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5000 too many air raids?

The 3000th air raid against Islamist forces in Iraq and Syria was carried out just before Easter 2015.ⁱ By the end of year 2015 this figure is likely to rise close to 5000. Meanwhile experts have lost count of the number of people Syria's autocratic rulers have murdered and the Islamic State (IS) militants have beheaded. At the time of writing of this article in September 2015, over 11 million people had escaped the war as internally displaced people or as refugees according to the United Nations High Commission for Refugees (on 4. September 2015).¹ A recent revelation by one of world's most legendary peace brokers, President and Nobel Peace Prize laureate Martti Ahtisaari suggests that perhaps all this could have been avoided by diplomacy!ⁱⁱ

Before IS had started its offensive and the West was still only fighting the tyrannical rule of President Bashar Hafez al-Assad of Syria, President Ahtisaari approached the Russian Ambassador to the United Nations Security Council at the time Russian policies in support of Syria's dictator were considered most disruptive to the prospects of democracy in the country. According to Ahtisaari's interview in the Guardian Ambassador Vitaly Churkin informed that Russia would not object the purge of Assad. Ahtisaari informed the other permanent members of the United Nations Security Council of this new opening, but to his surprise and dismay he could not get his voice heard.² According to Foreign Policy, however, it was Russia itself that derailed a fragile consensus by suggesting further conditions to the purge of

¹ "Quick Facts: What You Need to Know about the Syria Crisis," *Mercy Corps*, 2015, <http://www.mercycorps.org/articles/turkey-iraq-jordan-lebanon-syria/quick-facts-what-you-need-know-about-syria-crisis>.

² Julian Borger and Bastien Inzaurrealde, "West 'Ignored Russian Offer in 2012 to Have Syria's Assad Step aside'," *The Guardian*, September 15, 2015, sec. World news, <http://www.theguardian.com/world/2015/sep/15/west-ignored-russian-offer-in-2012-to-have-syrias-assad-step-aside>.

Assad.³ According to Ahtisaari, the conditions that Churkin demanded were reasonable. Russia accepted to push Assad to step down provided that everything was to take place in a manner that was dignified for Assad, and that the West would not arm its favorite rebels to ensure a succession of their liking.⁴ However the voice of the militant opposition of Assad was simply too loud for the voice of diplomatic reason to be heard. Quite as in Libya where the Western coalition refused even to react to Muammar Gaddafi's promise to step down provided that he was allowed to remain as a symbolic figurehead – “like the Queen of England”⁵ – in Syria, too, it was felt that a dictator with a brutal human rights record, does not deserve a dignified exit. More than a quarter of a million direct and indirect conflict fatalities later, after the collapse of the Syrian state structures and the filling of the political void by brutal, fanatic militancy, it would be possible to question whether it would have been wise to try out the diplomatic solution that seemed within reach in early 2012.

Did Assad deserve a face saving?

There is a cosmopolitan argument against allowing a dignified exit that Russians suggested to President Assad. Mary Kaldor, in her seminal book *New and Old Wars. Organized Violence in a Global Era* suggests that horrific atrocities like the ones IS and Assad have committed in Syria have to be dealt with by means of enforcement of global humanitarian norms of civility rather than with negotiationⁱⁱⁱ. One does not negotiate with burglars or murderers, but instead, they are captured, tried, convicted and punished. It should have been plainly clear to Assad

³ Colin Lynch and Dan De Luce, “Did the West Really Miss a Chance to End the Syrian War?,” *Foreign Policy*, September 15, 2015, <http://foreignpolicy.com/2015/09/15/did-the-west-really-miss-a-chance-to-end-the-syrian-war/>.

⁴ Martti Ahtisaari, Discussion with President Martti Ahtisaari, June 2014.

⁵ Henry Samuel, “French Say Col Muammar Gaddafi ‘Prepared to Leave,’” July 12, 2011, <http://www.telegraph.co.uk/news/worldnews/africaandindianocean/libya/8632560/French-say-Col-Muammar-Gaddafi-prepared-to-leave.html>; Adrian Blomfield, “Col Muammar Gaddafi ‘Offers to Give up Power in Libya,’” July 5, 2011, <http://www.telegraph.co.uk/news/worldnews/africaandindianocean/libya/8618646/Col-Muammar-Gaddafi-offers-to-give-up-power-in-Libya.html>.

that it is not acceptable for a president to use chemical weapons against his subjects. According to Kaldor cosmopolitan law enforcement – soldiering and policing – is the solution to such senseless violence. "The analysis of new wars suggests that what is needed is not peacekeeping but enforcement of cosmopolitan norms, i.e. enforcement of international humanitarian and human rights law." ^{iv} The practice of enforcement of commonly prevailing cosmopolitan norms constitutes the existence of a global order where these norms prevail, while the practice of negotiating disputes that are ruled by these norms constitutes a reality where common norms do not regulate global interaction. This is why, according to this reasoning, Assad did not deserve a face saving.

However, Political Realist critics suggest that such a normative global order is just fantasy and living in such a fantasy could be dangerous. Whether it is realistic to act as if there was a global humanitarian order depends on four premises. It depends on:

1. Whether there are common values that can be enforced,
2. Whether there is an agreement on how to implement them
3. Whether there could be legitimate actors that could enforce such commonly felt values and principles that could be applied to each situation in a commonly accepted manner.
4. Whether we really need full normative foundation before we can enforce the most basic norms?

Do we have global norms and global consensus on how to implement them?

It is sometimes suggested that rogue states resist consensus simply in order to prevent the regulation of shady interaction that produces benefits for opportunistic leaders. In March 2014, when Russia rocked the prospects for a UN Security Council authorization for an anti-

Assad military intervention in Syria, it was speculated widely that Russian leaders resisted the enforcement of democracy in Syria in order to be able to sell weapons to Assad, and in order to avoid becoming the next autocrats to be pushed out of power by the democratic international powers.^v China, perhaps, opposed sanctions against Assad because its sense of responsibility for global governance had not yet awakened, as former US Deputy Secretary of State, Robert B. Zoellick has suggested.^{vi}

All this may very well be partly true. Yet, also the people we try to protect by enforcing global humanitarian norms tend to resist our protection. This, at least, should be seen as an indication that we have genuine problems with the acceptance of the norms we consider as global. In Iraq the Western protection was always unpopular. In 2008 a US Defense Department poll suggested that only 22% per cent of Iraqis felt the US was contributing to security in their country, while only 3% felt the US role in charge of security in their neighborhood was legitimate.^{vii} A British Ministry of Defence poll pointed to the same direction. Up to 82% of Iraqis were strongly opposed to the presence of coalition forces in their country, while less than 1% of the population believed that coalition forces were good for their security. Problems in Afghanistan testify to the same problem.^{viii} Even the main domestic beneficiaries of the Western presence, soldiers that the Western forces had selected to train to take control over the country, tended to turn against their trainers. The unpopularity of the US drone program to protect civilians against terror speaks to the same problem: the people we protect by enforcing humanitarian law against tyrants and terrorists do not share the normative foundations of our protection.

In Syria, the unpopularity of Assad's regime is evident. There is also little doubt about the need for the protection of Syrian people from their tyrant and the IS. However, the radicalization of the anti-Assad resistance, and the appeal of the appalling, brutal Islamic State, and the weakness of pro-Western resistance, seem to suggest that the enforcement of

our the Western interpretation of globally accepted humanitarian norms is not unproblematic. According to interviews conducted by a Guardian journalist the appeal of IS is not so much in what this violent organization stands for as it is in the fact that it represents resistance to the West.^x Even if we could say that Russia and China could have ulterior motives in their opposition to the Western enforcement of common humanitarian norms, surely the people we protect with these norms should share the norms with us. Yet, this is clearly not the case in the Middle East not the least in Syria. Thus, it seems clear that Amitai Etzioni is right in claiming that the world still needs dialogue instead of simple enforcement of global norms ^x.

In addition to the lack of common norms, there is the problem of implementation of norms. The main problem of implementation of democratic, humanitarian norms has been the question of where democracy should be implemented. When imposing a specific concept of democracy in Syria, the international community has emphasized democracy on the level of nations. At the same time the exercise of military power on the international level has not been democratic. Syrian people did not vote for the US to bomb them. As Amitav Etzioni has complained in his book *From Empire to a Community*, we are imposing democracy and freedom on national institutions, but not on the United Nations or the World Health Organization.^{xi} If China and Russia impose the norm of respect for sovereignty in situations where the United States is imposing democratic governance, it is unlikely that either will get any positive results. Yet both are enforcing globally accepted norms. The fact that norms and interpretations of world politics vary globally does not mean that we would not need norms and their interpretations. However, it seems that we are not yet ready for their simple enforcement.^{xii}

Do we have a legitimate agency for the enforcement of global humanitarian norms?

The peculiarity of the post September 11, 2001 enforcement of humanitarian protection of civilians from terror and tyranny has been the asymmetry between willing to promote global principles and the unwillingness to build global agency for such promotion. As Etzioni has complained we have been eager to promote global governance while at the same time being unwilling to help the development of global government.^{xiii}

This is especially problematic as we subscribe to democratic norms. The reason why democracy is a better way of governance is not that autocrats are always less capable or morally corrupt, but that democracy as a power structure makes it impossible for incompetent and immoral rulers to make unpopular decision and still stay in power. Democratic rulers cannot stay in power unless they comply with the interests and moral convents of their constituencies. This means that even if a Western leader wanted to be unselfish and humane in his policies towards Syria, even if he meant well for Syrians he would not survive politically unless he promoted the interests and the moral framing of his own constituencies rather than the interests of Syrians.

The debate on how much global norms dictate US policies and how much they are dictated by selfish ulterior interests is focused on specific events and cases, while the big picture is often hidden behind demagogy. Only correlational analysis of US foreign policy in general, on the one hand, and democratic credentials of the targets of US support, on the other hand, can reveal the big picture. However, the results of such an exercise are surprising. Even if one uses the most respected and conservative (individualistic), American dataset on democracy, the Polity IV data, it is inevitable that in the Muslim Middle East an average US ally is more autocratic than an average enemy of the United States. While the average autocracy score of a

US political ally was 6.94 (in a scale from 0 to 10) the average autocracy score of a "tyranny" that the United States had to resist was 6.41. The autocratic nature of US military collaborators in the Middle East was even more prominent. This has been the pattern all through the post-WWII period and the rise of the humanitarian agenda during President George W. Bush only worsened the situation.^{xiv}

Also if one looks at changes in polities of Muslim countries of the Middle East we can see that transitions to democracy are more often punished by the United States than rewarded. Syria, for example, has moved towards democracy twice – in 1950 and 1954 – and both times this meant closer cooperation with the Soviet Union, and thus, American punishment. There is only one exception to this in the Middle East, in Bahrain, where US support increased in 1973 after some significant, but short lived democratic reforms.

Also transitions to a more autocratic rule have been met with more rewards than punishments after the Second World War. U.S.-backed coup of Syria's Husni al-Zaim in 1949 constituted a drastic democracy relapse that was then rewarded by the United States for strategic reasons. The new autocrat was seen sufficiently tough on communism. Bowing to the strategic security interests of US constituencies meant compromising the humanitarian interests of Syrians.^{xv}

If one looks at what kind of democratic processes has the United States opposed, it becomes clear that the US energy needs have played an important role. Popular pressures that could lead to the deterioration of US energy supplies in the Middle East have been actively resisted, while also US strategic interests, interests of the war on terror as well as the protection of Israel have been more important rationales for the US foreign policies in the Middle East than that promotion of democracy.^{xvi} More generally, the domestic pressures that the US foreign policy administration meets especially in question of peace and war, tend to be very

nationalistic. According to John Mueller “the public applies a fairly reasonable cost-benefit analysis when evaluating foreign affairs, but it vastly overvalues the lives of Americans and undervalues the lives of foreigners.”^{xvii} ““When Americans asked themselves how many American lives it was to save hundreds of thousands of (foreign) ... lives, the answer came out to rather close to zero.”^{xviii} Thus the democratic constituencies of the United States push decision-makers to democratic decisions only inside the United States, while outside the country the constituency still mostly thinks about American interests. Thus, the fact that the constituencies of the political decision-makers in US global governance in the Middle East have been in America has made it impossible for the US decision-makers to prioritize the interests of the people whose protection US enforcement of humanitarian principles has aimed at.

In addition to the lack of global agency and ownership of enforcement of humanitarian norms, there is a lack of local ownership and agency in the protection civilians and the humanitarian norms. This is not related to the policies of the West but instead to the immaturity of most developing states. Enforcement of global norms and the external insistence of norms of democracy has often further weakened the developing states as was the case in Iraq, Afghanistan, Somalia, Yemen, and indeed, Syria. The idea of enforcing democracy and human rights in countries where state-building is not finished yet, is normatively complicated. According to most experts of state-building successful state-formation has often been messy and it has involved measures that cannot be defended by human rights principles that we tend to apply to the mature states.^{xix} Yet most scholars recognize that in the end the formation of states has pacified and civilized interaction and this has enabled both democracy and respect for human rights.^{xx} The third world without functioning states could be considered even further away from the global humanitarian norms, and thus the question of agency of the protection of civilians should not be ignored in

the debate on global governance. Global cosmopolitan progress would need intercivilizational dialogue before it could have any consensus and shared ownership of global values that could be the foundation of not just global governance but also globally owned government.

Does it matter if there is no consensus?

If the global normative order is not entirely ready, does it then mean that one would not be able to enforce any humanitarian principles? Mary Kaldor suggests that the creation of a cosmopolitan order and the stopping of Assads and Saddams cannot wait for a total global consensus of norms.^{xxi} Global governance has to come first, global government only later. However, many Political Realists suggest that without the commonness of the normative foundation of order and without the legitimacy and common ownership of the protection of global humanitarian order, there is no legitimacy of order, and order has to be built solely on coercion. As Henry Kissinger has suggested in his latest book, *World Order*, sustainable global governance has to rely on order and legitimacy, not just on one of the two. Building an order without commonly felt legitimacy is not sustainable according to Kissinger. Dreaming of normative crusades before such missions are realistic is not just naive, it is dangerous.^{xxii}

Yet, Saddam was stopped as were the Taliban, Aided and Ghadafy. Even Putin and Assad feel the pressure of Western enforcement of the global norms. Can we then say that enforcement by means of economic coercion or military intervention have been efficient despite the lack of global consensus? Can we say that a principled approach to Assad could have worked? It seems uncontroversial that sanctions can prevent the West from becoming complicit in genocides and violations of the humanitarian norms. Sanctions that limit the capacity of the elites to steal from their people, such as freezing assets of members of the corrupt repressive elites, tend to have a relatively high success rate. Using the sanctions data

of Gary Hufbauer, Jeffrey Schott, Kimberly Elliott and Barbara Oegg,^{xxiii} I have calculated that up to 80% of the cases after the First World War where financial sanctions have been used strictly against the elites, have been somewhat successful, if the elites have already been distressed by domestic pressures against them. In these cases, due to the domestic popular pressure and the limited target of sanctions it has been possible to create local consensus on the norms that can be applied and enforced.

However, more generally punitive sanctions that enforce entire states tend to have a worse record of success. Sanctions in general manage to get any significant effects on their target in only one in three cases according to the classical sanctions studies by Gary Hufbauer, Jeffrey Schott and Kimberly Elliott.^{xxiv} Using a more up-to-date dataset mentioned earlier I could calculate that sanctions sent by hostile nations have an even poorer record of success. In the cases of sanctions to promote human rights or democracy senders who are perceived as hostile by the target of sanctions failed totally in 80% of the cases.^{xxv} Sanctions tend to fail if they are sent by states that are acting on their own normative code and are thus perceived as unfair and hostile by the target of sanctions. Thus, if sanctions are imposed in absence of a common consensus they tend to fail. And failing sanctions against whole countries are very expensive in terms of humanitarian values. Consequently, Karl and John E. Mueller call measures to punish and regulate tyrants by means of economic coercion "sanctions of mass destruction".^{xxvi} Furthermore, whenever sanctions or military might is used against entire countries and they manage to push dictators or terrorists out of power or at least out of a certain territory, this has often resulted in the emergence of even worse rulers and terrorists. The Western support of anti-Assad forces should suffice as an example.

The track record of military enforcement of global humanitarian norms is even bleaker. The fact that Western humanitarian interventions tend to escalate conflicts and intensify killings even in Syria seems to testify to the intensity of the resistance of imposed Western values. Syria's experience is not an exception. When looking at East Asia (Northeast and Southeast Asia), which after the Second World War for three decades was the world's most belligerent region, we can calculate, by looking at battle deaths data of the Peace Research Institute, Oslo^{xxvii} that two thirds of conflict fatalities were produced in conflicts where outsiders imposed their solutions to domestic conflicts. In such conflicts 98 percent of fatalities were produced only after outsiders had entered the domestic dispute with their military might.^{xxviii} In Syria the number of direct conflict fatalities more than doubled in year 2014, the year the West started their air strikes against IS compared to the previous year when the CIA had already started its indirect military interference in the war. During the first year of direct Western protection the war killed almost four times as effectively as it did before the Western interference.^{xxix}

The recent global trend testify to the same. If calculated on the basis of Uppsala University's battle deaths dataset it is possible to see that the willingness to protect has changed global conflict trends. The new approach of enforcing humanitarian norms turned conflict trends upside down and the decline in all conflict fatalities that had been rather consistent after the ending of the Cold War ended and one could even see some increase in the total number of conflict fatalities in the world. Conflict statistics show that during the Cold War both the Soviet and the US camp were eager to intervene in third world wars. However, this eagerness was totally gone after the ending of the Cold War until the turn of the millennium. Only then the need to protect people from the degenerative influence of dictatorial abuse of state power and the influence of senseless violence by terrorists started to arise. One can see that this eagerness to protect people who generally do not want to be protected has given rise to a new

kind of warfare, protection wars, or New International Wars, as these wars were motivated by the international condemnation of violence in New Wars. The war in Syria is a good example of such a war. Other such wars include the one in Somalia, Iraq, Northern Pakistan, Afghanistan, and Yemen to enforce humanitarian rules and protect civilians from terror and tyranny caused, according to the Uppsala University data, 45% of world's conflict fatalities in 2013, while in 2010 they caused 74% of all fatalities. In other years during the period of President Barack Obama, the contribution of enforcement/protection wars was somewhere between the two percentages.^{xxx} At the time of writing statistics for 2014 were not available in their entirety, but the fact that Syria had become the greatest source of conflict fatalities in the world suggests that the share of protection wars had remained substantial.

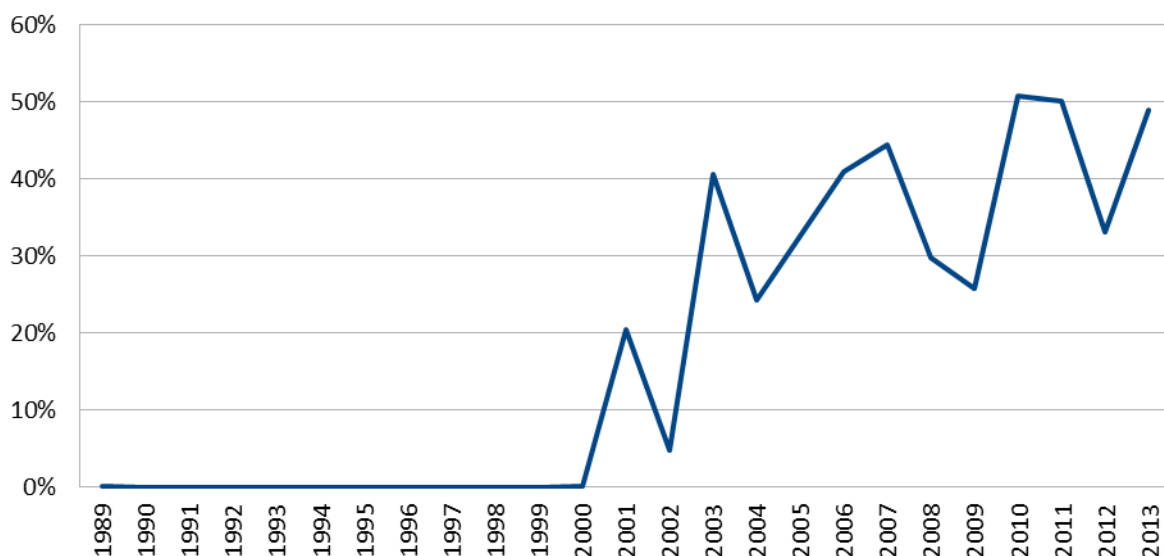
One could, however, say that not all fatalities in these countries that westerners have intervened recently have been caused by the enforcement of global principles. Instead, there could be wars and conflicts where the disputes have little or nothing to do with Western intervention. Even in these cases one could say that the power of the state to contain such conflicts has been deteriorated by the penetration of norm-enforcing Western countries. However, it would be possible to consider only those cases as protection wars where the explicit contradiction has been related to protection. This way however, one would then also have to take into account such conflicts where protection takes place in countries that are not fully penetrated by outsiders. Such cases include

1. The protection by the multinational UN's Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) that fought in Mali against a home grown Tuared jihadist organization "Movement of Defenders of the Faith" (or Arabic is Harakat Ansar al-Dine) and several somehow Al Qaeda inspired or affiliated organizations al-Qaeda in the Islamic Maghreb (AQIM) its splinter group the Movement for Unity and Jihad in West Africa (MUJAO) and the "Signed in Blood Battalion",

2. France's military involvement to protect civilians in Mauritania against AQIM,
3. France's operation in the Central African Republic against the Union of Democratic Forces for Unity (UFDR) that was allegedly supported by the terror-supporting Sudanese government, and
4. The United Kingdom's operation in Sierra Leone against the typical New War terror group, the West Side Boys (WSB).

By counting these fatalities together with those fatalities in Somalia, Iraq, Northern Pakistan, Afghanistan, Yemen and Syria (Since Syrian fatalities of war between international protectors and internal terrorists and tyrants did not start until 2014, the latest Uppsala statistics do not yet reveal these fatalities) one can see that even with the very conservative coding rules (ruling out many internal conflicts in countries that coalitions of the willing had already penetrated with their military forces) these protection wars have become the main source of conflict violence in the world, occasionally reaching over 50% contribution to the total fatalities of conflicts in the world.

Graph 1: Fatalities of enforcement of global protective humanitarian norms as a percentage of all conflict fatalities



Clearly, the enforcement of humanitarian principles in absence of a global consensus has

become a major conflict problem. Thus it was never realistic to assume success in the military operation in Syria.

Conclusions

It seems that in general the enforcement of humanitarian norms is resisted by the people such enforcement is intended to protect, when the effort of protection and enforcement of humanitarian norms tends to deviate, by rule rather than by exception, from original aims to the protection of selfish colonialist self-interest of the protecting nations, when global humanitarian governance fails to develop global agency for humanitarian protection and when the protection of civilians kills the people it was supposed to protect. All this is clearly the case in Syria. Thus one could suggest that the enforcement of humanitarian norms before achieving consensus on norms and before the emergence of global agency for humanitarian protection has not served its purpose. Before there is a genuine interest in the development of humanitarian global government it will not be possible to imagine effective global governance. Clearly, norms are disputed, their interpretation is disagreed upon, the enforcing agency is missing, and as a result we cannot substitute dialogue and negotiation with simple enforcement of norms we feel are commonly accepted. It is not possible to imagine global policing if there is not legal system the global policemen could enforce. The emergence of the “cosmopolitan protection wars” or “new international wars” shows that the diagnosis on new wars was wrong. New wars were not apolitical and criminal, they could not be tackled by means of neutral policing. Efforts at that have lead us to the kind of enforcement of norms of protection that kill the people we intend to protect. This is why instead of enforcement we should still focus on dialogue and the creation of normative consensus for global humanitarian protection. The Western ambassadors should have listened to President

Ahtisaari and tried to find a negotiated solution that was on offer with the softening of the Russian position on Assad.

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