights for All*. The Secretary General Statement to the General Assembly, New York
<http://www.un.org/largerfreedom/sg-statement.html>

29 Mastanduno, Gene Lyons and Micheal. *Beyond Wetphalia: state Sovereignty and International Intervention* - Council of foreign Relations. Oct.

In this respect, the state would be accused of committing atrocities if it is not willing to fulfill its responsibility to protect its citizens.

The Responsibility to Protect (R2P) is generally viewed as a mean to tighten and strengthen international collective security through providing several bases on the authorization of the use of force, in response to crisis situations depending on the severity of the threat the crisis poses on civilians and international stability. The purpose of any direct military action or use of force ought to be to preserve the values it stands for, and should be used as a last resort after conceiving all political and diplomatic efforts to end the crisis.

Nowadays, the responsibility to protect is still facing several challenges in its application, the first being the capacity of the state to join a collective military action due to its limited resources from troop deployments to commanding the actions.

The second challenge intervention legitimacy faces would be the mobilization of the political will of the states to respond towards a certain situation, in both military and non-military action required cases, bearing in mind that the international community responds differently towards situations due to differences in their political will, interests as well as capabilities.

The realist theorists argue that these differences in the approaches implemented by the international community are due to the states political will to intervene: the lack of resources, and most importantly state's interest to intervene in certain situations and how it acts according to its preferences when it comes to landing a hand to one

country instead of another. However, these differences do not delegitimize international actions towards a situation similar to another where intervention was not practiced.

After the realization of the notions discussed earlier, one can conclude that the morality of international intervention practiced nowadays by states, and supported by many international organizations, such as the UN, is based on both moral values and political motivation. Military intervention is not only limited to securing the interest of the interfering states, but also to ensure the protection of civilians and to maintain international peace and stability, in times when regimes are unwilling or unable to protect their citizens.

The (R2P) was necessary because the traditional conception of sovereignty proposed by the treaty of Westphalia could no longer serve as a road map for international intervention, even the UN charter, which mainly supports a non-intervention policy, continues to be ambiguous in determining the supremacy of international values and standards, such as Human Rights and Democracy, over the sovereignty of states.

On the other hand, international affairs researchers view the right to intervene as an inconsistent instrument, due to the different factors relating to the notion of intervention, driven by national interests, which happen to contradict with the values of self-determination and democracy already existing in the R2P³⁰, where international military intervention should only occur after balancing the weighed

30 Tanguy, Joelle. "Ethics and International Affairs - Vol. 17." 2033. *Carnegie Council on Ethics and International Affairs*. 18 January 2012.

national sovereignty against individual's security. If we closely examine current international relations, we find a tendency by the international community to consider humanitarian military intervention as legitimate. However, the cases presented here reveal that this statement does not fully reflect the accuracy of this statement. Humanitarian military intervention as these cases will demonstrate is still determined by states interests and not only through moral arguments or human rights consideration.

Nowadays, elements of realism continue to shape today's foreign policies. However, it cannot be solely implemented without a proper justification, backed by human rights and values violations, and justified by a direct threat to international peace and security and/or in response to massive violations of Human rights.

Chapter III

The Arab uprisings and International military intervention: what happened?”

The purpose of this chapter is to demonstrate that the reactions practiced by the ruling regimes were similar in terms of dealing with the protests and the political opposition, whenever there was an obvious violation of human rights. It will further demonstrate that the international community did not react in a similar way in all of the presented cases. For each case, this chapter will investigate the causes of the protests, the reactions of the political regimes Vis a Vis the reactions adopted by the international community to the events taking place.

On Libya

Historical overview

This North African state, bordering Tunisia, Algeria, Sudan, Chad, Niger and Egypt was ruled by Mouammar Kaddafi ever since 1969, after a successful coup had toppled King Idris, replacing him with the Libyan Revolutionary Command Council (RCC) headed by Kaddafi. The latter swiftly proclaimed the establishment of a new Libya under the values of freedom, unity, and socialism, in an attempt to achieve a prosperous future for the country³¹.

⁶ Libya: History". Global EDGE (via Michigan State University), August 2011.

After almost four years, and particularly in 1973, Kaddafi's vision concerning Libya's future called for a transition, through both a cultural and a popular revolution against the ongoing corrupt bureaucracy, challenging the people to revolt and take over the administration through establishing popular people-powered regional committees, which eventually became responsible for the local and regional administration of the country.

This popular revolution eventually led to the creation of a new political structure represented by the General People's Congress in 1977 replacing the RCC in power. It adopted the Declaration of the Establishment of the People's Authority, designating the revolution's principal actor, Mouammar Kaddafi, Secretary General of the General People's Congress (GPC), as the leader the Libyan Arab Jamahiriya⁷.

It is worth noting that Mouammar Kaddafi has played a significant role in the region in spite of his controversial and fluctuating political views and forms of alignment. His initial basic principles of Libya's foreign policy were based on the idea of Arab states unity, support for Palestinian, as well as all forms of foreign influence and intervention in the regional affairs of Libya and Arab states. These principles, however, made his foreign relations extremely hard to maintain⁸.

Nevertheless, regardless of the strained international relations, Libya remained an important player in the region, maintaining its position as a major North African

7 Africa, BBC News. *Libya profile*. 2013.

8 Libya: History". Global EDGE (via Michigan State University), August 2011

country with a significant amount of oil reserve, located in an economically strategic geopolitical position between Africa and Europe.

Libyan natural resources such as oil turned out to be both a mean for advancing economic and social development, and also a tool to enforce Libya's political participation and outlook in Middle Eastern and North African political sphere. Kaddafi continuously promoted the notion of an oil embargo as a pressuring method against Western policies in the Middle East: a policy that inevitably led to creating tense relations with the West³².

The Libyan regime's role continued to be a controversial one, due to its flagrant support for the use of force against western interests and practices in the region, and not to mention its siding with controversial and unpopular leaders in neighboring countries.

In 1992, Libya was held responsible for two memorable incidents: the Lockerbie affair involving the destruction of the Pan Am aircraft, flight 103, over Scotland, and the UTA flight 772 over Niger and Chad. These accusations were made after investigations revealed the participation of senior Libyan government officials in those airline disasters. The international community denounced these incidents as acts of terrorism, with the United Nations Security Council passing a resolution condemning the Libyan Arab Jamahiriya. It obliged the country to abide by the investigation requests related to the incidents, and to cease all kinds of terrorist acts.

32 "Popular protest in North Africa and the Middle East (V): making sense of Libya." Middle east and North Africa report number 107. 2011

Furthermore, the Security Council imposed a set of strictly observed political and economic sanctions⁹.

After almost a decade, Libya gradually made significant efforts to improve its relations with the West. This occurred through a series of dramatic policy changes, and turning in of the Lockerbie suspects for trial. Subsequently, after a series of protracted diplomatic negotiations with UN officials, previously imposed sanctions on the country were suspended¹¹.

In addition, in the aftermath of the Operation Iraqi freedom and the ousting of Saddam Hussein by the western coalition in 2003, Libya decided to cease its weapons of mass destruction program, and initiated the process of compensating those affected by the Lockerbie incident, which is an event that was regarded as a positive attempt towards improving its relations with the West,³³.

However, with the January 2011 revolutions in Tunisia and Egypt, Kaddafi demonstrated staunch support for the former presidents in those countries against the protestors, as he viewed the uprisings as conspiracies against the ruling regimes abetted and encouraged by Western countries and interests.

The progress Libya had made in its foreign relations over the past decade started to decline, particularly suffering from an immediate and significant setback due to its

9 United Nations Security Council resolutions 731, 748 and 883

10 Lipton, Eric, April 2008, "Libya Seeks Exemption for Its Debt to Victims" New York Times

33 UK. Politics, (25 March 2004), "Blair hails new Libyan relations", BBC news

severe response to its own protests a month later. And from this point forward, Libya was included in the series of protests and revolutions occurring in the Arab region.

The Libyan revolution

The Libyan revolution manifested a similar spirit of energy, enthusiasm, and eagerness for change that its neighboring upheavals had exhibited. Various segments of the population mobilized, confident of the values the revolution embodied. The protests spread across the country³⁴, and by February 2011, the country began to collapse. Amidst the arrest of human rights activists during the riots in the northeastern city of Benghazi, anti-government armed groups attempted to evict the Kaddafi loyalist forces in the city of Misrata, seeking to oust Kaddafi from power, where police were forced away and local popular administrative committees assumed control of the city's administration.

The regime's reactions towards the events in Benghazi were anticipated, Kaddafi faced the threat of following in the footsteps of his neighboring ousted presidents. His steadfast troops obeyed his commands, and endeavored to oppress the revolts, forcing them to end their protests immediately. However, this has failed after the opposition's refusal to back down, and violence erupted between the insurgents and armed forces. A large number of killings were committed in an attempt to regain control of the city and several other regions surrounding the capital. Shortly, several senior government officials responded to the massive use of force by the regime's

34 Manar Mohsen, Nadeen Shaker. *Libya: thin line between respecting sovereignty and upholding human rights*. 20 March 2011

armed forces by immediately resigning, denouncing the Kaddafi's actions against the protestors, in addition to several important members of the diplomatic corps representing the regime in the Arab League, the United Nations, and the European Union condemned their government, stating that they no longer represented the Kaddafi regime, and thus hoping to eventually isolate the regime at the international level³⁵. However, the Libyan opposition persisted with its protests turning into a rebellion that spread across the country³⁶, and thus, attaining rule over several regions and vital urban centers, amidst the mounting regional and international pressure on the regime. Events in Libya evolved from being merely a popular revolution calling for change and reform, into what has been described as a civil war between an armed opposition and the ruling regime.

These developments have led to the establishment of the Libyan National Transitional Council (NTC) in February 2011. Functioning as a de facto resistance government and representing the revolution against the Kaddafi regime in the city of Benghazi. The NTC played a huge role in the escalation of the Libyan situation, after it had declared itself the sole legitimate body to represent the Libyan people, acquiring international recognition, and offered the Libyan seat at the United Nations³⁷.

35 Sharrock, David. "Gaddafi's defectors denounce 'government of Mussolini and Hitler'." *The Guardian* 26 Feb. 2011

36 Barker, Anne (24 February 2011). "Time Running Out for Cornered Gaddafi". ABC News.

37 Department of Public Information. "General Assembly seats National Transitional Council of Libya as Country's representative for the 66th session." 16 Sept. 2011. *the United Nation - General Assembly Plenary*. 2013

Intervention and the Libyan context

In early March 2011, and amidst the beginning of the revolutionary spark in the Arab Jamahiriya, the French president Nicolas Sarkozy requested that the European Union freezes all assets of the Kaddafi regime, including those of his inner circle of family members and advisors³⁸.

France, along with the United Kingdom, were amongst the first countries to propose an international military intervention through targeted airstrikes against the Kaddafi forces as a defensive measure, to prevent the regime from the possibility of employing chemical weapons against civilians and protestors³⁹. The French position pressed for intervention under the NATO umbrella. It would be interesting to note that it was also the first to recognize the legitimacy of the NTC as the official representative of the Libyan people⁴⁰.

The United Kingdom on the other hand, through its Prime Minister, wished to promptly act upon the situation in Libya by mobilizing members of the United Nations Security Council in support of a UN Security Council resolution calling for direct military intervention. The UK held several bilateral meetings to mobilize

38 Bloxham, Andy. "Cameron and Sarkozy urge EU allies to be ready for 'all contingencies'." *The Telegraph* 11 Mar. 2011

39 Waterfield, Bruno. "Libya: Nicolas Sarkozy to urge 'targeted air strikes'." *The Telegraph* 10 Mar. 2011

40 Alan Cowell and Steven Erlanger. "France Becomes First Country to Recognize Libyan Rebels." *the New York Times* 10 Mar. 2011

countries in support of the establishment of a no-fly zone, preventing the usage of airplanes, helicopters and mercenaries against the protestors⁴¹.

Meanwhile, the United States of America was observing attentively the whole situation in the Middle East and North Africa, recognizing the universal rights of the people of Libya who "were met by an iron fist" – as described by its president⁴². Alarmed by the escalating violence and injustice committed against civilians, and with an emphasis on the subject of the regional position of the Arab league and international preoccupation with the Libyan situation, The US president delivered a speech which focused on the humanitarian crisis, engendered by Kaddafi, which was affecting the regional security and safety of US allies⁴³. Furthermore, he held the Kaddafi regime accountable for all atrocities committed, and expressed support for the UN resolution, calling for the use of all measures to protect civilians, the latter further declared that "The violence must stop. Muammar Gaddafi has lost the legitimacy to lead and he must leave."⁴⁴

In addition, US Secretary of State played another active role on the international scene, claiming that "now it is time to stop this unacceptable bloodshed"⁴⁵, while

41 Charbonneau, Louis. "France, UK urge swift U.N. vote on Libya no-fly zone." *Reuters* 16 Mar. 2011

42 Office of the Press Secretary. "Remarks by the President on the Situation in Libya." 18 Mar. 2011. *the White house*

43 William Branigin, Liz Sly and Sudarsan Raghavan. "Obama demands pull-back of Libyan troops; Tripoli declares cease-fire." *The Washigton Post* 17 Mar. 2011

44 Lee, Jesse, "The President on Libya: "The Violence Must Stop; Muammar Gaddafi Has Lost the Legitimacy to Lead and He Must Leave"." 8 Mar. 2011. *The White House*.

45 the CNN wire staff. "Clinton to Libya: End 'unacceptable bloodshed'." 21 Feb. 2011. *the CNN*

additionally stressing on the "responsibility of the Libyan Government to respect the universal rights of the people", and that "Kaddafi must go"⁴⁶.

On March 14, 2011, and upon the establishment of the NTC, the US was among the first states to recognize its supremacy through holding meetings with several of its representatives in Paris, thus acknowledging it as the only legitimate Libyan authority⁴⁷.

These almost unanimous responses to the Libyan crisis represented by three major international role players led to the London Conference on Libya where the gathering agreed on establishing the Libyan Contact group, supporting the NTC in ousting Kaddafi from power, and attempting to cease the violence occurring in various Libyan regions between Kaddafi loyalists and the armed opposition. This international group included France, the UK, the US, the European Union, the Arab League, and the United Nations, in addition to several other states as contributing members and observers⁴⁸.

As the intensity of the clashes between the regime forces and the armed opposition continued to escalate, while causing massive civilian casualties, Libya was placed under the international spotlight. Acknowledging the threat the ongoing situation represented both regionally and internationally, opponents of the Kaddafi regime mobilized members of the international community, including the Arab League, the

46 Quinn, Andrew. *Clinton says Gaddafi must go* - Reuters. 28 Feb. 2011

47 the CNN wire staff. *U.S. recognizes Libyan rebels' authority* - CNN. 16 July 2011

48 Marcus, Jonathan. *Libya: London conference aimed at 'endgame' for Gaddafi* - BBC Africa. 29 Mar. 2011

African Union and the United Nations, to counter the violence committed by the Libyan government. They further urged Kaddafi to immediately cease his violent actions, and abide by the international law and its humanitarian responsibility.

Furthermore, Ban Ki-moon, the United Nations Secretary General, declared that "violations of Human rights will not be tolerated and those responsible will be punished"⁴⁹.

On February 26, 2011, the U.N.'s Security Council passed resolution 1970 that the Libyan regime has been unanimously condemned for charges of severe human rights violations through the use of force against civilians. It also reminded its leadership of its responsibility to protect its citizens, and to respect their freedom of expression and assembly. The resolution also reaffirmed its strong commitment towards respecting Libyan sovereignty and territorial integrity⁵⁰.

The Security Council resolution 1970 referred to the International Criminal Court on the necessity of investigating and prosecuting all parties involved in the serious violations of human rights, imposing an arms embargo against the regime, in addition to calling upon all member states to freeze all assets, financial and economic resources of the ruling regime and other senior officials⁵¹. Shortly after, the

49 the United Nations News Center. *Ban discusses Libya with Obama; urges punishment of those responsible for violence*. Feb. 28 2011

50 the UN Security Council. "Resolution 1970." 26 Feb. 2011

51 Department of Public Information. "Situation Referred to International Criminal Court; Secretary-General Expresses Hope Message 'Heard and Heeded' in Libya." n.d. *The United Nations*.

European Union approved the sanctions against Kaddafi and several other senior officials. The provisions of this resolution gradually proceeded to become effective. .

This resolution was viewed as an early warning in an attempt to discontinue the violent clashes occurring between the Kaddafi loyalists and the insurgents, holding Kaddafi accountable for all violations of Human rights and international humanitarian laws, as evidenced by his employment of force against civilians and protestors, and use of mercenaries.

In recognition of the Libyan predicament's relentless severity, the United Nation Human Rights Council deprived Libya of its membership⁵², and on March 17, 2011, the United Nations Security Council passed resolution 1973, calling for measures to end the ongoing violent situation in Libya. It imposed a no-fly zone on its airspace, and urged an immediate ceasefire in an attempt to desist all atrocities committed against civilians⁵³. Nevertheless, the cessation of hostilities was merely temporary since the Kaddafi armed forces resumed to press forward towards the city of Benghazi, backed by heavy artillery, in an attempt to regain control of this strategic city.

52 Associated Press. "UN suspends Libya from human rights council over violence against protesters." *The Guardian* 2 Mar. 2011

53 Department of Public Information.. "Security Council Approves 'No-Fly Zone' over Libya." 17 Mar. 2011. *the United Nations*

As a response to this, Kaddafi threatened in a televised speech to hunt down the "rebellious protestors" in each of the country's corners, alley to alley, neighborhood to neighborhood, and house to house⁵⁴.

Another international endeavor to end the violent clashes or 'civil war' between Kaddafi and the armed opposition offered itself through resolution 1973 under the responsibility to protect. This resolution included within its provision strong condemnations and calls for immediate action by the international community to end the violent situation the Libyan population suffered, by authorizing the use of force under chapter VII of the United Nations charter. This consisted of a demand for a military intervention to protect the Libyan civilians through the use of NATO forces and support of Arab states.

"Authorizes Member States that have notified the Secretary-General, acting nationally or through regional organizations or arrangements, and acting in cooperation with the Secretary-General, to take all necessary measures, notwithstanding paragraph 9 of resolution 1970 (2011), to protect civilians and civilian populated areas under threat of attack in the Libyan Arab Jamahiriya, including Benghazi, while excluding a foreign occupation force of any form on any part of Libyan territory, and requests the Member States concerned to inform the Secretary-General immediately of the measures they take pursuant to the

54 The Telegraph. "Libya: Gaddafi clings to power in TV speech." *The Telegraph* 30 Apr. 2011

*authorization conferred by this paragraph which shall be immediately reported to the Security Council"*⁵⁵

Furthermore, this resolution created a legal framework for imposing a no-fly zone through a general ban on all flights over the Libyan airspace, in addition to viewing the use of force by the Kaddafi loyalists as crimes against humanity. It subsequently led to tightening the sanctions against the regime officials and the Kaddafi family⁵⁶.

After almost six month of direct clashes between both parties represented by the Libyan opposition and the Kaddafi regime loyalists, the international community decided to intervene in order to terminate the atrocities practiced by the regime against its people. Consequently, upon the authorization of the United Nations Security Council, NATO forces through the usage of French, British, and American warships and warplanes intruded blatantly, launching a series of airstrikes against the Kaddafi loyalists, destroying and disabling the regime's air force and other strategic military bases and locations, forcing his troops to withdraw or surrender, and cease the violent aggressions practiced against civilians and protestors. This international military intervention in Libya ended following the death of Kaddafi, thus concluding his forty-two year rule over the Libyan Arab Jamahiriya. The Libyan Transitional Council assumed control over Libya on October 31, 2011⁵⁷.

55 The UN Security council. "Resolution 1973." 17 Mar. 2011. *the United Nations*

56 BBC News Africa. *Libya UN Resolution 1973: Text analysed*. 18 Mar. 2011

57 C. J. Chiver and Eric Schmitt. *In Strikes on Libya by NATO, an Unspoken Civilian Toll*. 17 Dec. 2011

On Syria

Historical overview

Syria has a major significance in both the regional and international scene, given its strategic geographical location on the eastern hub of the Mediterranean. The country's location played a massive role in facilitating international trade lines represented by the city of Aleppo -one of the main cities of the Silk Road⁵⁸- in addition to the historical role Damascus has proved to be of utmost importance during the rule of the Islamic Civilization⁵⁹.

The complexity of the Syrian demographics includes several ethnic, religious and sectarian groups, each of which managed to establish its own relations with neighboring Turkey, Iraq, Jordan and Lebanon. This issue has led to making Syria a fertile soil for attracting regional occurrences' spillover effects⁶⁰.

The capital city of Damascus is one of the oldest inhabited cities in the region. History shows that at the end of World War I and the collapse of the Ottoman Empire in 1918, modern Syria emerged as one of the largest established Arab states⁶¹. The country was placed under the French mandate until 1946, and later gained its independence as a parliamentary republic.

58 Rushby, Kevin. "Remembering Syria's historic Silk Road souk in Aleppo." *The Guardian* 5 Oct. 2012

59 UNESCO - World Heritage Centre. Ancient City of Damascus. n.d. 2013

60 Lesch, David W. "The Arab spring - and winter - in Syria." *Global Change, Peace & Security* (2012): 421-426

61 BBC news - Middle East. *Syria profile*. 8 Oct. 2013

Syria played a distinctive role in Middle Eastern affairs and the Arab/Palestinian-Israeli conflict. However, it suffered from a lengthy period of political instability owing it to the occurrence of several military coups where the country ceaselessly alternated between civilian government and military power⁶².

In the period between 1959 and 1961, Syria entered a union with Egypt creating the United Arab Republic. The union was terminated with yet another military coup that took place in Damascus in 1963 establishing the supremacy of a Baathist cabinet. Thereby, Syria's political situation remained unstable with the birth of a significant number of additional coups and regional disturbances until 1970, when Hafez Assad became president. He unseated president Atassi with the support of the Baathist party, creating one of the most impressive police states in modern history.

However, tension continued to exist when the opposing Muslim brotherhood initiated a campaign against Assad's rule, which started another wave of unstable security incidences amidst the growing hatred between the ruling secular party controlled by the Allawite minority and the Sunni-Muslim Brotherhood, and ended finally in 1982, subsequent to a brutal crackdown against the Muslim Brotherhood in their strategic city of Hamah⁶³.

Assad continued ruling Syria according to the "stability for obedience" rule, with the country becoming one of the most stable countries in the region. It has been

62 BBC news - Middle East. *Syria profile*. 8 Oct. 2013

63 BBC - *A History of Syria 2013*. Dir. BBC. Perf. Dan Snow. 2013

controlled and ruled by the Baathist party ever since 1963⁶⁴. The regime was viewed by Western countries as politically repressive and violent, through enforcing tight security measures and limitations of political rights.

Additionally, Syria has an active regional and political role, assuming a prominent part in the wars against Israel, intervening in the Lebanese Civil War, and supporting both Iran and Kuwait in their battles against Iraq due to the historical rivalry between both Baathist parties (the Iraqi and Syrian one). Syria's assistance to its allies manifested itself when it joined the US-lead International coalition against the Iraqi occupation of Kuwait in 1991⁶⁵.

In June 10, 2000, following the sudden death of President Hafez Assad, his son Bashar Assad assumed power. Bashar, who is married to a Sunni Muslim, was welcomed and viewed positively as a means to easing the tension between the Sunni and ruling Allawite communities. His inaugural speech included elements of political reform⁶⁶.

The Syrian revolution

In March 2011, the popularity of the ruling regime, and mainly the president, declined amidst the extensive oppression practiced against the various demonstrations occurring in rural Syrian regions calling for reform and justice.

64 Büchs, Annette. "The Resilience of Authoritarian Rule in Syria." n.d. *The GIGA German Institute of Global and Area Studie*

65 Freedman, Robert Owen - Editor. *The Middle East After Iraq's Invasion of Kuwait*. University Press of Florida, 1993

66 Lesch, David W. "The Arab spring - and winter - in Syria." *Global Change, Peace & Security* (2012): 421-426

Syria's revolution began amongst the increasing sense of activism and change in the region represented by the ongoing demonstrations and uprising in neighboring and allied Arab states.

Similarly, the Syrian people began to tentatively realize the adverse conditions of their existence. Subsequently, they decided to actively engage themselves in shaping the future of the country and region as a whole⁶⁷.

The demonstrations manifesting in Syria carried within its nuances several elements dating back to its ancient and modern history, involving the power struggle between the Sunni majority and Alewite minority⁶⁸.

The first wave of ongoing uprisings and series of demonstration started in Syria's capital, Damascus, and the southern city of Daraa named respectively as the "day of Rage" and the "Day of Dignity". These uprisings called for fair political and social reform. Reports on the ongoing unstable situation mention that these demonstrations encountered a violent response by the Syrian regime's military⁶⁹, and were followed by a campaign of "unlawful" arrests aimed at those responsible for damaging the state's and regime's reputation and triggering internal instability as framed by the regime. As such, the families of those detained along with a number of activists

67 Bell, Melissa. "Syria revolution: A revolt brews against Bashar al- Assad's regime." *The Washington post* 15 Mar. 2011

68 SHADID, ANTHONY. "Syrian Unrest Stirs New Fear of Deeper Sectarian Divide." *the New York Times* 13 Jun. 2011

69 BBC News Middle-East. *Syria: 'Scores die' in protests across country*. 29 April 2011

organized another demonstration requesting the immediate release of all political prisoners, fact which proceeded to ‘spark off’ the Syrian unrest situation⁷⁰.

The revolution began as a civil movement calling for the respect of citizens’ universal rights, social justice, state reform, and political freedom against the Baathist ruling party. The situation developed into a nationwide series of uprisings and demonstrations in several rural Syrian areas, supporting those protesting in Daraa against the ruling regime⁷¹.

In response, The Syrian government announced several measures to contain the demands and facilitate the ending of the rising chaotic situation. The president released a number of political prisoners and dismissed the functioning government, in addition to lifting the state of emergency that has been in effect for the past five decades⁷², since Hafez Assad under the Baathist party seized power. The Syrian president Bashar also announced his endorsement of a law to regulate protests. This conciliatory approach paved the way towards achieving other demands made by the protestors, such as freeing thousands of political prisoners held without trial, and the clearing of article 8 from the Syrian constitution in which the following is stated:

Article 8 [Baath Party] "The leading party in the society and the state is the Socialist Arab Baath Party. It leads a patriotic and progressive front seeking to unify the

70 BBC - *A History of Syria 2013*. Dir. BBC. Perf. Dan Snow. 2013

71 Crisis Group Middle East/North Africa. "Popular protest In North Africa and the Middle East (VI): the Syrian people's slow-motion revolution" 2011

72 BBC News Middle East. *Syria protests: Assad to lift state of emergency*. 20 April 2011

resources of the people's masses and place them at the service of the Arab nation's goals"

The days following the reforms were announced the protest reached its highest peak, followed by a heavy and intense crackdown by the regime as reported. Several human rights activists and eyewitnesses reported that a number of protestors were killed by the regimes armed forces, using gunfire and tear gas in an attempt to disperse the protests. The army, backed by its heavy weaponry, deployed itself closer to the city of Daraa and in central Homs, two of Syria's largest cities, in defense against the armed rebellious groups responsible for the chaos and unrest in Syria, as described by the authorities⁷³. A newly appointed cabinet promised the rise of a new era of civic liberty empowerment⁷⁴.

However, these reform attempts failed to ease the internal unstable situation. Thousands of Syrians flooded the streets of several major Syrian cities holding weekly demonstrations across Syria were being organized in defiance of the regimes armed forces, calling for freedom against the oppressive measures adopted by the regime.

The incessant political reform efforts by President Bashar Assad failed to dampen the revolution⁷⁵. Daraa, Homs, Hamah, Aleppo, rural Damascus, and remote areas of Syria, witnessed further protests against the ruling regime wishing to oust President

73 Marsh, Katherine. "Syria protests continue as Bashar al-Assad promises reform." *The Guardian* 16 Apr. 2011

74 SANA. *Sana - President Al-Assad's Speech to the New Government*. 17 Apr. 2011

75 Karam, Zeina. "Syria Crisis: Tens Of Thousands Protest In Aleppo." *Huffington Post* Apr. 2012.

Bashar al Assad from power. This transformed the internal situation in Syria from a series of peaceful protest, to a situation similar to that of a civil war between the opposition calling for the ousting of Assad and the latter's ruling regime.

The Syrian opposition managed to establish several coalitions, councils, and fronts during the Syrian crisis in an attempt to unify the different opposition groups and to set a vision for the future of the country. One of the major coalitions is the Syrian National Coalition that was established on July, 2012, serving as the administrative structure of the Syrian opposition.

The SNC included the Free Syrian Army (FSA) which was created after several Syrian army generals and troops started defecting from the regimes' armed forces with a number of army generals refusing to employ force against the protestors as declared, becoming members of the FSA while encouraging other military personnel to defect and join their organization in support of Syrian people desiring to cease atrocities committed by the regimes army.

This establishment was a turning point in the ongoing Syrian situation, revolutionizing it into a rivalry battlefield to free the Syrian cities under the so-called regimes Army siege by adding another dimension in the pursuit of ousting Assad from power, where the FSA, through its guerilla style tactics, has managed to gain control over several areas as major new corporations reported on the developments in the Syrian situation.

However, the better organized and significantly armed army continued to advance in pursuit of regaining control and stability in the Syrian rural regions. These developments in the Syrian situation lead the international community to intervene indirectly through declaring their support to the FSA, providing it with communication and shielding equipment as a first step.

However, the regimes' armed forces intensified their security measures in several Syrian cities, deploying checkpoints and naval forces in coastal areas, preventing an overnight surge of any anti-government protests in the capitals' suburbs from spreading to the heart of Damascus, and confronting local opposition groups in several Syrian towns. This resulted, according to eyewitnesses, with a mass killing of demonstrators, increasing the level of protests and direct clashes between the FSA supporters and the armed forces. These incidents happen to have coincided with an increasing rate of army defections, and the international recognition of the opposition which lead to the creation of the Syrian National Council in August, 2011, representing the demands of the Syrian people, and including a coalition of different opposition groups. The opposition groups evolved into the National Coalition for Syrian Revolutionary and Opposition Forces - a coalition that included several political and armed opposition groups replacing the Assad government, and supporting the FSA operations against the regime's armed forces, effectively creating an anti-Assad interim government.

In response to what was taking place in Syria, the Arab League managed to reach an agreement with the Syrian president in November, 2011. The agreement was to

immediately cease all military operations against the protestors and civilians, and hold a national dialogue to determine the future of Syria⁷⁶. However, this pact failed when the Syrian government was accused of adopting insufficient measures towards implementing its provisions and protecting its citizens. As a way of acting in response to this epic failure, member states of the Arab league voted in favor of suspending Syria's membership from the League⁷⁷.

Gulf States represented by Kuwait, Bahrain, and KSA, along with other GCC member states, recalled their ambassadors from Syria, and recognized the NSC as the legitimate representative of the Syrian people⁷⁸. Furthermore, EU member states such as France, the United Kingdom, along with the United States and Turkey, called for President Assad to resign, and acknowledge the SNC as the sole legitimate representative of the Syrian people.

The Syrian government and its armed forces is to date proceeding with its operation against the so-called "Armed rebellious, armed gangs and extremists"⁷⁹, while the rebellious opposition struggles to gain international support in order to effectively retaliate. The latter is an endeavor to liberate the Syrian territories from the despised regime, and achieve the ultimate goal of ousting Assad from power.

76 Black, Ian. "Syrian acceptance of Arab League ceasefire plan met with scepticism." *The Guardian* 2 Nov. 2011

77 Macfarquhar, Neil. "Arab League Votes to Suspend Syria Over Crackdown." *the New York Times* 12 Nov. 2011

78 Shwayder, Maya. "Six Gulf States Recognize Syrian Opposition As Legitimate Government." *International Business Times* 12 Nov. 2012

79 International Crisis Group. "Syria's Mutating Conflict." 2012. "Unchartered Waters: Thinking through Syria's Dynamics." 24 Nov. 2011

Amidst the mounting international pressure against Assad's regime and the increasing regional fear of exporting instability in Syria to other neighboring countries, the clashes between armed opposition and the regimes armed forces have reached their highest level. After three years of this internal struggle, the death toll in Syria attained a striking 220,000 people⁸⁰. Reports claim that Assad is backed by his regional allies, namely Hezbollah and Iran, and is accused of using chemical weapons against civilians, causing massive violations of universal values and standards.

This has led to blaming the ruling regime of committing war crimes against humanity⁸¹, thus, triggering an international response to immediately act upon the Syrian crisis.

Intervention and the Syrian context

Starting with the early stages of the Syrian revolution, the Arab League commissioned a special convoy to monitor the implementation of the peace plan⁸² that was agreed upon with the Syrian government. The plan called for the suspension of the armed forces operations against civilian protestors, and urged the Syrian government to comply with the demands of its citizens. However, this initiative

80 AlJazeera. Syria enters fifth year of conflict. 0316 2015.

81 Cowell, Alan. "U.N. Panel Accuses Syrian Government of Crimes Against Humanity." *the New York Times* 23 Feb. 2012

82 Al Jazeera. *Arab League monitors arrive in Syria*. Dec. 2011

failed to achieve its objectives, and the monitors' role was suspended and withdrawn from the country following Syria's expulsion from the Arab League⁸³.

States' positions vis-a-vis the Syrian predicament have varied due to the complexity of the crisis, as well as the parties involved, which had played a significant role in mobilizing members of the international community to act upon what is happening in Syria.

The intensity of declarations and condemnations has evolved with the intense rise of the clashes. After several months of the brutal crack-down by the regime against the protestors, the United States president declared that the U.S. would be monitoring the Syrian situation attentively in order to evaluate the required level of American involvement. Consequently, five months later, a stronger declaration was made positioning the US administration against Assad, urging him to "step-aside" due to the regimes' reactions towards civilian protestors. The US also called for the enforcement of their universal rights, the cessation of torturing opposition leaders, and imposing sieges on several cities. In addition, it imposed sanctions on Syria's energy sector in an attempt to increase the economic and political pressure on the regime, while stressing on the right of Syrian people to live within a democratic system that ensures freedom and equality for all its citizens. However, The US also declared that it respected the Syrian people's desire of "not interfering in the internal situation" by any foreign power. The US meddling in the Syrian situation was strictly restricted to tightening the sanctions and isolating the regime politically and

83 Urquhart, Conal. "Arab League suspends Syria monitoring mission." *The Guardian* 28 Jan. 2012

economically, which occurred through banning oil imports from Syria, and urging other regional countries to amplify the actions of the international community by adapting and supporting them themselves. The US president concluded by stating:

*"The Time has come for him to step aside and leave this transition for the Syrian themselves, and that is what will continue to work to achieve"*⁸⁴ with an emphasis on the Syrian people's courage and right in demanding a democratic transition, *"President Assad now has a choice, he can lead that transition or get out of the way"* he urged the regime to stop the violent responses against the protesters and respect their universal rights⁸⁵

Simultaneously, the United Kingdom's position towards the Syrian regime was clearly stated by its prime minister, who called for international actions under the Security Council to end to the Syrian situation: *"We must not stay silent"*, he declared, in condemnation of the Assad regime *"President Assad has lost the consent of his people"* he stated in a televised interview with Al-Arabiya⁸⁶. *"We stand ready to take fresh resolutions....daring others if they want to veto those resolutions"*, he declared in response to the bloodshed carried by the Syrian regime against its citizens. As a matter of fact, the British prime minister also declared that the Syrian circumstances were different from those in Libya. However, this did not signify that

84 Jason Ukman and Liz Sly. "Obama: Syrian President Assad must step down." *The Washington Post* 18 Aug. 2011

85 Scott Wilson and Joby Warrick. "Syria's Assad must go, Obama says." *The Washington Post* 08 Aug. 2011

86 Cameron, David. *Assad's safe exit 'could be arranged,' British PM Cameron tells Al Arabiya* Al-Arabiya News Channel. Nov. 2012.

the international community should not take all actions in support of the Syrian opposition, and in facilitating humanitarian assistance. While addressing the Russian president, he said that the UN Security Council should take tough actions against "*a regime that has brutalized its own people*", in an attempt to free the Syrian people from the situation they are suffering from⁸⁷.

France, on the other hand, having assumed the role of a major player in the Libyan crisis, was amongst the first countries to call for ground international intervention in Syria. It cooperated closely with the UK to mobilize the international community in an attempt to end the atrocities committed against Syrian civilians⁸⁸.

However, irreconcilable views emerged on the international scene such as China and Russia's growing frustrated efforts to reach consensus on a resolution against the Syrian regime at the United Nations Security Council, blaming the US and Britain of interfering in Syria's internal affairs, and disregarding the values of its sovereignty.

While re-calling the international approach practiced in the case of Libya, both China and Russia decided to view the Syrian crisis from a different perspective. Bearing in mind that Syria has always been a traditional economic and political ally—having ongoing bilateral relations with the East— particularly with China, Russia, and Iran, as opposed to its semi-Western alliance concerning issues relating to the Middle East.

The Russian Prime Minister blamed Western powers for interfering in Syria's affairs and worsening its crisis, he claimed that the West's call for Assad to step aside was

87 Lister, Sam. "David Cameron presses Russia over Syria action." *The Independent* 12 Jul. 2012

88 BBC News Middle East. *Syria crisis: Where key countries stand*. Sept. 2013

just a provocation, and not a genuine effort to insure a peaceful settlement⁸⁹. He blamed western governments of influencing the Arab league's decision to suspend Syria from the Arab League, while insisting that Russia did not wish to witness a scenario similar to the Libyan one. He also reasserted his government's support for the Syrian regime, and strongly backs all efforts to stop the violence through political dialogue. He even stressed on the fact that enforcing a no-fly zone on the Syrian territories would violate the sovereignty of Syria.

Russia emphasized that it was the Syrian people's decision regarding who should rule them, and the manner in which they ought to live their lives. According to its foreign minister, the international community's role is restricted to helping Syrians 'sit together' and decide the future of their country, rejecting European and American sanctions on the Syria regime, viewing them as being unilateral⁹⁰.

The Russian president also laid stress on the importance of respecting Syria's sovereignty, viewing the instability Syria is facing as an internal dilemma that should be dealt with by affirming the legitimacy of the Assad regime's actions concerning the rebellions. He also defended Russia's maintenance of its economic and military assistance to the regime, rejecting any possible direct military intervention in Syria or the use of force if not approved by the United Nations⁹¹.

89 Lavrov, Sergey. *Lavrov: 'Either secure Syria's chemical weapons, or arm its rebels'* Russia Today. 24 Dec. 2012

90 Al-Arabiya. *EU to sanction 18 Syrians; Russia opposes Arab decision; China presses for peace plan*. 14 Nov. 2011

91 "Putin Has a Responsibility to Protect Syrians." *the Moscow times* 8 Jun. 2012

Both Russia and China continued to play a vital role in the Syrian crisis with its repeated attempts at calling for direct negotiations between the opposition and the regime, endeavoring to end the ongoing crisis and both countries have perennially been staunch supporters of a non-intervention settlement of the Syrian Crisis⁹².

At the United Nations on February 4, 2012⁹³, the Security Council failed to pass a resolution condemning the Assad regime of practicing violent repression against the protestors. This was primarily due to Russia and China's use of their veto power which resulted in a non-binding resolution endorsed by the UN General Assembly.

As a result, the United Nations, along with the Arab League on February 24, 2012, played an additional critical role in urging its member states to adopt all necessary measure to end the Syrian crisis⁹⁴. The UN Secretary General appointed former Secretary General Kofi Anan⁹⁵ to lead a special joint convoy to monitor the ceasefire, and initiate reconciliatory efforts to end the ongoing Syrian situation. All of these attempts were followed by a series of other initiatives and agreements between members of the international community⁹⁶.

The convoy focused on a six-point peace plan for the Syrian predicament which main aim was to bring about an immediate ceasefire and political dialogue between the

92 International Crisis Group. "Syria's Mutating Conflict." 2011

93 Department of Public Information. "Security Council Fails to Adopt Draft Resolution on Syria." 4 Feb. 2012. *the United Nation*

94 Policy Breifing. "Syria's Phase of Radicalisation." 10 Apr. 2012. *International Crisis Group*

95 International Crisis Group. "Syria's Mutating Conflict." 2012

96 Department of Public Information. *Kofi Annan Appointed Joint Special Envoy of United Nations, League or Arab states on Syrian crisis.* 23 Feb. 2012

parties involved, and ensuring the provision of humanitarian assistance. Mr. Annan resigned from his position after a series of discourse attempts owing to the intransigence of both antagonists to comply with the peace plan provisions, and the failure of the Security Council in reaching a consensus towards ending the situation peacefully⁹⁷. Replacing Kofi Annan, Lakhadar Ibrahim was appointed as the new peace envoy to Syria. Unfortunately, his efforts have so far been unrewarded as he attempts to arrive at a political and diplomatic settlement of the ongoing Syrian crisis.

Due to the escalating level of violence in Syria, the UNSC in 2012 managed to unanimously adopt resolution 2042, calling for setting up a United Nations Supervision Mission to Syria. The mission was composed of three-hundred unarmed military observers including a number of international civilian staff to monitor a cessation of the armed conflict at all levels and from all groups involved. In addition, it was intended to facilitate the implementation of the six-point peace plan called for by the UN and Arab League special envoy on Syria⁹⁸. This resolution was unanimously adopted since its clauses contain condemnation of all parties involved in the Syrian conflict as a whole and therefore, not only holding the regime responsible for all the committed atrocities. It reaffirmed the international community's intentions to end the Syrian crisis swiftly and diplomatically under multilateral consensus.

97 UN News Center. "Kofi Annan resigns as UN-Arab League Joint Special Envoy for Syrian crisis." 2 Aug. 2012. *the United Nations*

98 "United Nations Supervision Mission in Syria." n.d. *the United Nations*

The international condemnation of the committed violence is clearly perceived in the following clause:

“Condemning the widespread violations of human rights by the Syrian authorities, as well as any human rights abuses by armed groups, recalling that those responsible shall be held accountable, and expressing its profound regret at the death of many thousands of people in Syria”⁹⁹

Gaining international attention and priority on the political scene, the situation in Syria evolved from being a demonstration calling for political reform, to an internal armed conflict between the regime and opposition represented by different armed and political groups under the coalition. It eventually developed into a regional struggle with the involvement of regional parties directly and indirectly.

The ongoing Syrian crisis has resulted in disagreement and dissension on the international scene. Various countries view the situation as a threat to regional and international peace and stability, with reports from major international human rights organization drawing attention to massive human rights violations and rights oppression. Other states perceive the crisis as an internal struggle the regime is facing against rebellious groups accused of disturbing the stability of the country. This divide is due to the sensitivity of Syrian characteristics, both regional and geopolitical aspects as well as the political dimensions it carries within its nuances.

⁹⁹ Security Council. "Resolution 2042." 12 Apr. 2012. *the United Nations*

The polarization in the international positions towards the Syrian situation lasted until On August 21, 2013, the regime stood accused of using chemical weapons in the suburbs of Damascus killing hundreds of civilians, mostly children¹⁰⁰. The government denied its responsibility for carrying out these attacks and blamed the rebellious opposition groups, claiming it was an attempt to pressure the government at the international level¹⁰¹.

It is worth noting that the use of chemical weapons is a serious violation of international humanitarian law in all circumstances, even though Syria is not amongst the countries that have signed a treaty preventing them from using these weapons.

The agreement concerning the prohibition, production, stockpiling, and the use of chemical weapons, in accordance to international law, bans the use of these weapons in all armed conflicts.

Syria's use of chemical weapons was regarded as a war crime, and an offence against humanity. Consequently, the United Nations Security Council established a commission to investigate the allegations concerning their employment in Syria¹⁰².

The commission's main mandate was to investigate several alleged chemical attacks, including three in Al-Ghouta. This issue caused an international outrage, and the

100 UN News Center. "'Clear and convincing' evidence of chemical weapons use in Syria, UN team reports." 16 Sept. 2013. *the United Nations*

101 McDonnell, Patrick J. "Syria's Assad denies use of chemical weapons." *the Los Angeles Times* 26 Aug. 2013

102 Council on foreign relations. *UN Resolution on Syrian Chemical Weapons*. 27 Sept. 2013

Syrian regime was threatened with airstrikes that would be conducted by the United States, the United Kingdom and France, and targeted at Syria's military chemical weapon stockpile. Russia, however, continued playing its political/diplomatic role in its endeavors to settle the situation peacefully by persuading the Syrian regime to dismantle its chemical weapons under the supervision of the United Nations.

The United Nations' reports confirming the use of chemical weapons became a major turning point for Syria and the international community. However, the report could not determine precisely the party responsible for using the chemical weapons. The international community managed to reach a level of consensus at the UN through unanimously voting in favor of Resolution 2118 on September 27, 2013, which established a framework for the elimination of Syria's chemical weapons in the swiftest and safest manner by organizing a team headed by the United Nations and the Organization for the Prohibition of Chemical Weapons. The resolution passed as a result of an agreement between the United States and Russia to dismantle or destroy the factories and depots where the chemical weapons kept¹⁰³.

Syria's vicious and seemingly irresolvable predicament has persisted for the past five years. Unfortunately, with the inexistence of firm international positions that would put an end to the ongoing humanitarian disaster, the death toll in Syria attained an incredible number, and the number of its refugees increases steadily as they seek refuge in neighboring countries such as Lebanon, Jordan, Iraq and Turkey, reaching a staggering 4 million mark.

103 Security Council. "Resolution 2042." "Resolution 2118." 27 Sept. 2013. *the United Nation*

Members of the international community are seemingly reluctant to interfere in the crisis and, so far, the sole witnessed intervention in the Syrian crisis has been of a political/diplomatic, mostly insignificant, rhetorical nature supported by the UN¹⁰⁴.

The main reason provided for this passivity or unassertiveness on the international community's part is because of the complexity and sensitive nature of the conflict.

This issue will be subsequently discussed in the next chapters of the dissertation.

104 Pearlman, Wendy. *The Argument Against U.S. Intervention in Syria... And Why It's Wrong*. 21
02 2014

On Bahrain

Historical overview

This small island-country on the shores of the Arabian Gulf is located on the northwestern shore of Qatar and Iran's western coast, it is connected to the Kingdom of Saudi Arabia by means of the King Fahad causeway, and the Khalifa royal family has been ruling Bahrain since the 18th century¹⁰⁵.

Bahrain gained its independence in 1971, following the withdrawal of British troops. In 2002, the state became one of the smallest modern democratic constitutional monarchies¹⁰⁶ consequent to the approval of its charter reform referendum¹⁰⁷.

It holds a significant strategic location, making it a fertile soil for regional claim of being part of its territories. In 1957 Iran described Bahrain in an official statement as being its 14th province, creating an international hassle that ended after several regional and international initiatives and negotiations held at the UN level, when a referendum was organized and resulted in identifying the country as a fully independent state, ending the political and diplomatic dispute between Bahrain and Iran. This cycle of asserting historic claims reappeared after several turning points in the history of both countries.¹⁰⁸

105 BBC Monitoring. "Bahrain profile." n.d. *BBC News Middle-East*

106 "Bahrain steps up democratic reforms." 14 Feb. 2002. *BBC News*

107 Emirates Center for Strategic Studies and Research . *Bahrain: A Constitutional Monarchy*. 15 Feb. 2002

108 Hilleary, Cecily. *Bahrain 2011: Is Iran Behind the Uprising in the Kingdom?* 11 May 2012

It is worth noting that Bahrain's demographic structure consists of a majority of Muslims as opposed to an extremely small minority of native Christians¹⁰⁹. Although there are no accurate official figures, the majority of the Muslim population is Shiite Muslims, and the rest of its citizens belong to the Sunni sect¹¹⁰.

Bahrain has one of the fastest growing economies in the region. It also benefits from well-established international relations due to its extremely delicate situation both demographically and geographically.

The ruling system is controlled by the Sunni Khalifa dynasty, while, as mentioned earlier, the majority of Bahrain's population consists of Shiite Muslims. Although the Kingdom has undertaken several political and social reforms, Bahrain has experienced a series of turbulent situations since the nineties, with its citizens calling for democracy and political freedom. The upheavals have occurred amongst claims concerning the unequal distribution of wealth, limitations in civil rights, and the increasing high level of poverty in this relatively oil-rich Kingdom¹¹¹.

The Bahraini revolution

In early 2011, and amid the demonstrations and uprisings taking place in the Middle East and North Africa, the cluster of 33 islands constituting the Kingdom of Bahrain had its share of the revolutionary waves of change inspired by its neighboring countries. Fueled by the early victories achieved in several Middle-Eastern and

109 the CIA World Fact Book. *Bahrain*. n.d. 2011

110 BBC News . *Bahrain Sunni-Shia split manifests itself in mistrust*. 12 Feb. 2012

111 BBC Monitoring. "Bahrain profile." n.d. *BBC News Middle-East*

North African states, a number of protests were organized by a group of activist calling for political, economic, and constitutional reform, the preservation of political freedoms, the release of political prisoners, and equality for all segments of the Bahraini population.

The democracy inspired protest developed into a massive demonstration when on February 14, 2011, tens of thousands gathered at the Pearl Roundabout calling for democracy enforcement. This led to a crackdown when government forces resorted to the use of force against the camping protestors in an attempt to evict them from the Pearl Roundabout¹¹². Resultantly a number of camping protestors were reportedly killed, and hundreds injured. The armed forces viewing their activities as illegal acts, managed to arrest the demonstrators under the pretext of resisting their orders. The regime declared that the protestors were armed and intended to destabilize the country, in spite of receiving several warnings to dismantle the camped protest occurring in one of the major and busiest highway intersections of the capital¹¹³.

The government closed the Pearl Roundabout after the incident, banning all types of gatherings and protests in attempt to deter any potential security crackdown following the latest disobedience of the protestors (as described by the government).

Shortly after, protestors attempted to head back to the Pearl Roundabout, however, they were confronted by armed troops who controlled the roundabout at the time, and

112 Michael Clackman and Nadim Audi. "Bahrain Police Use Force to Crack Down on Protests." *The New York times* 16 Fe. 2011

113 International Crisis Group. "Bahrain's Rocky Road to Reform." Middle East /North Africa report #111. 201

so, thousands of Bahraini's altered their gathering place to al Salmaniya after being prevented from reaching the Pearl Roundabout¹¹⁴. Calling for the removal of Sheikh Hamad Al-Khalifa from power, the demonstrations attempted to mobilize various segments of the Bahraini demography in support of the attacked protestors. They organized a march towards the Pearl Roundabout in an attempt to reoccupy it¹¹⁵.

The police warning failed to dissuade the protestors who managed to regain the square in a display of national unity. The roundabout became a symbol of rights and freedom for the Bahraini revolts, while their capital awaited reform and democracy.

In response, the Bahraini government, through its crown prince, called for a national dialogue in recognition of the demands the protestors were calling for. The dialogue endeavored to achieve reconciliation between the opposition and regime. The opposition also appealed the establishment of a new constitution, affirming the right of citizen's participation and equal representation for the whole population. In addition, it accused the government of holding vague and ambiguous reform intentions¹¹⁶.

As thousands of citizens gathered at the Pearl Square, the demonstrations spread to the whole country. Addressing a variety of complaints, it also accused the state of attempting to alter the religious face of the country through its oppression of the

114 Human rights Watch. "events of 2011: Bahrain." World Report. 2011

115Slackman, Michael. "Protesters Take Bahrain Square as Forces Leave." *The New York times* 19 Feb. 2011

116 *Bahrain: Shouting in the dark*. Perf. AL Jazeera English. 2011

Shiite majority. The protestors called for overthrowing the ruling regime, and discontinuing all dialogue efforts with it.

On February 23, 2011, approximately a quarter of the Bahraini population took the streets in one of the largest demonstrations in Bahrain's history¹¹⁷, calling for a constitutional monarchy and a representative elected government by pressuring the Khalifa regime to hold immediate reforms in response to massive marches' requests. These events led to a division in the Bahraini population between the supporters and opponents of the Khalifa rule, leading in many cases to direct clashes between both groups such as the University of Bahrain incident¹¹⁸. Besides the failing reform negotiations, clashes were ceaselessly occurring between the protestors and the armed forces.

The Bahraini issue remains unresolved amid the continuing regional and international support for the regime, and the accused media blackout concerning the concealed truth about what is really happening in the country. Two years after the Pearl Roundabout incident, the crisis in Bahrain remains unresolved as the opposition continues to organize 'silent protests' and demonstrations in response to the unending repression of the Shiite population as practiced by the ruling Sunni regime.

117 Katzman, Kenneth. "Bahrain: Reform, Security, and U.S. Policy." 6 Nov. 2013. *Congressional Research Service*

118 Cloud, David S. "Bahrain protesters clash with police." *The Los Angeles Times* 13 Mar. 2011

Intervention and the Bahraini context

As compared to the revolutions occurring in the Middle East and North Africa, the Bahraini situation adopted a different dimension since the protests that occurred were confronted by a Gulf Cooperation Council (GCC) supported intervention. It provided aid to the government against the protests, assisting the regime to regain supremacy and stability.

Member states of the Gulf Cooperation Council viewed the Bahraini protest as a threat that could result in unpredictable events and an unstable political situation in the region and reasonably intensifying sectarian tensions in the region¹¹⁹. Thereby, they called for an emergency meeting, alarmed by the fact that the revolutions had reached their shores, and expressed their support to the Khalifa regime¹²⁰ by claiming that the protests had undeclared intentions or a secret agenda to spread instability to the whole region. They also considered the unrest inspired by regional actors, particularly Iran. The latter was viewed as the main suspect for inciting the unrest, conspiring through the Shiite protestors to topple the Bahrain, Sunni regime.

Bahrain's possesses similar nuances to that of Libya and Syria. However, what is significant in this affair is that the sole foreign intervention which occurred was that of the Gulf Cooperation Council—led by the Kingdom of Saudi Arabia—lending military assistance to the government (rather than the dissidents) in response to the

119 Nuruzzaman, Mohammed. "Politics, Economics and Saudi Military Intervention in Bahrain." *Journal of Contemporary Asia* (2013)

120 International Crisis Group. "Bahrain's Rocky Road to Reform." Middle East /North Africa report #111. 2011

demonstrations. When on March 14, 2011, Saudi Arabia in an unprecedented move, led GCC military force of thousands into Bahrain, the Bahraini monarch declared a temporary state of emergency and martial law rule. The state of emergency ended in June after it had succeeded in clearing the Pearl Roundabout from the protestors and removing all the iconic symbols of the revolution. This was an attempt to end the anti-governmental demonstrations, and regain confidence and support for Bahrain's national security and stability¹²¹.

“The Ministerial Council (Foreign Ministers) of the Gulf Cooperation Council (GCC) today confirmed that its countries and peoples categorically reject any foreign attempt to intervene in their internal affairs, announcing that it would instead face with firmness and decisiveness whoever tries to tamper with their security and interests or spread the seeds of rift and sedition among their peoples.”¹²² It is evident that the GCC states viewed the situation in Bahrain as an attempt by Iran to apply a subversive strategy by proxy through the Shiite population¹²³.

Meanwhile, Iran's foreign minister called upon the United Nations' secretary general and the Organization of Islamic Conference to address the Bahraini situation, and condemn the GCC's foreign intervention in that country. As a reaction to the intervention, Iran withdrew its ambassador from Bahrain's capital.

121 Katzman, Kenneth. "Bahrain: Reform, Security, and U.S. Policy." 6 Nov. 2013. *Congressional Research Service*

122 Friedman, Brandon. "Battle for Bahrain: What One Uprising Meant for the Gulf States and Iran." *World Affairs* (2012)

123 "Iran and Saudi Arabia Spar over GCC Troops in Bahrain." 2013. *Middle East Policy Council*

The international response to the crisis in Bahrain was based on the fact that this very small island has an extremely, sensitive strategic geographic position, located as it is in the heart of the Arabian Gulf, bordering Qatar, Saudi Arabia and Iran. In addition, it is the 'home' of the Fifth US naval fleet, one of the largest US bases in the region and yet, the political decision in Bahrain is influenced by its regional occurrences.

In response to the Pearl Roundabout incident, the United Nations, through its Human Rights Commissionaire, Ms. Navi Pillay, stated that she "was deeply alarmed by the escalation of violence by security forces in Bahrain", describing it as a "blatant violation of international law". Since then, there have been further reports of arbitrary arrests, killings, beatings of protestors and of medical personnel, and the takeover of hospitals and medical centers by various security forces. The United Nations has urged the Bahraini government to cease all means of violence against unarmed protestors, disarm vigilant groups, and initiate a national dialogue to facilitate ending an escalating, unstable situation¹²⁴.

However, since the Bahrain situation was not referred to the United Nations Security Council, the latter was unable to address this crisis as such. In fact, the council cannot address the Bahraini situation unless it is placed on its agenda upon recommendation of the Secretary General or by a member state, viewing the issue as an internal matter. The US Department of State expressed its grave concern at the escalating violence, urging all members to engage in a national dialogue in

124 Human rights Watch. "events of 2011: Bahrain." World Report. 2011

realization of both parties' demands and positions¹²⁵. In the meantime, the US President urged the Bahraini king over a phone conversation to respect the "universal rights" of the Bahraini people¹²⁶. Furthermore, The US State Department urged "all demonstrators to refrain from acts of violence and ... police and security forces also to avoid excessive use of force"¹²⁷. What is evident in the Bahraini case is that the United States has not called for the Al-Khalifa regime to relinquish power, while asserting that the situation was being dealt with through reforms and negotiations with the opposition, and other conciliatory initiatives implemented by the regime.

Russia, on the other hand, issued a statement supporting the idea of holding a national dialogue in an attempt to ease the situation¹²⁸. The UK, however, through its foreign secretary, solely expressed its concerns on the "unacceptable violence" practiced by the armed forces¹²⁹. The main reason for the international community not focusing on Bahrain is because the situation had supposedly been dealt with through the regional bodies represented by the GCC. In addition, the international community's attention was shifted towards the escalating and recurring situation in Syria.

125 Friedman, Brandon. "Battle for Bahrain: What One Uprising Meant for the Gulf States and Iran." *World Affairs* (2012)

126 Jackson, David. "Obama urges the king of Bahrain to stop violence." *USA Today* 18 Feb. 2011

127 "Recent Violence in Bahrain." U.S. Department of State, 7 Jan. 2012

128 Voice of Russia. "Moscow welcomes Bahrain dialogue." *Radio Broadcast*. 4 Aug. 2011

129 Foreign & Commonwealth Office. "British Government concerned by reports of violence in the Middle East." 19 Fe. 2011

The Bahraini situation was never discussed at the United Nations Security Council even though a temporary state of emergency and martial law had been applied. However, a foreign intervention in the form of major human rights organizations occurred amidst the growing international condemnations of the use of force and escalating violence. The only international response towards the situation in Bahrain consisted of urging its government to "respect its international obligations and commitments towards respecting human rights and freedom of speech"¹³⁰.

130 Human Rights Watch. "Bahrain: Martial Law Does Not Trump Basic Rights." 17 Mar. 2011

Chapter IV

Intervention and the cases of Libya, Syria and Bahrain: Realism vs. The Responsibility to Protect

This analyzes the three cases from the perspective of realism and the responsibility to protect. It will demonstrate that neither realism nor the responsibility to protect can on its own explain when and why states intervene militarily in other states' affairs. It will demonstrate that in order to understand foreign military intervention these two approaches should be used.

The "Responsibility to Protect" in the Libyan, Syrian and Bahraini context

What is significant about the Libyan sequence of events is that within an approximate period of only eight months, the forty two year old ruling regime was ousted from power, through the support of the international community. A newly established body had gained international recognition, and is currently responsible for Libya's political future. While on the other hand, the Syrian crisis has been in progress since March, 2011, and as the level of clashes intensifies, the international community is accused -in comparison to other unrest situations in the region - of adopting a moderate, constrained tone as a mean to end the ongoing conflict peacefully and diplomatically. Although the intentions of the international community to put an end to this bloodshed have been concretized, regional and international diplomatic efforts

to end the Syrian crisis have increased gradually. While Bahrain's revolution did not attract significant attention on the international level, and was the first revolution to be subdued in a changing region, the international community was accused of using a mild discourse in their criticism of the ruling regime's reaction vis-à-vis the protestors in Bahrain, through expressing serious concerns and condemnations.

Member states of the Gulf Cooperation Council, along with their allies, expressed their concern about the future of the whole region, fearing it would lead to a full-fledge wave of instability against their ruling regimes¹³¹, ever since the majority of disfranchised protestors belong to the Shiite Muslim sect and consequently, satisfying their demands would potentially lead to indirectly increasing the Iranian connections and influence in the region.

The intervention in Libya took place after almost a month, when demonstrations and protests first occurred. The decision to intervene was an international one initiated by the UN Security Council resolution authorizing member's states to adopt all necessary actions towards ending the inhumane atrocities practiced by the Kaddafi regime.

Syria, on the other hand, and after five years of a comparable situation to Libya's, has yet to witness any type of direct international military intervention. Additionally, the issue has not yet attained a level of consensus on the international scene, one that would warrant intervention. Ever since, the Syrian context has raised the question of

131 Law, Bill. *Bahrain protests prompt global concerns*. 15 Feb. 2011

sovereignty and regional alliances and rivalries, and led to an international division between states that are supporting the regime, and others supporting the opposition. As a matter of fact, the only intervention that took place in Syria was diplomatic/political gestures, in attempt to peacefully settle the crisis. Bahrain on the other hand had a different state of affairs, there occurred a regional military intervention in support of the regime; an endeavor to end the unstable situation created by demonstrators.

The Libyan scenario consisted of a revolution that rapidly spread across the country, calling for the ousting of Kaddafi, the international community rapidly considered the Libyan case as a threat to regional and international stability and therefore, duly built a consensus which agreed on an international military intervention to stop all atrocities and human rights violations, based on several indicators, each of which have played an interesting role in prompting international actions against the Libyan government, and intervention was based on the responsibility to protect principles that are described below.

If state terrorism and the implementation of preventive measures against a potential threat is one of the major indicators prompting international military intervention, Libya has always been projected as a destabilizing element on the international level through its historic, anti-western, controversial position¹³². The Libyan regime headed by Kaddafi has always used a radical discourse in its statements and

132 Alterman, Jon B. "Seeing Through the Fog: Libya and Transition." *SAIS Review of International Affairs* (2012): 147-156

declarations on both the national and international level. This was manifested in its position vis-a-vis the international community, primarily the Western states, which have always been a controversial one, accusing them of supporting Israel against the Palestinians, and engaging in covert actions to prevent Arab states' unison.

The Libyan regime was also accused of sponsoring state terrorism to achieve regional and national goals against Western interests in the region¹³³. Libya was in fact held responsible for the bombing of a West Berlin discotheque in 1986, the Lockerbie incident of 1988, the drowning of a French airliner in 1999 over Niger, besides assuming a role in assassination plots against political figures. Libya was also viewed as having negotiated with and supported several controversial opposition and rebellious fronts¹³⁴. These indicators have led to perceiving the Libyan regime as a threat to international peace and stability and actions were to be implemented to contain the country as a preventive measure from a potentially dangerous political forecast of the Libyan regime, and the influence it might have in destabilizing the region.

As for the necessity to protect human rights, In Libya, human rights has always been an issue of debate¹³⁵. Once the revolution started spreading across Libya and the crackdown response by the Kaddafi regime against the protestors, heavy clashes occurred in several regions, mass killings and atrocities were committed not only

133 ABC News. *Moammar Gadhafi's Life From 'King of Kings' to Dead Dictator*. 20 Oct. 2011

134 Council on Foreign relations. "State Sponsors: Libya." *Backgrounders*. Dec. 2005

135 Bouckaert, Peter. *Human Rights Must Be Cornerstone of Libya's Law*. 2011

against the armed opposition but affected civilians too, leading to massive violations of human rights and atrocities against the people¹³⁶.

These indicators have led to accusing the ruling regime of a brutal crackdown against the revolts and its people, and on the basis of the Responsibility to protect doctrine, the international community had no other choice but to intervene in the Libyan context, as the intervention that was authorized by the UNSC through a NATO-lead campaign aimed - in the first place - at protecting civilians¹³⁷. The international community viewed the Libyan case as a universal threat to international peace and security and the status of Human rights, without any hope of compliance by the regime which have declared its intention of showing "no mercy" to the rebels¹³⁸.

In addition, the Libyan government demonstrated little intention of complying with international values and standards. Early condemnations and accusations by the international community called for intervening directly to protect the Libyan population from Kaddafi and his loyalists' brutal crackdown.

In analysis, the military intervention that took place in the Libyan context was mainly based on the grave humanitarian situation, from a responsibility to protect rather than the right to intervene. It considered indeed that the Libyan government had lost its sovereignty rights due to the violent reaction towards civilian opposition and protestors. Although it is debatable that the intervention occurred too swiftly, it could

136 Human Rights Watch. *UN: Suspend Libya's Rights Council Role*. 25 Feb. 2011

137 UN Security Council. "Resolution 1973." 17 Mar. 2011. *United Nations*

138 "The Crisis in Libya." n.d. *International coalition for the Responsibility to Protect*. 2013

be argued, that regional and international entities tried to resolve the matters diplomatically, but proved to be unsuccessful in their endeavors. Furthermore, the international community represented by the UN, along with the European Union, imposed sanctions to pressure the regime. Subsequently, having failed in preventing the crises from escalating due to the Libyan regimes' neglect of international values and standards, Libya was regarded as a just cause for intervention.

The intervening parties in Libya were prompted by the declared rightful intentions "in protection of Human Rights and to end the war crimes and mass atrocities committed against the "Libyan population". Thus, the international community intervened as a last resort, after having exhausted all political and diplomatic conflict resolution measures. As for the scale, intensity, and duration of the military intervention, Libya was subject to a military incursion consisting solely of airstrikes, there was never a mention of ground support. The Operation Unified Protector (OUP) implemented by NATO has ended following the capture of Kaddafi, and decrease of the fallen regimes' ability to attack civilians.

Following the Libyan situation, the Responsibility to protect doctrine has come under extreme scrutiny, especially on issues related to states' sovereignty, and the political role of states' interest in prompting international intervention¹³⁹, issues that are clearly evident while examining the Syrian crisis¹⁴⁰.

139 Nikolas Gvosdev, Heather Hurlburt, Robert Jackson, Daniel Larison, Thomas G. Weiss, World Politics Review. "R2P: Sovereignty and Intervention After Libya." Feature Report. 2011

140 Nuruzzaman, Mohamad. "Revisiting 'Responsibility to Protect' after Libya and Syria." E-International Relations. 08 03 2014.

With respect to Syria, the violence has been going for the past five years, mass killing are committed on one side, and cities are destroyed on another, while diplomatic efforts have failed to end the crisis. The number of Syrian refugees has attained its highest peak, amounting to four million refugees¹⁴¹, displaced in neighboring Jordan, Turkey, Iraq, and Lebanon, and several other millions internally displaced in the country.

Nevertheless, there is no existent unanimity on the role of the international community, which is evident while examining the Syrian dossier, and as far as determining the appropriate response to adopt. However, no intervention similar to the one that occurred in Libya has occurred yet, despite the clear similarities between the two situations.

The escalation of violence taking place makes it extremely difficult to turn a blind eye towards its humanitarian situation, when it's clear that the international community adopted a measured approach, due to the unclear envisagement future of the country, amidst fear of a political instability and security concerns that might break out in neighboring countries¹⁴².

However, the Syrian arena developments became a stage for international meddling to contain the violence and tension rather than ending it, where fears of resorting to the use of chemical weapons or even losing control over them triggers an

141 UNHCR. "Total number of Syrian refugees exceeds four million for first time." 09 07 2015. UNHCR.

142 Lesch, David W. "The Arab spring - and winter - in Syria." *Global Change, Peace & Security* (2012): 421-426

international concern. Neighboring countries, highly alarmed by the increasing rate of refugees, have expressed social, health, as well as economic challenges and concerns¹⁴³.

However, Assad's regime has several distinctive factors that helped in containing and minimizing the unrest¹⁴⁴, or at least in deferring an intervention carried by the international community. The regime's regional and international alliances have assisted its ability to limit the consequences of the protest at the political level. Also Syrian regime still maintains key political and diplomatic representation internationally, seemingly cooperating, for instance, in the negotiation efforts. In addition to the regime's regional political and geographic dimension as well as the unattractive features of several segments of the opposition—extreme and violent religious terrorist groups—in the struggle towards ousting the president and changing the regime, Syria has received a small amount of sympathy and cooperation from the international community

Furthermore, the Syrian regime immediately reacted to the escalating level of protests and uprisings with political efforts to revert the situation, through issuing a presidential decree raising basic monthly salaries, in addition to setting up committees to look into several political reforms, such as lifting the emergency law, clamping down corruption, as well as the formation of political parties. Syrian

143 International Crisis Group. "Syria's Mutating Conflict." 2012

144 International Crisis Group. "The Syrian People's Slow-motion Revolution." 6 Jul. 2011

officials have viewed the revolts as a sectarian project that is instigated by their enemies.

Even though, the Syrian developments have showed that the regime failed to contain the uprisings from spreading in Syria, when a number of army generals and troops have defected, organizing a nascent that has expanded to create a situation similar to a guerilla war against the regimes army¹⁴⁵. It is true that official defections from army and senior political officials have accelerated the symbolic importance of the Syrian revolution. However, the regime still holds key elements of power which have helped maintain a thin communication line with the international community, which has helped the regime in clinging on to its position for a much longer period than that of the Libyan one.

On another note, the Syrian situation has numerous reasons to draw international players, particularly since it holds several strategic long-standing issues at the regional level, namely the Arab/Palestinian-Israeli conflict, the increasing Iranian influence, Turkey's emerging role, and the regional balance of power.

The main question would be: does Syria represent a credible and obvious case of iniquity and injustice? In terms of reports about the violation of human rights and mass casualties, and increasing number of civilian refugees in neighboring countries, the answer is affirmative. However, several counter factors have prevented the international community from promptly intervening against Syria, especially since

145 Khashan, Hilal. " The Eclipse of Arab Authoritarianism and the Challenge of Popular Sovereignty." *Third World Quarterly* (2012): 919-930

there has been no concrete regime-condemning evidence. Adding to that, Syria's historic political alliance with Russia and China, both countries totally opposed to the notion of military intervention, viewing it as a violation of states sovereignty.

In addition, one of the major challenges the international community is facing is the increasing sectarian tension amongst the Syrian population, due to the involvement of extreme religious groups in the opposition against the regime, the lack of unity amongst the members of the opposition, as well as the fear for the country's as well as the region's future. All of these factors are taken into consideration, due to Syria's geographic location in the region, and the unpredictable spillover effects it might result in to neighboring countries.

Moreover, the Syrian regime continues to exhibit a clever amount of compliance to international values and standards. It executes this through the usage of a mild language while addressing the unstable situation. Official interviews are still being conducted by international media with top Syrian officials, in addition to its active diplomatic representation at the UN level. Faced with the threat of direct military intervention, the regime managed to ease the international tension through joining international treaties and agreements as a gesture of its goodwill and cooperation positive qualities conspicuously missing in the Libyan case. The threat Syria poses is the existent grave humanitarian concerns involving casualties and refugees, taking into account that a clear condemnation of the parties involved in committing these crime is required. So far, the only option the international community is considering

is the containment of the situation, rather than directly intervening militarily against the regime and in favor of the opposition.

As the chaotic scene continues to escalate in Syria, the opposition is fragmenting, especially with the rise of several independently organized groups calling for demands that are based on religious, violent and extreme ideas¹⁴⁶. Thus far, Syria has solely witnessed a diplomatic and political intervention against the regimes actions. The intervention has at times been openly supportive of the opposition, and in other instances, concerning international values and standards.

Whilst in Bahrain, popular movements galvanized the population, demanding additional political rights and reforms. Political analysts link the protests in Bahrain to an existing tension between the two Muslim groups, "the Sunnis and the Shiites"¹⁴⁷. Taking into account that the majority of Bahrain's population is Shiite Muslims, and their constituting the majority of the country's citizens, it is conceivable that they would accuse the ruling Sunni regime of marginalizing their communities.

However, these demonstrations demanded the creation of a constitutional monarchy, enforcing civil liberties and political freedoms. Demonstrations have occurred in Bahrain amidst the allegation of the use of force and unlawful arrests, this has further fueled the unrest and at times led to direct clashes between the security forces and the

146 Khashan, Hilal. " The Eclipse of Arab Authoritarianism and the Challenge of Popular Sovereignty." *Third World Quarterly* (2012): 919-93

147 Amr Hamzawy, Marina Ottaway. "Protest Movements and Political Change in the Arab World." Jan. 2011. *Carnegie Endowment for International Peace*. 2013

protestors, making Bahrain another Arab country effected by the domino effect of the Arab revolutionary wave.

What is noteworthy about the Bahraini case is that the sole foreign intervention that occurred was that of the Gulf Cooperation Council lending military assistance to the government (rather than the dissidents) in response to the riots and sit-ins practiced by the demonstrators. The only threat that was clearly considered by neighboring countries is that the political and security instability might spillover from the situation in Bahrain. In addition, to the fear of the increasing Iranian influence through the Bahraini Shiite population carrying out the protests.

The international community's reaction is best described as a merely rhetoric one, through being alarmed by the reported crackdown of the armed forces against the protestors as well as the level of political freedom and freedom of speech. The situation in Bahrain was not even included in the United Nations Security Council agenda. In fact, it perceived the crisis as an internal one.

The Gulf Cooperation Council supported the regime in its efforts to restore stability in Bahrain through its National dialogue initiative, while assisting the Bahraini regime end the sit-ins and protests through the GCC's desert shield forces. The discourse here was evidently supportive of the regime rather than the protestors, even though there were several reported violent crackdowns and violations of human rights, not to mention maintaining power for the past two centuries taking into consideration the Bahraini royal family's possession of substantial relations and alignments at both the regional and international level.

From the responsibility to protect point of view, Bahrain did not witness an intervention similar to the Libyan one because there were no state terrorism threats and its compliance with international values, agreements and treaties, and has substantial regional alliances. The government recognized the necessity of reforming several international freedoms and justice related fields and initiated a national dialogue involving both parties - the opponents and the supporters of the regime, with an aim to solve the situation peacefully. Subsequently, the international community does not consider Bahrain as being a case or just cause that merits its intervention.

The indicators that were taken into consideration in all of the above cases analysis, clearly explain the international community's response to the situations from a general point of view, however, several argument are being raised on the issue of state interest and regional geopolitics, which plays another major role in prompting international attention and intervention on each of the cases, these factors will be discussed in the following part.

Realism and the Libyan, Syrian and Bahraini contexts

Employing a comparative approach while linking the circumstances which have led to intervention to Walt's note on international affairs is necessary to better identify the different foreign and local actors involved in the three cases, to investigate the interest of every actor in each, and at last proceed to display how the actor(s) reacted and intervened in each of the conflicts under scrutiny.

According to Western analysis, In Libya, the international community supported the NATO-led intervention. However, in the Syrian context, no similar situation is being considered. It is not an indicator of weakness as much as one of complexity, especially when dealing with the different actors involved in the Syrian situation in comparison to the Libyan situation.

The following is a listing of factors from a realist point of view which focuses on the notion of state interest through several significant points and factors which have played a significant role in influencing international relations in the Libyan, Syrian, and Bahraini cases.

When it comes to Geographical location and geographic political strategy, Libya's location situated in the middle of the North African state line, bordering Italy from the Mediterranean side, plays a huge role in facilitating trade lines between central Africa and Europe. This is in addition to facilitating an illegal immigration route to Malta, Italy and eventually to the European Union. The French and the British leadership response toward the Libyan situations was fueled by a number of reasons, one of which is its geostrategic location on the shores of the Mediterranean bordering Europe, and the negative spillover effect it might have on the continent.

Similarly, Syria's sensitive location in the Middle East bordering Iraq, Israel, and Turkey, and the potential threat the revolution (or the regime) poses of exporting instability to neighboring countries through triggering international support and dominance race between regional powers. Bahrain's regional competition of influence and supremacy between Gulf states and controversial Iran were one of the

main factors that led to ending the situation swiftly, even though there were no direct evidence of the Iranian meddling in its internal affairs.

While natural resources such as oil and gas are some of the major role playing resources in the 21st century's global economy, its importance have in many time influenced foreign policies of major powers. In this context, it is important to note that both Bahrain and Libya have oil and gas as the one of the main exported items, in addition to other refined oil products, which has played an important role in fueling conflicts and interest in both Libya and Bahrain.

Nevertheless, the fluctuating controversial political acts and statements of the Kaddafi regime on the international scene, prompting unconventional responses to international occurrences, is another point worth mentioning about the Libyan situation. Furthermore, Libya had been perceived as an active member of the so-called Axis of Evil. In fact, it had the status of an outlaw, an entity to be sanctioned, isolated, and contained on the grounds of its alleged crimes against humanity.

However, the strong ties and bilateral agreements Bahrain holds with its neighboring countries was a power factor supporting the regime in clamping down on the revolution. In Syria, the strong political, economic, and military ties with Russia and Iran helped the regime gain time to settle the crisis peacefully, and in the regimes favor, through a clever international approach. Its leader complied with international values and agreements to prevent a direct confrontation between the regime and the international community.

If you look closely into each of the cases, you will find significant dissimilarities in terms of parties involved. For instance, In Libya, the major role-playing parties were European states represented by France, Britain, and Italy, in addition to the League of Arab States, the United States and international organizations such as the UN and the NATO. While studying the Syrian context, one can see that there was a strong position from both Turkey and Iran, having an ongoing indirect rivalry with each country supporting one side of the parties involved in the crisis. On the other hand, The United States and Russia have an international, similar form of rivalry, especially at the UN level, due to the geographic and strategic importance Syria holds for countries and their allies, European states such as France and the UK. China and the League of Arab state also played a huge role in the Syrian crisis, due to the fears the crisis poses on the regional level through its spillover effect.

However, on October 17, 2014, The UN Security Council called for a collective effort against the extremist group of the Islamic State of Iraq and Syria (ISIS), where a coalition led by the US was established to target these extremist fighters who are controlling several areas in Syria and Iraq, adding another challenging dimension to the Syrian situation¹⁴⁸. This was in continuation of the UN Security Council's resolution 2170, which has called upon member states unanimously and under its 7th

148 Reuters. (2014, 10 18). *U.N. Security Council urges stronger campaign against ISIS*. Retrieved 2015, from AlArabiya.net: <http://english.alarabiya.net/en/News/2014/10/18/UN-Security-Council-urges-stronger-campaign-against-ISIS.html>

chapter to suppress the expansion of extremist groups –namely the Islamic State in Iraq and Syria group (ISIS) - from expanding in Syria and neighboring Iraq¹⁴⁹.

The Syrian regime, represented by its ambassador to the UN reiterated the importance of such measures, given that the Syrian government has been suffering from these extremist infiltrations ever since 2011, and that the regime will continue to fight these extremist groups in attempt to internal stability¹⁵⁰.

In response to the continuous expansion of the extremist groups (ISIS and Nusra Front – previously described as the unattractive features of the Syrian context) and in attempt to Limit the threat of terrorism in neighboring countries, thus a coalition was formed to conduct airstrikes against their compounds and bases in each of Iraq and Syria, viewing the threat they impose as an international one¹⁵¹, where actions were mainly adopted to counter terrorism and not in support of the regime nor the opposition nor a response to the grave humanitarian situation.

While in Bahrain, the party that was directly involved in the crisis was the Gulf Cooperation Council represented by its member states, the Bahraini monarchy

149 Paul, Rand. "How U.S. Interventionists Abetted the Rise of ISIS." The Wall Street Journal. 27 08 2014.

150 Council, U. S. (2014, 8 15). Security Council Adopts Resolution 2170 (2014) Condemning Gross, Widespread Abuse of Human Rights by Extremist Groups in Iraq, Syria. Retrieved 2015, from The United Nations: <http://www.un.org/press/en/2014/sc11520.doc.htm>

151 Levitt, Matthew. "While Still Risky, Military Intervention Against ISIS May Be the Only Good Option." New York Daily News, 04 09 2014.

possessed the implicit support of the West, mainly to protect the stability of the whole gulf region as previously described.

An overall evaluation of the above mentioned factors and events occurring in each of the presented cases concludes that ‘interest’ still plays a major (if not the only major factor) role in determining the approach the international community or individual state should adopt, which is significantly dependent on the affected party and the type of interest and alignment that would be negatively affected by the situation. In other words, even though international humanitarian law and the responsibility to protect urges the international community to react unanimously in response to a threat on civilians or international tranquility, the will of the states remains to be the major determining factor concerning whether to support military intervention or not.

Furthermore, Russia and China’s staunch position in support of a non-intervention approach against the Syrian regime was not witnessed in the Libyan consent. From the realist view, their abstention from voting in the Libyan crisis was due to the lack of interest. In other words, neither of them would have been affected negatively whether the international community intervened or not. While in Bahrain the GCC played the major role because the stability of the whole Arabian Peninsula was at risk, in addition to its strong relation with the West, the international community maintained its rhetoric position towards the Bahraini situation, it never seriously envisaged any type of intervention.

Therefore, it is safe to state that whether it is an offensive or a defensive approach, the major role-playing element after the notion of respecting international values and

standards, is interest. Additionally, concerning the question whether or not, every human right violation would effectively lead to direct intervention, the answer, unfortunately, would be a negative one.

Chapter V

Conclusion

In light of the ongoing plight the middle-east has been suffering from since 2011, and after looking into the various situations which took place in each of the cases of Libya, Syria and Bahrain, It is still evident that Arab states continue to face up until today several political, economic and security challenges, such as the lack of effective institutional accountability and transparency, low socioeconomic development outlook, a high rate of unemployment and a weak legislation system. Regrettably, these recurring challenges are contributing negatively to the citizen's value and living standards, while ruling regimes remain inattentive to the development occurring in the international political sphere, from democracy enhancement to freedom enforcement.

The domino effect revolutions that have distressed Libya, Syria and Bahrain, were an initial result of a poor comparison of their citizen's statehood - to other western democracies - leading to a burdening frustration, and powered by a strong urgency to change the long-standing political statehood. Hence, this has resulted in different scenarios, since the regime's response to the demands have varied as well as the international position. The vagaries in reaction and response are due to the various factors, opportunities and consequences the revolutions may lead to, not to mention the parties involved and affected, as well as the political and economic nuances each of these vagaries hold. Given that each of the revolution, demonstration, uprising or strike has carried several political dimensions, especially the ones that have shifted

its primarily focus from social and economic grievances, towards its escalation to include severe political demands, which in most cases are linked to the person in power, with or without having a clear agenda for the future of the country.

Nonetheless, it is also evident that the events which took place in the Arab region has reduced it to a series of regional, religious, and tribal dilemmas, which have clearly appeared to mobilize support and justify their actions. Another crucial factor is the role played by national and transnational media corporations in influencing future events, analyzing and shaping states' positions¹⁵².

Even though every revolution has its own characteristics, each of the events that took place in the Arab world share a common factor of enthusiasm, and driven by the success of neighboring revolutions, which has provided hope to change the status quo, yet they all face challenges in organization and cohesiveness.

With all their similarities, be it the aspirations, methods or reaction, these revolutions were viewed differently by the international community, which can clearly be seen in the issue of intervention, in response to the events taking place, leading to a problematic debate on the responsibility to protect human rights and international values and standards vs. states sovereignty in its classic definition. The different positions that were adopted by members of international community have raised the role played by states interest in shaping its position towards the crisis, and backed by the different perspectives on the concept of sovereignty.

152 Sawani, Youssef. "The 'end of pan-Arabism' revisited: reflections on the arab spring." *Contemporary Arab Affairs* (2012): 382-397

As a result, the issue continued to address the notion of international law prevailing national law which guarantees full respect and preservation of human rights - where states are considered as collection of individuals rather than a legal entity, a notion which is still ambiguous and lacks coherence between values and application. If you look at military intervention as a different mean of war, two different perspectives should be taken into consideration: one, the states justification for waging war “jus ad bellum” and two, the mean and conduct of waging war “jus in bello”, the international community should take into consideration the moral aspect of war as being a necessity towards a certain limit to achieve a certain objective¹⁵³.

However, the rising role of unconventional rights and duties of the states, along with the rise of non-state actors that were supported by universal jurisdiction mark the end of the Westphalia state system. It is, now, safe to say that there is an evolved version of sovereignty in today's global affairs creating an increasingly inter-dependant world, where the question of human rights, values and obligations transcends the borders of the classic state system becoming a global common concern in promoting the protection of human rights on the international, national as well as regional level.

Nevertheless, if you closely look into the values of the responsibility to protect doctrine and the basic notions of the theory of realism, you can clearly conclude that the international community still carries to a large extent elements of the anarchic system, where states interest would not only influence, but also determine its position

153 Walzer, Michael. *Just and unjust wars : a moral argument with historical illustrations*. New York: Basic Books, 2006.

towards certain situations, the notion that was found evident in the cases of Libya, Syria and Bahrain. However, it cannot be fully practiced without existing evidential points of human rights violations, and in spite of the generally supportive attitudes towards humanitarian military intervention, unauthorized intervention practices have been tolerated in support of the humanitarian purpose¹⁵⁴. These unauthorized interventions happened by encouraging members of the international community to act upon cases where states have failed to end or prevent serious violations of human rights; even if it's mainly fueled by states' interests, it needs to be justified.

Backed by the standing evidential points, those of a brutal regime violating human rights and values, and committing war crimes against his people while refusing to abide and respect international values and standards, the international community in Libya was capable of reaching a level of consensus on the international level to intervene in Libya, in an attempt to end all atrocities committed against civilians, preserve human rights and international values, standards and form of global governance through the responsibility to protect.

Especially that the Libyan regime has demonstrated its unwillingness to comply with international norms and standards, leading to intervention it being a just cause as a response to the internal crisis, and through a greater source of power on the international scene by non-state actors represented by the UN and the NATO.

154 Eisenhamerová, Lenka. "Legitimacy of 'humanitarian intervention'." United Nations University. 2013.

In Bahrain, the GCC Desert Force shield entered Bahrain in March, 2011 in order to end the revolution that was taking place in the country, and to assist the ruling regime to regain stability. Was this intervention due to the regime's tentative level of compliance and respect to the international community's demands to decrease the violence and initiate reforms, or was it because of Bahrain's geopolitical importance in the region? Although it is a known fact that violations of human rights have existed, and violence to pressure the protestors was practiced, yet unanimity was not reached and the issue was regarded as an internal riot to be dealt with through regional alliances namely the GCC.

On the other hand, the strangeness of the Syrian crisis is that what started as an inconsequential protest demanding the release of political prisoners in Daraa, proliferated throughout the country as an armed and politically organized opposition against the oppression practiced by the ruling regime. It turned into a state of affairs similar to that of a civil war between the armed and politically organized opposition and the ruling regime, and swiftly evolving from a revolution to a war.

It is true that the crisis in Syria carries similar nuances to the Libyan situation; however, the international community, after five years of ceaseless conflict, had failed to reach a level of consensus similar to the Libyan one, especially on the issue concerning ending the ongoing political, security, and humanitarian crisis, taking into account that the number of refugees in neighboring countries has reached four millions, with hundreds of thousands internally displaced, in addition to the huge number of civilian casualties and combatants the conflict resulted with.

Furthermore, the impact of Interests can clearly be seen in the Syrian context, even though evidence of international humanitarian law violations, through the Russian positioning vis-a-vis the international community; since Russia considers Syria as its last foothold in the Middle East's Mediterranean coast more specifically the city of Tartus (home of Russia's only military base in the region) has played a major role influencing Russia's position towards projecting the issue of sovereignty rights of the Syrian regime. Thereby, any possible future intervention would fuel the ongoing proxy war by the involved parties in the Syrian situations (mainly Turkey, Russia, Iran and Saudi Arabia), thus triggering several Geopolitical concerns that might have its consequences on the whole region.

However, and with all these vagaries in position and response, it is clear that states can no longer act unilaterally to preserve its interest or expand its power which the theory of realism entail, and if this was the case, it should be justified by serious violations of international values and/or project the threat it imposes on the international community. These different approaches that were adopted by the international community in each of the cases this thesis has investigated reveal the important impact interest has in influencing states positions, even if those approaches were adopted under the responsibility to protect or mentioned in the UN SC resolutions, states will have to participate or vote in favor of collective actions continues to unfortunately be measured by its interest.

In this respect, the intervention in support of the Libyan revolution was unanimously adopted by the international community, while in Syria no intervention is likely to

happen in support of each of the parties involved, where the only intervention that took place was that against the terrorist group of Islamic State in Iraq and Syria (ISIS) –a party that can neither be considered an opposition nor part of the regimes political alliances. However in Bahrain the intervention that took place was in support of the regime instead of the protestors, due to the prevalence of political interest and will dilemmas on humanitarian values and standards.

In conclusion, politics is the art of the possible and thus whenever it is possible for a state to justify its actions, be it through preserving its interest, projecting a threat on international peace and security, or in case of violation of human rights and other values and standards, it will do what it pleases to do. The political will of state to intervene is determined by evidence of violating states' national and international responsibilities, and mainly dependent on the overall interest(s) of the intervening parties, and not solely through collective measures, represented by the UN SC or the responsibility to protect, along with the complex equation of the latter being a pressuring tool for military intervention and a pretext for any intervention encouraging resolution by the UN¹⁵⁵.

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