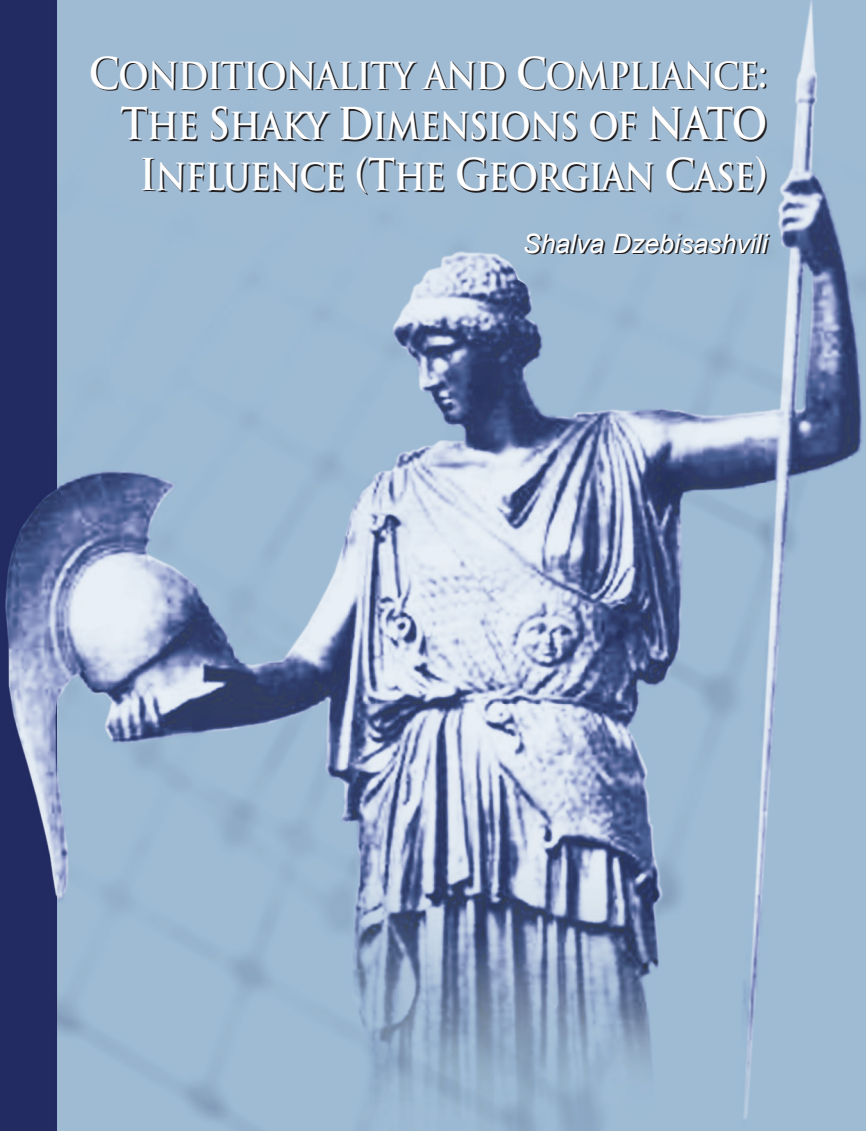


# CONNECTIONS

THE QUARTERLY JOURNAL

## CONDITIONALITY AND COMPLIANCE: THE SHAKY DIMENSIONS OF NATO INFLUENCE (THE GEORGIAN CASE)

*Shalva Dzebisashvili*



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Conditionality and Compliance: The Shaky Dimensions of NATO Influence (The Georgian Case) .....	1
<i>Shalva Dzebisashvili</i>	
Solving the Syrian Knot: Dynamics within the UN Security Council and Challenges to its Effectiveness .....	25
<i>Esmira Jafarova</i>	
The Waning Grand Strategy of Democratization: Why a Pivot to the Asia-Pacific Places the United States at Greater Risk of Terrorist Attack.....	51
<i>David Tier</i>	
Defense Policy and Reforms in Bulgaria since the End of the Cold War: A Critical Analysis .....	65
<i>Georgi Tzvetkov</i>	
The Future of the Sinai Peninsula.....	79
<i>Ruben Tuitel</i>	
The Models of Sovereignty in the South Caucasus .....	93
<i>Gayane Novikova</i>	
Afghanistan 2001–2014: The Enduring Literature? .....	105
<i>Peter Foot</i>	



# Conditionality and Compliance: The Shaky Dimensions of NATO Influence (The Georgian Case)

*Shalva Dzebisashvili* \*

## Introduction: The Puzzle

It is no secret that NATO exerts global influence, and is an organization without which the international security architecture would be difficult to imagine. Its capacity to exert influence ranges from the very material dimension of military power to the elusive and intangible effects of functional professionalization. Its unifying power was recognized long before the fall of the Berlin Wall, motivating Karl Deutsch to assign to it the quality of the “Community” in the North Atlantic area.<sup>1</sup> The paradigm of the Cold War heavily influenced the way scholarship evaluated the Alliance. Despite numerous and valuable attempts, the majority of academic contributions to the study of NATO remained policy-driven. The discussion was subsumed by broader regional security studies and international relations scholarship that repeatedly brought up the question of the Alliance’s organizational purpose and durability, leaving other significant questions unexamined.<sup>2</sup> This article will attempt to address the existing scholarly deficit by focusing on a particular aspect of NATO analysis: the Alliance’s capacity to influence aspirant countries’ policy making (formulation and implementation) in the defense area and, by doing that, to ensure compliance with commonly agreed norms and standards.

The case of Georgia would serve here as the best example of a country that eagerly stated its willingness to join NATO (as early as the Prague Summit in 2002) and since then has firmly followed the chosen path towards full membership.<sup>3</sup> The time span (nine years) to review is sufficient to disregard the risk of early or premature statements that would be symptomatic of early stages of cooperation. The intensity and density of the relationship between NATO and the Georgian Ministry of Defense led to the creation of a complex set of issue areas in which the processes of integration have unfolded, and the national/domestic constituencies have been exposed to various modes of external insti-

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<sup>1</sup> Karl W. Deutsch, et al., “Political Community and the North Atlantic Area,” in *The European Union: Readings on the Theory and Practice of European Integration*, ed. Brent F. Nelsen and Alexander Stubb, 3rd ed. (Boulder, CO: Lynne Rienner Publishers, 1957).

<sup>2</sup> Mark Webber and Adrian Hyde-Price, “Theorizing the North Atlantic Treaty Organization,” in *Joint Sessions of Workshops* (Lisbon, 2009), 1.

<sup>3</sup> Ministry of Foreign Affairs of Georgia, n.d.; available at [http://mfa.gov.ge/index.php?lang\\_id=GEO&sec\\_id=453](http://mfa.gov.ge/index.php?lang_id=GEO&sec_id=453).

tutional influence. The question of national compliance is inherently related to the *concept of conditionality*, due to the core principle of agreement between two actors, where one gets rewarded by another if certain conditions (i.e., commitments) are fulfilled.<sup>4</sup> Thus, by highlighting particular aspects of defense cooperation between the Alliance and Georgia, we hope not only to provide more insight into the ability of the Alliance to apply various mechanisms of compliance, but also to examine the limitations of those mechanisms, as well as the domestic factors and political incentives that either supported the national decision to comply or in fact impeded any decisions, leading to domestic political cleavages and to a heightening of international (NATO) concerns.

The essay is designed in such a way as to provide first a brief overview of the literature on NATO and its inherent deficits from the standpoint of influence on aspirant countries' decisions. Second, we will operationalize the concept of NATO conditionality in order to devise our line of argument and the hypothesis, to delineate the core objectives that an aspirant country such as Georgia must reach in the area of defense, and to demonstrate the practical utility of existing institutional mechanisms in reaching those objectives. Next we will try to validate the achievements of the Georgian Ministry of Defense (henceforth Geo MOD) by looking at various data sources, often not directly related to defense. Obviously, the high sensitivity of security-relevant issues meant that most of the relevant data reside in classified records, significantly reducing the amount of publicly accessible information. Nevertheless, the pool of sources containing disclosed official documents, legal acts, media interviews, official statements, news, etc. provide a solid foundation for launching our analytical investigation. Last, we will carefully sort out the effects of conditionality (positive compliance, and negative non-compliance) caused by NATO from those caused by domestic factors (incentives and calculations) in order to establish a high degree of causal relationship between external influences (conditionality) and domestic effects (compliance).

### **Conceptual Deficits of the NATO-related Literature**

Scholarship on NATO has been largely structured by the classical divide between the realist and constructivist stands. Various theoretical approaches have been adopted to test the validity of NATO-related claims, from both mainstream perspectives.<sup>5</sup> The key element of the realist approach, which is the struggle for power and dominance as the rationale for state survival, was seriously challenged after the collapse of the major communist foe. Realist authors regarded government action as a rational choice in the strategic environment of international politics.<sup>6</sup> Thus they questioned the durability and

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<sup>4</sup> Jeffrey T. Checkel, "Compliance and Conditionality," *ARENA Working Papers* No.18 (2000); available at [www.sv.uio.no/arena/english/research/publications/arena-publications/workingpapers/working-papers2000/wp00\\_18.htm](http://www.sv.uio.no/arena/english/research/publications/arena-publications/workingpapers/working-papers2000/wp00_18.htm).

<sup>5</sup> Webber and Hyde-Price, "Theorizing the North Atlantic Treaty Organization," 1.

<sup>6</sup> Robert G. Kaufman, "Review of Alan C. Lamborn and Stephen P. Mumme, *Statecraft, Domestic Politics, and Foreign Policy Making: The El Chamizal Dispute*," *The Journal of Politics* 51:3 (August 1989): 791.

the very purpose of the preservation of the key Western military alliance—NATO—based on the assumption of diverging interests of its member states in post-Cold War era (a view articulated by such prominent realist scholars as John Mearsheimer, Kenneth Waltz, Steven Walt, and Robert Kagan).<sup>7</sup> Joseph Grieco offered the “amended prisoners’ dilemma” as an alternative view, which provided a more penetrating analysis of the limitations of international cooperation while preserving the realist underpinning of state behavior. He accurately depicts the complex relationship between the rank ordering of relative payoffs (gains) and the defined set of sensitivity factors, which leads him to conclude that states will refuse, limit, or abandon cooperative commitments if they expect their relative gains to be disproportionately low.<sup>8</sup> The sociological foundation of global power politics and cooperation, so vehemently rejected before, slowly found cautious recognition within rationalist authors’ claims. Though the principle of interest-based behavior remained unchanged, it appeared to be fully plausible now that while forming alliances, great powers would seek like-minded partners regardless of their relative power, or cooperate (band-wagoning) and advance shared interests based on internal regime similarity.<sup>9</sup>

The new refreshing elements mentioned here are very important to distinguish new approaches from the traditional realist approach, and are relevant to the concepts of conditionality and compliance we want to apply to the NATO–Georgia case. Furthermore, they serve as powerful points of reference when they are applied alongside arguments developed by proponents of the other rationalist school—that of neoliberal institutionalism, which stresses the relevance of domestic constituencies, incentives, and cost calculations while deciding on particular modes of international behavior: compliance or defection. Correctly labeled by Michael McFaul as the “forgotten dimension,” the international factors of domestic change are essential to help us establish causal linkages between domestic actors and external agents.<sup>10</sup> Interestingly enough, however, the focus on effects caused domestically by external actors—or, conversely, the domestic sources of international behavior—receive less attention in liberal scholarship as it is applied to international security institutions in general, and NATO in particular. The realm of economic cooperation has been intensively studied by neoliberal scholars, who have generated brilliant analysis on conditionality and compliance on the examples of state cooperation within GATT, WTO, and EU. They rendered exceptionally strong general pro-

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<sup>7</sup> Erik Voeten, “Resisting the Lonely Superpower: Responses of States in the United Nations to U.S. Dominance,” *The Journal of Politics* 66:3 (August 2004): 733.

<sup>8</sup> Joseph M. Grieco, “Realist Theory and the Problem of International Cooperation: Analysis with an Amended Prisoner’s Dilemma Model,” *The Journal of Politics* 50:3 (August 1988): 601–03.

<sup>9</sup> Kevin Sweeney and Paul Fritz, “Jumping on the Bandwagon: An Interest-Based Explanation for Great Power Alliances,” *The Journal of Politics* 66:2 (May 2004): 429–40.

<sup>10</sup> Michael McFaul, Amichai Magen, and Kathryn Stoner-Weiss, *Evaluating International Influences on Democratic Transitions: Concept Paper* (Stanford, CA: Center on Democracy, Development and the Rule of Law, 2007), 6,7; available at [http://www.bangalured.net/world/Evaluating\\_International\\_Influences\\_-\\_Transitions\\_-\\_Concept\\_Paper.pdf](http://www.bangalured.net/world/Evaluating_International_Influences_-_Transitions_-_Concept_Paper.pdf).

positions that are worthy of application in other functional areas. For instance, Andrew Moravcsik holds that national governments are exposed to the influence of domestic interest groups and are committed to respond to their demands via various mechanisms of representation (democratic, social etc.).<sup>11</sup> This aspect (among others) is also included by Robert Putnam in his more developed system of the interplay of international political negotiations (a two-level game), in which national executives are involved in reaching an international agreement. While it is implicit within this model, the conflict of internal and external (international) agendas poses a serious issue of political concern that deserves much more attention, both theoretically and practically.

Unfortunately, the literature related to security organizations and NATO fails to devote the same degree of interest to the domestic sources of state behavior, largely keeping the main focus on the problem of intra-institutional coordination, institutional adaptation, as well as the durability of the Alliance. Still, it is possible to formulate a common approach of institutionalist scholarship to security and military alliances. They are designed in purposeful way “in part to regulate internal political dynamics,” but most importantly they represent and serve as regimes, reflecting norms and expectations of behavior.<sup>12</sup> This may well serve as the general framework of reference for the further application of the conditionality/compliance concept. Using Mark Webber’s words, a good theoretical approach can help to diagnose, predict, and prescribe.<sup>13</sup> Indeed, we need valuable insights from different scholarly mainstreams to discover single arguments, categories, or analytical concepts that—once applied in a coherent manner—would provide convincing explanations of particular social and political phenomena, which in turn may have significant effects on policy formation and implementation. To do so, we need to identify additional areas of the academic literature where the significant correlation of similar factors can be observed, and successful borrowings can be made. The notion of domestic constituencies, local interests and incentives, as well as the highly theoretical notion of “relative gains” (payoffs) represents pretty much the core of the discussion in the democratization literature. The international dimension of cooperation is another pillar of democratization scholarship. As Robert Putnam aptly puts it, international commitments require domestic ratification, and this may be limited due to the democratic nature of the country and the need of the governments to secure electoral

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<sup>11</sup> Andrew Moravcsik, “Taking Preferences Seriously: A Liberal Theory of International Politics,” *International Organization* 51:4 (1997): 518.

<sup>12</sup> Andrew G. Long, Timothy Nordstrom, and Baek Kyeonghi, “Allying for Peace: Treaty Obligations and Conflict between Allies,” *The Journal of Politics* 69:4 (November 2007): 103–04. See also McFaul, Magen, and Stoner-Weiss, *Evaluating International Influences on Democratic Transitions*, 12.

<sup>13</sup> Mark Webber, “Theorizing NATO – More than a Defence Alliance?” paper presented at the conference “NATO at 60: Reflecting on the Past – Anticipating the Future Wednesday,” Copenhagen (11 March 2009), 7; available at [http://subweb.diis.dk/graphics/Events/2009/M.\\_Webber\\_NATO\\_at\\_60\\_DIIS.pdf](http://subweb.diis.dk/graphics/Events/2009/M._Webber_NATO_at_60_DIIS.pdf).



support.<sup>14</sup> In other words, if international commitments and promises have been given without the proper consideration of the preferences of domestic players, a significant backlash can be expected in a country that enjoys a sufficient level of democracy. A strong link between the notions of conditionality and compliance is the pivotal element of most democratization studies, in particular within the context of EU enlargement. We do not intend to list the universe of authors and their contributions to the topic here, yet we will briefly sketch out the general results of their studies to enhance the common understanding of the processes that accompany the policy of conditionality.

The driving force of successful cooperation within the institutional framework is, clearly, the readiness of the actor (i.e., the state) to accept common procedures and policies that might well be generated outside the institution yet constitute the logic of appropriateness related to the individual behavior. For instance, in the field of democratic studies the principle of adherence to democratic standards and norms is given great importance. The process of democratic transition usually involves an institution that is still influenced by rules that conflict with the new requirements, and often results in a continuous adaptation to context and learning mechanisms, through which positive results can be achieved.<sup>15</sup> Being aware that a successful transition is not guaranteed and is contingent on multiple factors, scholars of democratization studies rightly identified the concept of *conditionality* as the key element of the causal relationship between EU membership aspirations and real achievements. Understanding the external factors of influence in domestic affairs became crucial to success. Yet, among other factors, the *prospect* of membership alone proved to be the strongest incentive for democratic transformation and consolidation in Eastern Europe.<sup>16</sup> Furthermore, the membership promises, though critical, require additional features to help speed up or maintain the pace of a given country's transformation. Lisa Martin isolates three core elements of national compliance that ensure the high probability of successful democratic consolidation: the degree of credibility of state commitments, the effectiveness (effects) of the agreement, and the role of sanctions.<sup>17</sup> Obviously, the second and third factors are also highly relevant to the concept of conditionality; in fact, they are the essence of it. We might also use the term "transformative engagement" to highlight the fluid nature of the processes, which are still highly contingent on the results achieved.<sup>18</sup>

Though many authors recognize the existence of and the need for further elaboration of constraining measures to bring about compliance and punish uncooperative behavior,

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<sup>14</sup> Robert D. Putnam, "Diplomacy and Domestic Politics: The Logic of Two-Level Games," *International Organization* 42:3 (Summer 1988): 36–37.

<sup>15</sup> Ole Norgaard, "Democracy, Democratization and Institutional Theory," DEMSTAR Research Report 4 (December 2001): 3–5.

<sup>16</sup> Jon C. Pevehouse, *Democracy from Above: Regional Organizations and Democratization* (Cambridge: Cambridge University Press, 2005), 96.

<sup>17</sup> Lisa L. Martin, *Democratic Commitments: Legislatures and International Cooperation* (Princeton, NJ: Princeton University Press, 2000), 225.

<sup>18</sup> McFaul, Magen, and Stoner-Weiss, *Evaluating International Influences on Democratic Transitions*, 12.

most of the attempts to produce more insight on the effectiveness of NATO mechanisms applied to aspirant countries have remained fairly unconvincing and vague.<sup>19</sup> Frank Schimmelfennig, who is perhaps the most prominent writer in the democratization field, is not an exception in this regard. His contributions represent brilliant work illustrating the complexity of the social and political socialization of the aspirant countries' executive officials during the period of intensive negotiations with EU executives. Yet, despite his exemplary findings that favor interest-based explanations of the European policy of conditionality, the problem of scant evidence on the motives behind the commitment to domestic transformation remains unresolved.<sup>20</sup> Thus we suggest identifying the key findings we were able to distill so far, and infuse them in our analytical concept (to be introduced in the following section) as a cementing substance for the purpose of analytical clarity and cohesiveness.

### **Analytical Concept: Conditionality-Implied Compliance (CC)**

As was briefly mentioned before, the objective of our analytical concept has primarily to be regarded as providing an analytical tool that will facilitate the proper understanding of NATO-conditionality as applied to the case of Georgia as an aspirant country. Additionally, we intend to illustrate the close affinity of the category of *compliance* to the overall concept of conditionality, for which we will use henceforth the abbreviation "CC" (Conditionality and Compliance).

Clearly, every social phenomenon is a unique process, with its own historical context that is not likely to reappear in other settings.<sup>21</sup> This fact, however, should not prevent us from applying valid propositions to case-study examples of NATO member accession, which most probably will result in even more valuable findings, bringing us closer to the truth. Bearing this in mind, we will focus our attention on a number of categories that appear to be most critical to the CC concept. First we will examine the notions of *Incentive* and *Relative Gains* (payoffs), due to their close contextual and semantic relationship to state interests. Celeste Wallander argues that strong incentives allow countries to conform to international norms.<sup>22</sup> Naturally, the strength of the incentives will increase if they correlate with a given state's interests. Whenever states decide to engage an international organization (and NATO is not an exception here) or individual states within the organization, the question of the hierarchy of state interests for the mode of behavior becomes of utmost importance. From studying the processes of NATO enlargement,

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<sup>19</sup> Voeten, "Resisting the Lonely Superpower: Responses of States in the United Nations to U.S. Dominance"; Mark Kramer, "NATO, the Baltic States and Russia: A Framework for Sustainable Enlargement," *International Affairs* 78:4 (October 2002): 731–56; Frank Schimmelfennig, "NATO's Enlargement to the East: An Analysis of Collective Decision-Making," *EAPC-NATO Individual Fellowship Report 2000* (1998): 1–75.

<sup>20</sup> Schimmelfennig, "NATO's Enlargement to the East," 66.

<sup>21</sup> James J. Wirtz, "Review of Patricia A. Weitsman, *Dangerous Alliances: Proponents of Peace, Weapons of War*," *The Journal of Politics* 69:1 (February 2007): 258.

<sup>22</sup> Celeste A. Wallander, "Institutional Assets and Adaptability: NATO after the Cold War," *International Organization* 54:4 (2000): 709.

Franks Schimmelfennig concludes, “in this account, the alliance identity and norms had no independent effect on the enlargement outcome but simply happened to be in line with the preferences of the most powerful actor(s).”<sup>23</sup> Admittedly, this statement bluntly challenges the whole concept of CC, and once more underlines the strength of the interest-based argument of some enlargement studies. Preferences are also often identified as expected payoffs from certain decisions, and thus as subject to rational choices made by a state.<sup>24</sup> They must be substantial in order to be detected by the state, and in the best-case scenario should correlate with existing incentives to ensure rapid action and implementation. Incentives are rewards offered by an external actor (in this case, NATO) in exchange for compliance; however, they also exist in the domestic realm, and together with potential gains at this level offer a powerful alternative lever to influence state behavior. *Domestic interests* (preferences) and *constituencies* play crucial roles in creating such behavioral alternatives, ranging from full compliance to partial compliance to non-compliance. The conflict between *external* and *domestic* might be very real, and can clearly illustrate the existing problems in preference orderings. We readily join at this point Stephen Krasner’s statement (with slight amendment) that the key question is how essential and strategic are the objectives to be achieved, both for the external actor as well as for the state.<sup>25</sup> Since the prospect of membership is the only substantial incentive “carrot” the institution can offer—and it is at the same time the “stick” that the institution wields (through the threat of withholding membership)—the probability of real influence being exerted on the candidate must be assessed as high,<sup>26</sup> according to Janine Reinhard.<sup>27</sup> Applying this logic to the NATO–Georgia case, where the prospect of membership at first glance is neither imminent nor procedurally guaranteed, the causal relationship between the membership promises and the democratic transformation of the Georgian defense sector seems to be problematic. On the other hand, the priority ranking of conditions, assumed to be carried out the by candidate, must be thoroughly studied; such study may render surprising conclusions that are contrary to our initial expectations.

State interests may be well defined and clearly identified, but this does not mean that the state’s preferences and priorities have been thoroughly calculated. The decision-

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<sup>23</sup> Schimmelfennig, “NATO’s Enlargement to the East,” 65.

<sup>24</sup> Voeten, “Resisting the Lonely Superpower: Responses of States in the United Nations to U.S. Dominance,” 732.

<sup>25</sup> Stephen D. Krasner, “International Support for State-Building: Flawed Consensus,” *PRISM Security Studies Journal* 2:3 (June 2011): 65–74.

<sup>26</sup> We use the terms *candidate* and *aspirant* interchangeably; however, within the NATO context, they refer to different categories. Candidate status is given to country that is under a Membership Action Plan and is formally recognized as next in line to become a full member, whereas the status of *aspirant* countries does not imply formal recognition of any timeframes of accession, not to mention the prospect of imminent membership.

<sup>27</sup> Janine Reinhard, “EU Democracy Promotion Through Conditionality in its Neighbourhood: The Temptation of Membership Perspective or Flexible Integration,” *Caucasian Review of International Affairs* 4:3 (2010): 197.

making process that leads to the preference orderings is also very difficult to observe.<sup>28</sup> We might detect the various steps in this process by noting the various decisions and actions state officials are involved in; nevertheless, the ability to prove and measure the level of compliance at the functional level of bureaucracy still remains in the realm of wishful thinking. The problem of indication and measurement is twofold. On one hand, CC conditions must be clear, mechanisms of control of adherence must be identified, and the measurement must be performed transparently in a periodic manner.<sup>29</sup> An additional challenge is the fact that the security and defense sector by its nature cannot be fully transparent. Understandably, information about the effectiveness of the defense transformation process and the degree of implementation of external commitments in various functional areas can be of a very sensitive nature, and thus would be classified. Unfortunately the credibility of national commitments can be validated only through imperfect mechanisms of implementation that in turn require close analysis and thorough interpretation of data. Finally, we are not immune from cases where CC results in formal implementation at the national level but leaves the essence of the domestic “code of conduct” unaffected.<sup>30</sup> Indeed, the danger of formality has several dimensions, each potentially detrimental to the success of CC. It might take the form of a purely formal commitment, without any domestic consequences. Or it can take the form of formal compliance, meaning the initiation of certain regulations and legal provisions that provide the impression of practical compliance, though still lacking the proper dimensions of real-life implementation. Finally, we might find some evidence of implementation, but of sporadic and phony nature that is very easy to reverse.

Based on the key elements of the CC concept we have formulated above, and the intrinsic limitations of CC concept measurement, we suggest at this point that we may regard the concept as a general analytical construct that is largely dependent on the interplay between external/domestic incentives and the expected relative payoffs that are either negative or positive, and can lead to positive effects on state behavior (i.e., compliance) or negative effects (i.e., non-compliance; see Table 1). In the course of analysis, we expect to introduce more elements to this model, once more light is shed upon the mechanisms and motives of a particular behavior. Consequently the final, more developed chart will be presented in the concluding part of the paper, visualizing the key data and causality lines within the effects of CC.

Within this logic, we found it problematic to concur with the basic sociological hypothesis, which argues that the faster that common norms and values are adopted, the earlier the prospect of membership will be offered.<sup>31</sup> Leaving aside the case of Turkey in NATO, where a serious critique is directed towards the state’s obvious lack of adherence to the norms of liberal democracy, we offer the following hypothesis:

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<sup>28</sup> Voeten, “Resisting the Lonely Superpower: Responses of States in the United Nations to U.S. Dominance,” 731.

<sup>29</sup> Reinhard, “EU Democracy Promotion Through Conditionality in Its Neighbourhood,” 202.

<sup>30</sup> *Ibid.*, 203.

<sup>31</sup> Schimmelfennig, “NATO’s Enlargement to the East,” 8, 11.

Table 1. Conditionality and Compliance: Incentives vs. Expected Payoffs

	<i>Domestic factors / incentives</i>	<i>External factors / incentives (conditions)</i>
Positive payoff		
Negative payoff		
Positive effect – (compliance)		
Negative effect – (non-compliance)		

If the value of an external incentive cannot outweigh the cost calculations of a domestic action, compliance will not take place and conditionality will fail. In other words, if the relative gains to be realized by pursuing a state’s external commitments are lower than the expected payoffs from a conflicting domestic action, compliance will not take place, resulting in a failure of conditionality.

To prove the validity of our claims, we must once again touch upon the problem of measurement indicators. What mechanisms do we need to prove the degree of compliance, and how can we avoid the risk of “buying” formal commitments and compliance (known as Masking) for real implementation? Out of the many mechanisms of foreign influence offered by Pevehouse, we choose *legitimization* and *political pressure* as the most promising avenues for further investigation as behavioral motives.<sup>32</sup> The particular aspect of financial assistance can be generally disregarded, due to the bilateral nature of financial assistance and the inherent difficulty in tying a concrete military/structural output to a particular source of financing. As suggested by Lisa Martin, the role of the legislature in affecting the credibility of national commitments should not be underestimated, since it provides valuable information on the legal status and prospects of compliance.<sup>33</sup> Additionally we will look at other initiatives generated within NATO to widen the spectrum of analysis and reduce the danger of limitation in primary sources that is so familiar to scholars working in the sensitive fields of security and defense.

### **Objectives and Preference Orderings (NATO vis-à-vis Georgia)**

This section of the essay will examine the strategic nature of the formal objectives pursued by NATO and Georgia, review actual policy priorities, and attempt to establish a general picture that would either prove the high degree of congruence between the policy objectives of both actors or indicate the existing (and widening) lack of alignment of

<sup>32</sup> Pevehouse, *Democracy from Above*, 3–26.

<sup>33</sup> Martin, *Democratic Commitments: Legislatures and International Cooperation*, 225.

their political agendas. In doing so, we will naturally refer to official documents and statements, as well as media interviews, reports, and communiqués to establish a normative foundation for further analysis of the processes at the functional level of the defense ministry.

The NATO membership has been increasingly defined through reference to a community whose borders are defined not by geography, but rather by a common identity, cultural tradition, and solid portion of trust to each other. In particular, democratic institutions (including norms and procedures) are seen as serving the primary cementing function for the Alliance.<sup>34</sup> Former British Foreign Minister Ernest Bevin, as well as Walter Lippman, readily focused on the aspects of “spiritual” unity and civilizational similarity to underline the cognitive roots of NATO’s creation.<sup>35</sup> Those principles gained even more relevance once the military aspect of global confrontation radically diminished in the early 1990s. The guiding criteria for future membership (introduced in 1995) remained the same, and largely refer to adherence to democratic principles and procedures that prospective member states need to adopt.<sup>36</sup> The core importance of democratic values and of functioning democratic institutions also became a major motivational factor for justifying the Alliance’s enlargement plans. While highlighting the internal aspects of negotiation and decision making of the first former Warsaw Pact countries that joined the Alliance, Frank Schimmelfennig very quickly comes to the conclusion that adherence to democratic rule and norms represented the constitutive values of NATO and facilitated the recognition of democracy promotion as the organizational mission of the Alliance.<sup>37</sup> The “Study on NATO Enlargement” states explicitly four times the importance of “like-mindedness” and twice the need for the “assimilation” of new members.<sup>38</sup> Out of eight political-economic requirements for potential membership, three unequivocally stress the primacy of democratic rule and institutions, and one directly advises aspirant states to commit to social justice and economic liberty.<sup>39</sup> What this means in terms of practical implementation and procedural compliance will be the subject of next section of this essay. At this stage, we are primarily interested in understanding how the Georgian government and leadership have been able to reflect the mentioned aspects of NATO identity in their legal and normative dimensions of policy formulation, particularly in the specific field of defense.

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<sup>34</sup> Christopher Hemmer and Peter J. Katzenstein, “Why Is There No NATO in Asia? Collective Identity, Regionalism, and the Origins of Multilateralism,” *International Organization* 56:3 (2002): 575, 588.

<sup>35</sup> *Ibid.*, 597–600.

<sup>36</sup> Kramer, “NATO, the Baltic States and Russia: A Framework for Sustainable Enlargement,” 736; “NATO – Enlargement,” NATO website; available at [http://www.nato.int/cps/en/natolive/topics\\_49212.htm](http://www.nato.int/cps/en/natolive/topics_49212.htm).

<sup>37</sup> Schimmelfennig, “NATO’s Enlargement to the East,” 1–2.

<sup>38</sup> “NATO – Study on NATO Enlargement,” NATO website; available at [http://www.nato.int/cps/en/natolive/official\\_texts\\_24733.htm](http://www.nato.int/cps/en/natolive/official_texts_24733.htm).

<sup>39</sup> “NATO – Membership Action Plan (MAP),” NATO website; available at [www.nato.int/cps/en/natolive/official\\_texts\\_27444.htm](http://www.nato.int/cps/en/natolive/official_texts_27444.htm).

Since presidential authority represents the highest point in the executive pyramid in Georgia, it seems no surprise that we began our analysis with the documents posted on the president's website (the website has been completely changed after new President was elected in October 2013). Interestingly enough, out of 215 contributions related to NATO, only one could be formally regarded as an official document (a record of a speech that was similar to other summaries of presidential speech records). A close study of those transcripts reveals an appalling deficit in the formulation of Georgia's prospective NATO membership within the framework of common identity and shared democratic values. NATO is almost exclusively regarded as a security institution providing security guarantees, and as an important justification for meeting certain standards of military-technical interoperability.<sup>40</sup> On various occasions, whether at NATO multilateral or bilateral meetings, or during visits with national officials from member states (including a visit to Georgia's major strategic partner, the United States) President Saakashvili's core messages disregarded the value-based perception of the Alliance, and nearly completely avoided mentioning the transformation of Georgia's defense sector in accordance with democratic principles.<sup>41</sup> Some excerpts are worthy of mention here: "Undoubtedly, our goal is NATO integration, since Georgia is not only a user of a security system. For me, as a democratically elected leader of my country, the main audience are people, rather than any expert or international organization."<sup>42</sup>

The statement was made as the president addressed the Georgian Security Forum in his welcoming speech. Setting aside the emotional aspect of the text, a clear neglect of the international dimension of control or compliance is evident nevertheless. The security prism through which NATO has been perceived by the Georgian leadership has not changed, even after the debacle of the 2008 war with Russia, and has continued to influence the formulation of Georgian policy, leading to the understanding of its primary relevance to the defense sector as a means of upgrading the armed forces' skills, equipment, training doctrines, etc.<sup>43</sup> We might agree to the objection that the intensity of political cooperation and the ever-faster pace of political events might result in disorientation and lessening of the strategic messaging. This is apparently not the case for NATO. All documents related to Georgia reaffirm the key importance of democratic transformation as the primary channel towards full membership. The background document on NATO–Georgia relations explicitly highlights this requirement:

As an alliance based on *democratic values*, NATO has high expectations of prospective new members and urges Georgia to continue to pursue wide-ranging reforms to achieve

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<sup>40</sup> The Administration of the President of Georgia, 15 March 2007; available at <http://www.president.gov.ge/en/PressOffice/Documents?4952> (20 October 2013).

<sup>41</sup> The Administration of the President of Georgia, 19 March 2008; available at <http://www.president.gov.ge/en/PressOffice/News?3250> (20 October 2013).

<sup>42</sup> The Administration of the President of Georgia, 18 February 2006; available at <http://www.president.gov.ge/en/PressOffice/News?2685> (20 October 2013).

<sup>43</sup> The Administration of the President of Georgia, 15 September 2008; available at <http://www.president.gov.ge/en/PressOffice/News?3127> (20 October 2013); "The Administration of the President of Georgia," March 15, 2007.

its goal of Euro-Atlantic integration. ... The Euro-Atlantic partnership is about more than practical cooperation – *it is also about values*. ... In doing so (signing the PFP Framework Document), partners commit to the preservation of democratic societies.<sup>44</sup>

After having carefully reviewed the official policy documents as well as interviews and other relevant sources, we were able to come up with the following findings. The National Security Council, as the leading body in crafting strategic security policy in Georgia, placed remarkably little emphasis on the aspect of common democratic identity as it relates to Georgia's NATO aspirations. The current National Security Concept views the Alliance solely as a mechanism for securing Georgia's independence and stable development.<sup>45</sup> It seems that Georgia's Ministry of Foreign Affairs also tends to share this perspective, as it makes no reference to the unifying power of common values or identity.<sup>46</sup> The Office of the State Minister on European and Euro-Atlantic Integration, according to its mission and functions, formally operates as the center of gravity for all Georgian state agencies dealing with NATO integration issues. Unfortunately, hopes to find any documentation coming from that office that would be relevant to our approach were quickly dashed, as the entire issue of national priorities and progress made towards NATO integration as well as the relevant reports are dramatically underrepresented at the office's webpage.<sup>47</sup> As for the functional level of the Ministry of Defense, it was not surprising that the core body of its institutional documents—though they pay significant attention to the critical importance of the Alliance to Georgia—basically concentrated on the issue of interoperability of forces as the major factor of NATO cooperation. For instance, the current *Minister's Vision 2013–2014* as well as the still in effect *Military Strategy* strengthen the value of capability developments in various military areas as key determinants to achieving military interoperability with NATO forces and ultimately full membership.<sup>48</sup> A recently issued document on the status of defense transformation similarly avoided any explicit mention of values-related references within the context of NATO integration.<sup>49</sup> The only powerful statement along these lines that we have been able to discover was the resolution of the Georgian Parliament on the major directions of the country's foreign policy. This document unambiguously interprets the Euro-Atlantic integration process of Georgia as the path towards strengthening

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<sup>44</sup> *Deepening Relations with Georgia*, NATO Backgrounder (Brussels: NATO Public Diplomacy Division, 2013), 1–3; available at [http://www.nato.int/nato\\_static/assets/pdf/pdf\\_publications/2013530\\_backgrounder\\_nato\\_georgia-eng.pdf](http://www.nato.int/nato_static/assets/pdf/pdf_publications/2013530_backgrounder_nato_georgia-eng.pdf).

<sup>45</sup> *National Security Concept of Georgia*, n.d., 6; available at <http://mod.gov.ge/documents/cfgeyzvjwhgeo.pdf>.

<sup>46</sup> Ministry of Foreign Affairs of Georgia website.

<sup>47</sup> The Office of the State Minister on European and Euro-Atlantic Integration, n.d.; available at [http://eu-integration.gov.ge/index.php?que=eng/official\\_documents#](http://eu-integration.gov.ge/index.php?que=eng/official_documents#).

<sup>48</sup> *Minister's Vision 2013–2014* (Tbilisi: Ministry of Defense of Georgia, 2013), 7; available at <http://mod.gov.ge/documents/476501Ministers%20Vision%20Geo.pdf>; “National Military Strategy of Georgia,” n.d., 1–3.

<sup>49</sup> “Defence Ministry Becomes Transparent and Status of Transformation,” Georgian Ministry of Defense, 2013; available at <http://mod.gov.ge/documents/Modern%20armed%20forces.pdf>.



democratic institutions, rule of law, and individual liberties.<sup>50</sup> Along with an interview given by the Defense Minister, Irakli Alasania, in which he recognizes the shortfalls of Georgia's democratic system from NATO's perspective, this parliamentary resolution is a rare example of anchoring the issue of democratic identity and shared common values in the agenda of official and policy-relevant documents.<sup>51</sup>

It is well known that Georgia's aspirations to NATO membership gained significant impetus after the National Movement Party came to power, and were reflected both in governmental structural changes as well as in major security and defense documents. It is fully comprehensible that such a change would be attributed to Georgia's rapidly worsening relationship with Russia. The Georgian leadership shared the common motivational understanding of joining alliances as a way of reducing the "probability of being attacked" (deterrence) and of preventing an "ally's alliance with one's adversary."<sup>52</sup> Despite the extensive focus on the key importance of the North Atlantic Alliance in safeguarding Georgia's independence and stability, close study of the relevant sources reveals an ambiguous picture of preferences existing among a range of national objectives. The mentioned parliamentary resolution is the only document placing Euro-Atlantic integration at the core of country's foreign policy, while recognizing its primacy among other foreign and security policy objectives. Contrary to that, the National Security Concept assigns Euro-Atlantic integration an unfortunate fifth place among Georgia's core national interests, whereas democracy and rule of law stand at only third place in the list of national values.<sup>53</sup> While we do not wish to comment on the inherent failures of the document to present national values as key elements of the national *way of life*, we were surprised that among the nation's security policy priorities NATO integration ranked below "de-occupation" and the "improvement" of defense capabilities.<sup>54</sup>

Georgia's governmental websites exposed a general feature of frequent change since the practice of the quick turnover of governmental appointees became standard, resulting in the loss of previously posted information or documentary material. The Georgian Ministry of Defense is no exception in this regard. The earlier versions of the "Minister's Vision" document have been withdrawn, with the exception of the last one, which was amended and renewed under Irakli Alasania, the defense minister appointed by the new government in 2012. This short-term (2013–2014) policy paper lists the defense priorities of the ministry, and obviously assigns NATO integration the lowest importance due to its placement as last among the ministry's priorities. Furthermore, it is formulated in conjunction with the broader notion of enhancing international cooperation,

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<sup>50</sup> Resolution by the Georgian Parliament, 21 March 2013, chapters 3, 4; available at [www.parliament.ge/index.php?option=com\\_content&view=article&id=3136%3Aresolution&catid=54%3Astatements-appeals-and-resolutions&Itemid=88&lang=ge](http://www.parliament.ge/index.php?option=com_content&view=article&id=3136%3Aresolution&catid=54%3Astatements-appeals-and-resolutions&Itemid=88&lang=ge).

<sup>51</sup> Interview with Georgian Defense Minister Irakli Alasania; available at <http://mod.gov.ge/index.php?pubid=69>.

<sup>52</sup> Schimmelfennig, "NATO's Enlargement to the East," 5.

<sup>53</sup> *National Security Concept of Georgia*, 1, 2.

<sup>54</sup> *Ibid.*, 1, 2.

and is directly defined as focusing on the interoperability aspect of cooperation.<sup>55</sup> Even if this is formally the case, even the single element of interoperability improvement within the NATO integration framework has to be considered here as equally relevant and not more important than other forms of bilateral or multilateral defense cooperation. The same tendency of neglect is evident in other chapters of the document, where nothing specific to the Alliance's importance is mentioned with regard to the priority of improving defense capabilities, or improving the NATO interoperability of Georgia's forces, not to mention the critical relevance of NATO requirements and standards.<sup>56</sup> This clear-cut evidence of the uncoordinated efforts of Georgian institutions to reflect the proper significance of the Alliance for country's strategic foreign, security, and defense policies points either toward the absence of strong coordinating signals from the top of the government about the need of coherent national actions, or the inability of government branches to detect and correct the policy inconsistencies. It also has and will have continuing effects on the pace of integration in the Alliance, since the theoretical primacy of territorial integrity over the nation's Euro-Atlantic aspirations would imply the accession process to be initiated once Georgia's sovereignty over its breakaway regions has been restored, and not vice versa.

As for the implications of real-world political actions, some authors highlight the preponderance of the preservation of territorial integrity as the key legitimizing factor for the Georgian government in the domestic arena. The restoration of national dignity, domestic political momentum, and "the heat of street" seemed to have higher priority than the capacity of rational thinking and well-developed planning.<sup>57</sup> A startling example of the dichotomy of Georgia's domestic military agenda has been provided by Geoffrey Wright, who identifies the fact that the formal side of the Georgian objectives aimed at achieving interoperability with NATO forces, in practical terms means forging a military "capable of leveraging a political settlement in the so-called Frozen Conflicts or, if necessary, reoccupying these territories by force."<sup>58</sup> In this context, as the author argues, the organizational and technical interoperability of Georgian forces with NATO was a desirable effect, but one that was merely of a supportive nature to a primary domestic imperative. For this and other reasons, the policy of confrontation and "menacing rhetoric" led to the advent of the August 2008 war with Russia.<sup>59</sup>

There have been early indications of discrepancy between the formal cooperation process and the practical implementation of policy. For instance, despite the recommen-

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<sup>55</sup> *Minister's Vision 2013–2014*, 3.

<sup>56</sup> *Ibid.*, 3–8.

<sup>57</sup> Till Bruckner, "Decision-Making and Georgia's Perpetual Revolution: The Case of IDP Housing," *Caucasian Review of International Affairs* 3:2 (2009): 175; Jesse David Tatum, "Democratic Transition in Georgia: Post-Rose Revolution Internal Pressures on Leadership," *Caucasian Review of International Affairs* 3:2 (2009): 160.

<sup>58</sup> Geoffrey Wright, "Defense Reform and the Caucasus: Challenges of Institutional Reform during Unresolved Conflict," *Mediterranean Quarterly* 20:3 (2009): 20.

<sup>59</sup> Dieter Boden, "Conflict Settlement for Abkhazia and South Ossetia: Lessons and Prospects," in *South Caucasus – 20 Years of Independence* (Berlin: Friedrich-Ebert-Stiftung, 2011), 131.

dations of the International Security Advisory Board (ISAB) to reduce the actual strength of the armed forces, those actions have never been implemented. To the contrary, the re-equipment of the Georgian Army's Fourth Infantry Brigade and the formation of a new Fifth Brigade run against all agreements and figures agreed upon during the IPAP negotiation round, raising the question of Georgian credibility.<sup>60</sup> Other authors regarded the rapid increase in the nation's military budget as a clear indication of Georgia's militaristic plans. Kříž Zdeněk and Zinaida Shevchuk concluded that the significant share of national GDP (8 to 10 percent) spent on army modernization and hardware, when considered along with the character and structure of the forces, indicated the nation's primary motive was to militarily subdue the secessionist regions.<sup>61</sup> All these considerations are legitimate in the light of Georgia's desperate search for strong security guarantees and the fact of their banal absence. Yet it is far from evident that Georgian authorities would decide in favor of the long path of NATO accession if they had an alternative bilateral military agreement with the U.S. As Hooman Peimani rightly observes, Georgians are very much interested in having a strong U.S. military presence in the country, preferably a large military base.<sup>62</sup> In the case of a U.S.–Georgia bilateral military agreement being implemented without any precondition of democratic reforms in defense and security, the nation would meet its primary strategic objective—ensuring its physical security—thus eliminating the need and incentive to reform as required by NATO. The war with Russia made it impossible at least in mid-term perspective to pursue the imperative of the domestic agenda – the restoration of territorial integrity. Thus President Saakashvili voiced a sign of changed priorities in early 2009, when he stated “EU membership is more important to us than integration into NATO.”<sup>63</sup>

Initial steps taken by the newly elected government in 2012 illustrate some visible shift towards granting more recognition to democratic values and a greater awareness of the relevance of democratic change to the process of integration.<sup>64</sup> However, more has to be done to achieve the required level of interagency cooperation in adjusting Georgia's strategic policy objectives and priorities. On the other hand, the Alliance's priorities and

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<sup>60</sup> Philipp H. Fluri and Viorel Cibotaru, *Defence Institution Building: Country Profiles and Needs Assessments for Armenia, Azerbaijan, Georgia and Moldova* (Geneva: DCAF, 2008): 55. The authors note “an increase of 25–30 percent of the figures envisaged in the original IPAP.”

<sup>61</sup> Kříž Zdeněk and Zinaida Shevchuk, “Georgian Readiness for NATO Membership after Russian-Georgian Armed Conflict,” *Communist and Post-Communist Studies* 44:1 (March 2011): 93.

<sup>62</sup> Hooman Peimani, *Conflict and Security in Central Asia and the Caucasus* (Santa Barbara, CA: ABC-CLIO, 2009), 277.

<sup>63</sup> Jim Nichol, *Georgia (Republic) and NATO Enlargement: Issues and Implications*, CRS Report to Congress (Washington D.C.: Congressional Research Service, 6 March 2009), 9; available at <http://oai.dtic.mil/oai/oai?verb=getRecord&metadataPrefix=html&identifier=ADA481837>.

<sup>64</sup> See [http://www.government.gov.ge/index.php?lang\\_id=GEO&sec\\_id=269&info\\_id=37418](http://www.government.gov.ge/index.php?lang_id=GEO&sec_id=269&info_id=37418); and [http://www.government.gov.ge/index.php?lang\\_id=GEO&sec\\_id=269&info\\_id=36713](http://www.government.gov.ge/index.php?lang_id=GEO&sec_id=269&info_id=36713).

organizational dynamics have to be captured as precisely as possible, so as not to fall into the delusion of premature expectations.

Starting from the key message of the Bucharest Summit in 2008, where the issue of granting MAP status to Georgia was sidestepped due to strong internal resistance, the Annual National Program (ANP) was offered by the following ministerial meeting in December 2008 under the strong formulation of “closely watching Georgia’s democratic reform progress.” Additionally, NATO listed the whole spectrum of areas (military personnel management, transparency of the military budget, etc.) in which Georgia was urged to show better performance.<sup>65</sup> Here, as well as in the Strasbourg/Kehl Summit Declaration of 2009, any reference to Georgia being offered MAP status was avoided, with the Allies’ central focus remaining on the ANP as the core mechanism of assessing Georgia’s integration performance. Similar to both declarations, the Lisbon Summit in 2010 did not offer radical improvements with regard to Georgia’s hopes. While it acknowledged her membership aspirations, as it also did toward the Balkan countries, this summit declaration made clear that negotiation on MAP remained a distant option. The issue of granting MAP status is of critical importance. While NATO on the one hand denies Georgia any chance of being granted a Membership Action Plan as a firm guarantee of future membership, and urges Georgia to regard the ANP as an alternative mechanism of direct membership, the Alliance has openly extended to countries like Bosnia-Herzegovina an invitation to complete formal preparations to be accepted in the MAP process.<sup>66</sup> No less important is the structural organization of the documents mentioned, which reveal a significant dwindling of relevance of the topic of enlargement to the Alliance’s organizational mission and dynamics. The strain placed on NATO by the ISAF operation in Afghanistan, along with NATO’s resource limitations and its military restructuring, have forced NATO HQ to rethink the Alliance’s priorities and to lower the priority placed on enlargement plans. Everything seems to indicate that Georgia’s path to membership will not be a short one. The reasons for this are twofold. First, the Alliance requires that Georgia undertake deep systemic and institutional reforms in accordance with democratic standards, norms, and values.<sup>67</sup> Second, it sends signals that expectations of quick membership are futile, and makes clear that the reforms that are requested—even if they are successfully implemented—have to be evaluated in a long-term perspective to ensure Georgia’s democratic credibility.<sup>68</sup>

Unfortunately, the domestic debate in Georgia is less concerned with the above-mentioned aspects of integration, although the clarity of NATO’s strategic messaging

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<sup>65</sup> “NATO—Chairman’s Statement—Meeting of the NATO-Georgia Commission at the Level of Foreign Ministers Held at NATO Headquarters, Brussels,” NATO website; available at [http://www.nato.int/cps/en/natolive/official\\_texts\\_46248.htm](http://www.nato.int/cps/en/natolive/official_texts_46248.htm).

<sup>66</sup> “NATO – Chicago Summit Declaration Issued by the Heads of State and Government Participating in the Meeting of the North Atlantic Council in Chicago on 20 May 2012,” NATO website; available at [http://www.nato.int/cps/en/natolive/official\\_texts\\_87593.htm](http://www.nato.int/cps/en/natolive/official_texts_87593.htm).

<sup>67</sup> “NATO Praises Georgia and Encourages Further Reforms,” NATO website (27 June 2013); available at [http://www.nato.int/cps/en/natolive/news\\_101669.htm](http://www.nato.int/cps/en/natolive/news_101669.htm).

<sup>68</sup> See <http://www.mod.gov.ge/index.php?newsid=2019>.

and preference orderings would greatly benefit the logic and efficiency of policy making in Georgia. While it is seemingly obvious at first glance, the understanding of strategic interests and preferences requires close attention and thorough analysis. The simple logic of the formulation that “the more explicit the guarantee, the greater the likelihood that the commitment will be met” seems to be plausible in the case of Georgia’s membership aspirations.<sup>69</sup> As we have clearly seen, NATO is not ready to offer explicit guarantees to Georgia that would naturally imply an invitation to the MAP process, nor has Georgia regarded NATO integration as the top priority within its security policy realm. These diverging interests have not been compensated by strong incentives that would keep Georgia’s ambitions high while encouraging the transformation of its political and defense systems. In a very explicit sense, as the realist school would predict, the gaps in gains caused by cooperation had to be credibly limited or compensated by “side-payments.”<sup>70</sup> Again, the North Atlantic Alliance was not able to elaborate credible insurance mechanisms for Georgia against negative relative gains resulting from cooperation, nor was Georgia ready to accept such risks in light of pressing domestic imperatives.

### **Compliance: The Effect of NATO’s Successful Policy of Conditionality**

Social phenomena are generally very difficult to detect and measure. As Walter Powell and Paul DiMaggio have stated, such phenomena “cannot be reduced to aggregation or consequences of individual attributes or motives.”<sup>71</sup> The phenomena of political conditionality and compliance do not belong to the category of factors that have been well measured. Though many attempts have been made within the broader framework of Security Sector Reform (SSR) to identify clear mechanisms and areas of indication and measurement, it still remains a formidable challenge to all pioneers grappling with the particular topic of the implementation of external commitments. Countries that are in a similar position to Georgia usually have imposed on them from the outside the norms and procedures that once were domestic properties of constituents of international organization. From this perspective, NATO’s standards and procedures are indeed the externalization of those properties. The commitment to comply, curiously, would imply the internalization of once externalized internal properties.<sup>72</sup> However, the concerns attached to the formation of the Alliance’s accession logic are twofold. The first is that the behavioral regime imposed on a candidate is not guaranteed during the pre-membership period. The second is the basic assumption that the behavioral regime imposed on a country by the pre-admission criteria will persist once that country becomes a NATO

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<sup>69</sup> Thomas S. Szayna, “Chapter Two: The Planning Context,” in *NATO Enlargement, 2000-2015: Determinants and Implications for Defense Planning and Shaping*, vol. 1243 (Santa Monica, CA: RAND Corporation, 2001), 30.

<sup>70</sup> Grieco, “Realist Theory and the Problem of International Cooperation: Analysis with an Amended Prisoner’s Dilemma Model,” 620.

<sup>71</sup> Walter W. Powell and Paul J. DiMaggio, eds., *The New Institutionalism in Organizational Analysis* (Chicago: University of Chicago Press, 1991), 8.

<sup>72</sup> Schimmelfennig, “NATO’s Enlargement to the East,” 15.

member.<sup>73</sup> This assumption is quite problematic. It voluntarily eradicates the risks and negative effects of domestic political structures, which are subject to the changing influences of deep-rooted political traditions and domestic incentives. Stephen Krasner underlines the flawed nature of external influence and draws our attention to the need to change the domestic authority structures through the intensive application of clear and predictable rules, predominantly within the area of institutional capacity building and governance.<sup>74</sup> The degree of implementation is an imperfect alternative for commitment credibility, but compliance seems to be the best tool available for our undertaking. Mark Kramer claims that NATO has developed disciplinary measures to deter or to punish countries that fall back into undemocratic practices.<sup>75</sup> Yet, similar to other scholars, he fails to provide clear evidence of such disciplinary mechanisms. We might infer that the broadly stated NATO requirements indeed represent the key areas where assessment teams perform their mission. However, the classified nature of all defense related documents makes our entire effort appear almost futile, unlike the progress reports on the European Neighborhood Policy (ENP) that are regularly posted online.<sup>76</sup> A significant effort must be made to provide much more clarity about the process of defense transformation in Georgia in light of the process of NATO integration. It would certainly stimulate the proper form of deliberation and public debate as well as a better understanding of the final outcomes.

Referring to NATO's standards, George Katsirdakis (a former senior NATO officer in defense partnership and cooperation) notes the absence of any formally agreed definition of NATO standards, yet he still stresses the common feature – that of a shared understanding of “doing business,” of objectives, resource allocation, etc.<sup>77</sup> We have already noted before the astonishing underrepresentation of NATO standards and requirements in Georgian official documents. Since the notion of defense transformation is very much related to the reorganization of defense policy, priorities, structures, capabilities, training, and even business practices, the application of NATO standards and requirements would mean the same scale of change as was mentioned above.<sup>78</sup> We admit that the lack of first-hand information severely damages the reliability of any findings

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<sup>73</sup> Szayna, “Chapter Two: The Planning Context,” 21.

<sup>74</sup> Krasner, “International Support for State-Building: Flawed Consensus,” 67–69.

<sup>75</sup> Kramer, “NATO, the Baltic States and Russia: A Framework for Sustainable Enlargement,” 756.

<sup>76</sup> Transparency International, “Georgia Has Implemented a Large Portion of the EU Requirements, TI Georgia’s New Interim Report Finds,” *TI Georgia* (16 October 2013); available at <http://transparency.ge/en/post/report/georgia-has-implemented-large-portion-eu-requirements-ti-georgia-s-new-interim-report-fi>. See also “The Office of the State Minister on European and Euro-Atlantic Integration.”

<sup>77</sup> *Ibid.*, 22–23

<sup>78</sup> Daniel Sheldon Hamilton, *Transatlantic Transformations: Equipping NATO for the 21<sup>st</sup> Century* (Washington, D.C.: Johns Hopkins/Center for Transatlantic Relations, 2004), 3; available at [http://transatlantic.sais-jhu.edu/publications/books/transatlantic\\_transformations.pdf](http://transatlantic.sais-jhu.edu/publications/books/transatlantic_transformations.pdf). See also Hans Binnendijk, *Transforming America’s Military* (Washington, D.C.: National Defense University Press, 2002), 3, 41, 203.

we present in this essay. Nevertheless, we believe that an intensive (though sporadic) review of secondary sources is still able to provide more than just a general picture of the results achieved by the Georgian government and defense ministry in the last eight years. In 2004, a civilian minister of defense was appointed to head the office, which was also staffed primarily by civilians. Although budget plans have been regularly presented to NATO officials, critics pointed at inadequate legislative oversight.<sup>79</sup> The critique also highlighted the few checks on executive authority and on the failure to adopt deep institutional reforms.<sup>80</sup> The level of public involvement in discussing defense-related policy issues has been very low. Similarly, the parliamentary oversight of defense policy formation appeared to be insufficient, rarely having broad discussion on defense priorities and the budgetary plans to meet the strategic and long-term requirements. The mere reference to a small “group of trust” that possessed access to classified information on defense spending and acquisition could not serve as valuable excuse for the existing deficit in participation.<sup>81</sup> The approval of defense budgets without any detailed review of budgetary appropriations and the required level of coordination with the Ministry of Finance has frequently led to the rapid change of the total budget, revealing inconsistencies with figures previously approved by strategic-level documents (Strategic Defense Review, for instance).<sup>82</sup> The relationship of the budget to the *Status of Defense Transformation* document is also questionable, since it raises doubts about its substitutive role for the proper SDR document.<sup>83</sup> The Planning, Programming and Budgeting System (PPBS) has never been implemented fully, though it was developed in close cooperation with NATO. The current version of Georgia’s Strategic Defense Review (SDR) also admits that even though PPBS mechanisms have been in place since 2006, the MOD has not yet managed to make a full transition to PPBS, supposedly due to the low qualifications of MOD personnel.<sup>84</sup> An attempt to sidestep the real causes of the failure in implementing PPBS is obvious. The inability of Georgia’s MOD to fully implement the system after extensive multilateral efforts in training personnel, especially after six years spent “launching” the system since 2007, would in simple terms imply that either there was no higher level of readiness to implement the system at all, or that the inherent intellectual deficits of the MOD personnel to master the well-known system were too difficult to overcome. The latter is obviously not true. SDR suggests studying the whole defense system again to better address the PPBS control mechanisms of program implementation and procedures. Yet if the main cause of the program’s delay was due to the lack of knowledge on the part of MOD personnel, as stressed before in the

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<sup>79</sup> Nichol, *Georgia (Republic) and NATO Enlargement: Issues and Implications*, 2–3.

<sup>80</sup> Michael D. Mihalka and Mark R. Wilcox, “Unintended Strategic Consequences of Security Assistance in the South Caucasus,” *Joint Force Quarterly* (2010): 26.

<sup>81</sup> Fluri and Cibotaru, “Defence Institution Building: Country Profiles and Needs Assessments for Armenia, Azerbaijan, Georgia and Moldova,” 60–62.

<sup>82</sup> *Ibid.*, 58.

<sup>83</sup> “Defence Ministry Becomes Transparent and Status of Transformation.”

<sup>84</sup> *Strategic Defence Review 2013–2016* (Tbilisi: Ministry of Defense of Georgia, 2013), 6; available at <http://www.mod.gov.ge/documents/yzqhgsgsreng.pdf>.

SDR, the appeal to re-launch the revised system appears as nothing more than an attempt to mask the inherent unwillingness of the defense ministry to adopt new planning and budgeting procedures that would establish much higher standards of political and financial accountability, reduce the chance of ineffective practices, and initiate positive change in other state agencies. Similarly, the document highlights the need to improve parliamentary accountability by means of regular reports, yet it falls short of providing clear procedural suggestions.<sup>85</sup> Finally, some elements of defense planning could be easily made public without any extensive effort to launch PPBS. The Defense Planning Guidance and the summary of Multi-Year Programs constitute a fairly small part of the PPBS. However, once they were made public, they would greatly contribute to the improvement of defense planning transparency, as well as to the involvement of a broader spectrum of the public in the discussion, and thus would generate better political deliberation. To support our findings, we also refer to the budget transparency index, and the anti-corruption index established by Transparency International for Georgia. In 2011, the defense budget's transparency level was assessed as moderate to low.<sup>86</sup> 2012 marked Georgia's transition to the high anti-corruption-index category for defense budgets due to serious shortfalls, risk, and bad practices detected in defense acquisition and personnel promotion, the selective use of disciplinary regulations, and flawed budgetary procedures.<sup>87</sup>

The provisions of the statement of the December 2008 meeting of NATO foreign ministers that called on Georgia to undertake "lessons-learned process from the recent conflict" and also urged the Georgian government to continue reforms in military personnel management, transparency of the defense budget, and other areas can serve as additional and very valuable indication of areas where significant problems have been detected.<sup>88</sup> As for the issue of the transparency of information to the general public, the MOD ranked at the worst level in 2010, and received an average rating in 2013.<sup>89</sup> Lastly, the strongly encouraged process of conducting a National Security Review—which was initiated in late 2008 to unify national efforts in rationalizing the security agencies' functions, missions, and capabilities—shows no current signs of life, and is largely stuck in the phase of strategic document revision.<sup>90</sup> With no consolidated body of

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<sup>85</sup> Ibid., 9.

<sup>86</sup> *The Transparency of National Defence Budgets* (London: Transparency International UK, 2011), 22.

<sup>87</sup> "Defence Ministry Becomes Transparent and Status of Transformation."

<sup>88</sup> "NATO—Chairman's Statement—Meeting of the NATO-Georgia Commission at the Level of Foreign Ministers Held at NATO Headquarters, Brussels."

<sup>89</sup> Ana Mdinardze, *Monitoring of Public Info in Geo Ministries* (Tbilisi: Institute for Development of Freedom of Information, n.d.); available at <http://www.idfi.ge/?cat=researches&topic=40&lang=ka>. See also *2010 Statistical Results on the Provision of Public Information by 21 State Agencies* (Tbilisi: Institute for Development of Freedom of Information, December 14, 2010); available at [http://www.opendata.ge/?lang=ka#!lang/ka/cat/statistic\\_of\\_project/topic/33](http://www.opendata.ge/?lang=ka#!lang/ka/cat/statistic_of_project/topic/33).

<sup>90</sup> *National Security Review of Georgia*, <http://nsc.gov.ge/eng/NationalSecurityReview.php>.



authoritative suggestion to transform the security sector in the long-run in accordance with strict implementation timelines, officially approved by the involved state agencies, the picture of half-hearted Georgian actions would be difficult to get rid off any soon.

All of the factors mentioned above are clear examples of the flawed theoretical assumption that the policy of conditionality will work once formal attributes and conditions for national compliance are established. As Stephen Krasner brilliantly puts it, this account is wrong, since it fails to take into account the incentives for local leaders to impede better governance and does not explain explicitly the particular methods of external contribution to local governance due to its rhetorical commitments to local ownership.<sup>91</sup> The Georgian case exposes clear evidence of an existing gap between the formal claims of compliance by imitating the patterns of NATO countries and the actual mode of governing. Even if the capacity is the result of foreign assistance and training, it is far from clear why this capacity would be dedicated to developing better practices of governance rather than to “self-serving behavior.”<sup>92</sup> The formal adherence to norms and codes of conduct does not result in their automatic implementation in real life, and might even serve the purpose of masking the actual behavior (violation of the norm), as in the case of many countries that sign universal treaties for the sake of their increased legitimating effects. This particular aspect would require additional analysis of the incentives and costs to be expected for a national government as a whole, and government officials in particular, resulting from the application of cooperation conditions. Such an analysis is unfortunately totally absent from the scholarship at present.

## Conclusion

Georgia is obviously not the best example of a Weberian state, which is characterized by the prevalence of rational thinking over the instincts of the moment, and the dominance of bureaucratic neutrality over increased “superexecutivism.”<sup>93</sup> Modernization is the key feature of Georgia’s transformation efforts. It replaces the essence of transformation by modernizing the external features of the national governmental structure, and avoids the need for deep-reaching democratic institutional reforms that challenge the position of the nation’s power authorities. This modernization pattern makes the preservation of bad practices—such as informal decision making, fluid roles, and leadership’s elitist behavior—still possible. As Till Bruckner aptly illustrates in the vivid example of government action to construct camp-villages for refugees, the key feature of Georgian political decision making is the informal nature of the procedures adopted by a close-knit group of functionaries who leave no trail of official records.<sup>94</sup> It is astounding how little prominence is assigned to formal procedures and norms within the entire process of political decision making. We share Bruckner’s conclusion on the inherent contradiction in the Georgian government’s reality between having a well-prepared plan and the existing

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<sup>91</sup> Krasner, “International Support for State-Building: Flawed Consensus,” 66.

<sup>92</sup> *Ibid.*, 70.

<sup>93</sup> Tatum, “Democratic Transition in Georgia,” 158–60.

<sup>94</sup> Bruckner, “Decision-Making and Georgia’s Perpetual Revolution,” 172.

mode of action.<sup>95</sup> Understandably, having an actual planning capacity would require clearly established formal procedures that are accepted and followed by all participants within a given institution and between governmental institutions.

NATO is very clear in its strategic messaging around the requirements for aspirant members, but Georgia has failed to apprehend these messages, to address the identity issues more seriously, to declare its policy priorities in response, and to internalize and routinize democratic institutional norms and standards. Since Georgia has not made these adjustments on its own, the cooperation and the conditionality pattern would naturally cause the adjustment of state policies in response to external pressures.<sup>96</sup> The results of policy adjustment can also be seen in the mode of action the national (Georgian) authorities follow while negotiating with NATO officials. Applying Schimmelfennig's model of negotiation behavior, out of five modes of behavior, two can be identified as most relevant in the Georgian case: those of *rhetoric* and *strategic action*.<sup>97</sup> While pursuing strategic objectives of national security and territorial integrity, the Georgian government has intensively relied on rhetoric and superb bargaining to present the appearance of compliance in order to increase its chances of acceptance by NATO members and/or to speed up the membership process through the imposition of political necessity. The general findings of this article are summarized in Table 2 below. The conclusion, however, would generally conform to Krasner's call for more authorization of external actors by granting them more power of control. This would imply stricter rules of conditionality, better control mechanisms of commitment implementation, as well as better mechanisms for providing higher transparency and public control of policy formulation and implementation in particular. In order to be successful, the concept of conditionality and compliance must heavily rely on the clear identification of "sticks" and "carrots," along with clear timeframes and credible measurement procedures, in order to avoid the risk of formal compliance that masks actual behavior. The reward is clearly the prospect of membership. The reward and incentive must provide higher payoffs than the costs of domestic compliance (internalization). Conversely, the Alliance cannot and should not expand at the cost of losing its common identity, which is based on the shared values of liberal democracy. Since the timeframes for future membership are not defined and the existing mechanisms of conditionality do not account for the successful implementation of national commitments, the mechanisms of the MAP process seem to be the only viable tool that offers greater capacity and authority to ensure Georgia's compliance with Alliance's norms, procedures, standards, and requirements. This suggests that the prospect of NATO membership offers much better prospects for consolidating democratic gains in Georgia and ensuring the proper functioning of state institutions.

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<sup>95</sup> Ibid., 179.

<sup>96</sup> Michael Tierney, "Review of Lisa L. Martin, *Democratic Commitments: Legislatures and International Cooperation*," *The Journal of Politics* 64:3 (August 2002): 949.

<sup>97</sup> Schimmelfennig, "NATO's Enlargement to the East."

Priority Level	NATO Priorities	National Priorities GEORGIA	Integration Conditions	Mechanisms of Control	External (NATO) Incentives	Domestic (Georgia) Incentives	External relative Gains (pay offs)	CC-Effect (+/-)
1	<b>ISAF-operation</b>	Territorial integrity	Democratic Institutions	ANP	<b>Democratic institutions</b>	Control over the brake-away regions	No increased security guaranteed (-)	<b>Weak Conditionality (-)</b>
2	<b>Restructuring</b>	Security		Rule of Law	PARP Various assistance programs	<b>Interoperable forces</b>	Effective control of power	
3	<b>Force-adjustment</b> (Smart Defence, MD)	Economic prosperity	Military Interoperability	PDP DEEP	<b>Enhanced institutional capacity</b>	Domestic legitimization	Russia's continuing threat (-)	<b>Formal Compliance (Masking) (+ / -)</b>
4	<b>Enlargement</b>	NATO-integration	Territorial disputes solved	Military training and exercises	<b>Better education</b>	Political power-continuity	Better military coordination with NATO (+)	
5					<b>Limited material support</b>		Combat experience from ISAF (+)	



# Solving the Syrian Knot: Dynamics within the UN Security Council and Challenges to its Effectiveness

*Esmira Jafarova* \*

## Introduction

This article intends to highlight the dynamics within the UN Security Council<sup>1</sup> (UNSC) with regard to the events in the Syrian Arab Republic that have unfolded in the wake of the so-called “Arab Spring” and perturbed the entire region of the Middle East. What had begun as peaceful demonstrations against the incumbent leadership of the country very quickly transformed into the violent conflict that has raged for about three years. As a primary world body fulfilling the watchdog functions over the protection of international peace and security, the UNSC was overwhelmed by the highly dynamic nature of the situation on the ground, and was embroiled in intensive deliberations on the ways to solve the Syrian crisis.

Dynamics within the Security Council involved great deal of twists and turns that were mostly conditioned by internal factors. During the initial phase of the conflict, the Council actively searched for paths out of the conflict, and worked in unison with its Joint Special Envoy Kofi Annan on a variety of options to end the military hostilities. However, subsequent events brought to the fore a set of irreconcilable divisions within the Council that undermined its unity and alienated the Joint Special Envoy, who cited the lack of support from the Council as the primary reason for his resignation. Further deterioration of the security situation in Syria and the dramatic rise in the number of human casualties threw the Council into prolonged discussions on solving the crisis. But these new discussions did not render the Council able to overcome its internal divisions that perpetuated its inability to speak with a unified voice and take a stronger stance toward conflict resolution.

This article will first seek to highlight the course of events in Syria, in chronological order; these events will then be employed in the analysis of factors that influenced the Council’s ability to effectively handle the Syrian crisis. The analysis will suggest that the existing institutional challenges and actors’ interests remain the primary obstacles to the Council’s ability to demonstrate a unified stance and take stronger action via application of its potent policy instruments, such as Chapter VII of the UN Charter. For a clearer

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<sup>1</sup> Throughout this article, the terms “UN Security Council” and “the Council” will be used interchangeably.

perception of the power politics and overall atmosphere of decision making within the Security Council vis-à-vis the Syrian crisis, comparisons will also be made to the Council's actions on the Libyan and Yemeni cases. Without offering any affirmative solutions as to whether the employment of Chapter VII measures could have delivered an effective solution to the Syrian crisis, the essay will conclude that the main reason for the relative success of the Security Council in the Libyan and Yemeni cases when compared to its failure in the Syrian instance was the actual implementation of the use of force or a threat to effectuate the Chapter VII measures. As the conflict lingers on, future developments and analysis of the Security Council's actions should definitely remain among the priority areas for future research.

### **Definition of the Problem: Syria in the Context of the Arab Uprisings**

The world was taken by surprise when the events heralding the transformational processes in the Middle East, later known as the "Arab Spring," unfurled. To challenge the entrenched expectations about the particular resistance of the Arab-Islamic world to similar revolutionary processes that had swept across some countries in Eastern Europe and Central Asia, the events in the Middle East became even more inclusive and contagious, resembling a domino effect. The protests against the policies of the ruling regime in Tunisia in December 2010 very soon engulfed the entire region and spawned unrest in other countries, such as Egypt, Morocco, Oman, Algeria, Yemen, Jordan, Bahrain, Libya, and Syria. Tunisia and Egypt became the pioneers of regime change as a result of this sudden upheaval, while in Libya the toppling of the Gaddafi regime involved significant casualties, conflict, and a more robust action by the international community.

Syria, unfortunately, turned into the region's nightmare scenario, with its civil war continuing unabated for over three years, causing widespread destruction and the death of thousands of civilians, a toll that has kept on increasing with each passing day. The events began in March 2011 with protests against Syria's Ba'ath government, demanding its resignation. Very soon things escalated rapidly, involving harsh crackdown on the protesters by the incumbent president Bashar al-Assad. The situation continued to worsen, with growing numbers of casualties and civilians forced to flee as refugees and internally displaced persons. The conflict became increasingly violent and sectarian, fuelled by external support to both the government and the opposition forces by the divided international community, as well as states in the region. Spillover of the Syrian crisis to neighboring countries and cross-border incidents have placed the security and stability of the whole region in serious jeopardy. Jordan, Lebanon, and Turkey are particularly affected by the incessant flow of refugees and the subsequent economic burden of meeting their basic needs. The UN estimated in July 2013 that the death toll was about 100,000 since the start of the conflict's outburst.<sup>2</sup> The conflict took a new turn af-

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<sup>2</sup> Edith Lederer, "Death Toll in Syria Rises to 100,000, UN Chief Ban Ki-Moon Says," *Huffington Post* (25 July 2013); available at [www.huffingtonpost.com/2013/07/25/death-toll-syria-100000\\_n\\_3652448.html](http://www.huffingtonpost.com/2013/07/25/death-toll-syria-100000_n_3652448.html). Recent unofficial estimates suggest that the number of dead is about 120,000.

ter the provision of evidence on the use of chemical weapons near Damascus emerged on 21 August 2013.

Widespread polarization on the regional and international dimensions of the conflict complicated the delivery of a solution. Western powers indefatigably pointed to the loss of legitimacy by the Syrian President Bashar al-Assad, who according to them, should have stepped down without delay. On the opposite side of the equation, Russia, China, and Iran provided all possible support to the Syrian leadership, helping ensure its survival. States in the region such as Saudi Arabia, Qatar, and Turkey were more outspoken against the incumbent Syrian regime and supplied the opposition forces with different forms of aid, including military assistance, while some others, like Iraq and Lebanon, kept a relatively low profile and refrained from taking any action that might threaten the Assad regime. In the case of Lebanon, things became more complicated with Hezbollah's engagement in the war to support the Syrian government. Extant divisions and controversies on both the regional and international levels have helped ensure the continuation of external support to the conflicting parties, which has kept adding fuel to the fire and has pushed the conflict ever closer to the precipice. In the course of the analysis presented here, more will be said on how the positions and interests of the respective states affected the efforts of the international community, primarily the UN Security Council, to find a solution to the Syrian conflict.

The societal fabric of Syria—with its majority Sunni population ruled by the minority Alawites, to which President Assad and his entourage belongs—further deepens the sectarian fault lines that have become easily exploitable in the context of the ongoing military hostilities. Clashes between the armed opposition and the Syrian military over control of parts of the country have fragmented Syria and created a sort of a “supervision vacuum” in the most fragile areas that have proved vulnerable to infiltration by various terrorist and extremist elements. It quickly transpired that the collective clamor for democratic change withered, and everything since has resembled a power battle between the ruling regime and the opposition forces. The situation got out of hand when “third parties”—extremist and terrorist forces—hijacked the “revolution” and abused the country's vulnerability to promote their own agendas. Despite the existence of the umbrella opposition group, the Syrian National Council,<sup>3</sup> the fact that Syrian opposition forces remain eclectic and dissipated around the country, lacking in leadership, command, control, and coordination, does not really help their case to be an alternative to the current leadership of the country. On the other hand, opponents of Bashar al-Assad see the consistent harsh use of force by his regime, involving heavy weaponry throughout the duration of the conflict, as having destroyed his legitimacy as a leader, and has generated talk of his accountability and responsibility under international law. Critiques of the armed opposition forces also equally blame them for committing brutal actions

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<sup>3</sup> Under pressure from Western states to make the Syrian opposition more inclusive and representative, the Syrian National Council was later named the National Coalition for Syrian Revolutionary and Opposition Forces in Doha, Qatar, in November 2012, and incorporated more opposition groups from within Syria.

against the Syrian people and violating international human rights and humanitarian laws.

The whole context of the Syrian crisis, with its respective players, has become so blurred and unpredictable that it now seems almost impossible to identify the purpose of the conflict except, as mentioned above, that it is simply a power struggle between the ruling elite and the fragmented opposition. With things becoming increasingly complicated as more extremist forces enter the stage and exploit the security vacuum, it has become almost impossible to apply international law principles concerning responsibility and accountability to all perpetrators. Often, therefore, the primary target is the incumbent Syrian leadership, who is also blamed for actions that it did not commit. Searching for a way out of a crisis that is so deeply bogged down in uncertainty—one that is both an internal power struggle as well as being implicated in regional and international contexts, and enmeshed in nexuses of sectarianism, terrorism and extremism—is an intrinsic challenge. In the following section I will try to highlight how the UN Security Council has faced up this challenge.

### **The Security Council Perspective: A Convoluted Involvement**

The situation in Syria became the true litmus test for the United Nations Security Council's ability to act on the most immediate and threatening international security issues. In 2011, when the conflict in Syria has not yet erupted into violence, the Council adopted a presidential statement on the Syrian conflict on 3 August, which in general expressed concern over the worsening security situation and violations of human rights.<sup>4</sup> When the situation deteriorated, the Council put to a vote its first resolution on Syria on 4 October 2011, which was vetoed by Russia and China. More will be said on this and the subsequent two vetoed resolutions in the Security Council later in the essay, but at the outset, some chronology of events with regard to the Council's handling of the Syrian case seems necessary.

#### *Mediation Efforts – Joint Special Envoy*

As the country slipped further into violence, the Security Council intensified its efforts in quest of a solution. 2012 was marked the designation of a Special Envoy on Syria by General Assembly Resolution A/Res/66/253 on 16 February, which aimed to “provide support to the efforts of the League of Arab States, both through good offices aimed at promoting a peaceful solution to the Syrian crisis, including through the appointment of a Special Envoy....”<sup>5</sup> Following the resolution, and upon consultation between UN Secretary-General Ban Ki-Moon and the Secretary-General of the League of Arab States Nabil Elaraby, the two announced on 23 February 2012 the appointment of former UN Secretary-General Kofi Annan as the Joint Special Envoy (JSE) of the United Nations

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<sup>4</sup> See S/PRST/2011/16.

<sup>5</sup> “The situation in the Syrian Arab Republic,” Resolution adopted by the General Assembly, A/Res/66/253 (16 February 2012); available at [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/66/253](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/66/253).



and the League of Arab States on the Syrian crisis.<sup>6</sup> On 2 March, the Security Council endorsed Kofi Annan's candidacy as the UN–League of Arab States Envoy on Syria during a roundtable with the latter.

The following six months constitute the most active phase in the UN's quest for a solution to the crisis. On 16 March 2012, during his next briefing to the Council, Kofi Annan informed the members of his "six-point plan," which he had previously submitted to the Syrian president. The plan envisaged active work by the various political parties of Syria together with Annan in an effort towards forging a political dialogue, ending military hostilities, and introducing an international supervision mechanism that would monitor the situation once the ceasefire was in place, guarantee the accessibility of humanitarian aid, provided for the release from prison of arbitrarily detained people, guarantee freedom of movement for media representatives, and ensure the freedom of assembly. The Security Council expressed its support for the efforts of the Joint Special Envoy via adoption of its presidential statement on 21 March, which endorsed the proposed six-point plan and expressed the Council's support for the work of the Envoy: "to this aim, the Security Council fully supports the initial six-point proposal submitted to the Syrian authorities, as outlined by the Envoy to the Security Council on 16 March 2012...."<sup>7</sup> The Syrian government expressed its agreement to the six-point plan in a letter it sent to the Joint Special Envoy on 25 March 2012.<sup>8</sup>

The endorsement of Annan's six-point plan by the Security Council provided a glimmer of hope for optimists, who believed that international calls on the "conscience and good will" of the conflicting parties might suffice to stop the raging violence in Syria. Controversies within the Security Council were highly pronounced regarding the second provision of the plan, which called for the end of military hostilities and placed the primary responsibility on the Syrian government for that matter:

To this end, the Syrian government should immediately cease troop movements towards, and end the use of heavy weapons in, population centres, and begin pullback of military concentrations in and around population centres..., the Syrian government should work with the Envoy to bring about a sustained cessation of armed violence in all its forms by all parties with an effective United Nations supervision mechanism. Similar commitments would be sought by the Envoy from the opposition and all relevant elements to stop the fighting and work with him to bring about a sustained cessation of armed violence in all its forms by all parties with an effective United Nations supervision mechanism.<sup>9</sup>

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<sup>6</sup> "Kofi Annan Appointed Joint Special Envoy of the United Nations, League of Arab States on Syrian Crisis," Information for Media, Secretary-General SG/SM/14124; available at <http://www.un.org/News/Press/docs/2012/sgsm14124.doc.htm>.

<sup>7</sup> Statement by the President of the Security Council, S/PRST/2012/6 (21 March 2012); available at [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/PRST/2012/6](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/PRST/2012/6).

<sup>8</sup> From the briefing of Kofi Annan to the members of the Security Council during closed consultations on 2 April 2012.

<sup>9</sup> Six-Point Proposal of the Joint Special Envoy of the United Nations and the League of Arab States, Annex to S/RES/2042 (2012) (14 April 2012), 4.

The Western members of the Security Council in 2012, including those in the permanent five (P5) and in the elected ten (E10), such as France, the United States, the United Kingdom, Germany, and Portugal unanimously underlined that it was the clear responsibility of the Syrian government to cease the military attacks, which had to be reciprocated by the opposition forces. Russia and China, on the contrary, argued that the cessation of military hostilities should be a simultaneous and reciprocal process, with both the government and opposition forces committing to an armistice and refraining from any provocation. Other members of the Security Council stood somewhere in the middle, without placing too much criticism on either side, and emphasized the responsibility of both sides in attaining a ceasefire. Provisions concerning humanitarian access, freedom of movement for journalists, and an inclusive political process—although less divisive—still occasionally put some Security Council members at cross-purposes. Nonetheless, despite the controversial interpretations of the most critical provisions of the six-point plan within the Council, as well as by the warring sides, at the moment of the plan’s endorsement by the Council this was almost seen as a victory of international diplomacy.

In the meantime, the Joint Special Envoy was in active conversation with relevant circles in Syria about the likelihood of implementing a ceasefire. The Council was receiving frequent briefings by Kofi Annan, who during one of his briefings suggested that he was conferring with the parties to the conflict over the possible ceasefire deal in pursuit of the implementation of his six-point plan. He requested the Council’s support for his endeavor in order to bolster his entreaties with a clear expression of the Council’s will. The Security Council was rather swift in its response, and on 5 April the Council adopted another presidential statement in support of the Joint Special Envoy’s efforts, which called the parties to observe a ceasefire by 10 April. More specifically, it noted that the parties have to “(a) cease troop movements towards population centres, (b) cease all use of heavy weapons in such centres, and (c) begin pullback of military concentrations in and around population centres, and to fulfill these in their entirety by no later than 10 April 2012.”<sup>10</sup> The presidential statement also denoted the importance of establishing the international supervision mechanism in Syria as stipulated in the six-point plan, and “requested the Secretary-General to provide proposals for such a mechanism as soon as appropriate, after consultations with the government of Syria.”<sup>11</sup>

Calls for a ceasefire finally started to bear fruit on 12 April, when the parties suspended their military onslaught for the first time in the duration of the conflict. However, the pre-existing narratives on the part of the conflicting parties as to who should first drop the gun slowly but surely grew into a resumption of military hostilities. There again, heavy mutual finger-wagging ensued, with the government blaming the opposition forces for provocative actions and non-observation of the ceasefire, and the opposition accusing the government of using heavy weapons and disproportionate military re-

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<sup>10</sup> Statement by the President of the Security Council, S/PRST/2012/10 (5 April 2012); available at [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/PRST/2012/10](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/PRST/2012/10).

<sup>11</sup> *Ibid.*

sponses. What followed did not help to sustain the initial surge of optimism, as the lull in military activities that lasted for a short period of time was gradually superseded by active military hostilities and increasing human casualties.

*United Nations Supervision Mission in Syria (UNSMIS)*

However, in promotion of his Security Council-backed six-point plan, Kofi Annan continued to emphasize the necessity of establishing an international supervision mechanism in Syria that would monitor the implementation of the plan and the observance of the ceasefire. His repeated appeals to the Security Council members on the indispensability of such an undertaking engendered heated discussions among the Council (the P5 in particular) as to the safety and plausibility of sending UN peacekeepers to a zone of active military conflict. The skepticism within the Council was especially aggravated by the increasingly distressing news from the ground about the new wave of hostilities being on the rise, despite the declared commitment by the parties to the ceasefire deal brokered by Kofi Annan. Moreover, the failure of the League of Arab States peacekeeping mission some months previous and its subsequent closure<sup>12</sup> in view of the dangerous security situation further intensified the aversion to the idea of launching a UN Mission in Syria.

Prolonged discussions within the Security Council had finally produced results, and with its first Syria resolution (UNSC Resolution 2042) on 14 April 2012, the Security Council authorized the dispatch of an advance UN supervision team to Syria. A week later, on 21 April, the Council adopted its next resolution. Building on the objectives of the preceding Resolution 2042, Resolution 2043 unleashed a full-fledged UN mission on the ground for an initial period of ninety days, formally established the United Nations Supervision Mission in Syria (UNSMIS), and set up a reporting period of fifteen days' interval.<sup>13</sup> The resolution required the initial deployment of "up to 300 unarmed military observers as well as an appropriate civilian component as required by the Mission to fulfill its mandate."<sup>14</sup>

In the weeks ahead the Security Council indeed became flooded with information for its Syria file, receiving fortnightly updates from the UNSMIS, plus regular briefings by Joint Special Envoy Annan. Irrespective of increasingly grim reports from the ground about the fluid and precarious nature of the security situation, and speedy deflection by the parties from their commitments under the six-point plan and UNSC Resolutions 2042 and 2043, some vestige of hope remained that the full-fledged impartial supervision and monitoring arrangement would contribute to a decision by the parties to uphold

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<sup>12</sup> At the end of 2012 the League of Arab States (LAS) had proposed a plan for the solution of the crisis which was initially accepted by Syrian authorities, and as a consequence LAS sent its monitoring mission to Syria in December 2012. However, later in January 2013 the monitoring mission was suspended due to the worsening of security situation.

<sup>13</sup> UN Security Council Resolution 2043, S/RES/2043 (21 April 2012); available at [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/RES/2043\(2012\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2043(2012)).

<sup>14</sup> Ibid.

their commitments. Expectations were high that the steady expansion of the UNSMIS up to its maximum number (300) would continue to have an important stabilizing effect in terms of safeguarding the cessation of hostilities.

This cautious optimism continued for several weeks despite increasingly harrowing news received on a daily basis from the region. However, the worsening security conditions on the ground rendered the full-fledged operation of the UNSMIS impossible. Although in the short time span following the deployment of the UNSMIS violence had the tendency to subside in the areas where the military observers were present, subsequent developments were accompanied by a stark deterioration of the security situation and a sharp rise in violence. The absence of a propitious security setting made the full-fledged operation of the UNSMIS impossible, and forced it to limit its monitoring activities. The Mission had to sustain its operations following UNSC Resolution 2059, which on 20 July 2012 decided to renew the mandate of UNSMIS for a final period of thirty days, and conditioned the subsequent renewal “only in the event that the Secretary-General reports and the Security Council confirms the cessation of the use of heavy weapons and a reduction in the level of violence by all sides sufficient to allow UNSMIS to implement its mandate.”<sup>15</sup> The UN presence on the ground in Syria thus came to an end, depriving the UN Security Council of the only independent source of on-site information on the events in the country.

### *Geneva Conference and Final Communiqué*

Against all odds, the search for a solution continued with the earnest mediation efforts of Kofi Annan. He proposed to convene an international conference with the participation of the major actors having influence on the conflicting parties, to enable the adoption of a final document that would set forth the basic principles for ceasing military hostilities, forging national reconciliation, and initiating a political process in the country. Some heated discussions about who should be included among the participating states accompanied the run-up to what later became the landmark first Geneva Conference. The most frequently asked question was whether Iran and Saudi Arabia should have been invited as regional states. Although Mr. Annan indicated that inviting those two states could have had a beneficial effect on the outcome of the conference, this proposal was given short shrift by the United States, who rejected Iran’s participation, and Russia, who opposed the Saudi presence based on the argument that the two proposed states were active supporters of the Syrian government and the opposition, respectively. The Geneva meeting finally took place on 30 June 2012 involving the P5, plus Qatar, Iraq, Kuwait, and Turkey.

Without going into too deep detail on the prolonged discussions that predated the final document of the meeting, it should be emphasized that the adoption of the Geneva Communiqué on 30 June 2012 marked the first consensus outcome of the international community that laid out a set of principled objectives for the Syrian-led political transi-

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<sup>15</sup> UN Security Council Resolution 2059, S/RES/2059 (20 July 2012); available at [www.un.org/en/ga/search/view\\_doc.asp?symbol=S/RES/2059\(2012\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2059(2012)).

tion process. Beyond reinforcing the calls on the parties to implement their respective obligations under international law, including first and foremost the six-point plan and UNSC Resolutions 2042 and 2043, the Final Communiqué of the Action Group for Syria set guidelines and principles for a Syrian-led political transition that “meets the legitimate aspirations of the Syrian people.”<sup>16</sup> Those principles held that any settlement must provide to the people of Syria a political transition that:

- Offers a perspective for the future that can be shared by all citizens of Syria
- Establishes clear steps according to a firm timetable towards the realization of that perspective
- Can be implemented in a climate of stability, calm, and safety for all
- Is reached rapidly without further bloodshed and violence and is credible.<sup>17</sup>

The document also identified the steps to be taken towards the meaningful transition process in the country, such as the establishment of a transitional governing body, initiation of a national dialogue process, review of the constitutional order, and holding free and fair multi-party elections.<sup>18</sup> If implemented, those steps could have become true milestones for the Syrian-led transition process that would have been indispensable for the achievement and sustainability of security and stability in the country. However, existing dissension in the international community regarding the causes of the Syrian conflict and overt side-taking with either the government or the opposition forces by the concerned regional and international powers, including the Security Council P5 members, have also translated into divergent perceptions of the goals set by the Geneva document.

More specifically, the provision in the document about the neutral transitional governing body that “could include members of the present government and the opposition and other groups and shall be formed on the basis of mutual consent”<sup>19</sup> became the prerequisite for multiple interpretations of the eligibility of the incumbent President Bashar al-Assad to be the part of a new Syrian transitional government. The language of the said provision was aimed at striking a deal that would otherwise have been elusive given the participatory setting of the conference, and therefore, struck a balance by making references both to the government and the opposition members as possible components of the future government. Although keeping the references to both the government and the opposition forces promised to salvage this last-ditch effort by the international community to deliver the hoped-for outcome, it nevertheless opened up a Pandora’s box by kicking off the never-ending controversy over whether President Assad should stay or step down. Once again the efforts of the international community succumbed to the long-persisting divisions that consistently mar its effectiveness and became entrapped in the endless debates over how to resolve the Syrian crisis. For the first

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<sup>16</sup> Action Group for Syria Final Communiqué (30 June 2012), 1.

<sup>17</sup> *Ibid.*, 2.

<sup>18</sup> *Ibid.*, 3.

<sup>19</sup> *Ibid.*

time since the outbreak of the conflict, the Geneva Communiqué seemed to offer a light at the end of the tunnel, which unfortunately became dimmed by frictions and efforts to achieve maximum unilateral gains. Despite calls within the international community to conduct a second Geneva Conference that would ensure the participation of the government and opposition forces, the summoning of the conference has been postponed several times since July 2013, mostly because of the parties' extreme positions that exclude the other party's right to participate in the future political process. After consistent efforts of the international community, the US, Russia and L. Brahimi being the vanguard of such efforts, the conference finally took place in two rounds – in 25-31 January and 10-14 February 2014 with the participation of both government and opposition forces. Without too much delving into the conduct and the outcome of the second Geneva conference, which surely could qualify for a separate research, it could be concluded that the conference clearly demonstrated profound gulf between the respective positions of government and opposition forces that remain at extreme ends as to forging a political solution to the Syrian crisis.<sup>20</sup>

The ultimate blow to the operability and effectiveness of the Geneva Communiqué was dealt by the inability of the UN Security Council to adopt a supporting resolution under Chapter VII that would make the implementation of the Geneva document binding. Irrespective of the repeated calls by Kofi Annan on the Council to adopt a supporting Chapter VII resolution that would endorse the Geneva document and render his efforts effective, the adoption of such a resolution became impossible due to strong opposition by Russia and China who, drawing their own conclusions from the Libyan case, continued to refuse any Chapter VII resolution on Syria.<sup>21</sup> Under these circumstances,

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<sup>20</sup> The conference witnessed highly hostile rhetoric on both sides against each other. Moreover, the first round of the conference ended without being able to secure an agreement on easing blockage for the besieged city of Homs. The deal was achieved later on 6 February 2014 with the UN brokering, on the same day when Russia made clear its intention to block action on a Western and Arab-backed draft resolution in the Security Council that aimed to pressure the government and opposition to allow aid into the country. (See: "Russia opposes humanitarian resolution on Syria," 6 February, 2014, <http://gulfnnews.com/news/region/syria/russia-opposes-humanitarian-resolution-on-syria-1.1287283>; Liz Sly and Ahmed Ramadan, "Syrian regime, rebels reach deal to aid besieged Homs," *The Washington Post*, 6 February 2014, [http://www.washingtonpost.com/world/syrian-regime-rebels-reach-deal-to-aid-besieged-homs/2014/02/06/8905b0f8-8f6c-11e3-878e-d76656564a01\\_story.html](http://www.washingtonpost.com/world/syrian-regime-rebels-reach-deal-to-aid-besieged-homs/2014/02/06/8905b0f8-8f6c-11e3-878e-d76656564a01_story.html).) On 7 February a three day ceasefire was agreed in order to evacuate the civilians from the city of Homs and supply humanitarian aid to the remaining citizens. Despite the violence that broke out on the very first day of the ceasefire that interrupted the delivery of aid and evacuation of besieged people, the parties nevertheless managed to extend the ceasefire to allow aid to more people and enable the evacuation of hundreds from Homs. The Geneva conference held in two rounds failed to deliver any tangible results in reaching a political solution to the conflict.

<sup>21</sup> The Security Council's Resolution 1973, adopted on 17 March 2011 enacted a "no-fly zone" over Libya, which resulted in NATO's campaign of air strikes against Gaddafi's forces. Russia and China voted for this resolution; however, later they argued that their agreement to the establishment of "no-fly" zones by Resolution 1973 was a mistake, as it later was exploited by

feeling abandoned and not receiving adequate support from the Security Council, Kofi Annan refused to further extend his mandate after the end of August 2012 and resigned from his position as Joint Special Envoy.

The period of Mr. Annan's mediation activity marked the period of the most intense activity in the Security Council with respect to Syria and the search for a political solution to the crisis. His initiatives account for the most remarkable international documents adopted on Syria, in particular UNSC Resolutions 2042 and 2043 and the Geneva Communiqué. Nonetheless, as he understood and repeatedly emphasized, his mediation efforts—including frequent interactions with the conflicting sides in Syria—were by themselves insufficient and could not take the place of actions by the UN Security Council, which should have demonstrated a more unified and decisive stance by adopting a binding decision that would oblige the parties to abide by their international commitments, cease military hostilities, and implement the six-point plan and the relevant UNSC resolutions.

*Joint Special Representative and Moderation of Intensity in the Security Council*<sup>22</sup>

Renowned Algerian diplomat Mr. Lakhdar Brahimi took after Mr. Annan as the UN–League of Arab States Special Representative, and was formally appointed on 17 August 2012. As a seasoned diplomat, Mr. Brahimi fully understood the complexity of the task and was reluctant to succeed Mr. Annan. Prior to undertaking his responsibilities he repeatedly voiced a hope for enhanced support from the Security Council for his forthcoming activities. In his media interviews he described his task as “nearly impossible” and said: “I’m coming into this job with my eyes open, and no illusions.”<sup>23</sup> Being thoroughly conversant with the circumstances in the region and having seen the most serious efforts of his predecessor fail, he perfectly fathomed that his efforts alone would not suffice to bring about peace to such a deadly conflict. He conveyed this message at each and every briefing that he delivered to the Security Council, and underlined the importance of the Council’s unity to take a more formidable stance on the Syrian case. He too stressed the necessity of the Council’s adoption of the Chapter VII resolution that would make the implementation of the Geneva Communiqué a binding obligation upon the parties.

Despite the obvious hurdles that challenged his work right from the start, Mr. Brahimi spent all possible efforts to mediate the conflict, negotiate with the parties, and seek rapprochement between the Russian and United States positions that were and still remain on the extremes of the discussion of how to achieve a political settlement of the Syrian crisis. Brahimi repeatedly parried intensifying queries in some international circles about whether he as a new Syrian mediator was going to develop his own plan by

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the NATO members to justify the military intervention in Libya and enforcement of regime change.

<sup>22</sup> This time the word “Envoy” was replaced by “Representative.”

<sup>23</sup> “UN Envoy Brahimi says Syria Mission ‘Nearly Impossible’,” *BBC News* (3 September 2012); available at <http://www.bbc.co.uk/news/world-middle-east-19460919>.

hinting that the objective was not to develop a plan as such but to achieve the implementation of the already existing documents: "I am sure that the Geneva conference held in June this year includes elements that are sufficient for a plan to end the crisis in the next few coming months. It was clear in Geneva and is now clearer that the change required is not cosmetic...."<sup>24</sup> Moreover, during one of his briefings to the Council he emphasized that the solution to the Syrian crisis would be reached through rushing into a new plan just for the sake of having a plan and without ensuring that necessary prerequisites exist for the effectuation of such a plan.<sup>25</sup>

In mid-October 2012, Mr. Brahimi made an emotional appeal to the conflicting parties on the occasion of Eid-al-Adha to stop the military hostilities and killings on that day, with the hope that if his calls were heeded and the parties agreed to an armistice, this transient lull could further be extended to the achievement of a lasting peace and political solution. In support of his initiative, the Security Council issued a press statement on 24 October 2012, where it "welcomed the important and timely initiative of the Joint Special Representative of the United Nations and the League of Arab States ... for a ceasefire and a cessation of violence in all its forms during the period of Eid-al-Adha...."<sup>26</sup> Unfortunately, once again calls for a ceasefire did not materialize into the expected termination of hostilities that would create the prerequisites for a final peace. Both parties to the conflict continued to play the blame game by shirking the responsibility for not observing the ceasefire appeal. The vicious circle continued to turn, and the conflict dragged on, taking more lives and forcing many into destitution.

Although in his capacity as the Special Representative Mr. Brahimi continued his mediation efforts, his frustration over perpetual divisions in the international community, continuing arms supplies that fuelled the conflict, and lack of consensus in the Security Council to take more forceful steps toward forging a political solution to the Syrian crisis was becoming increasingly obvious. However, the Arab League's decision on 12 November 2012 to recognize the opposition Syrian National Coalition as the legitimate government of Syria appeared to be the final game changer. Rumors about Brahimi's intention to resign in May 2013 were littering the news media, and he also hinted at the possibility of his resignation during interactions with the Security Council. However, repeated appeals were made by the P5 members as well as the UN Secretary-General Ban Ki-moon for Brahimi to stay on, which he did.<sup>27</sup> However, after this point his interactions with the Security Council as a unitary entity and his regular briefings to this

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<sup>24</sup> Ned Parker and Sergei L. Loiko, "Lakhdar Brahimi Works to Revive Syria Peace Plan," *Los Angeles Times* (27 December 2012); available at <http://articles.latimes.com/2012/dec/27/world/la-fg-syria-diplomacy-20121228>.

<sup>25</sup> Briefing by L. Brahimi to the UN Security Council on 24 September 2012 (closed consultations).

<sup>26</sup> UN Security Council, press statement on Syria, SC/10800 (24 October 2012); available at <http://www.un.org/News/Press/docs//2012/sc10800.doc.htm>.

<sup>27</sup> "Brahimi to Stay on as Syria Envoy after Russia-U.S. Bid," *Al-Arabiya* (9 May 2013); available at <http://english.alarabiya.net/en/News/middle-east/2013/05/09/Brahimi-to-stay-on-as-Syria-envoy-after-Russia-U-S-bid.html>.



UN body lessened, as he preferred to stick to bilateral mediation tactics with the conflicting parties in Syria, working directly with regional powers and the members of the Security Council that have influence and leverage on the parties.

### *Chemical Weapons Controversy*

The deadly events of 21 August 2013 involving the use of chemical weapons in an attack on Ghouta, on the outskirts of Damascus, that killed over a thousand people sparked international outrage and became another challenge for the Security Council in taking a united stand. The Council condemned the attack and urged the UN Chemical Weapons Investigation Team that arrived in the country on 17 August to immediately start an investigation of the case in Damascus.<sup>28</sup> The Mission, under the supervision of Dr. Åke Sellström, carried out the investigation and compiled its report in record time. In line with intelligence information gathered by some UN Security Council states (namely the United States and United Kingdom) that a chemical attack had indeed taken place involving the use of sarin gas, the UN Commission independently concluded that the attack had taken place and that sarin was used. The final conclusions were as follows: “on August 21, chemical weapons have been used in the ongoing conflict between the parties in the Syrian Arab Republic, also against civilians, including children, on a relatively large scale ... surface-to-surface rockets containing the nerve agent Sarin were used in Ein Tarma, Moadamiyah, and Zamalka in the Ghouta area of Damascus.”<sup>29</sup>

In parallel to the efforts of the UN investigation team, the probability of a military strike on Syria by the United States and its allies was the subject of acrimonious debates in the international community. President Obama’s drawing of a “red line” while assessing the probability of military strikes against Syria defined the usage of chemical weapons as the last possible straw that might ignite the superpower’s wrath. Ironically, this prescience was quite quickly fulfilled, causing much headache and hand wringing over whether the promised military strike as a “punishment measure” might indeed materialize. While the proponents of carrying out such an attack decisively pronounced it to

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<sup>28</sup> The UN team of experts was sent to Syria to investigate the previous allegations on the use of chemical weapons in Syria. The team conducted long deliberations with the Syrian government to gain access to the country and to the sites to investigate allegations of previous chemical attacks. The U.S. averred that Assad’s forces had used them previously on a small scale, while Russia argued that rebels used sarin gas near Aleppo in March. Syrian authorities originally insisted that the UN team should only investigate claims of chemical weapons use in Khan al-Assal, near Aleppo, but the UN team was tasked to also investigate other incidents, mainly around Damascus, Homs, and the northern town of Saraqeb.

See “UN Chemical Weapons Investigators Arrive in Syria,” *NBC News* (18 August 2013); available at [http://worldnews.nbcnews.com/\\_news/2013/08/18/20076560-un-chemical-weapons-inspectors-arrive-in-syria](http://worldnews.nbcnews.com/_news/2013/08/18/20076560-un-chemical-weapons-inspectors-arrive-in-syria).

<sup>29</sup> “United Nations Mission to Investigate Allegations of the Use of Chemical Weapons in the Syrian Arab Republic Report on the Alleged Use of Chemical Weapons in the Ghouta Area of Damascus on 21 August 2013,” Letter from the Secretary-General addressed to the President of the Security Council (S/2013/553) (16 September 2013), 5.

be only “a shot across the bow” and limited in time and scope, others were not so optimistic about the chances of beginning a military operation in such narrow limits, and argued that once started, a military strike would be hard to confine to the predetermined scope in such a messy civil war. Moreover, opponents also argued that an operation that was sharply limited in time and scope would be unlikely to yield any plausible results in terms of stopping Syria’s civil war and would carry great risks of accidentally hitting Syria’s chemical weapons storage sites, thus causing leakages of poisonous material.

For President Obama, as the anti-war president and Nobel Peace Prize winner who had assumed office in a domestic atmosphere of heavy “war fatigue,” and who had built his election campaign on anti-Iraq war slogans, continuing with the development of plans for military strikes on Syria was a tough decision to make. Things got more complex when on 29 August 2013 the United Kingdom Parliament voted against the country’s involvement in any new war abroad, thus upsetting David Cameron’s case for the legitimacy of a military action as a punishment measure for the use of chemical weapons, and stripping the United States’ leadership of its primary ally’s support. The U.S. later expressed its readiness to carry on with the planned operation alone,<sup>30</sup> and the French reiterated their continued support for the planned military strikes, even without the United Kingdom’s participation.<sup>31</sup> However, it was clear that the United Kingdom’s unexpected exit from the circle of allies dealt a weighty blow to the likelihood of any military action and raised questions about the plausibility of a military strike, especially since the U.S. would have to both face the potential for overseas entanglement alone as well as foot the entire bill for the war. Although President Obama affirmed his right to go ahead with a military strike, even without the congressional approval, under circumstances where he alone should shoulder the primary responsibility for the use of force, he opted to seek Congress’ approbation:

As commander in chief I always preserve the right and the responsibility to act on behalf of America’s national security. I don’t believe that I was required to take this to Congress.... I believe Congress will approve it because I think that America recognizes that as difficult as it is to take any military action, even one as limited as we’re talking about, even one without boots on the ground. That’s a sober decision.<sup>32</sup>

However, what kind of outcome might have come from a vote in the U.S. Congress was highly debatable, given the fact that prevailing public opinion as well as the mood in the Congress was largely skeptical. But the hearings in Congress never happened.

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<sup>30</sup> Peter Foster and Raf Sanchez, “America Is ‘Livid’ with the British and Could Launch Syria Strikes on its own,” *Business Insider* (29 August 2013); available at <http://www.businessinsider.com/america-could-launch-military-strikes-against-syria-without-waiting-for-britain-2013-8>.

<sup>31</sup> “Live Blog: Syria crisis, UN chemical weapons team leaves Syria paving way for attack,” *Haaretz* (31 August 2013); available at <http://www.haaretz.com/news/middle-east/1.544477>.

<sup>32</sup> “Obama Asserts Right to Strike Syria without Congressional Approval,” *RT.com* (4 September 2013); available at <http://rt.com/usa/obama-syria-strike-congress-415/>.

An about-face ensued with the Russian proposal in early September 2013 for the establishment of international supervision over Syria's chemical weapons arsenal, which was almost immediately accepted by the Syrian authorities. The idea was to offer a plausible compromise to avoid impending military strikes against Syria, a compromise that was later endorsed by President Barack Obama. The existing rifts among the Western allies, the alleged faltering on the part of President Obama to solely shoulder the responsibility for plunging the U.S. into a new and unpredictable war abroad (and therefore bringing the matter to Congress), as well as subsequent controversies within the U.S. Congress over whether to support or reject strikes against Syria have all conduced to the Russian proposal's success. Many in fact saw the Russian initiative as salvation for Syria's incumbent leadership and an "unexpected rescue plan" for the divided West, the United States' President in particular, who was seemingly reluctant to give the go-ahead for the rumored military strike. Things quickly moved from proposal to actualization when the U.S. Secretary of State John Kerry and Russian Foreign Minister Sergey Lavrov hammered out an agreement in Geneva on 14 September 2013 that further reinforced the objective of Assad submitting his chemical weapons arsenal to international supervision and set out the basis for carrying out the relevant work to eliminate all chemical weapons in Syria by mid-2014. The whole initiative carried an utterly ambitious and unprecedented goal of eliminating a country's entire chemical weapons arsenal in an active war zone through the active involvement of the Organization for Prohibition of Chemical Weapons (OPCW) within very short timeframes, and contained a promise of measures under Chapter VII of the UN Charter in the event of non-compliance.<sup>33</sup>

Guided by the 14 September Geneva document, the relevant draft resolution was presented by Russia and the United States to the UN Security Council and was unanimously adopted by the Council on 27 September 2013 as UNSC Resolution 2118.<sup>34</sup> The resolution maintained the clear objectives and deadlines of the 14 September Geneva agreement regarding the process for the elimination of Syria's chemical weapons stockpiles and supported the relevant decision of the OPCW of 27 September, which laid out special procedures for the destruction of Syria's chemical weapons stockpiles. Moreover, the resolution also authorized the dispatch of an advance UN team to assist the OPCW efforts on the ground.<sup>35</sup> Quick action followed after the adoption of UNSC Resolution 2118. In his 7 October 2013 letter to the Security Council (S/2013/591), UN Secretary-General Ban Ki-Moon proposed the establishment of the UN-OPCW Joint Mission that "would operate in areas of their particular competences, taking into account

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<sup>33</sup> "Washington Wire: The U.S.-Russia Agreement on Syria's Chemical Weapons," *Wall Street Journal Online* (14 September 2013); available at <http://blogs.wsj.com/washwire/2013/09/14/the-u-s-russia-agreement-on-syrias-chemical-weapons/>.

<sup>34</sup> An analysis of the circumstances surrounding the adoption of UNSCR 2118 will be offered below.

<sup>35</sup> UN Security Council Resolution 2118, S/RES/2118 (2013), 3; available at [www.un.org/en/ga/search/view\\_doc.asp?symbol=S/RES/2118\(2013\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2118(2013)).

the necessary and complimentary roles that each Organization has in supporting and conducting the Mission....”<sup>36</sup>

During its deliberations the Security Council supported the proposed Joint Mission initiative, and the process was jump-started by the appointment of Ms. Sigrid Kaag (Netherlands) to the post of civilian Special Coordinator who would head the mission.<sup>37</sup> The Joint Mission had to implement its tasks in three phases. During the first phase, a preliminary presence in Damascus and the team’s necessary operating capability had to be established. In the second phase, which should have lasted until 1 November 2013, the OPCW had to complete initial inspections of all chemical production and storage facilities in Syria and supervise the destruction by Syrian authorities of all chemical weapons production, mixing, and filling equipment. In phase three, which is the most complex one, the destruction of Syria’s chemical weapons program in the multiple sites that are dispersed across the war-torn country should take place. The last phase is the most difficult one, given that the relevant operations are to be carried out in an active war zone and within a short time frame.<sup>38</sup> The OPCW Executive Council adopted a final detailed plan on 15 November 2013, according to which “all declared chemical substances and precursors except for isopropanol will be removed from Syria no later than February 5, 2014.”<sup>39</sup>

In sum, without delving too much into all of the discussion about whether the agreement to act on Syria’s chemical weapon program should have superseded the planned military operation, as well as into the speculations as to the risks and possible effectiveness of the chemical weapons elimination program, it should be emphasized that with chemical weapons entering the stage, principled issues pertaining to a political solution of the Syrian conflict moved onto the back burner of international efforts. Developments associated with the enforcement of international supervision and later, destruction of Syria’s chemical weapons stockpiles in some sense marked a new phase in handling of the Syrian crisis and hence topped the agenda of the UN Security Council.

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<sup>36</sup> Letter from the Secretary-General addressed to the President of the Security Council, S/2013/591 (7 October 2013); available at [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/2013/591](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2013/591).

<sup>37</sup> Letter from the Secretary-General addressed to the President of the Security Council on the appointment of Ms. Sigrid Kaag, Special Coordinator, OPCW/UN Joint Mission, S/2013/608 (13 October 2013); available at [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/2013/608](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2013/608).

<sup>38</sup> Letter from the Secretary-General addressed to the President of the Security Council, S/2013/591 (7 October 2013); available at [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/2013/591](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2013/591).

<sup>39</sup> “OPCW Executive Council Adopts Plan for the Destruction of Syria’s Chemical Weapons Programme in the First Half of 2014,” *OPCW Official Website* (15 November 2013); available at [www.opcw.org/news/article/opcw-executive-council-adopts-plan-for-the-destruction-of-syrias-chemical-weapons-programme-in-t/](http://www.opcw.org/news/article/opcw-executive-council-adopts-plan-for-the-destruction-of-syrias-chemical-weapons-programme-in-t/).

## Why a Political Solution has Eluded the UN Security Council: Overview of Obstructing Factors and Comparisons with Other Cases

A quick sketch of the developments in the UN Security Council related to the Syrian conflict shows that making any assessments of the effectiveness or ineffectiveness of this world body in tackling the crisis is quite difficult. Although labeling the Council's work as either "effective" or "ineffective" would be much easier and more straightforward, the many layers of related factors in the situation cannot be overlooked. The following section will focus on the internal determinants that impeded the effectiveness of the Council to facilitate a political solution to the conflict.

### *Institutional Challenges*

Before moving to the heart of the matter, a brief digression regarding the Council and its working methods may be necessary. The UN Security Council is one of six principal UN bodies, and holds primary responsibility for safeguarding international peace and security. As a comparatively limited club, it only has fifteen member states: five permanent members, and ten elected members, who each hold two-year terms. China, France, Russia, the United States, and the United Kingdom are the veto-wielding permanent members, the P5. The composition of the elected membership of the Council, though, changed several times in 2011–13 during the height of the events in Syria.<sup>40</sup> Nonetheless, as ironic as it may sound, the institutional fabric of the Security Council and its *modus operandi* do not change significantly with the rotation of the seats of five elected members every year. On highly controversial issues that involve certain conflicts of interests among the P5, good will and a constellation of concurring interests of the E10 can hardly enable the Council to deliver expected and effective solutions to the most pressing international security problems. This, "backpedalling" feature of the Council's decision-making process has been a major obstacle to its effectiveness over the decades of its existence and continues to be so.

The expression of Security Council's will on the issues of its agenda happens through the adoption of various instruments of different binding potency. In order of strength, they include a note by the President, letter from the President, press statements, presidential statements, and resolutions. All forms of the enumerated types of action, except the latter, require the consensus of all fifteen members and carry no obligatory power; therefore, it is relatively easy to forge a consensus on these types of documents. Resolutions, however, are the most important (and legally binding) decision-making instruments of the Council, and they do not require a consensus. To adopt a resolution of the Security Council, an affirmative vote of nine members is needed (including the concurrent votes of the P5). The necessity of having all the permanent members on board

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<sup>40</sup> In 2011, the E10 was composed of Bosnia and Herzegovina, Brazil, Columbia, Gabon, Germany, India, Lebanon, Nigeria, Portugal, and South Africa. In 2012, the E10 consisted of Azerbaijan, Colombia, Germany, Guatemala, India, Morocco, Portugal, Pakistan, South Africa, and Togo. In 2013, it included Azerbaijan, Australia, Argentina, Guatemala, Luxembourg, Morocco, Pakistan, Republic of Korea, Rwanda, and Togo.

for a resolution renders the adoption of politically controversial resolutions very difficult, especially if they imply invoking Chapter VII measures. Any of those resolutions that might seem to cut across the interests of any among the P5 could be vetoed by the concerned state. This form of decision making can seriously disrupt the operability of the Council when it has to act on critical security issues. No wonder that this august body has often been depicted and referred to as the international scene of power politics, as its permanent members keep on manipulating within the Council to pursue their own advantage.

When there is an urgent threat to international peace and security, Chapter VII of the UN Charter envisages certain actions in response, including "partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations" (Article 41). Furthermore, "should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security" (Article 42).<sup>41</sup> However, reaching an agreement to make these provisions operational is an uphill battle, especially when the positions of certain members of the P5 are diametrically opposed.

There have been three attempts in the Security Council to adopt a legally binding Chapter VII resolution on Syria: on 4 October 2011, 4 February 2012, and 19 July 2012. The draft resolution of 4 October 2011 envisaged "unspecified measures" against the regime after thirty days if the government failed to end the violence, underlining the possibility of economic and diplomatic sanctions. The text of the 4 February 2012 resolution was drafted along similar lines, this time setting a deadline of twenty-one days before the authorization of "further measures." The third and final draft resolution clearly acting under Chapter VII encompassed a wide range of issues, and this time included accountability, set forth a transition process, and endorsed the Geneva Communiqué to make its implementations binding. However, all three resolutions were vetoed by Russia and China, who have made clear throughout the whole period of the Council's handling of the Syrian crisis that they would not allow the Libyan scenario be repeated in Syria. All three drafts were highly critical of the Syrian government and put the onus of responsibility for the violence in the country and the dismal conditions of the Syrian people primarily on the Assad regime.

All in all, the Security Council is typically able to agree upon only on the matters that are acceptable to all five of its permanent members, thus relegating its outputs to the least ambitious minimum threshold. Initiating stronger actions that would require activating the existing Chapter VII instruments has proved to be nearly impossible due to the institutional make-up of the Security Council. The inability to agree on the issues of hard politics has gradually diminished the overall level of discussion within the Security Council about potential paths to a political solution to the conflict in Syria. The focus very quickly shifted to the humanitarian aspects of the crisis and later, issues related to

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<sup>41</sup> United Nations Charter, Chapter VII.

the elimination of chemical weapons. Frequent briefings by OCHA Head Ms. Valeri Amos, as well as UNHCR's High Commissioner Mr. Antonio Gutierrez and by SRSB for Sexual and Gender Based Violence Ms. Zainab Hawa Bangura superseded the previously regular briefings given by the Joint Special Envoy (Representative), who since 19 April 2013 has not briefed the Council. The straightforward statement by UNHCR's High Commissioner Mr. Antonio Gutierrez during a briefing to the Council on 18 April 2013 later became a "club adage" in the Council, especially among those who favored a stronger Security Council action. He said the following: "Let us be very clear: there is no humanitarian solution for the Syrian crisis. That is why it is so tragic that we are not even seeing an inch of progress towards a political solution."<sup>42</sup> On 2 October 2013, the Council adopted a presidential statement that dealt purely with the humanitarian aspects of the conflict and called for undertaking immediate measures to allay the sufferings of the portion of the Syrian population affected by the conflict.<sup>43</sup> After long deliberations and contradictions in the wake of the second Geneva conference, on 22 February 2014 the Council was finally able to adopt its first humanitarian resolution S/RES/2139 on Syria.<sup>44</sup>

As was noted previously, with Syria's chemical weapons elimination program entering the picture, conversation in the Security Council started to revolve around this particular matter. Although repeated calls were made by an extensive circle of pundits and policy makers (as well as some Security Council members) to not allow the chemical weapons issue to overshadow the necessity of bringing about a political solution to the conflict, those calls so far seem to have gone unheeded. Unfortunately, in the case of Syrian conflict, agreements on highly political and potentially divisive matters were best reached outside the Council, probably because the concerned P5 members (especially Russia and China) did not feel the immediate pressure of Chapter VII measures. Two vivid examples are the Geneva Communiqué of 30 June 2012, which was the first genuine attempt to establish the principles for the political process and a transition government in Syria, and the Geneva agreement of 14 September 2013 between Russia and the U.S. that set in motion Syria's chemical weapons elimination program.<sup>45</sup>

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<sup>42</sup> "Statement by UNHCR's High Commissioner Mr. Antonio Gutierrez to the Security Council on April 18, 2013," *Official records of the 6949th meeting of the UN Security Council*, 5 (18 April 2013); available at [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/PV.6949](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/PV.6949).

<sup>43</sup> UN Security Council presidential statement S/PRST/2013/15 (2 October 2013).

<sup>44</sup> Russia and China were opposed to the adoption of a binding resolution on humanitarian issues due to concerns that in such a resolution it might not be possible to bypass political elements, a no go for these states. However, after the debacle of the second Geneva conference to deliver results not only on political solution but also on providing humanitarian aid to needy population, the two states conceded to the idea of resolution. Due to what seems to be a painful compromise, the resolution is purely technical and does not contain political elements.

<sup>45</sup> Although the Geneva agreement of 14 September contained the probability of Chapter VII measures in case of non-compliance, in the preparation phase of the subsequent UNSC Resolution 2118, the Russians were said to oppose the inclusion of any reference to Chapter VII in the resolution. However, in its final version, Resolution 2118 contains a threat of measures under Chapter VII, apparently reflecting the outcome of much heated pre-adoption

*Actors*

So what are the considerations behind the positions of the most influential actors within the Security Council, the P5 that define the Council's effectiveness level? The United States, United Kingdom, and France have been utterly clear in their demands that President Assad step down from power to honor the legitimate aspirations of the Syrian people for democratic change. They emphasize primary responsibility to the Assad regime for all the calamities the Syrian people have suffered, and have repeatedly called for a stronger Security Council action invoking relevant Chapter VII measures. They support the opposition forces and render all possible assistance to increase their resilience. This approach is also shared by Syria's neighbors in the region, such as Saudi Arabia, Qatar, and Turkey.

Russia and China, who have been traditional naysayers to stronger Council action on the Syrian conflict, have their own set of considerations. Both are opposed to what they perceive as externally driven attempts at regime change in Syria, which could create an unacceptable precedent for similar cases in other parts of the world. Moreover, their consistent repudiation of the spread of Western values and their rejection of what they perceive as meddling in the resource-rich contiguous region stands as a matter of principle. The Syrian port Tartus hosts the only Russian military naval base in the Mediterranean, which is the last Russian military installation outside the former Soviet Union's geographic area. In addition, Russia has economic interests in Syria, who is a substantive importer of Russian arms, to the tune of USD 4 billion.<sup>46</sup> Similarly, China is also proceeding from its trade and financial interests, as it is one of the biggest exporters of goods to Syria. The disappointment of letting UNSC Resolution 1973 pass through the Security Council—the resolution that served as the basis for NATO's military action in Libya—is yet another highly very potent reason why Russia and China do not want the Libyan scenario be replicated. Both reject the imputation of a lopsided amount of blame on the incumbent Syrian government for the raging violence, and both underline the responsibility of the opposition forces for disruptive and provocative actions that have necessitated responses in kind by the government.

Clearly, extant disagreements and fundamental conceptual differences within the P5 club, which seem immune to any change and approximation of positions, diminishes the Security Council's ability to demonstrate a stronger and more unified position as requested by the Special Envoy/Representative and the majority of the international community. This evinces the extent to which this world body may be susceptible to its own

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discussion and an attempt to strike a balance between the Western and Russian positions in view of the overall context and developments preceding the 14 September Geneva agreement and Resolution 2118. Nonetheless, no matter what, the Geneva Communiqué of 30 June—which, as opposed to the Geneva agreement of 14 September, offers solutions to purely political issues—proved impossible to gain endorsement with the Chapter VII resolution.

<sup>46</sup> Holly Yan, "Syria Allies: Why Russia, Iran and China are Standing by the Regime," *CNN.com* (29 August 2013); available at <http://www.cnn.com/2013/08/29/world/meast/syria-iran-china-russia-supporters>.



institutional and representative limitations, which consistently undermines the probability of arriving at solutions to the world's most pressing security issues.

### *Attempts to Manipulate the Security Council*

The developments within the Security Council on the Syrian issue often begged the immediate question about whether a unified Security Council as such even existed. Impressions from the unfolding events suggested that, if it were deemed necessary, the P5 could easily dispense with conferring with the E10 on matters of high politics, and could simply *post facto* offer for approval texts that had already been negotiated among the P5. "Unity" and "consensus" within the Council in such cases, therefore, would only be applicable to the P5, which has to be buttressed by the E10 as required by the working procedures. For example, while the texts of all the resolutions and presidential statements on Syria previously adopted by the Council were the subject of preliminary discussions among all the members of the Council, including the E10, the text of Resolution 2118 was prepared and negotiated by the U.S. and Russia, who upon the agreement of the other P5 members submitted the draft to the whole Council on very short notice—only a few hours before the actual adoption of the resolution on 27 September 2013—which left no time for the other Council members to participate adequately in shaping the document. Moreover, Resolution 2118 was needed to grant legally binding power to the 14 September Geneva agreement between Russia and the United States, inasmuch as the agreement considered undertaking Chapter VII measures in case of non-compliance by the Syrian authorities. The whole Council in this case played the role of "supporter" and "endorser" rather than the initiator and propeller of a given course of action.

Efforts to utilize the Council for the purposes of domestic politics should also not be overlooked. When the whole world was engrossed with discussions about the brewing military strike on Syria in response to chemical weapons controversy, the United Kingdom initiated another draft resolution in the Council just a day before the hearings in the United Kingdom Parliament on military intervention in Syria were scheduled to take place. According to insider sources, the draft resolution was a political one, and stipulated the use of the measures under Chapter VII. The flip side of the whole exercise was that the discussions were limited only to the P5; no information was leaked to the E10, even at the attempts of the elected members to get some idea of what was going on. The draft resolution was blocked by Russia and China, who in line with their perpetual stance on Syria appeared inexorable in refusing to invoke Chapter VII. The outcome should not have been unexpected, as the previous similar attempts to agree on a Chapter VII resolution containing political elements had all fizzled out. But many asserted that, although the whole undertaking of a new Chapter VII resolution was a foregone conclusion, David Cameron's government needed to embark on this exercise just to showcase another debacle of the UN Security Council to justify his case in favor of military strikes on Syria before the impending parliamentary hearings.

*Comparisons to the Libyan and Yemeni Cases*

The above section is definitely not intended to suggest that the Security Council is incapable of delivering solutions to issues that constitute threats to international peace and security. Without digging too much into the Security Council's success cases, if compared to the historically and geographically similar cases of Libya and Yemen, the debacle in Syria has indeed become the Council's Achilles Heel. In Libya, for instance, the Security Council expressed its initial position by adopting Resolution 1970 on 26 February 2011, which established the sanctions regime against the Gaddafi regime in Libya through putting in place extensive instruments such as asset freezes, travel bans, arms trade bans, and designation criteria.<sup>47</sup> The relevant committee of the Security Council established pursuant to Resolution 1970 has been institutionalized, which provides oversight of the implementation of the resolution, manages issues stemming from the tasks and obligations laid out by the resolution, and implements liaison functions among the member states with regard to the fulfillment of the resolution's core objectives.

However, the continuation of the civil unrest in Libya that was accompanied by increasing numbers of civilian casualties necessitated further action on the part of the Security Council, which adopted its next measure (UNSC Resolution 1973) on 17 March 2011. The resolution demanded "an immediate ceasefire" and authorized the international community to establish a no-fly zone and "to take all necessary measures ... to protect civilians and civilian populated areas ... while excluding a foreign occupation force of any form on any part of Libyan territory...."<sup>48</sup> Although skeptical about the concept of no-fly zones over Libya, Russia and China abstained from the vote, declining to exercise their veto right – a decision they later regretted, as the resolution was successfully exploited by the NATO members to justify their military intervention in Libya and enforcement of the regime change.

The legality of NATO's military operation in Libya was not challenged as vigorously as were the NATO operations in Kosovo in 1999 and Iraq in 2003, cases in which any authorization for military action by the Security Council was obviously lacking. However, scholars may continue to disagree over the moral aspects and the interpretation bias of the relevant provisions of UNSC Resolution 1973 concerning the establishment of "no-fly zones." Did the relevant provisions of the resolution indeed aim to authorize

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<sup>47</sup> In Libya it took about ten months of escalating violence and civil war before the fall of Muammar Gaddafi, followed by his assassination in October 2011. The National Transitional Council that was recognized by the UN as Libya's legitimate representative even before the end of Gaddafi's rule took over the government of the country. The Transitional Council continued to fulfill the functions of a caretaker government until July 2012, when the first national elections in Libya in nearly half a century had elected Libya's General National Council. These elections became an indication of the nascent steps towards the democratic transition and set up an important landmark for this process. Nonetheless, many hurdles still remain on the path of Libya's democratic transition process, the resolution of which may take many years.

<sup>48</sup> UN Security Council Resolution 1973, S/RES/1973 (2011) (17 March 2011), 3; available at [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/RES/1973\(2011\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1973(2011)).

the military action in Libya? Were Russia and China, who had more entrenched political and economic interests in the preservation of the status quo and stability in Libya than the remaining P5, fully aware that their consent to Resolution 1973 through abstention would later be exploited as a legitimization to forcefully overthrow the Gaddafi regime? There are no definitive answers to these questions, but much latitude exists for divergent conjectures. However, this does not change the ultimate outcome: the results-oriented consensus within the Council, particularly among the five permanent members, to use the Council's strongest tools in response to a pressing (yet politically controversial) issue of international politics. To judge whether this objective was good or bad, however, is outside the scope of this work.

Compared to the broader picture in the region, the transition in Yemen has happened in a more peaceful and in many ways more successful manner than the cases of Libya and Syria, avoiding civil war, and in fact experiencing no extended hostilities.<sup>49</sup> Against all odds, Yemen became a success case as the transfer of power and the ensuing initiation of the political transition process have happened in a peaceful manner without deeply entrenched violence in Yemeni society.

So far, Yemen has largely been on track in its implementation of the Transition Agreement that was achieved in accordance with the Gulf Cooperation Council Initiative.<sup>50</sup> Yemen conducted its National Dialogue from March through October 2013,<sup>51</sup> which became an important milestone of Yemen's transitional political process. Drafting a new constitution and conducting general elections in February 2014 are among the most important tasks that are contingent upon the outcome of the dialogue, which makes the success of the National Dialogue ever more crucial.

While in the case of Libya it was an action by the Security Council that facilitated an end to the extended conflict, in Yemen the Council has mostly played the role of a "supporter" and "endorser" of the solutions negotiated by the efforts of the Gulf Cooperation Council (GCC). With UNSC Resolution 2014 (adopted on 21 October 2011), the Security Council expressed its support for the Yemeni transition process in accordance with

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<sup>49</sup> Uprisings in Yemen carried slogans similar to those other countries of the Arab Spring, highlighting economic conditions, unemployment, and dissatisfaction with the government's policies. Despite long resistance by President Saleh and his entourage, the transfer of power finally happened in November 2011, with brokering by the Gulf Cooperation Council (GCC). According to the GCC Initiative, power had to be transferred from President Saleh to his Vice-President in exchange for immunity from prosecution. Elections were held in Yemen on 21 February 2012 who brought to the office Abd Rabbuh Mansur al-Hadi.

<sup>50</sup> See the 2011 Yemeni Transition Agreement, at [http://www.al-bab.com/arab/docs/yemen/yemen\\_transition\\_agreement.htm](http://www.al-bab.com/arab/docs/yemen/yemen_transition_agreement.htm).

<sup>51</sup> Although the original deadline was October 2013, some remaining disagreements among various political forces (particularly the southern Herak movement) over the future form of the state (federalism) caused a further delay in the timely conclusion of the National Dialogue Conference (NDC), which ended on 25 January 2014. Nonetheless, the overall progress and the country's achievements are not overshadowed by the shifts in the deadline to conclude the NDC. The Security Council welcomed and endorsed the outcomes of the comprehensive National Dialogue Conference in Yemen with the resolution S/RES/2140 of 26 February 2014.

the GCC Initiative and called upon “all parties in Yemen to commit themselves to implementation of a political settlement based upon this initiative...”<sup>52</sup> Subsequent Security Council documents—the presidential statement of 29 March 2012 and UNSC Resolution 2051 of 12 June 2012—further buttressed the peaceful transition objective in Yemen in accordance with the GCC Initiative.<sup>53</sup> However, the reluctance of the previous leadership of the country to give up power and its ongoing interference with the political transition process were the foremost reasons delaying the start of the National Dialogue Conference.

To demonstrate its commitment to furthering the Yemeni political transition process, the Security Council undertook a visit to Yemen on 27 January 2013, in the framework of which numerous meetings with Yemeni state dignitaries were conducted. This visit and the subsequent presidential statement (S/PRST/2013/3) of the Council of 15 February 2013 served as an impetus for the onset of the National Dialogue Conference and as a warning to the spoilers. The overall observation of the Yemeni response raises the assumption that the country has heeded the message of the Security Council, as Yemen proved to be compliant with the Council’s respective documents. Perhaps this pliancy was conditioned by the threat of enacting the Chapter VII measures contained in two UN Security Council documents (Resolution 2051, passed on 29 March 2013, and the presidential statement of 15 February 2013) in case the attempts to undermine the political transition continue. Either way, it very soon became clear that the Security Council was able to make a great difference in the way the events unfolded in Yemen and in setting up a future strategy for a political transition. As a matter of principle, it was easier to reach a consensus within the Security Council on the Yemeni case, absent conflicting interests among the P5 on how to handle the situation there, which lamentably was not the case when it came to the Syrian crisis.

As we have seen, the Security Council has unfortunately not achieved any outcome to end the Syrian conflict and facilitate the political transition in the country through a meaningful political process. The conflict has raged since 2011, becoming exponentially militarized, but taking a new turn with the chemical weapons issue entering into the picture in August 2013. This is not to suggest that the Security Council stood completely idle when the flames of the Syrian war were first springing up. The description and analysis presented here show that in fact the Council produced several resolutions and presidential statements on Syria from 2011 to 2013, some of which contain crucial political elements that support the negotiated solution of the conflict and the subsequent political process in the country. However, all those outputs of the Council vis-à-vis Syria were lacking the fundamental element that was present in handling the Libyan and Yemeni cases and, as it appears, became instrumental in forging a political solution: the enactment of the provisions of Chapter VII of the UN Charter. While I am in no way arguing for putting into action Chapter VII measures in order to achieve a political solu-

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<sup>52</sup> UN Security Council Resolution 2014, S/RES/2014 (2011) (21 October 2011); available at [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/RES/2014\(2011\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2014(2011)).

<sup>53</sup> See the relevant documents S/PRST/2012/8 (2012) and S/RES/2051 (2012) at [www.un.org](http://www.un.org).

tion to the Syrian crisis,<sup>54</sup> I would infer that the effectuation or non-effectuation of the Chapter VII provisions was a significant differentiating factor that influenced the Council's overall ability to bring about a solution in the Syrian, Libyan, and Yemeni cases.

## Findings and General Conclusions

This article has made an attempt to provide an insight to the internal dynamics within the UN Security Council and to analyze challenges to its efforts to forge a political solution to what has become the deadliest conflict in the entire Middle East – the civil war in Syria. The general findings are as follows:

- The initial phase of the Syrian conflict did not draw much attention from the Security Council, which became more tuned in once the increasing militarization and brutality of the conflict became apparent.
- The most active phase in the Security Council's efforts to bring about a political solution to the crisis was between March and August 2012, which coincided with the tenure of the UN–Arab League Joint Special Envoy Kofi Annan, and was sustained mostly due to his initiatives (the “six-point plan” and the Geneva Communiqué being the landmark documents of this period).
- The Council's inability to reach a consensus on the most contentious issues, including the endorsement of the Geneva Communiqué under the Chapter VII resolution, contributed to the increasing frustration of Mr. Annan, whose resignation led to the next stage in the Council's efforts.
- Fully aware of all the pitfalls, including those related to the adoption of Chapter VII measures obligating the implementation of the Geneva Communiqué, the new Joint Special Representative Lakhdar Brahimi, although reluctantly, kept fulfilling his functions. However, his efforts were primarily directed toward searching for potential solutions outside the Council via frequent meetings with the conflicting parties themselves as well as with states with particular influence with the parties in Syria. This marked the waning of on the discussion of the political aspects of the Syrian crisis within the Security Council.
- After this point, the Council's attention was mostly focused on humanitarian and, subsequently, chemical weapons-related issues that eschewed the political dimension of the conflict.
- The institutional nature of the Security Council, with its veto-wielding P5 structure, renders the attainment of a political solution impossible.
- The actors' positions—that is, the major schisms among the P5—diminishes the Council's ability to act in a unified manner and accounts for its failure to speak in stronger terms.

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<sup>54</sup> I do not mean UNSC Resolution 2118, which contains a reference to Chapter VII, since this document does not deal with the political aspects of the crisis.

- Comparisons with the Security Council's actions in the Libyan and Yemeni cases show that the Security Council could be seen as a more successful actor in the above cases when compared to its handling of the Syrian crisis. The Council has at its disposal a wide range of the most potent policy instruments that allow it to adopt swift and effective actions in response to the most pressing challenges to international peace and security. However, the courses of action employed by the Council in the cases of Libya, Syria, and Yemen differed in their essence, and were conditioned by the ability and willingness of the Council to duly respond to these cases via effectuation of its policy instruments. Enactment or the threat of enactment of Chapter VII appears to be the primary differentiating factor having contributed to the relative success of the Libyan and Yemeni cases in stark contrast with the Council's behavior regarding the Syrian conflict.
- Depending on the developments on the ground, further research on the dynamics within the Security Council is indispensable.

# The Waning Grand Strategy of Democratization: Why a Pivot to the Asia-Pacific Places the United States at Greater Risk of Terrorist Attack

David Tier\*

Our world is on a trajectory leading to a point where terrorists will eventually acquire a nuclear weapon.<sup>1</sup> It is only a matter of time.<sup>2</sup> After the terrorist attacks of September 11, 2001, the United States recognized the lack of effectiveness of its previous intelligence and military efforts in deterring terrorists and sought an alternate way to defuse the radical Islamist threat.<sup>3</sup> By continuing to advocate the use of military force in Iraq after weapons of mass destruction were not found, the U.S. pursued a strategy in line with the idealist school of thought by attempting to plant a democracy in the heart of the Middle East.<sup>4</sup> Iraq became the centerpiece of the United States' ambitions to stop the region from exporting violence and terror, and attempted to transform it into a place of progress and peace.<sup>5</sup> This effort was ambitious indeed, and many argued that these goals were beyond the United States' ability to achieve. However, this strategy offered a possible solution to the endless cycle of violence across the Middle East and Africa and its continuing threat to U.S. national security. The current administration, in contrast, announced last year a "rebalance toward the Asia-Pacific region," ostensibly to counter the growing strength of China's military power.<sup>6</sup> Like an ostrich sticking its head in the sand, this shift pivots the U.S. away from its true threat and increases the peril its citizens will face. The United States should focus its efforts on supporting democratization in troubled regions, and policy makers must counter those who criticize this strategy, including military-industrial complex advocates of the "pivot."

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<sup>1</sup> Attributed to Warren Buffett in Graham Allison, *Nuclear Terrorism: The Ultimate Preventable Catastrophe* (New York: Henry Holt and Company, 2005), 14.

<sup>2</sup> Ibid.

<sup>3</sup> Executive Office of the President, *The National Security Strategy of the United States of America* (Washington, D.C.: The White House, September 2002), v.

<sup>4</sup> George W. Bush, President's Address to the Nation, "Update in the War on Terror," 7 September 2003; available at <http://www.presidentialrhetoric.com/speeches/09.07.03.html>.

<sup>5</sup> Ibid.

<sup>6</sup> U.S. Department of Defense, "Sustaining U.S. Global Leadership: Priorities for 21<sup>st</sup> Century Defense" (Washington, D.C.: Department of Defense, January 2012), 2; available at [http://www.defense.gov/news/defense\\_strategic\\_guidance.pdf](http://www.defense.gov/news/defense_strategic_guidance.pdf).

## Is China the Real Threat?

Several of China's antagonistic actions have come to the forefront of news in recent years. China's vigorous assertion of territorial claims in the East China Sea, increasing development of its military capability, malicious cyber activity, humanitarian concerns, and continued difficulty in acting as a free-market trading partner have garnered the world's attention. But how has the present U.S. administration come to regard emerging security concerns in the Asia-Pacific as more serious than those on which the previous administration focused?

The answer is that elements of the U.S. military-industrial complex are seeking a new Cold War-like confrontation to sustain the spending levels to which they have grown accustomed over the past sixty years.<sup>7</sup> Defense industries want to sell high-priced weapons, and the armed services want large budgets to command.<sup>8</sup> These actors—who stand to profit most from a new Cold War—hope to convince the U.S. that China is its most serious threat.<sup>9</sup> The prospect of low-intensity brushfire wars characteristic of the nation-building and counterinsurgency conflicts of the Global War on Terrorism are not the most profitable for all parties involved.<sup>10</sup> With a sophisticated technological threat that poses challenges along the lines that their advanced weapons programs are designed to meet, China has become the adversary of choice of the U.S.-based military-industrial complex.<sup>11</sup>

Despite efforts to paint China as an aggressive nation seeking to forcefully expand its sphere of influence, China will not pose an existential threat to the United States like the Soviet Union did years ago.<sup>12</sup> Although China will likely continue to engage in a host of activities that will affect interests in the South China Sea, they do not share the same ideology or global ambitions the Soviet Union held during the Cold War.<sup>13</sup> They are not seeking to spread communism around the world through subversion or overt force.<sup>14</sup> China's interests may compete with some U.S. interests in East Asia, but the U.S. has no vital interest in the region that is seriously threatened.<sup>15</sup> Maritime trade routes that could

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<sup>7</sup> Thomas P.M. Barnett, "AirSea Battle: The Military-Industrial Complex's Self-Serving Fantasy," *Time* (8 August 2012); available at <http://nation.time.com/2012/08/08/airsea-battle-the-military-industrial-complex-self-serving-fantasy/>.

<sup>8</sup> *Ibid.*

<sup>9</sup> Robert Kelly, "Why the West Should Relax About China," *The Diplomat* (6 September 2013); available at <http://thediplomat.com/2013/09/06/why-the-west-should-relax-about-china>.

<sup>10</sup> *Ibid.*

<sup>11</sup> Barnett, "AirSea Battle: The Military-Industrial Complex's Self-Serving Fantasy."

<sup>12</sup> Joseph S. Nye, Jr., reply to writer in "The China Threat," *Foreign Policy* (March/April 2011); available online at [http://www.foreignpolicy.com/articles/2011/02/22/the\\_china\\_threat](http://www.foreignpolicy.com/articles/2011/02/22/the_china_threat).

<sup>13</sup> Hugh White, *The China Choice: Why We Should Share Power* (Oxford: Oxford University Press, 2013), 54.

<sup>14</sup> Nye, "The China Threat"; White, *The China Choice*.

<sup>15</sup> Marvin C. Ott, "The Imperative for an American Strategy for Southeast Asia" (Foreign Policy Research Institute, September 2013); available at [www.fpri.org/articles/2013/09/imperative-american-strategy-southeast-asia](http://www.fpri.org/articles/2013/09/imperative-american-strategy-southeast-asia).



be affected have alternate courses.<sup>16</sup> Changes in Asian economic affairs may have an impact on U.S. wallets, but downturns would unlikely threaten the United States' livelihood, let alone its survival.<sup>17</sup> In fact, many of the United States' interests that involve China are complementary rather than competitive.<sup>18</sup> China's primary focus is increasing its trade and commerce.<sup>19</sup> They are promulgating capitalist practices, albeit without regard to copyright infringement and with a decidedly government-interventionist slant, rather than seeking to supplant the global market system like the Soviets did.<sup>20</sup>

Unlike the fundamentally opposed interests between the former Cold War blocs, China's potential conflicts with the U.S. do not threaten each other's existence. They do not have the world teetering at the brink of nuclear war between superpowers holding competing ideologies. Most of China's potential conflicts are localized territorial disputes with its neighbors.<sup>21</sup> Disputes with Taiwan may have existential implications for the two regimes directly concerned, but this dispute does not threaten vital U.S. national interests.<sup>22</sup> Chinese developments such as the "carrier-killing" DF-21, anti-satellite technologies, and cyber capabilities are intended to support operations in these types of conflicts, not blue-water warfare on the high seas.<sup>23</sup> Accordingly, future Chinese military efforts will focus on readiness for potential regional conflicts close to their borders as well as protecting commercial lines of communication.<sup>24</sup> China's efforts to protect regional sea lanes will actually complement U.S. security efforts since the U.S. and China share trade routes.<sup>25</sup> One example of these shared maritime security interests between the two

<sup>16</sup> John H. Noer with David Gregory, "Maritime Economic Interests & the Sea Lines of Communication through the South China Sea: The Value of Trade in Southeast Asia," U.S. Center for Naval Analyses (March 1996), 8; available at <http://www.cna.org/research/1996/maritime-economic-interests-sea-lines>.

<sup>17</sup> Craig K. Elwell, Marc Labonte, and Wayne M. Morrison, *Is China a Threat to the U.S. Economy?* (Washington, D.C.: Congressional Research Service, 23 January 2007), 3-4.

<sup>18</sup> Ibid.

<sup>19</sup> Ibid.

<sup>20</sup> John Yemma, "The China Paradox: Communist Capitalism?" *The Christian Science Monitor* (4 November 2011); available at <http://www.csmonitor.com/Commentary/editors-blog/2011/1104/The-China-paradox-communist-capitalism>.

<sup>21</sup> Ian Storey, "Asia's Changing Balance of Military Power: Implications for the South China Sea Dispute," in *Maritime Energy Resources in Asia: Energy and Geopolitics*, ed. Clive Schofield (Seattle, WA: National Bureau of Asian Research, December 2011), notes 11-12.

<sup>22</sup> The Commission on America's National Interests, led by Robert Ellsworth, Andrew Goodpaster, Rita Hauser, Graham Allison, Dimitri Simes, and James Thompson, "America's National Interests" (Cambridge, MA: Belfer Center for Science and International Affairs, July 2000), 5; available online at <http://belfercenter.hks.harvard.edu/files/amernatinter.doc>.

<sup>23</sup> Ronald O'Rourke, *China Naval Modernization: Implications for U.S. Navy Capabilities – Background and Issues for Congress* (Washington, D.C.: Congressional Research Service, 5 September 2013), ii.

<sup>24</sup> Storey, "Asia's Changing Balance of Military Power: Implications for the South China Sea Dispute," notes 12-20.

<sup>25</sup> U.S. Center for Naval Analyses, "Maritime Economic Interests & the Sea Lines of Communication Through the South China Sea," 13.

nations is in the troubled waters near the Horn of Africa, where both countries could cooperate for mutual benefit to reduce the threat of piracy. Some have suggested that China has purchased significant amounts of U.S. debt to hold as a potential weapon against the U.S.<sup>26</sup> As an investor, it is actually in China's interest to protect U.S. creditworthiness rather than engage in activity that could destabilize the U.S. economy.<sup>27</sup>

China has little to gain in seeking a major conflict with the U.S. far from their homeland, nor do they have much prospect of increasing their potential reward if they were to win such a conflict.<sup>28</sup> With little hope of breaking U.S. dominance of the sea,<sup>29</sup> the primary consequence of a Chinese victory in some far-flung engagement would be to subject itself to the will of Washington's desires in the maritime domain. Granted, the possibility for Chinese military aggression is stronger in regional territorial disputes, as is evidenced by their aggressive behavior toward their near neighbors. However, China's regional aggression can be foiled by strengthening regional alliances and encouraging the military modernization of threatened countries.<sup>30</sup>

The most worrisome aspect of the focus on China is that exaggerating the potential threat could turn into a self-fulfilling prophecy.<sup>31</sup> Increased U.S. military deployments in the Asia-Pacific could heighten tensions and trigger escalation leading to accidental conflict, even when peaceful resolutions of these territorial disputes are within reach.<sup>32</sup> Developments between China and Taiwan show greater prospects for a diplomatic resolution than in the past.<sup>33</sup> China is a regional power whose military interests are regional.<sup>34</sup> The threat of Islamist terrorists, however, remains a very real global threat to U.S. interests.

Associates of A.Q. Khan, the Pakistani scientist known for assisting nuclear proliferation in North Korea and Iran, allegedly met Osama Bin Laden before September

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<sup>26</sup> Wayne M. Morrison and Marc Labonte, *China's Holdings of U.S. Securities: Implications for the U.S. Economy* (Washington, D.C.: Congressional Research Service, 19 August 2013), ii.

<sup>27</sup> Ibid.

<sup>28</sup> Robert Kaplan, "The South China Sea Is the Future of Conflict," *Foreign Policy* (September/October 2011); available at [http://www.foreignpolicy.com/articles/2011/08/15/the\\_south\\_china\\_sea\\_is\\_the\\_future\\_of\\_conflict?page=0,4](http://www.foreignpolicy.com/articles/2011/08/15/the_south_china_sea_is_the_future_of_conflict?page=0,4).

<sup>29</sup> Sydney J. Freedberg, Jr., "China's Fear of US May Tempt Them To Preempt: Sinologists," *Breaking Defense* (1 October 2013); available at <http://breakingdefense.com/2013/10/chinas-fear-of-us-may-tempt-them-to-preempt-sinologists/>.

<sup>30</sup> Kelly, "Why the West Should Relax About China."

<sup>31</sup> Freedberg, "China's Fear of US May Tempt Them To Preempt: Sinologists."

<sup>32</sup> Matthew Hippel, "99 Red Balloons: How War With China Would Start," *War on the Rocks* (13 November 2013); available at <http://warontherocks.com/2013/11/how-war-with-china-would-start-99-red-balloons/>.

<sup>33</sup> Kent Wang, "A Peace Agreement Between China and Taiwan," *The Diplomat* (5 September 2013); available at <http://thediplomat.com/china-power/a-peace-agreement-between-china-and-taiwan/>.

<sup>34</sup> Storey, "Asia's Changing Balance of Military Power: Implications for the South China Sea Dispute," note 12.

2001 in an attempt to sell nuclear weapons technology.<sup>35</sup> Bin Laden is said to have declined the offer in favor of more near-term plans.<sup>36</sup> Nonetheless, the possibility of a nuclear-armed Al Qaeda—or any other hostile terrorist organization, for that matter—persists as the United States’ greatest security threat.<sup>37</sup> After repeated attacks against the U.S. and its interests abroad, who can doubt Al Qaeda’s aspiration to inflict the greatest possible harm on the U.S. within their means?<sup>38</sup> This is the threat the United States should be focused on reducing.

## Countering the Bomb

To lessen this threat, the United States must recognize what presently keeps it safe. Since the ungoverned spaces of unstable countries offer ideal sites for terrorists to organize attacks, the only obstacle preventing a terrorist nuclear attack against the United States is the terrorists’ lack of capability.<sup>39</sup> Terrorist groups lack the necessary combination of technical material, expertise, and tactical skill. Unfortunately, the tactical skill required to deliver a nuclear device to the United States is not difficult to attain.<sup>40</sup> Between porous borders, colossal volumes of shipping containers arriving at U.S. ports, and a number of successful attacks on U.S. soil that demonstrate some amount of terrorist capability, the United States must assume that if a terrorist organization were to gain possession of an improvised nuclear device it would be able to smuggle such a weapon to a target within the nation’s borders.<sup>41</sup> Therefore, only the lack of material and expertise is what presently keeps the U.S. safe from terrorist attack with a weapon of mass destruction.<sup>42</sup> It stands to reason that the United States should focus most of its efforts on preventing these organizations from gaining access to such weapons. Yet, the policy of the United States is to pivot towards conventional threats in the Asia-Pacific. This incorrectly prioritizes the threats the U.S. faces, and promises to misallocate the nation’s scarce security resources.

Unfortunately, even efforts to deny terrorist groups the material and expertise necessary to acquire a nuclear weapon or other weapon of mass destruction will eventually be a losing proposition. Given determination, financial resources, and with unlimited time, one of these groups will eventually be able to gather the components necessary to obtain

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<sup>35</sup> Douglas Frantz and Catherine Collins, *The Nuclear Jihadist: The True Story of the Man Who Sold the World’s Most Dangerous Secrets and How We Could Have Stopped Him* (New York: Twelve Hachette Group, 2007), 365.

<sup>36</sup> Ibid.

<sup>37</sup> Joseph S. Nye, Jr., *The Future of Power* (New York: Public Affairs, 2011), 232.

<sup>38</sup> Stephen M. Walt, “Beyond Bin Laden,” *International Security* 26:3 (Winter 2001/2002): 67.

<sup>39</sup> For a more detailed study of the required capabilities, see: James W. Moore, “Nuclear Terrorism: Exaggerating the Threat?” *The Journal of Conflict Studies* 26:1 (2006): 121-142; available at <http://journals.hil.unb.ca/index.php/jcs/article/view/2172/2572>.

<sup>40</sup> Allison, *Nuclear Terrorism*, 10–11.

<sup>41</sup> Ibid.

<sup>42</sup> Ibid.

or produce a weapon.<sup>43</sup> The fact that unstable nations such as Pakistan and Syria already possess weapons of mass destruction gives cause for worry.<sup>44</sup> It does not require a wild imagination to envisage some unfortunate combination of events that could result in a weapon falling into the wrong hands. Furthermore, as dramatized in entertainment media, there are plausible scenarios whereby terrorists could recruit personnel that could develop such weapons on their own.<sup>45</sup> The only question that remains is how long the U.S. can frustrate their attempts or otherwise interdict efforts of terrorist groups to obtain a weapon of mass destruction. The United States' effort to buy time yields an important opportunity, however: the opportunity to change the situation.

### Problems and Solutions

The problem with the situation as it presently stands is that regional culture in the Middle East sustains a level of hostility towards the United States unmatched anywhere else.<sup>46</sup> This enmity promises to motivate future attempts at inflicting the greatest damage possible against U.S. society.<sup>47</sup> In order to change this in a manner consistent with the United States' values, the U.S. must transform either its enemies, or itself, so that the hatred abates and the two sides can peacefully coexist. There are too many that hate the United States, they are too difficult to find, they are spread too far apart, and the seeds of future hatred are woven too deeply within their societies for the U.S. to be able to destroy or suppress them with bombing from afar. With the stakes too high to allow even one successful WMD attack, and the very small chance of destroying the threat through the use of force alone, the only solution that stands a chance of allowing the U.S. to rest peacefully is one that changes dynamics in the Middle East. To put this idea another way, Abraham Lincoln once said, "Do I not destroy my enemies when I make them my friends?"<sup>48</sup> This is the path the U.S. must follow if it wants to secure itself while remaining true to its values. The United States may not be able to forcefully impose a solution upon the many that want to harm it, but it must change the trajectory the world is currently on. To reconcile Middle Eastern enmity against it, the United States must recognize what causes their hatred and examine which options offer the best hope in ameliorating the issues.

Middle Eastern hostility towards the United States is caused by U.S. support for Israel as a sovereign nation, belligerent interpretation of some Islamic religious principles, and the existence of oppressive regimes that prohibit political opposition or deny freedom of expression.<sup>49</sup> There should be little disagreement that these phenomena exist in

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<sup>43</sup> Ibid.

<sup>44</sup> Ibid.

<sup>45</sup> Ibid.

<sup>46</sup> Walt, "Taming American Power," *Foreign Affairs* (September/October 2005); and Abdel Mahdi Abdallah, "Causes of Anti-Americanism in the Arab World: A Socio-Political Perspective," *Middle East Review of International Affairs* 7:4 (December 2003): 63.

<sup>47</sup> Walt, "Beyond Bin Laden," 67.

<sup>48</sup> Robert Greene and Jost Elfers, *The 48 Laws of Power* (London: Profile Books, 2000), 12.

<sup>49</sup> Abdallah, "Causes of Anti-Americanism in the Arab World," 62.

the Greater Middle East. The only question should be whether or not these causes constitute a complete list and to what degree each of them serves as a source of hostility. To correctly characterize a problem is half the difficulty of finding its solution, but in the interest of finding answers to these well-known existing problems, let us examine how the U.S. could ameliorate each of them.

There appears to be little hope of soothing Arabs over the United States' support of Israel. Nor should the U.S. backpedal from the Israelis.<sup>50</sup> Although "kicking the can down the road" with temporary peace deals has been the preferred solution in the past,<sup>51</sup> continuing this strategy will maintain the region's unacceptable trajectory. The depth of this problem is profound. Palestinians are indoctrinated as children to hate Israel and the U.S.<sup>52</sup> A solution to fix this will take decades or generations. The United States shares responsibility for creating the state of Israel in the Middle East,<sup>53</sup> and it should not deny that Israel has acted reasonably to defend itself from the many and varying threats they have historically faced.<sup>54</sup> Despite efforts to paint Israel as an oppressive occupier, the behavior of parties claiming to be aggrieved is too appalling to sympathize with. Indiscriminate rocket attacks against population centers, suicide bombings against civilian targets, and rhetoric advocating extermination are not acceptable behaviors for parties to a negotiation.<sup>55</sup> Where is the Mahatma Gandhi or Nelson Mandela of the Palestinian cause? Perhaps if Palestinians tried a different approach they would garner more international support. Until that time, for the U.S. to withhold support from Israel would be a concession to terrorism based on fear rather than on moral grounds.

A second cause of Middle Eastern hatred towards the U.S. has to do with the issue of a Muslim's duty to defend Islam.<sup>56</sup> There are varying interpretations over the true meaning of certain passages in the Quran, but many followers believe that it is their duty to

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<sup>50</sup> Khaled Abu Toameh, "Palestinians: We Hate You, So Please Pay Us More," *Gatestone Institute* (22 March 2013); available at <http://www.gatestoneinstitute.org/3637/palestinians-hate-us>.

<sup>51</sup> J. Martin Rochester, "U.S. Foreign Policy: Kicking the Can Down the Road," *St. Louis Jewish Light* (18 September 2013); available at [http://www.stljewishlight.com/opinion/commentaries/article\\_0acf79ac-2091-11e3-a9be-0019bb2963f4.html](http://www.stljewishlight.com/opinion/commentaries/article_0acf79ac-2091-11e3-a9be-0019bb2963f4.html).

<sup>52</sup> Ibid; and Diane Miller, quote taken from Mark Oliver, "Palestinian TV uses Mickey Mouse to Promote Resistance," *The Guardian* (9 May 2007); available at <http://www.theguardian.com/world/2007/may/09/usa.israel>.

<sup>53</sup> The United States supported United Nations Resolution 181, calling for the partition of Palestine, and immediately recognized Israel as a sovereign nation upon its independence. U.S. Department of State Office of the Historian, "Creation of Israel, 1948"; available at <http://history.state.gov/milestones/1945-1952/creation-israel>.

<sup>54</sup> See Yaacov Lozowick, *Right to Exist: A Moral Defense of Israel's Wars* (New York: Random House, 2003).

<sup>55</sup> Nonie Darwish, "Why Muslims Must Hate Jews," *The American Thinker* (3 August 2012); available at [http://www.americanthinker.com/2012/08/why\\_muslims\\_must\\_hate\\_jews.html](http://www.americanthinker.com/2012/08/why_muslims_must_hate_jews.html).

<sup>56</sup> Samuel Huntington, *The Clash of Civilizations and the Remaking of the World Order* (New York: Simon and Schuster, 1997), 209 and 217; Abdallah, "Causes of Anti-Americanism," 67.

fight against those who attack Islam.<sup>57</sup> Unfortunately, to some Muslims, the U.S. is seen as an opposing force because American principles advocate the freedom to choose one's own religious beliefs.<sup>58</sup> This principle serves as a persuasive alternative in contrast with those who seek to enforce Sharia law on non-believers.<sup>59</sup> With the spread of liberal Western principles transmitted through popular media across the world, the U.S. is seen as a source of cultural attack.<sup>60</sup> There is no peaceful way to resolve discord like this where a one side's core values are pitted against those of the other side. The hard truth of the matter is that, to resolve this cause of hatred, one party must forgo a value that they firmly believe in. The game must change.

The final cause of Middle Eastern hatred toward the U.S. is the existence of oppressive regimes that prohibit political opposition and deny freedom of expression. Through organized intimidation, threats of cruel punishment, and the lack of faith in legal systems, the populations of these countries live in a kind of pressure cooker where an individual's desire to choose his own life course is frustrated.<sup>61</sup> With no outlet for this ever-building anger, the pressure cooker eventually explodes and results in violence.<sup>62</sup> Some nations, such as Iran, attempt to divert domestic hostility against the domestic regime and channel it towards the U.S. as a target, exacerbating the terrorist threat to the United States.<sup>63</sup> As with the first two causes, a fundamental change to this system is needed in order to resolve conflict.

The previous administration proposed a path that offered to temper, if not eliminate, each of these causes of hatred. The idea was that democratic governments that guaranteed certain personal liberties could serve as a moderating force against violent extremism.<sup>64</sup> Instead of passionate peoples being forced to remain silent under the threat of torture and death, the people would be able to speak their opinions freely without fear of

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<sup>57</sup> Sam Harris, "Who Are the Moderate Muslims?" *The Huffington Post* (16 February 2006); available at [www.huffingtonpost.com/sam-harris/who-are-the-moderate-musl\\_b\\_15841.html](http://www.huffingtonpost.com/sam-harris/who-are-the-moderate-musl_b_15841.html).

<sup>58</sup> For an examination of the compelled practice of Islam, see "Archi Medes," "Is There Compulsion in Islam?" available online at <http://www.patheos.com/blogs/daylightatheism/essays/is-there-compulsion-in-islam/>.

<sup>59</sup> See Andrew C. McCarthy, "Re: American Conservatives, Islam, and Religious Realism in U.S. Foreign Policy," *The National Review* (10 July 2013); available at [www.nationalreview.com/corner/353076/re-american-conservatives-islam-and-religious-realism-us-foreign-policy-andrew-c](http://www.nationalreview.com/corner/353076/re-american-conservatives-islam-and-religious-realism-us-foreign-policy-andrew-c).

<sup>60</sup> See quotes attributed to Al Qaeda spokesperson Suleiman Abu Gheith in Allison, *Nuclear Terrorism: The Ultimate Preventable Catastrophe*, 12–13.

<sup>61</sup> Martha Crenshaw, "The Causes of Terrorism," *Comparative Politics* 13:4 (July 1981): 383–84; and Quan Li, "Does Democracy Promote or Reduce Transnational Terrorist Incidents?" *Journal of Conflict Resolution* (2005): 280–81, 290–91, 294; available at <http://www.uk.sagepub.com/martin3study/articles/Li.pdf>.

<sup>62</sup> Ibid.

<sup>63</sup> Abdallah, "Causes of Anti-Americanism in the Arab World," 69.

<sup>64</sup> President George W. Bush, "Freedom and Democracy in the Middle East," Address at the 20<sup>th</sup> Anniversary of the National Endowment for Democracy, Washington, D.C. (6 November 2003).

punishment, and vent their emotions in a more peaceful manner.<sup>65</sup> Simply being able to let off steam, this approach held, would go a long way in reducing the potential for violence in the Greater Middle East.<sup>66</sup> More so, the maturity and discipline citizens would learn while beginning to exercise their new liberties would result in a greater understanding of different perspectives, greater tolerance towards opposing points of view, and more willingness to compromise. Starting with the individual and then working its way upward to an entire society, the concept of democratization could change the game as we know it.<sup>67</sup> The domino theory could work in the United States' favor, whereby people in neighboring countries could seek the same freedoms that their neighbors found as they learned of them.<sup>68</sup> With the spread of understanding, tolerance, and compromise, perhaps Arabs could come to grips with the existence of the state of Israel and learn to peacefully coexist. Perhaps more moderate teachers of Islam would persuade their followers that the freedom to choose one's own religious beliefs improves their followers' understanding by reducing the number who follow blindly. This could persuade extremist followers of Islam that the West does not pose a cultural threat to Islamic values. Perhaps different perspectives would challenge the concept that identifies the U.S. as a source of evil, and people would exercise more healthy skepticism of their leaders' true intentions. The sum of these outcomes would be to stabilize the Greater Middle East.<sup>69</sup> A grand strategy of democratization offers an opportunity to change the game.

### **Democratization and its Critics**

The most cogent argument in favor of democratization as a U.S. grand strategy was advocated by the columnist Charles Krauthammer, who dubbed his view "democratic realism."<sup>70</sup> Democratic realism, Krauthammer argued, would not seek to intervene everywhere to institute democracies, but rather to encourage democracy everywhere and only intervene when vital U.S. national interests were at stake.<sup>71</sup> Although perhaps more of an idealist or liberal notion rather than realist, this would be a more pragmatic and better-developed approach than that which was applied as initially conceived in the Bush Doctrine. More disciplined and economical, it remains consistent with American values, national identity, and stands as the best available option to ensure its security.

Critics that contest democratization as a grand strategy, however, point to the United States' difficulties in Iraq in an attempt to show that the strategy is fatally flawed. These critics tend to follow the realist school of thought, which contends that political actors

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<sup>65</sup> Walt, "Beyond Bin Laden," 72.

<sup>66</sup> Ibid.

<sup>67</sup> Peter T. Leeson and Andrea M. Dean, "The Democratic Domino Theory: An Empirical Investigation," *American Journal of Political Science* 53:3 (July 2009): 533-551; available at <http://ssrn.com/abstract=1002262>.

<sup>68</sup> Bush, Address at the 20<sup>th</sup> Anniversary of the National Endowment for Democracy.

<sup>69</sup> Ibid.

<sup>70</sup> Charles Krauthammer, "In Defense of Democratic Realism," *The National Interest* (Fall 2004): 15.

<sup>71</sup> Ibid., 17.

are rational and exercise power only in their self-serving interests. They express reservations that spreading democracy is too risky, too costly, and could even backfire.<sup>72</sup> What if—as happened in Palestine and in Nazi Germany, they contend—forces hostile to the U.S. come to power through democratic processes?<sup>73</sup> Not only would the United States have undermined a government that could have kept an unfriendly population in check, but it also would then have legitimized a new enemy. The U.S. is better off with friendly dictatorial governments, realists say, even if they use objectionable methods to control their populations, than it is with hostile democracies.<sup>74</sup> They argue it is unlikely that such efforts would help establish a democratic government friendly to the U.S. and, instead, would likely expend resources that would eventually yield little to show for the efforts, or actually worsen the situation for the U.S.<sup>75</sup>

Critics subscribing to this theory propose continuing Machiavellian-style politics similar to the approach practiced during the Cold War when both poles attempted to control Middle Eastern governments like a behind-the-scenes puppet master pulling strings.<sup>76</sup> Following this model, the U.S. should strengthen or overthrow regimes according to its interests, without considering the regime's domestic behavior.<sup>77</sup> However, not only did this prove to be an imperfect way of managing Cold War affairs (as was borne out by the end results in Iran, Iraq, and Afghanistan), but U.S. society has also come to view these actions as often leading to behavior inconsistent with its values.<sup>78</sup> Although successful to some extent in its geopolitical strategy against the Soviets, this strategy backfired in other ways detrimental to U.S. national security. Iran's 1979 revolution turned an ally into a bitter enemy. Saddam Hussein's aggressive behavior led the U.S. to directly confront Iraq in the Gulf War. Afghanistan, while draining Soviet military resources, grew as a terrorist safe haven to harbor the United States' most deadly attackers. Supporting repressive regimes has backfired against the U.S. by increasing Middle Eastern enmity against it.<sup>79</sup> If the United States continues to play realist power politics, it will fail to reduce enmity in the Middle East. U.S. leaders will also find it increasingly

<sup>72</sup> Walt, "Top 10 Lessons of the Iraq War," *Foreign Policy* (20 March 2012); available at [www.foreignpolicy.com/articles/2012/03/20/top\\_ten\\_lessons\\_of\\_the\\_iraq\\_war?page=0,9](http://www.foreignpolicy.com/articles/2012/03/20/top_ten_lessons_of_the_iraq_war?page=0,9).

<sup>73</sup> Daniel Pipes, "Democracy's Bitter Fruit," *National Post* (27 January 2006). Also attributed to U.S. State Department Bureau of Intelligence and Research by Patrick Basham and Christopher A. Preble, "The Trouble with Democracy in the Middle East," CATO Institute (30 November 2003); available at <http://www.cato.org/publications/commentary/trouble-democracy-middle-east>.

<sup>74</sup> Daniele Archibugi, "Cosmopolitan Democracy and its Critics: A Review," *European Journal of International Relations* 10 (2004): 455.

<sup>75</sup> Francis Fukuyama, "The Neoconservative Moment," *The National Interest* (Summer 2004).

<sup>76</sup> Walt, "The Shattered Kristol Ball," *The National Interest* (1 September 2008); and Andrew J. Bacevich, "The Realist Persuasion," *The Boston Globe* (6 November 2005).

<sup>77</sup> James Garrison, *America as Empire: Global Leader or Rogue Power?* (San Francisco: Berrett-Koehler, 2003), 96.

<sup>78</sup> David Skidmore, *Contested Social Orders and International Politics* (Nashville, TN: Vanderbilt University Press, 1997), 210.

<sup>79</sup> Abdallah, "Causes of Anti-Americanism in the Arab World," 68–70.



difficult to maintain domestic support for such policies.<sup>80</sup> Indeed, the United States should prioritize its values over its security, because if it were to sacrifice its values, what then would it become?

The realist criticism is wrong. Maintaining the same old strategy in the Middle East would eventually result in a non-state terrorist organization obtaining a weapon of mass destruction.<sup>81</sup> If this is a threat that the U.S. can accept, then the realist criticism is valid. However, with a powerful weapon and the will to use it, this threat could spell doom for the United States. The U.S. should reject a view that would accept the eventual destruction of one of its cities and the corresponding death toll in tens of thousands when there is reasonable hope of preventing it.<sup>82</sup> The nation can act within its means to deny this eventuality.<sup>83</sup> Despite those who are quick to say that the endeavor in Iraq has failed after terrorist attacks are publicized, no result yet seen has proven that democratization does not work.<sup>84</sup> The fact remains that Iraq is a sovereign nation with democratically elected representatives governing its peoples. This is success.<sup>85</sup> Indeed, lending credence to a domino theory of democracy, the Arab Spring of 2011 may have been inspired by Iraq's progress,<sup>86</sup> and these stories may encourage stronger movements in the future.<sup>87</sup>

Another mistake realist critics make is that they fail to account for the fact that, if an adversarial regime came to power through democratic processes, a previously veiled threat would then become fully revealed. The U.S. would no longer have to search in the shadows for that particular adversary. The threat would readily present itself in the form of a nation-state, and this nation-state would be much more susceptible to deterrence. Since a nation-state possesses a distinct and exclusive geographic region of responsibility, a seat of government, and a permanent population, it is vulnerable to military counterattack.<sup>88</sup> The United States has decades-long experience practicing deterrence against state actors and, coupled with a credible ability to determine the perpetrator of an attack, nation-state enemies stand to lose a great deal by attacking U.S. interests. In a time when the risk of solitary WMD attacks exceeds the threat of conventional warfare in both likelihood and potential damage to vital interests,<sup>89</sup> it is better for the U.S. to have an en-

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<sup>80</sup> Skidmore, *Contested Social Orders and International Politics*, 210.

<sup>81</sup> Allison, *Nuclear Terrorism*, 14.

<sup>82</sup> *Ibid.*, 15.

<sup>83</sup> *Ibid.*

<sup>84</sup> Walt, "Top 10 Lessons of the Iraq War."

<sup>85</sup> Max Boot, "A Hard-Won Account of a Hard-Won Victory," *The Wall Street Journal* (28 September 2012); and "Bartle B. Bull," "Victory in Iraq," *The Weekly Standard* 18:21 (11 February 2013). Both of these articles are summaries of Michael R. Gordon and Bernard E. Trainor, *The Endgame* (New York: Pantheon, 2012).

<sup>86</sup> Shivaloy Majumdar, "The Iraq War and the Arab Spring," *Global Brief* (27 June 2011); available at <http://globalbrief.ca/blog/2011/06/27/the-iraq-war-as-cause-of-the-arab-spring/>.

<sup>87</sup> Alfred Stepan and Juan J. Linz, "Democratization Theory and the Arab Spring," *Journal of Democracy* 24:2 (April 2013): 29.

<sup>88</sup> Stone, "Deterring Nonstate Actors," 269.

<sup>89</sup> *Ibid.*

emy revealed rather than being able to lurk quietly in the shadows of a repressive regime, or in the safe haven of ungoverned spaces.

Despite the announced “pivot” to the Asia-Pacific, the actions of the present administration are so far at least a reasonably good continuation of the previous policy, and perhaps even represent a small improvement.<sup>90</sup> The United States appeared to follow a “democratic realist” democratization strategy during the Arab Spring.<sup>91</sup> By intervening diplomatically during the regime change in Egypt, providing military support during operations against Libya, and initiating covert support of certain Syrian rebels, Washington has pursued a targeted, opportunistic, yet restrained, strategy of democratization in the Greater Middle East.<sup>92</sup> Whether this policy was deliberately preconceived or applied in an *ad hoc* manner is another issue, but the resulting actions have been both significant and appropriate.<sup>93</sup> However, words have meaning too. When official policy states that the United States will realign its strategy, resources, and military operational concepts towards the Asia-Pacific, it causes its planners and analysts to shift their focus towards the new region<sup>94</sup> when they should remain focused on the Greater Middle East.<sup>95</sup> The Asia-Pacific is important, to be sure, but the region should decidedly be of no higher than second priority in the United States’ foreign and defense policy. As operations in Libya, crises in Syria, and the potential for non-combatant evacuation operations persisting throughout the region attest, the Greater Middle East is where the U.S. should continue to devote the greater proportion of its collective brainpower.<sup>96</sup>

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<sup>90</sup> Dave Boyer, “Bush Policies Still Alive in Obama White House,” *The Washington Times* (24 April 2013); available at <http://www.washingtontimes.com/news/2013/apr/24/bush-policies-still-alive-in-obama-white-house/?page=all>. See also Peter Feaver, “Obama’s Embrace of the Bush Doctrine and the Meaning of ‘Imminence’,” *Foreign Policy* (5 February 2013); available at [http://shadow.foreignpolicy.com/posts/2013/02/05/obamas\\_embrace\\_of\\_the\\_bush\\_doctrine\\_and\\_the\\_meaning\\_of\\_imminence](http://shadow.foreignpolicy.com/posts/2013/02/05/obamas_embrace_of_the_bush_doctrine_and_the_meaning_of_imminence).

<sup>91</sup> Dave Seminara, “Obama: Defender of Democracy or Ambivalent Bystander?” *The Washington Diplomat* (3 November 2013); available at [https://www.washdiplomat.com/index.php?option=com\\_content&view=article&id=9726:obama-defender-of-democracy-or-ambivalent-bystander&catid=1510:november-2013&Itemid=428](https://www.washdiplomat.com/index.php?option=com_content&view=article&id=9726:obama-defender-of-democracy-or-ambivalent-bystander&catid=1510:november-2013&Itemid=428).

<sup>92</sup> Thomas Carothers, *Democracy Policy Under Obama: Revitalization or Retreat?* (Washington, D.C.: Carnegie Endowment for International Peace, 2012), 31–34; available at [http://carnegieendowment.org/files/democracy\\_under\\_obama.pdf](http://carnegieendowment.org/files/democracy_under_obama.pdf).

<sup>93</sup> Marc Lynch, “Obama Recognizes Need to Embrace Democratic Change in Arab World,” *U.S. News & World Report* (27 September 2012); available at [www.usnews.com/debate-club/has-obama-properly-handled-the-arab-spring/obama-recognizes-need-to-embrace-democratic-change-in-arab-world](http://www.usnews.com/debate-club/has-obama-properly-handled-the-arab-spring/obama-recognizes-need-to-embrace-democratic-change-in-arab-world).

<sup>94</sup> Phillip Saunders and Katrina Fung, “Wheels Up! Has Obama Really Pivoted to Asia?” *The Diplomat* (23 July 2013); available at <http://thediplomat.com/2013/07/wheels-up-has-obama-really-pivoted-to-asia/>.

<sup>95</sup> Yoel Guzansky and Miriam Goldman, “America Can’t Abandon the Middle East,” *The National Interest* (18 March 2013); available at <http://nationalinterest.org/commentary/american-abandon-the-middle-east-8232>.

<sup>96</sup> *Ibid.*

## Advocates of Cold War

For democratization to become the official policy of the United States rather than a pivot to the Asia-Pacific, the administration will have to contend with the Department of Defense's advocates of "AirSea Battle." These advocates are uniformed proponents of the military-industrial complex, who seek a Cold War-style enemy in order to justify continued high levels of defense spending.<sup>97</sup> AirSea Battle, presently under development, is an operational concept that seeks to ensure the military's access into contested theaters of operation.<sup>98</sup> AirSea Battle is spearheaded by the Navy and strongly supported by the Air Force.<sup>99</sup> Unsurprisingly, these two services stand to lose the smallest share of the defense budget under the current scheme of reductions if the U.S. completes this pivot.<sup>100</sup>

The Navy and Air Force have had previous success in Pentagon budget politics. The Navy has been able to retain a large portion of defense spending over the past decade despite its lack of utility during combat operations in Iraq and Afghanistan. According to a recent RAND report, Army personnel have contributed 54 percent of the man-years spent by U.S. military personnel in Iraq and Afghanistan, while the Navy has accounted for 17 percent.<sup>101</sup> A study in 2008 showed that the Army suffered 73.2 percent of the combat deaths in these conflicts, while the Navy suffered 2.2 percent.<sup>102</sup> The Navy's most noteworthy achievement in the war against terror, the killing of Osama Bin Laden, was performed by a special operations organization that is well-suited for operations on land. Yet despite the disproportionate contributions ground forces have made in deposing the Hussein regime, enabling free Iraqi elections, and reducing Iraqi violence in later years, the Army in 2012 received only 31.2 percent of the total defense budget, while the Navy received 26.7 percent.<sup>103</sup> Furthermore, the U.S. Navy enjoys a tremendous

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<sup>97</sup> Barnett, "AirSea Battle: The Military-Industrial Complex's Self-Serving Fantasy."

<sup>98</sup> See Amitai Etzioni, "Air-Sea Battle: A Dangerous Way to Deal with China," *The Diplomat* (3 September 2013); available at <http://thediplomat.com/2013/09/air-sea-battle-a-dangerous-way-to-deal-with-china/>. See also William Yale, "Air-Sea Battle: A Dangerous, Unaffordable Threat," *The Diplomat* (9 November 2013); available at <http://thediplomat.com/2013/11/air-sea-battle-a-dangerous-unaffordable-threat/>.

<sup>99</sup> Representative J. Randy Forbes, "America's Pacific Air-Sea Battle Vision," *The Diplomat* (8 March 2012); available at <http://thediplomat.com/2012/03/americas-pacific-air-sea-battle-vision/>.

<sup>100</sup> Barnett, "AirSea Battle: The Military-Industrial Complex's Self-Serving Fantasy."

<sup>101</sup> Dave Baiocchi, *Measuring Army Deployments to Iraq and Afghanistan* (Santa Monica, CA: RAND Corporation, 2013), 2.

<sup>102</sup> Rod Powers, "The Cost of War," *USMilitary.com* (7 September 2008); available at <http://usmilitary.about.com/od/terrorism/a/iraqdeath1000.htm>.

<sup>103</sup> U.S. Department of Defense, Office of the Under Secretary of Defense (Comptroller)/Chief Financial Officer, "Fiscal Year 2013 Budget Request" (February 2012), 8-3.

overmatch at sea against any adversaries who are daring enough to challenge it.<sup>104</sup> The Air Force has notably favored its jet fighter programs over drone aircraft.<sup>105</sup>

Have U.S. tax dollars been spent in the most efficient manner by sustaining dominance of the sea and air while allowing its ground forces to remain contested in a much more competitive environment? Are these the right proportions of service budgets for its national defense and security strategies? A grand strategy of democratization would imply that the U.S. must increase the proportion of the budget dedicated to its ground forces. The Army and Marine Corps, having learned much in the last decade about how to make the ground in the Middle East less fertile for terrorism, will have to continue to overcome institutional resistances towards low-intensity conflict in order to build more units that are better able to perform counterinsurgency missions in support of whole-of-government nation-building efforts, at the expense of high-intensity missions like conventional warfare.<sup>106</sup> If the present administration is to align its national security strategy correctly, it will have to resolve these discrepancies within the Department of Defense.

If the United States wants to reduce the chances of a terrorist attacking its domestic territory with a weapon of mass destruction, it must prioritize its efforts to enable the spread of democracy in the Middle East and Africa rather than pivoting to the Asia-Pacific. Hostile as some nations in East Asia might be, and as many territorial tensions as there are, threats in the region do not effectively threaten U.S. vital interests. The true nightmare for the United States is a nuclear bomb detonating in one of its great cities. Diverting resources away from this threat is effort misspent.

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<sup>104</sup> Robert Farley, "The False Decline of the U.S. Navy," *The American Prospect* (23 October 2007); available at <http://prospect.org/article/false-decline-us-navy>.

<sup>105</sup> Spencer Ackerman, "Gates to Air Force: Get Used to Drones, Cargo Runs," *Wired* (4 March 2011); available at <http://www.wired.com/dangerroom/2011/03/gates-to-air-force-get-used-to-drones-cargo-runs/>.

<sup>106</sup> William Rigby, "Nation Building: An Essential Army Task," U.S. Army War College Strategy Research Project (7 April 2003), 19.

# Defense Policy and Reforms in Bulgaria since the End of the Cold War: A Critical Analysis

Georgi Tzvetkov \*

## Introduction

After the disintegration of the communist system in Eastern Europe the former communist countries had to make an unprecedented transition to a “normal” society. Having been diverted from their natural path of development, with limited private property and political rights, these countries had to once again begin following the European path of development.

Transforming the defense sectors in these societies was a crucial challenge. Yet there were complications in the sphere of defense transformation because of the overlapping of three transitions. The first was the shift from armies established as support for the communist regime to professional military organizations subject to civilian control.<sup>1</sup> The second was the transition from mass conventional armies that were established to fight in World War III, which was never waged, to militaries that were relatively limited in their number of troops, the main purpose of which is to participate in a broad spectrum of operations beyond national boundaries. The third transition was that from a reliance on large quantities of Soviet equipment—most of it relatively cheap and easy to produce and maintain—to advanced, high-quality (and expensive) Western equipment. These transitions took place in a context of economic crises (of different magnitude) caused by the clash between planned economies and free market realities, when there were still groups in society that were not willing to give up the communist system easily.

Bulgaria was one of the states that faced the steepest challenges. The supporters of the communist regime were many and they were strong. There were, however, objective limitations to Bulgaria’s transition as well – the economy was not competitive enough, and the country had to cope with the burden of significant loans. In the military sphere, an additional challenge was what many considered as Bulgaria’s “natural” distrust for Turkey, along with strong pro-Russian affiliations.

Despite that, Bulgaria has become part of the European Union, and its armed forces are constantly increasing their preparedness to operate jointly with the armies of NATO and the EU member states. Even though Bulgaria is not the best example of how defense transformation should be carried out, its experience can be a valuable source of lessons for other states facing similar challenges.

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<sup>1</sup> Samuel Huntington, *The Soldier and the State* (Sofia: Military Publishing House, 1998), 84–86.

## Conceptual Foundations

The policy of a state is a sequence of consecutive, interconnected actions, the aim of which is to achieve a certain goal. In terms of defense policy, however, one has to examine the following considerations:

1. Defense policy is the policy of a state with regard to the development and use of its armed forces in order for the national interests to be achieved. The end goal is to achieve readiness for the military to be used (and to use force, if necessary) in order to achieve specific national goals.
2. A decision to deploy the armed forces in conflict situations is expected to be in line with defense policy, but once it has been made, it is understood that the conflict will evolve according to specific principles and circumstances.<sup>2</sup>
3. In that sense, the main *focus* of defense policy is to establish, maintain, and develop a *defense capability* – that is, particular armed forces capabilities and the capabilities supporting the military.<sup>3</sup> The participation in military operations (in terms of military “performance” on the battlefield) is only one of the indicators for the efficiency and effectiveness of defense policy.

Therefore, defense policy consists primarily of defense management, but it also includes civil-military relations and the creation of the framework of military operations. Decisions related to the defining of national security interests, international relations, participation in alliances, and the launching of (or participation in) military operations are beyond the scope of defense policy. The conducting of military operations is also a separate, almost entirely military field of action, because once a decision about participation in a conflict is made the military operation develops in compliance with its own rules.<sup>4</sup>

Defense policy should answer the following questions: What is the desired force model necessary to achieve the national interests? How should the available resources be managed as efficiently as possible to develop and sustain the required capabilities? How is the defense acquisition process to be organized in order to procure equipment needed to achieve the required capabilities at the best price throughout the life cycle of given systems?

In terms of civil-military relations, defense policy should establish a model that protects military professionalism and provides effective democratic control over the armed

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<sup>2</sup> Assuming that participation in a conflict is always an expression of willingness (i.e., it is voluntary).

<sup>3</sup> Hari Bucur-Marcu, Philipp Fluri, and Todor Tagarev, eds., *Defence Management: An Introduction* (Geneva: Geneva Centre for the Democratic Control of Armed Forces, 2009); available at <http://www.dcaf.ch/Publications/Defence-Management>.

<sup>4</sup> See Carl von Clausewitz, *On War* (first published in 1832; available in translation at [www.clausewitz.com](http://www.clausewitz.com)): “That the tendencies and views of policy shall not be incompatible with these means, the art of war in general and the commander in each particular case may demand, and this claim is truly not a trifling one.”

forces. As to the launching of military operations, defense policy should ensure that the political goals are adequate to the military capabilities and that the armed forces will not face unrealistic tasks.<sup>5</sup>

Defense policy comprises the following main elements:<sup>6</sup>

- *Strategic guidance*: Long-term analysis of possible future conflicts (or non-conflict situations) where the armed forces could be used. At this stage the type of future operations that the capabilities of the armed forces are to be established for have to be stipulated.
- *Force planning*: Stipulating the specific military capabilities that the armed forces are to have in order to be able to perform the tasks set for them within the framework of the expectations for future conflicts.
- *Resource management*: Making key decisions about how to manage available human, financial, material, etc., resources in the most efficient way possible in order for the necessary defense capabilities to be acquired, maintained, and developed.
- *Acquisition*: The management of major investments in defense. Since the price of military systems is very high, they are connected with huge costs throughout their whole life cycle and they bind the state for decades to come. Thus, making the correct investment decisions is an activity of supreme importance.

In order to analyze a country's defense policy, the following evaluation criteria are going to be used:

1. *Strategic thinking*: The maintaining and development of the military capacity needed to protect the national interests can be performed in an efficient way only if this is part of the overall vision for the development of the nation. Very important issues such as the amount of defense costs, the obligations of the citizens and civil society in terms of the armed forces, the coordination with other state bodies in terms of the domestic role of the army (providing support to the public authorities), etc., directly depend on the existence of a strategic national vision.
2. *Adequacy*: Stipulating national defense capabilities that are adequate to the overall national security policy. It is assumed that the national security policy is

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<sup>5</sup> Ibid. "Thus, therefore, the political object, as the original motive of the war, will be the standard for determining both the aim of the military force, and also the amount of effort to be made. And now, the first, the grandest, and most decisive act of judgment which the statesman and general exercises is rightly to understand in this respect the war in which he engages, not to take it for something, or to wish to make of it something which, by the nature of its relations, it is impossible for it to be."

<sup>6</sup> These main elements are based on Todor Tagarev, "Concept for Strategic Defense Management," *IT4SecReports* 46 (Sofia: ICT, 2010); and Todor Tagarev, "The Art of Shaping Defense Policy: Scope, Components, Relationships (but no algorithms)," *Connections: The Quarterly Journal* 5:1 (Spring-Summer 2006): 15–34.

adequate to the security environment in terms of selecting the course of action in order for full range of different national interests to be achieved.

3. *Feasibility*: The requirements set for the armed forces have to correspond to the preparedness of the state to allocate the resources necessary to them. It is necessary for the balance between ambitions and capabilities to be established first.
4. *Flexibility*: The maintenance and development of armed forces capabilities is a long-term process, and with long-term forecasts and planning it is certain that they will come true only partially. In that sense the decisions made about capabilities development have to allow for adjustments in case of changes in the environment (including new threats, reductions in funding, falling behind in terms of deadlines, etc.).<sup>7</sup> These considerations must include negative changes as well as new opportunities.
5. *Determination*: Decision making should be followed by actions in the required direction. Often, however, the decisions made are not followed by actions—because of resistance, high cost, public discontent, etc. Determination is showing the will to apply in practice the decisions that have been made, irrespective of the fact that they may contradict the interests of some groups in society.
6. *Continuity*: A state (public) policy usually designates the policy of a certain government. In the democratic system competing parties put forward competing policies, which are more beneficial to some parts of society than to others. But in the case of defense policy, the decisions made refer to the whole state, and not to individual groups within society.<sup>8</sup> Moreover, in most cases defense capabilities development requires actions, the duration of which exceeds a single term in office.

### **The Starting Point: The Bulgarian People's Army in 1989**

The Bulgarian People's Army (BNA) had level of saturation of armament and equipment that was unprecedented in Bulgarian history, and its peacetime personnel amounted to more than 100,000 people.<sup>9</sup> It played an important role in the plans of the Warsaw Treaty Organization in terms of the southern strategic theater. In the middle of the 1980s, however, serious issues came to the fore. First, overall the countries from the Eastern Bloc lagged behind their Western rivals from a technological perspective.<sup>10</sup> Second, Bulgaria had issues with an insufficient number of conscript soldiers due to its ag-

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<sup>7</sup> Henry C. Bartlett, "Approaches to Force Planning," in *Fundamentals of Force Planning* (Newport, RI: Naval War College Press, 1990), 326–30.

<sup>8</sup> Todor Tanev, *Analiz na publichnite politiki (Public Policy Analysis)* (Sofia, Military Publishing House, 2008), 35, 51.

<sup>9</sup> Atanas Semerdzhiev, *Prezhivianoto ne podlezhi na obzhalvane* (Sofia, Hristo Botev Publishing House, 1999), 269.

<sup>10</sup> *Ibid.*, 237–42.



ing population (a reduction of 10 percent in the number of available military-age men had been foreseen by the mid-1990s<sup>11</sup>). In that respect, the fact that the force structure was too rank-heavy was taken into account. By 1990 it was already clear that it would be very difficult to provide funds for the next stage of technological rearmament.<sup>12</sup>

The BNA was one of the main pillars of the communist regime in the country. When talking about military professionalism, Samuel Huntington calls the period of the Third Reich “Civilianism Triumphant,”<sup>13</sup> and describes the gradual takeover of the German military by the political leadership and in particular by Adolf Hitler and the National-Socialist Party.<sup>14</sup> Even this example is not sufficiently strong to describe the level of political control over the armies in the communist states and the indoctrination of the officer corps in communist ideas through the powerful GPU (Head Political Office) and the political deputy commanders.

Despite the fact that throughout the communist regime Bulgaria’s Ministers of Defense (War) were representatives of “the military,” in fact the last two professional military men who had occupied that position were General I. Marinov (in 1944) and General Y. Mutafchiev (from November 1990 to November 1991). Two general/ ministers (those in office from September 1944 through 1946) were among the direct organizers of the coup of 9 September 1944, which led to the establishment of the communist dictatorship. Three general/ministers (in office from October 1946 until March 1962) were political emigrants to the USSR after the events of 1923, and became officers first in the Soviet Army (the Workers’ and Peasants’ Red Army, or RKKA). Bulgaria’s fourth Minister of Defense under the communist regime, General D. Dzhurov (in office from March 1962 until November 1989), who had completed his military education in the USSR, was a guerrilla commander from the circle close to the head of state and head of the party Todor Zhivkov.

The last professional officer to be in charge of the General Staff before General Radni Minchev (in office from August 1990 until August 1991) was General Raycho Slavkov, who was Defense Minister for three months in 1944 and was shot dead by a firing squad in 1953. Two heads of the General Staff (in office from December 1944 through December 1950) began their career during the events of 1923 and received their first officer promotion in the Soviet Army, and another four, including the one with the longest term in office—Atanas Semerdzhiev, who served from March 1962 through December 1989—received their first officer promotions in the guerrilla squads during World War II. A significant portion of the high-ranking officers in the officer corps did not have professional but rather “anti-fascist” backgrounds.<sup>15</sup>

It is also important to point out the role of the Bulgarian People’s Army in the country’s security architecture. The BNA was in fact established as a branch of the RKKA, with the direct participation of Bulgarian political emigrants (Soviet officers) and Rus-

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<sup>11</sup> Ibid., 268–69

<sup>12</sup> Ibid., 269–70.

<sup>13</sup> Huntington, *The Soldier and the State*, 98–118.

<sup>14</sup> Ibid., 109–17.

<sup>15</sup> Semerdzhiev, *Prezhivianoto ne podlezhi na obzhalvane*, 264.

sian officers. In light of this fact, one can only speculate about the capabilities of the BNA to guarantee the “national” security of the country. The national security of the People’s Republic of Bulgaria was perceived only within the framework of the communist community in general, and through the lens of military cooperation with the USSR in particular. One should not forget that in view of the Cold War the meaning of the term “guaranteeing national security,” especially in the case of small states on the borders of the opposed blocs, such as Bulgaria, was very unclear. Undoubtedly the high-ranking military leadership by the end of 1989 identified itself with the communist ideology and the Bulgarian Communist Party. The perception of national security was limited to maintaining the right balance of forces in relation to Bulgaria’s neighbors from the “other camp,” namely Turkey and Greece.

### **The Evolution of Bulgarian Defense Policy**

#### *Where Do We Go without the USSR and the Organization of the Warsaw Treaty? (1990–92)*

With the ever-growing distance in time, it is now clear that the communist system in Eastern Europe collapsed between 1989 and 1991. Back then, however, it did not appear to be the case. The high-ranking military leaders, who were then professional military men (unlike the guerrilla generals) but were still strongly connected to the communist regime, were trying to preserve the status quo as much as possible. Even after the disintegration of the USSR there were hopes that Russia would be able to “keep” at least some of its positions; in the worst-case scenario a common security system would be established in Europe that would preserve Russian influence, and it would partially neutralize the United States.<sup>16</sup> The “reform” actions that were undertaken had to do mainly with the replacement of symbols and abolition of the political structures in the army (the former political officers acquired “new qualifications”).

#### *Who Will Control the Army? Development at a Standstill (1992–97)*

The democratic forces that came to power wanted radical reforms, but they lacked professionalism. Replacing some of the old military leaders and establishing civilian control over the armed forces, which were still seen as a potential threat to democracy, was the main focus of their actions. There was no real understanding of “defense policy.” Very few steps were taken in the direction of a transformation of the capabilities of the armed forces for a new type of warfare. There was a perception that the army was established

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<sup>16</sup> During a press conference by the Minister of People’s Defense on 14 November 1990, when answering a question about the prospect of Bulgaria’s membership in NATO, General Mutafchiev said: “Bloc structures are an anachronism in international relations and now we must try to find [an]other national security system.” Yordan Mutafchiev, *Na glavnoto napravlenie* (Sofia: Media Print, 2010), 485–87. In an interview with *Vecherni Novini* on 29 January 1991, the Minister said that Bulgaria still had military guarantees from the USSR (Ibid., 496).

on the basis of an outdated concept, that there were too many officers,<sup>17</sup> and that the combat capability of the army was decreasing as a result of the lack of modernization and reduced training, but overall there was little will for a real transformation to begin. The serious issues in society and the economy helped preserve the status quo, and the pressing issues facing the army were shelved. The conflicts in the region also supported the idea that still held sway within the military establishment about preserving the Cold War army structure and putting off real reforms. It might seem like a paradox now, but at that time the fact that the military organization was transformed from an “aggressive” army-divisional structure to a “defensive” corps-brigade structure was seen as sufficient to meet NATO requirements and considered to be a major achievement of the reform.<sup>18</sup>

The position of the high-ranking military leadership enjoyed the support of the Bulgarian Socialist Party and President Zhelev (who had been nominated for president by the Union of Democratic Forces). Their joint position was “Leave the military alone. They know what they are doing.”<sup>19</sup> As a result, as of 1993 any attempts at making reforms that would have jeopardized the interests of the military establishment died out. The obvious conflict of interests and the preference of the military establishment for a large standing army, even though there was not sufficient funding for it, were not taken into account.

### *The Beginning of the Real Reforms: Preparation for NATO Membership (1997–2004)*

The financial crisis of 1996–97 finally launched the defense sector reforms that had been long delayed. The failed attempt for some form of “restoration” or at least “preservation” of elements of the communist regime was a powerful tool in the hands of the pro-reform forces. Claiming, however, that there was no alternative available other than NATO membership and that there was a national consensus on the issue is too far-fetched. On several occasions of critical importance—the adoption of the National Security Strategy and the Military Doctrine, and the decision to give NATO forces access to Bulgarian air space for attacks on Yugoslavia, for example—the opposition (the former Communist Party) was firmly opposed.<sup>20</sup> In the absence of any sufficiently good “Eastern” integration project, the opposition put forward ideas about NATO being “archaic,” about a “balanced policy,” “neutrality,” the importance of being “equally distanced from Russia and NATO,” etc.

<sup>17</sup> There were 22,000 officers in a total army strength of 111,000 in 1992. See Nikola Daskalov, *Slavnoto vreme* (Sofia, Ciela, 2012), 344.

<sup>18</sup> Todor Tagarev, Phases and Challenges of Security Sector Reform in the Experience of Bulgaria, *IT4Sec Reports* 85 (Sofia, June 2011).

<sup>19</sup> The ex-Deputy Minister of Defense in the UDF-led Government of Filip Dimitrov in 1992, Nikola Daskalov, wrote that in the relations of the MoD with the General Staff, the President supported the ambitious Chief of the General Staff (General L. Petrov) in his struggle with the “civilians.” See Daskalov, *Slavnoto vreme*, 348–401.

<sup>20</sup> These positions were clearly stated in parliamentary debates, the minutes of which can be found at <http://www.parliament.bg/bg/plenaryst>.

In this period, and especially during the Kosovo crisis, opponents of the reforms came up with the thesis that the reforms were untimely, because the country was threatened by the possibility that the conflict would spread.<sup>21</sup> Overall they did not accept the position that a bigger army, with the limited human, financial, and material resources it would have, was in fact less combat capable than the smaller army that was being proposed by the government. In fact the unambiguous study of the expert group from USEUCOM, led by Major General Kievenaar (1999), concluded that in the Bulgarian Army, with 112,000 military personnel, there was not a single formation at a brigade or a higher level that was fully combat capable.<sup>22</sup>

Since the military leadership already held the perception that the army would be “protected” from encroachments from the “outside” (often seen as intentional actions of “politicians,” dictated from abroad),<sup>23</sup> the Council of Ministers and the Ministry of Defense (MoD) had to use foreign military expertise to achieve reforms in the army.<sup>24</sup> What was strange was that the Bulgarian military establishment accepted the anachronism of a mass army, prepared for a large-scale conflict with a Western foe, but they were incapable of offering a well-grounded (including from a financial perspective) model of a contemporary Western type of army. The trend for objecting to the acquisition of “Western” armament was still strong. The option that was finally adopted preserved the capabilities of a full-mobilization army (but only temporarily, since its rearmament with “Western” equipment was absurd), but Rapid Reaction Forces were established, which were to turn into the backbone of the army and be interoperable with NATO.<sup>25</sup>

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<sup>21</sup> It may be surprising, but even the first “democratic” Defense Minister, Dimitar Ludzhev, supported that position during the plenary debates on the new Military Doctrine.

<sup>22</sup> “The reliance on conscript soldiers has contributed to the observation that there are in effect no combat capable elements in the Land Forces. All Land Forces units are essentially basic training units, continually attempting to train, assimilate, and discharge a steady flow of short-term soldiers.” Bulgarian Defense Reform Study, Office of the Assistant Secretary of Defense for International Security Affairs and USEUCOM (1999), 33. “The Bulgarian Land Forces currently have the capability to conduct extremely limited defensive operations and maneuver warfare within the boundaries of the country.” *Ibid.*, 46.

<sup>23</sup> This perception is very clearly visible in the memoirs of General Yordan Mutafchiev (Minister of Defense and Chief of MoD Inspectorate), *Na glavnoto napravlenie*; General Tzvetan Totomirov (Chief of General Staff), *Zhivot po garnizoni* (Sofia: Military Publishing House, 2007); LTG Kiril Tsvetkov (Chief of Land Forces HQ), *Pod syankata na promenite i pagona* (Sofia: Media Nikolova, 2011); and Major General Angel Marin (Chief of Land Forces Artillery and, later, Vice-President), *Raport* (Sofia: Zahari Stoyanov, 2013).

<sup>24</sup> The Kievenaar’s group and, later, MPRI experts.

<sup>25</sup> “The future force structure envisioned by the Bulgarian Armed Forces is appropriate only if Bulgaria is planning to fight a war in the near future against a significant external conventional threat. Given the degree of the current and future threat perceived in the National Security Strategy and the draft National Military Strategy, a great amount of resources are being depleted in an attempt to gain a combat capability to perform a mission which is assessed as being highly improbable.” *Bulgarian Defense Reform Study* (1999), 28.

There were two other important factors that influenced the development of the capabilities of the Bulgarian Armed Forces significantly. One of them was the “professionalization” of the army—i.e., the gradual introduction of voluntary military service. This took place mainly because of Bulgaria’s integration into NATO, which preceded the nation’s accession to full membership, and because of the requirements of expeditionary operations. Apart from the fact that voluntary military service was a new phenomenon (although it was used between the two World Wars), it was not accepted in an unambiguous way, and it faced a number of difficulties while being introduced. The second important factor had to do with Bulgaria’s participation in expeditionary operations. The first contingents—consisting of professional officers, NCOs, and contract soldiers from the different army formations (since there was not a single formation that was fully “professional”)—coped relatively well in low-intensity operations near the national borders with Bosnia and Herzegovina and Kosovo. The real test was the operation in Iraq.

Despite the overall negative public opinion in Bulgaria regarding the Iraq conflict, the National Assembly made a decision on 29 May 2003 to participate in the operation in Iraq with a battalion, but without some units for combat support (up to 500 soldiers). The expectations were for an operation of low risk and low intensity. Having insufficiently taken into account the experience from Bulgaria’s humanitarian mission in Cambodia (1992–93), the battalion was yet again manned ad hoc with volunteers (no conscript soldiers) from different military units, and its overall equipment did not meet the requirements of contemporary warfare. Under these unfavorable conditions, the battalion performed its tasks well, even during the Shia rebellion in Karbala in 2004, although there were casualties, which led to an acute public reaction. Its participation demonstrated that the Bulgarian Army did not have the equipment required to participate in such operations.<sup>26</sup> Years would have to pass in order for the main deficiencies to be overcome.

### *The Integration and Modernization that Never Took Place: Where Are the New Capabilities? (2004–13)*

In 2004, Bulgaria became a member of NATO. By that time the main stage of downsizing the number of officers and NCOs in the Bulgarian Army had been finalized. The financial resources that became available after the downsizing were to be used for a large-scale rearmament program, which would allow the integration of the country into NATO, along with the transformation and integration of its defense industry.<sup>27</sup>

In 2002–04, a Strategic Defense Review was conducted whose aim was to define what the future development of the Bulgarian Army would be, presuming a future strength of 45,000 personnel. The result of this review was the adoption in the spring of

<sup>26</sup> Nikolay Slatinsky, *Na vnimanieto na gospodin Prezidenta* (Sofia: Iztok/Zapad, 2008), 318–19, 400–02; and Ivan Aleksiev, *Karbala, 2004* (Sofia: Military Publishing House, 2013).

<sup>27</sup> See, for example, Todor Tagarev, “Prerequisites and Approaches to Force Modernization in a Transition Period,” *Information & Security: An International Journal* 6 (2001): 30–52; available at <http://dx.doi.org/10.11610/isij.0603>.

2005 of a Development and Modernization Plan by 2015. The large-scale plan for transformation anticipated most of the problems that emerged later on:

- It was planned that all soldiers would be contract soldiers (initially to be enforced by 2010, later on changed to 2008). Despite the lower personnel costs in Bulgaria, a fully contract army of 45,000 is a serious budgetary strain. Bearing in mind the fact that Bulgaria's ambitions (which have not yet been realized) for participation in expeditionary operations with up to 1,000 personnel at any time (with rotation), a plan for maintaining 25,000 contract soldiers with 18,000 professional officers and NCOs does not seem entirely well-grounded.
- The army model that was proposed still seemed rank-heavy.<sup>28</sup>
- Neither the planning horizon (ten years) nor the financial resources were sufficient to permit an overall rearmament with Western equipment. Bearing in mind the fact that in the Kievenaar Report of 1999, the modernization horizon given was 2020<sup>29</sup> (i.e., more than 20 years), it is strange that the Development Plan by 2015 aspired to achieve a similar result within a period that is half as long. In addition to that, the modernization projects (amounting to several billions of dollars) had not been prioritized.

Despite the insufficient funding, it has to be pointed out that defense costs by 2009 (BGN 1.34 billion<sup>30</sup>) exceeded the forecast of BGN 900 million on which the Kievenaar Report was based ten years earlier.<sup>31</sup> It is a fact, however, that the funding level of 2.6 percent of GDP by 2015 that had been allowed for was not abolished until the Plan itself was canceled in 2010.<sup>32</sup> The decision to establish a fully professional army by 2008 exerted additional pressure on Bulgaria's financial resources. Still, in the period from 2004 to 2010, investment costs (which include the acquisition of new armament and equipment, the extension of the life cycle of old systems, as well as investments in infrastructure) exceeded BGN 2 billion<sup>33</sup> (EUR 1 billion). Projects were implemented for the delivery of multi-role helicopters (Eurocopter AS532 Cougar and AS565 Panther), transport aircraft (Alenia C-27J Spartan), communication equipment, new light and medium wheeled transport vehicles (Mercedes), second-hand frigates (Wielingen class), a minesweeper (Tripartite class), and other specialized equipment.

By 2008–10, however, despite the large programs (for a nation the size of Bulgaria), the issue of why the capabilities of the armed forces had not sufficiently increased came to the fore. The army was still rank-heavy. At the same time, the formations on a tactical level, from the Land and Air Forces as well as the Navy, were still incapable of partici-

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<sup>28</sup> Slatinsky, *Na vnimanieto na gospodin Prezidenta*, 483.

<sup>29</sup> *Bulgarian Defense Reform Study* (1999), 130.

<sup>30</sup> *Defense Report 2010* (Sofia, 2011), 12.

<sup>31</sup> *Bulgarian Defense Reform Study* (1999), 25.

<sup>32</sup> *Defense Report 2009* (Sofia, 2010), 10. 2.45% (2005); 2.26% (2006); 2.5% (2007); 2.33% (2008); 2 (2009).

<sup>33</sup> On the basis of the annual reports on budget implementation; see [www.minfin.bg](http://www.minfin.bg).

pating in high-risk and high-intensity expeditionary operations. Ten years after the beginning of its defense-sector reforms, Bulgaria still did not have a single combat unit at a battalion/squadron/combat ship level that was fully combat capable according to NATO standards (perhaps with the exception of a light infantry battalion, engineer and logistic modules, and special operation units).

In 2010, Bulgaria conducted a new review of the structures, the results of which were the “White Paper on Defense” and the “Armed Forces Development Plan.” Irrespective of the significant progress achieved in terms of the internal reorganization of MoD the significant reduction in the defense budget in the period 2010–13 (down to 1.2–1.4 percent of GDP) postponed the continuation of the modernization process for an undefined period of time. Moreover, since Bulgaria was already a member of NATO and the EU, the national policy focused on unresolved social and economic issues that had turned into priority goals. It is unlikely that in the foreseeable future the country will have the will to restore the levels of defense funding of 2009 or earlier.

## **What Are We Doing Wrong?**

### *The Lack of Will and Direction (1990–97)*

It would be difficult to point out any flaws in the defense policy of Bulgaria for the period 1990–97 since, if we applied the definition of defense policy that has already been pointed out at the beginning of this essay, there was no such policy. With the lack of a clear vision about the future development of the state, apart from the fact that the country would be a “democratic” one, the army remained outside the scope of any political or public agenda. The main issue was civil-military relations and doing away with any threat that the army could interfere in the nation’s political life (a threat that was intentionally aggravated at a time of acute crisis). In the presence of sufficiently powerful factors (the reformist forces were in power for a little more than a year, in 1991–92, as part of a “minority government”) that wanted Bulgaria to remain part of some kind of Eastern integration process or to retain its “neutrality,” there was no clear vision about the future development of the army. Defense management, inasmuch as it was at all understood as a concept, was kept firmly within the ambit of the army. Realizing that it was impossible to maintain an army of more than 100,000 personnel, but at the same time lacking any political vision for development, the military leadership tried to preserve at least some of the army’s combat capability. Very often, however, some of the high-ranking officers focused their efforts mostly on power struggles between the various services’ HQs, the General Staff, the MoD, and the Presidency.<sup>34</sup>

### *Internal Resistance (1997–2004)*

It was the two governments in the period from 1997 to 2004 that did finally implement a defense policy in the real sense of the concept. The main factor for that was the affirmative commitment to such a policy as well as the relative consensus on Bulgaria’s mem-

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<sup>34</sup> Daskalov, *Slavnoto vreme*, 388–89; and Mutafchiev, *Na glavnoto napravlenie*, 353–78.

bership in NATO. After that, Bulgaria had to reach a condition that would allow it to integrate in NATO structures, which to a large extent predetermined the course of military reform. In this short period of time (two terms in office), the country's defense policy overall corresponded to the criteria that had been established: strategic thinking, adequacy, feasibility, flexibility, continuity, and determination. It has to be pointed out, however, that during this period what the reform effort mainly focused on was the restructuring and downsizing of the armed forces. One can hardly speak of the establishment of new capabilities of the armed forces, and the Bulgarian forces' participation in Iraq proved that. It has to be highlighted, however, that after the serious financial and economic crisis of 1996, even having allocated more than 2.5 percent of GDP to defense, the country could not spend funds on investments in the defense sector. Moreover, the reorganization could not be performed all at once.

A serious factor that impeded reforms was internal resistance from the military establishment. Relying on their political connections—to a lesser extent with President Petar Stoyanov, and to a greater extent with the former leader of the Bulgarian Socialist Party, President Georgi Parvanov,<sup>35</sup> who had the final say on generals' appointments—they tried to counteract on some of the reforms (especially in terms of the number of personnel) and secured the professional promotion of their affiliates. It was in this period that the myth of the “externally” inspired “destruction of the army” was born.

### *Defense Management Goes Wrong (2004–10)*

After 2004, Bulgaria had the chance to make use of the resources that had become available as a result of the downsizing of the army and to allocate these funds to investments. According to estimates dating back to the end of 1990s, the beginning of a new large-scale rearmament program had to be implemented after 2004. Something, however, went wrong. The Development Plan by 2015, which was to lead to the integration of the Bulgarian Army with NATO forces, failed to comply with the principles of feasibility and continuity. If until then it had been believed that the “professionalization” of the military had to cover only one part of the Rapid Reaction Forces (three brigades) and certain parts of the Air Force and the Navy, the Development Plan by 2015 stipulated the abolition of conscript military service while keeping the army at a personnel level of 45,000. This was impossible for Bulgaria to accomplish. In addition to that, the lack of a strategic approach and continuity was reflected in yet another decision (made immediately after the new government came to power in 2005), as defense costs were gradually reduced to 1.9 percent of GDP.

The inefficient way the funds allocated to investment costs were used was as important as the unrealistic planning and the overall cutting of costs. With a number of non-transparent deals, which led to reasonable questions and protests,<sup>36</sup> the available resources were used for acquisitions that succeeded in increasing the capabilities of the

<sup>35</sup> Slatinsky, *Na vnimanieto na gospodin Prezidenta* (Sofia, 2008), 282, 459–61.

<sup>36</sup> See <https://www.balkanleaks.eu/en/05sofia187.html>; and N. Slatinsky, *Na vnimanieto na gospodin prezidenta* (Sofia, 2008), 77, 450, 482–84, 506–07, 554–55, 586–88.



armed forces only slightly. The defense management system that was introduced was based on the concepts of capabilities-based planning, program-based budgeting, and life-cycle management. It was, however, only partially operational, which allowed for the concluding of controversial deals. The main institutions having to do with the operation of the army—the National Assembly, the Council of Ministers, and the Presidency—openly or silently supported the deals.<sup>37</sup>

By the end of the period all investment costs were allocated to payments on deals that had already been signed, the costs for personnel and maintenance were on the rise (because of the increase of the standard of living in the country, which was greater than was initially expected), and the overall defense costs were reduced. The steps to review the Development Plan by 2015 that had been made in 2008 were yielding results only partially. It was clear that a new Defense Review was necessary.

### *Fatigue and Lack of Interest (2010–)*

The financial and economic crisis stimulated the conducting of a new Defense Review, but only partially. What was left was the impression that the primary result that was sought was to make some army resources available in order for them to be allocated to other areas on which the public placed greater priority. In addition to that, the amount of the funding—1.5 percent of GDP—was low from the perspective of previous Bulgarian experience, and was combined with required maintenance costs for systems that would not receive the level of funding sufficient in order to enable them to reach full combat capability. Yet again there was no strategic thinking. The financial plans of the Ministry of Defense and the Ministry of Finance were different (the Ministry of Finance planned for defense expenditures of 1.2–1.4 percent of GDP). Even the MoD's limited ambitions in the sphere of rearmament were impossible to achieve. The MoD has the determination to overcome the resistance to the personnel cuts, but not to come up with a sufficiently bold solution that could actually be implemented.

### **Conclusion**

Bulgaria is a good example of the critical need for a strategic vision and governance in defense. It is a fact that in the twenty years after 1990, the country allocated significant funds to defense, bearing in mind what it could afford to spend. However, despite its NATO membership, its participation in expeditionary operations, and the implementation of large-scale investment projects, the Bulgarian Army can hardly be called “fully combat capable.” The main reason for this is that for a long period of time (up to 1997) Bulgaria did not have a vision for the implementation of military transformation. When such a vision appeared, there was not enough continuity in order for it to be implemented. There are, of course, issues not only in terms of governance of defense. In the period from 2004 to 2010 there were critical omissions in the functioning of defense management. Bulgaria had a direction to follow (its NATO integration), with serious re-

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<sup>37</sup> Ibid., 482.

sources allocated to that goal, but the Ministry of Defense made the mistake of adopting a too-ambitious model of the armed forces, not managing the available resources in a reasonable way, and in the end implementing investment projects that were not sufficiently related to the required combat capabilities. After 2010, the combination of an economic crisis and the loss of trust that the Ministry of Defense could manage its funds well led to a situation in which it would be very unlikely for a large-scale modernization program to be launched soon. Once again, the lack of governance has led to a focus on short-term social issues, whereas defense policy remains outside the scope of interest of the main political powers.

# The Future of the Sinai Peninsula

*Ruben Tuitel*\*

## Introduction

The Sinai Peninsula has been a center of conflict for many years, starting with the first Arab-Israeli war in 1948. After Israel and Egypt signed the Camp David Accords in 1978, it became a peaceful region, strongly controlled by the military during Hosni Mubarak's rule in Cairo. Now, after several years of non-violence, the Sinai Peninsula is once again the center of a complicated conflict. Heavy protests across Egypt in 2011 forced Hosni Mubarak to step down from the presidency, creating a security vacuum in the Sinai that allowed radical Islamists to almost freely operate in the region. During the months that followed, insurgent groups grew in number, recruiting frustrated Bedouin who have been neglected by the Egyptian government for years.

It seems that the Sinai continues to be an area of conflict, but what about the future? Is it possible to achieve peace and stability in this region? This article describes and analyzes the past and present of the Sinai Peninsula, and projects three future scenarios.

The first part will describe past conflicts in order to give an overview of what happened in the Sinai over the past sixty years, starting with the first Arab-Israeli war in 1948 and extending to the peace treaty between Israel and Egypt in 1979 and beyond. The second part will discuss recent and current events beginning with the Arab Spring through the time of this article's writing (December 2013). Then, the final section will present three possible future scenarios based on past and present events.

## Background: The Past

To understand the present situation in the Sinai Peninsula, it is important to understand how we got here. The conflicts between Arab nations in the Middle East (mainly Egypt) and Israel between 1948 and 1978, and the attacks in South Sinai from 2004 to 2006, will be discussed in the following section.

### *1948–1979: Historic Wars*

From 1948 to 1978, several wars were fought between Arab nations and Israel that took place largely in the Sinai Peninsula. These wars obviously had an impact on life in the Sinai Peninsula itself, but they also significantly influenced the political landscape in the Middle East.

The first war was fought in 1948, after the establishment of the state of Israel on 14 May 1948. The Arab nations in the region strongly resented the establishment of the Jewish state and the displacement of the Palestinian population, and launched an attack

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on Israel one day later on 15 May 1948. However, due to a disorganized command structure on the Arab side, Israel was able to fend off the attack and force the Arab troops to withdraw. The war was fought on many fronts—Jerusalem, the Negev, and the Sea of Galilee were heavily contested areas—but the Sinai Peninsula was the main theater of the conflict. The second large war between Israel and its Arab neighbors was in 1958, the Suez Crisis.<sup>1</sup> Then, nine years later, the third large war was fought in the region, known as the Six Day War.<sup>2</sup> The final war was fought in 1973, when Arab nations invaded Israel on the holiest Jewish holiday, Yom Kippur.<sup>3</sup> The Suez Crisis marked the end of imperial influence in the Middle East for two European countries: France and Great Britain. The Six Day War and the Yom Kippur War showed that Israel, a small and new state, had achieved military superiority over the much larger Arab nations, who were deeply humiliated by their repeated defeats at Israel's hands (especially Egypt). In 1978 Israel and Egypt signed the Camp David Accords, which concluded a long period of conflict between the two nations.

### *1978: The Camp David Accords*

The Camp David Accords were signed by Egyptian President Anwar Sadat and Israeli Prime Minister Menachem Begin on 17 September 1978. President Jimmy Carter of the United States played an important role during the peace talks, negotiating the terms between Sadat and Begin. After thirteen days of intense negotiations, an agreement was finally reached and signed.

There are two Camp David agreements: “A Framework for Peace in the Middle East” and “A Framework for the Conclusion of a Peace Treaty between Egypt and Israel.”<sup>4</sup> The first framework was rejected by the United Nations because the agreement was concluded without participation of the UN, and the Palestine Liberation Organization (PLO) did not agree with some of the terms. The second framework eventually led to the Israel–Egypt Peace Treaty, which was signed in March 1979 and decided the future of the Sinai Peninsula. The Sinai was returned to Egypt by Israel, which withdrew

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<sup>1</sup> U.S. Department of State, “Milestones: 1953-1960, Suez Crisis 1956”; available at <http://history.state.gov/milestones/1953-1960/Suez>. See also Roel Frakking, “The British Colonial Reflex: Eden, Nasser and the Suez Crisis,” unpublished university paper (n.d.); available at [http://www.academia.edu/1328049/\\_University\\_Paper\\_The\\_British\\_Colonial\\_Reflex\\_Eden\\_Nasser\\_and\\_the\\_Suez\\_Crisis\\_1956](http://www.academia.edu/1328049/_University_Paper_The_British_Colonial_Reflex_Eden_Nasser_and_the_Suez_Crisis_1956). And Donald Neff, *Warriors at Suez: Eisenhower Takes America into the Middle East* (New York: Simon and Schuster, 1981).

<sup>2</sup> U.S. Department of State, “Milestones: 1961-1968, Arab-Israeli War of 1967”; available at <http://history.state.gov/milestones/1961-1968/ArabIsraeliWar67>. See also Avi Shlaim, *The 1967 Arab-Israeli War: Origins and Consequences* (New York: Cambridge University Press, 2012).

<sup>3</sup> U.S. Department of State, “Milestones: 1969-1976. The 1973 Arab-Israeli War”; available at <http://history.state.gov/milestones/1969-1976/arab-israeli-war-1973>.

<sup>4</sup> The full text of both framework agreements is available at <http://www.jimmycarterlibrary.gov/documents/campdavid/index.phtml>.

its armed forces and evacuated inhabitants from the area in return for normal diplomatic relations. The Sinai was then divided into four zones to ensure maximum security:

- *Zone A*, controlled by the Egyptian armed forces
- *Zone B*, controlled by a maximum of 4000 Egyptian forces
- *Zone C*, mainly controlled by UN forces, the Multinational Force and Observers (MFO)
- *Zone D*, controlled by a small number of Israeli forces.<sup>5</sup>

The treaty is still in effect. However, while the treaty has not been violated, October 2004 saw violence return to the Sinai.

### *2004–2006: The Sinai Bombings*

On 7 October 2004, a large car bomb destroyed the Taba Hilton hotel in the South Sinai, located on the Egyptian-Israeli border. Later that night two smaller bombs went off at tourist campsites nearby. In total, thirty were killed and hundreds wounded.<sup>6</sup> On 23 July 2005, seventy people died when two truck bombs and a suitcase bomb went off in Sharm el-Sheikh.<sup>7</sup> On 14 August 2005, two roadside bombs hit a passing bus belonging to the Multinational Force and Observers (MFO) in North Sinai. Two Canadians were slightly injured.<sup>8</sup> On 24 April 2006, Dahab, a seaside resort in South Sinai, was hit by three bombs, killing nineteen and injuring nearly ninety Egyptians and foreign tourists. Two days later, the MFO was hit again, but there were no casualties.<sup>9</sup>

The attacks in Taba, Sharm el-Sheikh, and Dahab—all located in South Sinai—were similar in method: car bombs were used against civilians. The Egyptian and Israeli governments quickly blamed Al Qaeda for the attacks, but the actual perpetrator was unidentified. After an investigation, Egyptian authorities announced that the attacks were carried out by a previously unknown Egyptian group, *Tawhid wa Jihad*. According to statements from suspects, the group's members include Bedouin and men of Palestinian origin from North Sinai. Later it became clear that the terrorist attacks were part of a larger problem that had been present in the region for several years, stemming from government neglect of the Sinai and its local inhabitants, the Bedouin.

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<sup>5</sup> “Peace Treaty between The State of Israel and the Arab Republic of Egypt,” signed in Washington, D.C., 26 March 1979; available at <http://unispal.un.org/unispal.nsf/0/3a159c13d5084c1085256ced00746faa?OpenDocument>.

<sup>6</sup> Human Rights Watch, *Egypt: Mass Arrests and Torture in Sinai* (New York: Human Rights Watch, 2005), 1.

<sup>7</sup> International Crisis Group, *Egypt's Sinai Question* (Cairo/Brussels: International Crisis Group, 2007), 1.

<sup>8</sup> *Ibid.*

<sup>9</sup> *Ibid.*

*The Sinai and the Bedouin*

The total population of the Sinai Peninsula is currently estimated at 600,000; of this number, approximately 200,000 call themselves Bedouin. There are about thirty distinct Bedouin tribes in the Sinai.<sup>10</sup> Most of the Bedouin are farmers, fishermen, traders, civil servants, tourist guides, and hotel owners. The nomadic and pastoralist lifestyle traditionally associated with the Bedouin nowadays belongs to only a small group of often poor Bedouin. The term “Bedouin” is no longer held to describe a specific way of life, but in terms of belonging to a specific group.<sup>11</sup>

After the Israelis retreated from the Sinai, the Egyptian government focused on developing the Sinai as a tourist region. The population started to grow, but very unequal. In 2002, over 300,000 people lived in the North Sinai, compared to only 60,000 in the South. The South, which mainly generates jobs in tourism and private sector industry, is much more developed than the North, which is one of the poorest areas in the region. Sharm el-Sheikh has become a popular tourist resort: in 2002, it recorded more than six million tourist nights. The tourism industry employs about 12 percent of Egypt’s workforce, providing revenues of nearly USD 11 billion in 2009.<sup>12</sup> The standard of living here is high, comparable to Europe. Over the years, the town was transformed into a modern tourist destination, and most local Bedouin were forced to move away, because their land was sold to hotel operators. The Bedouin have always been a part of the Sinai Peninsula, but they had no land rights, only users’ privileges.<sup>13</sup> Sharm el-Sheikh was primarily an elite enclave, and therefore excluded the traditional Bedouin. In 2005, a government plan to build a wall around Sharm el-Sheikh to prevent terrorist attacks was cancelled due to protests by the local community, as it would have separated a Bedouin settlement from the city.<sup>14</sup> In response, the governor banned the only economic activities in the city that were open to the Bedouin: offering camel rides to tourists, acting as unofficial guides on trips, and holding *soirées* at night.<sup>15</sup> Bedouin were no longer allowed to circulate through Sharm el-Sheikh with their camels and offer rides to tourists. Government sales of land to investment groups pushed the local inhabitants out of the tourism

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<sup>10</sup> Nikolas Kovač and Trista Guertin, *Armed Groups in the Sinai Peninsula* (Enschede: Civil Military Fusion Centre, 2013), 1.

<sup>11</sup> Donald P. Cole, “Where Have the Bedouin gone?” *Anthropological Quarterly* 76:2 (200): 235–267; cited at 236.

<sup>12</sup> Alexander Dziadosz, “Egypt Tourism Numbers to Fall Less than Feared,” *Reuters* (20 October 2009); available at <http://www.reuters.com/article/2009/10/20/ozabs-tourism-egypt-idAFJ0E59J0PG20091020>.

<sup>13</sup> Yosef Ben-David, “The Bedouin in Israel,” Israel Ministry of Foreign Affairs (July 1999); available at <http://www.mfa.gov.il/mfa/mfa-archive/1999/pages/the%20bedouin%20in%20israel.aspx>.

<sup>14</sup> “Fence to Protect Red Sea Resort,” *BBC News* (18 October 2005); available at [http://news.bbc.co.uk/2/hi/middle\\_east/4354666.stm](http://news.bbc.co.uk/2/hi/middle_east/4354666.stm).

<sup>15</sup> International Crisis Group, *Egypt’s Sinai Question*, 14.

area and eliminated access to their main source of income.<sup>16</sup> Hotels and restaurants have replaced many Bedouin villages.

The North Sinai, by contrast, has been known for its poverty and slow development. Development plans created for the region were not executed, and inhabitants started to emigrate from the region looking for better opportunities. The tourism industry grew fitfully over the years, but only welcomed some 50,000 tourists during the summer holiday season. Fishing and agriculture remained the primary economic activities in the region, unlike the South, which saw a dramatic increase in private business activity. The Sheikh Zayed region, which is known for its famous olive trees, is home to the only olive oil factory in the region, which is controlled by the Egyptian Army.<sup>17</sup> Jobs at the factory were assigned to non-locals instead of the Bedouin, again discriminating against the locals in the region.

The Bedouin in the Sinai Peninsula have been ignored by the government for years. Hosni Mubarak's Sinai policy focused on the profitable tourism industry without acknowledging the settlements of the local Bedouins. Bedouin have only limited possibilities for economic survival—they are not allowed to join the army or to hold governmental positions—and the tourism industry has largely been taken over by commercial organizations. Local political institutions are not completely closed to Bedouin, but they are closely monitored. Tribes have been subject to police regulation when it comes to leadership and representation, including the selection of tribal spokesmen, who are empowered to deal with the authorities.<sup>18</sup> This makes political involvement for the Bedouin very difficult. The conditions for the Bedouin have been harsh, creating an environment ripe for extreme dissent, and possibly even leading to the bombings in the South Sinai from 2004–06.

### **The Present: Insurgency, Smuggling, and Military Crackdown**

In December 2010 in Tunisia, high unemployment rates, inflation of food prices, rampant corruption, and the lack of basic rights sparked large-scale protests across the country.<sup>19</sup> When a young Tunisian street vendor named Mohamed Bouazizi set himself on fire after he was humiliated in public and his wares were confiscated by a municipal officer, the anger and violence of the Tunisian protests intensified. Inspired by the unrest in Tunisia, other Arab countries soon followed suit. Across the Middle East citizens began to demonstrate against oppression in their countries.<sup>20</sup> In most countries, the demon-

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<sup>16</sup> Ibid., 15.

<sup>17</sup> Ibid., 18.

<sup>18</sup> Ibid., 23.

<sup>19</sup> Sarah El-Rashidi, "Morsi's Failures in Sinai: A Cautionary Tale," *EgyptSource* blog, on the Atlantic Council website (4 September 2013); available at <http://www.atlanticcouncil.org/blogs/egyptsource/morsi-s-failures-in-sinai-a-cautionary-tale>.

<sup>20</sup> The countries that experienced some form of unrest during the Arab Spring include Morocco, Western Sahara, Mauritania, Mali, Algeria, Tunisia, Libya, Egypt, Sudan, Syria, Iraq, Jordan, Saudi Arabia, Yemen, Djibouti, Oman, Bahrain, Kuwait, Iran, Lebanon, and Palestine. In addition, minor protests occurred at the Israeli border.

strations led to governmental changes, although only few experienced severe clashes of violence, as in Syria, where a civil war is still ongoing. The governments of Libya, Tunisia, Yemen, and Egypt were all overthrown.

Hosni Mubarak became President of Egypt after his predecessor Anwar Sadat was assassinated in 1981. During Mubarak's presidency, political corruption rose dramatically, and some 30,000 people were imprisoned for their political views in a two-year span alone (from 1992 to 1994).<sup>21</sup> Protests erupted in Egypt in January 2011, focused on Tahrir Square in Cairo, demanding the resignation of Mubarak. He eventually resigned on 11 February 2011, handing over power to the Egyptian Army. As the government focused on economic and political issues in the rest of the country, the Sinai again took a back seat. In November 2011, Egypt held its first parliamentary election since the previous regime. On 24 June 2012, Mohamed Morsi—an Islamist leader of the Muslim Brotherhood—was elected, and people were hopeful that his taking office meant that stability would return to the Sinai. Morsi campaigned on five major issues—security, traffic, fuel, bread, and sanitation—and promised that the Sinai would receive funding as well.<sup>22</sup> A journalist in El-Arish explained: “Morsi’s campaign promised that Sinai would be one of the four pillars of his Nahda program, and thus would receive a quarter of its spending on development and investments.”<sup>23</sup>

One year later, none of these promises were realized. Most of the Sinai remains without basic services such as clean water, quality health care, and education. Morsi also promised to alter the discriminatory treatment of the local Bedouin and to investigate and review cases of Bedouin who were tried in absentia. None of this has been accomplished, which has led to even more frustration among Sinai’s inhabitants. In the end, nothing changed for the Sinai after the toppling of the Mubarak regime.

In fact, the situation worsened when radical Islamists effectively took over large portions of the Sinai and began operating there without much resistance, as early as 2011. Large deliveries of heavy weaponry found their way into the peninsula and into extremists’ hands; these groups then targeted both the Egyptian military and installations on the Israeli border. Mubarak’s regime had been able to keep any militant groups out of the Sinai for years by employing a zero tolerance approach, which was one of Egypt’s treaty obligations as agreed upon in the Camp David Accords. Morsi, on the other hand, refused to employ the same heavy-handed tactics to stop the flow of arms coming into the Sinai,<sup>24</sup> and his seeming disinterest in stopping the attacks on military personnel and avenging the deaths of Egyptian soldiers displeased the military. The military interpreted this as evidence of his divided loyalties between Islamist groups and his obligation as

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<sup>21</sup> R. Clemente Holder, *Washington Report Archives 1994-1999* (August 1994); available at [www.wrmea.org/wrmea-archives/156-washington-report-archives-1994-1999/july-august-1994/7540-human-rights.html](http://www.wrmea.org/wrmea-archives/156-washington-report-archives-1994-1999/july-august-1994/7540-human-rights.html).

<sup>22</sup> El-Rashidi, “Morsi’s Failures in Sinai.”

<sup>23</sup> Ibid.

<sup>24</sup> Sahar Aziz, “Sinai’s Role in Morsi’s Ouster,” *Sada: Middle East Analysis* (20 August 2013); available at <http://carnegieendowment.org/sada/2013/08/20/sinai-s-role-in-morsi-s-ouster/gjdr>.



president to preserve security in Sinai.<sup>25</sup> His soft tactics and the deteriorating situation in the Sinai (and other political issues) eventually led to a *coup d'état* by the Egyptian Army, who ousted Morsi from his presidency in July 2013.

### *Insurgency*

After Mubarak's removal from power in 2011, the Sinai Peninsula became a lawless region, creating a security vacuum in the area. The government was more concerned with resolving the country's economic and political problems than safeguarding the Sinai. This allowed radical militants to operate freely in the area.

The very first sign of terrorist activity appeared in July 2011, when a group of tribesmen attacked a police station near El-Arish, the largest town in North Sinai. Three civilians and two police officers were killed, and more were wounded.<sup>26</sup> On July 30, a natural gas pipeline was attacked for the third time that month, and for the fifth time in a year. On August 2, a pamphlet with the title "A Statement from Al Qaeda in the Sinai Peninsula" was spread throughout El-Arish, calling for the creation of an Islamic Emirate in the Sinai, an end to the discrimination against the Bedouin, and an end to the exploitation of Sinai's wealth by non-residents.<sup>27</sup> Since then, the Sinai has seen a sharp increase in terrorist activity, and the government's inability to enforce the rule of law has been heavily exploited by these terrorists. The state police tried to address this instability through violent means. According to Sheikh Ahmed El-Herish of the Qararsha tribe, "The police department insists on destroying everything we do and will eventually destroy Egypt," in part because of a desire to take revenge for what happened during the Arab Spring.<sup>28</sup> Subsequently, frustrated Bedouin have joined radical Islamist groups, seeking retribution for the neglect and violence they have suffered at the hands of the Egyptian state.

At present, the Sinai is home to multiple armed groups, but it remains unclear how many militants are actually in the area. Western intelligence agencies report the existence of several dozen militant bases with fifteen to twenty members each.<sup>29</sup> According to the Israeli military, a common trait of all the militant groups in the Sinai is a link to Gaza; most of the Sinai-based groups are believed to be offshoots of Gaza terror groups.

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<sup>25</sup> Ibid.

<sup>26</sup> Andrew McGregor, "Hot Issue – Has Al-Qaeda Opened A New Chapter in the Sinai Peninsula?" *Jamestown Foundation* (1 August 2011); available at [www.jamestown.org/single/?no\\_cache=1&tx\\_ttnews%5Btt\\_news%5D=38332](http://www.jamestown.org/single/?no_cache=1&tx_ttnews%5Btt_news%5D=38332).

<sup>27</sup> Ibid.

<sup>28</sup> Mohannad Sabry, "Under Mubarak, Morsi or Sisi, Sinai Remains a Victim," *EgyptSource* blog (7 August 2013); available at <http://www.atlanticcouncil.org/blogs/egyptsource/under-mubarak-morsi-or-sisi-sinai-remains-a-victim>.

<sup>29</sup> Nikolas Kovač and Trista Guertin, *Armed Groups in the Sinai Peninsula* (Enschede: Civil Military Fusion Centre, 2013).

Reports indicate the terror groups have growing ties with the local Bedouin who give them refuge and provide escape routes.<sup>30</sup> The following armed groups are known to be active in the Sinai or have some kind of influence:<sup>31</sup>

- *Ansar Bayt al Maqdis (Supporters of Jerusalem)*: This terrorist group is considered the most active group in the Sinai. It consists primarily of Sinai Bedouin, but also has members from other Middle Eastern countries and North Africa. It is believed to have approximately 2,000 members.
- *Hamas*: The Palestinian organization is probably the best-known terrorist organization in Gaza and is responsible for many terrorist attacks.
- *Jaish al Islam (Army of Islam)*: Also a terrorist group in Gaza. Its activities include individual terrorist actions and kidnappings. Due to clashes with Hamas, its influence has decreased.
- *Takfir Wal Hijra (Anathema and Exile)*: Founded in 1969, this group is one of the oldest active in Egypt. It is a loosely organized group that has ties with Al Qaeda and defies customs of tribal law, which makes it unpopular among the Bedouin.
- *Tawhid al Jihad*: Similar to *Jaish al Islam*, *Tawhid al Jihad* is an organization based in Gaza that is also active in the Sinai. The group is responsible for the bombings in 2004–06. The cell uses the Northern Sinai mountains as its headquarters. It actively carries out bombings, armed attacks, and kidnappings against Israeli and Western workers and tourists and is rumoured to have around 1,200 members.
- *The Mujahedeen Council of Shura in Environs of Jerusalem*: This organization regards itself as a coordinator between several Gaza/Sinai jihadist groups, including *Tawhid al Jihad*. It opposes a peace treaty with Israel and targets Israeli positions.
- *Jund al Sharia*: The group issued a list of five demands to the Egyptian and U.S. governments. The demands include the introduction of Islamic Law into Egypt and the release of all Muslim prisoners.
- *Ansar al Jihad*: This is the newest group in the Sinai, and has pledged allegiance to Al Qaeda and its leader Ayman al-Zawahiri. It announced its existence in late 2011, and claimed responsibility for the attacks on Egypt's natural gas pipeline in July and August 2011. It has not been much in the news since, which leads to questions about the group's actual significance.

The many groups active in the Sinai make it difficult for the Egyptian authorities to respond to the insurgency. The response is also limited by the Camp David Accords from 1979, which are still in effect. As mentioned above, the Egyptian military has

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<sup>30</sup> Kovač and Guertin, *Armed Groups in the Sinai Peninsula*.

<sup>31</sup> *Ibid.*

troops stationed in Zone A and B. Zone C is controlled by the Multinational Force and Observers, and Zone D is occupied by some 4,000 Israeli troops. Responding to the insurgency might compromise the relationship between Egypt and Israel and violate the terms of the Camp David Accords. Despite this, Egypt launched a campaign called “Operation Sinai” in August 2012 to eliminate the Sinai insurgency. The operation was launched after a large attack on the Egyptian-Israeli border that killed sixteen Egyptian soldiers.<sup>32</sup> During the month, the Egyptian military launched several attacks on militants in the Sinai, killing and arresting several of them. The military called the operation a great success.<sup>33</sup> However, according to Bedouin activists, it was nothing more than a media stunt: “Operation Eagle was a failure; the majority of the tunnels are still operating. With the new development projects in Gaza, the need for them has grown, and this has increased strife....”<sup>34</sup>

Recent reports contradict this, indicating that attacks by jihadist groups are on the decline.<sup>35</sup> “Operation Sinai” is still ongoing. Recently, *Ansar Bayt al Maqdis* reported that three of its members were killed in clashes with the Egyptian Army,<sup>36</sup> confirming the activity of Egyptian security forces in the Peninsula. Statements like the above by Bedouin activists are most likely media stunts themselves, encouraging others to fight against the Egyptian authorities. Some of the insurgent groups (but also some non-extremist Bedouin) are also involved in smuggling, adding to the complexity of the problem in the Sinai.

### *Smuggling*

The possibilities for economic survival for Bedouin in the Sinai are scarce. They are not allowed to own property, enter politics, join the army, or hold any government post. The land they “own” to grow crops can be taken away by the government. Some of the Bedouin have therefore resorted to smuggling in order to survive. Using a large underground tunnel network, smugglers bring food or weapons across the border into Gaza. Heavy

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<sup>32</sup> On 5 August 2012, armed men ambushed an Egyptian military base in the Sinai, killing sixteen soldiers and stealing two armored cars, which they used to infiltrate Israel. Israeli Defense Forces engaged in a firefight with the attackers, killing seven. “Egyptian Border Guards Killed in Sinai Attack,” *Al Jazeera* (5 August 2012); available at [www.aljazeera.com/news/middleeast/2012/08/201285183958163902.html](http://www.aljazeera.com/news/middleeast/2012/08/201285183958163902.html).

<sup>33</sup> “Egyptian Army Declares Success in Crackdown on Sinai Terrorists,” *Times of Israel* (8 August 2012); available at <http://www.timesofisrael.com/egyptian-military-fires-missiles-at-suspected-islamist-terrorists-in-sinai/>.

<sup>34</sup> El-Rashidi, “Morsi’s Failures in Sinai.”

<sup>35</sup> Jamie Dettmer, “Egypt’s Military: Sinai Jihadist Attacks on the Decline,” *Voice of America* (6 November 2013); available at [www.voanews.com/content/egypts-military-sinai-jihadist-attacks-on-the-decline-1784743.html](http://www.voanews.com/content/egypts-military-sinai-jihadist-attacks-on-the-decline-1784743.html).

<sup>36</sup> David Barnett, “Ansar Jerusalem Announces Deaths of 3 Fighters, Including Commander,” *Threat Matrix* (2 December 2013); available at [http://www.longwarjournal.org/threat-matrix/archives/2013/12/ansar\\_jerusalem\\_announces\\_deat.php](http://www.longwarjournal.org/threat-matrix/archives/2013/12/ansar_jerusalem_announces_deat.php).

weaponry smuggled in from Libya is used against Egyptian forces or passed along to Gaza.<sup>37</sup>

### *Military Crackdown*

On 8 July 2013, after Morsi was ousted from the presidency, the Egyptian military and the Republican Guard clashed with pro-Morsi and Muslim Brotherhood protesters in Cairo. The Egyptian military claimed that protesters tried to attack the building of the Republican Guards. The military responded by shooting teargas and live ammunition at the protesters, eventually killing almost sixty people.<sup>38</sup> On August 14, the military attacked two Cairo encampments of Morsi protesters. Nearly 250 people were killed in the incident.<sup>39</sup> The assault followed after the Muslim Brotherhood called on Egyptians to rise up in protest. Supporters started throwing stones and firebombs at security forces. The violence between Muslim Brotherhood supporters and the military has continued, and began to take civil war-like form, heavily affecting Egypt's political and economic system but also the rest of the Arab world.

### **The Future: Three Scenarios**

The situation in the Sinai Peninsula is made even more complicated by the Egyptian government's exclusive focus on political and economic issues instead of addressing one of the most important areas of its territory. This gives militants the opportunity to operate freely, making Sinai a breeding ground for terrorists in an already extremely volatile area between Egypt and Israel. The question is, What will the future of the Sinai look like? This section will describe three scenarios based on past and present events.

#### *Scenario 1*

One positive scenario could be that the military is able to stabilize the situation with respect to the Muslim Brotherhood, and will be able to avoid further violence. Since the government was successful in reducing the level of jihadist attacks in the Sinai, this scenario is not impossible. Should this come to pass, the military (under pressure from the international community) could resort to more peaceful means and slowly but surely allow more rights for the population overall. Democratic elections would be held in a peaceful atmosphere, increasing the chance for honest outcomes. The newly elected president would learn from the mistakes of his predecessors and follow a more moderate

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<sup>37</sup> Gili Cohen, "Sinai Peacekeeping Force Commander Warns of Weapons Smuggling to Gaza," *Haaretz* (31 May 2012); available at <http://www.haaretz.com/news/diplomacy-defense/sinai-peacekeeping-force-commander-warns-of-weapons-smuggling-to-gaza-1.433567>.

<sup>38</sup> Patrick Kingsley, "Killing in Cairo: The Full Story of the Republican Guards' Club Shootings" (18 July 2013); available at <http://www.theguardian.com/world/interactive/2013/jul/18/cairo-republican-guard-shooting-full-story>.

<sup>39</sup> Mayy El Sheikh and Alan Cowell, "Hundreds Die as Egyptian Forces Attack Islamist Protesters," *New York Times* (14 August 2013); available at [http://www.nytimes.com/2013/08/15/world/middleeast/egypt.html?pagewanted=2&\\_r=0](http://www.nytimes.com/2013/08/15/world/middleeast/egypt.html?pagewanted=2&_r=0).

political approach. The president would make sure government funds are allocated to the Sinai to start new development projects. The voice of the Bedouin would be heard again; they would gain more rights, and be allowed to own land. They could hold jobs not currently available to them. The insurgency would lose support, and the number of radical militants could be greatly reduced. It is likely that international relations would improve and exports and imports would start to grow, which would improve the nation's economy. This scenario would be a positive change for the Sinai and Egypt as a whole. For the more distant future, this would mean that Egypt would become a stable and perhaps a democratic country. It could also serve as an example for other Middle Eastern countries, perhaps encouraging them to change as well. This would be a slow process, and could take many years before it becomes reality.

### *Scenario 2*

A scenario that stands between the positive and negative scenarios is if the powerful General Sisi is elected as president. At the moment, General Sisi is quite popular in Egypt, despite his actions against Muslim Brotherhood supporters. Speculation holds that Sisi will garner around 70 percent of the votes if he decides to run for president.<sup>40</sup> However, General Sisi's military background will probably bring Egypt where it does not want to be in the future. Security in Egypt and the Sinai Peninsula would most likely be restored, and he will gain popularity. However, tight security often affects the freedom of civilians, which is already unbalanced, especially in the Sinai. Egypt could head for a future of military rule where elections are rigged in favor of the military. This scenario might closely resemble the era of Mubarak's rule, in which the Muslim Brotherhood was classified as an illegal party, yet levels of stability and security in Egypt are high. On the other hand, during his presidency, despite his poor human rights record, Mubarak's foreign policy contributed to stability in the Middle East through his support for the Egypt–Israel peace treaty, his resistance to Islamist extremism, his positive role in the Israeli–Palestinian peace process, and his close relationship with the United States.<sup>41</sup>

In this scenario, the overall level of stability in Egypt would increase due to military action against Islamist extremists, but the Sinai might remain a rather neglected area. In the more distant future this would mean that Egypt would continue to be a military power, much like during the Mubarak regime. This has positive and negative aspects. The Sinai would most likely be safer than it is now, as the Islamist extremists would be driven out of the area by the Egyptian Army. The current military campaign aimed at removing radical jihadists from the Sinai bears a strong resemblance to the Mubarak era

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<sup>40</sup> Abdallah el-Senawi, "Egypt's Big 'what if'? Sisi and his Possible Rise to Power," *Al Arabyia Institute for Studies* (13 November 2013); available at <http://english.alarabiya.net/en/perspective/alarabiya-studies/2013/11/13/Egypt-s-big-what-if-Sisi-and-his-possible-rise-to-power.html>.

<sup>41</sup> Ghassan Shabaneh, *Egypt and Syria's Effect on the Israeli-Palestinian Conflict* (Qatar: Al-Jazeera Center for Studies, 2013).

and seems to be successful. If General Sisi were to follow a “Mubarak approach,” the peace process between Palestine and Israel could also be positively influenced, and overall stability in the region would increase. Another positive aspect is that General Sisi is very nationalistic and is a moderate Islamist.<sup>42</sup> The chances that Egypt would become an Islamist state are small. A negative side would be that the focus of Egypt’s government would primarily be placed on military security, and not so much on political and economic prosperity. This would result in economic inequality and political oppression.

### *Scenario 3*

In this more negative scenario, a large-scale civil war could erupt in Egypt, with the Sinai a primary conflict zone. At the moment, the Egyptian military is enjoying success in tackling the Sinai insurgency; reports have shown that attacks have actually decreased. However, the Egyptian military and police currently find themselves in a vicious circle of violence on another front. The violence against Muslim Brotherhood supporters in Cairo and the waves of mass arrests are actually strengthening the resolve of insurgent groups throughout Egypt, leading to more resistance from their side, resulting in more violence by the state’s security forces, and so on. The Egyptian military would lose control over Egypt’s and Sinai’s security, and Islamists, whether they are Muslim Brotherhood supporters or not, would continue to fight against military rule. It is likely that when the violence between the military and pro-Brotherhood supporters continues, the insurgency in the Sinai will increase in strength as well. The radical Islamists in the Sinai would be able to continue their operations in the peninsula, making it an even more volatile region. The Bedouin would likely choose the side of the radical Islamists, who would protect the Bedouin in order to gain more popularity. The situation in Sinai may affect other Middle Eastern countries as well, although most of them have already been through a long phase of unrest, and might not be affected at all. Yet it is likely that Israel will be affected by this conflict. With increasing operations from insurgents, including smuggling operations, Gaza-based terrorist groups would grow in strength, resulting in more attacks on Israel’s territory. While General Sisi and his supporters ousted Mohamed Morsi to prevent a civil war, the situation is now very precarious and might end up at that point. Concerning the more distant future, Egypt would be focusing on rebuilding its economy and resolving its political chaos, much like it is doing now, leaving the Sinai neglected again. Sinai would become the center of a complicated conflict, and would become an even more important breeding ground for radical Islamists.

### **Conclusion**

The Sinai has been a conflict zone for many years, and served as a strategic area in the Egypt–Israel wars of the twentieth century. Now it is home to many insurgents and

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<sup>42</sup> Raymond Stock, “Who Is General al-Sisi and What Will He Do with Egypt?” *MissingPeace* (20 October 2013); available at <http://missingpeace.eu/en/2013/10/who-is-general-al-sisi-and-what-will-he-do-with-egypt/>.

represents an area of conflict between Egypt's state security forces and radical Islamist groups. The local Bedouin were neglected for years under the Mubarak administration, and some seek retribution for this by fighting against the military and the police. There was hope in 2011, however, that the situation would change when Mubarak, under heavy pressure by the Egyptian people, decided to step down as president. Democracy and stability came closer to being a reality and, for a while, this seemed to be the direction Egypt was heading. When Mohamed Morsi was chosen as the new president of Egypt, expectations rose; but when he could not deliver on his promises, the military turned against him and removed him from office. Now, Egypt seems to be on the brink of civil war, with violent clashes between the military and pro-Morsi supporters and a widespread insurgency in the Sinai Peninsula. The three future scenarios described are merely an idea of what could happen based on recent and past events. What really will happen depends on the actions of the Egyptian government and the will of the Egyptian people. The security of the Sinai, and the whole stability of the Middle East, depend on the decisions that are made in Cairo. The people of Egypt demanded democracy in 2011, but learned the hard way that democratic decisions are no guarantee for a sustainable democratic development. Egypt has to decide which way it wants to go, maybe back to a Mubarak-like era where, despite human rights violations, security was guaranteed. For now, the people in the Sinai are forced to protect themselves from extremists and the government alike.





# The Models of Sovereignty in the South Caucasus

Gayane Novikova \*

## Introduction

Over the last five to six years we have witnessed dramatic changes in the international security environment – changes that have directly influenced developments in the South Caucasus. Among the most significant changes are the world economic crisis, the Arab awakening, and the turbulence and civil wars all over North Africa and the Middle East.

There is also a growing number of secessionist movements, indeed even in the prosperous parts of Europe: Scotland and the Flemish region will hold referenda on independence from Great Britain and Belgium, respectively; separatist trends are under way in Catalonia and in the Basque country in Spain, as well as in Quebec in Canada. Great Britain is debating abandonment of its EU membership.

It is not by chance that we are also witnessing the appearance of several internationally recognized sovereign states, even though they are either essentially failed states or very weak. There is also a group of state entities that can be considered as conflict-ridden exceptions. Among them are the semi-recognized Abkhazia and South Ossetia, as well as the unrecognized Nagorno-Karabakh Republic.

In many ways these developments are related to the issue of state sovereignty. The pillars of this concept are sovereignty over a territory and a population, over decision-making in governance, as well as over the state's interaction with other states and international organizations. The notion of sovereignty offers a framework for the state's behavior and for its population generally. It influences directly its degree of security, stability, and prosperity.

In accordance with international law and the UN Charter, all states are equal. Despite this ideal, a given state's level of political, economic, and social development defines its degree of sovereignty and its role in international affairs. However, the sovereign state *per se* must meet two criteria: self-rule and self-protection. The second criterion is easier to implement, while the first is almost impossible to put into practice in a rapidly globalizing world.<sup>1</sup> A further important measurement is a state's stage of democratization.

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<sup>1</sup> For more details, see Omar Dahbour, *Self-Determination without Nationalism: A Theory of Postnational Sovereignty* (Philadelphia: Temple University Press, 2013), 190–93.

With regard to the developed democracies, there are some important areas in which shared sovereignty is a factor. The two primary European organizations—the European Union and NATO—take responsibility for critical developments in Europe. The austerity measures imposed by the EU (under German leadership) upon the economies of Greece, Spain, and Portugal offer examples of limitations upon these states' sovereignty. However, the consequences of these limitations are significant: the Euro zone has been able to move toward a slow recovery from the 2008 economic crisis.

With respect to the failed states, the leading international organizations sometimes consider the imposition of full control over the economic and political resources of these states as a means to maintain security and prevent the spread of terrorist activity. The latter has become more and more critical, especially in those areas of overt religious conflict. (Recent examples include the international military operation in Northern Mali, and the recent attack in Nairobi, Kenya).

In the meantime, there have been several cases where, “in the name of democracy, international organizations adopted new mandates, such as ‘responsibility to protect,’ and regional charters of democratic standard-setting and conditionality.”<sup>2</sup> There are examples of the forcible introduction of democracy by European states and the U.S., coordinated with military operations against sovereign states (Iraq, Afghanistan, Serbia-Kosovo, etc.). The suspension of the national sovereignty of internationally recognized UN member states, which took place in all these cases, was implemented without the consent of the governments involved.

Another trend related to the participation of sovereign states in international organizations should also be mentioned. In November 2013, several sovereign states had to decide whether they would or would not sign the different preliminary agreed-upon Association Agreements with the European Union at the Third Eastern Partnership Summit in Vilnius. According to the initiators, this broader involvement in the Eastern Partnership Program was aimed to improve their relations with the EU, to speed their democratization and good governance processes, and—to a certain extent—to diminish Russia's influence and pressure upon the former Soviet Republics (a matter that has taken on a strikingly different valence in the wake of Russia's response to the unrest in Ukraine).

The above-mentioned developments and processes directly relate to discussions of sovereignty. Even more, they contribute to the “mutation” and the “melting” of sovereignty *per se*. Furthermore, although sovereignty cannot be considered as absolute, it is still a key factor for any state and for nation-building processes, especially with regard to sovereignty over a territory and to relative decision-making freedom. The crucial questions to be answered are: How do sovereign states interact with each other in a rapidly changing and globalizing world? To what degree are the state entities prepared to delegate a part of their sovereignty to international organizations, or to share it with another state?

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<sup>2</sup> Lawrence Whitehead, “State Sovereignty and Democracy,” in *New Challenges to Democratization*, ed. Peter Burnell and Richard Youngs (New York: Routledge, 2010), 24.

State sovereignty in the vulnerable South Caucasus region is directly linked to the specific territory and to issue of security. The analysis offered in this article will focus on the following questions:

- What does sovereignty mean for each actor in the South Caucasus? Does each actor in the region have enough maneuverability to implement and maintain its sovereignty?
- Under what circumstances, and to what extent, is the state entity prepared to share with (or delegate to) other actors a part of its sovereignty?
- Finally, what models of sovereignty are applicable for the state entities of the South Caucasus?

Before answering these questions, the following points should be emphasized. First, the South Caucasus state entities are neither developed democracies nor failed states. They are—to varying degrees—insecure economically, politically, and socially. The strongest among them is Azerbaijan; the weakest is the South Ossetian Republic. There is also a diversity of achievements in regard to democratization: from autocratic Azerbaijan and South Ossetia to partly free Armenia, Georgia, Abkhazia, and Nagorno-Karabakh.<sup>3</sup>

Second, owing to the wide range of their internal problems and the interregional security trends, the South Caucasus state entities possess very limited maneuvering space. The choice mainly is between an Associative Agreement with the EU and membership in Russia's Customs Union, and subsequently in the Eurasian Union. Both options are, on the one hand, very vague. On the other hand, given the course of recent developments, they are becoming mutually exclusive. Armenia's failed attempt to synchronize its relations in both directions is a vivid example of the unwillingness of the EU and Russia to share areas of influence and strategic interest.<sup>4</sup> As Peter Burnell has written,

For the EU, the distinctive challenge is to repeat its successful strategy of supporting democratic consolidation of post-Communist European states by making offers of conditional membership of the EU. As the process of EU enlargement comes to an end and the states in the neighborhood as well as others much farther away have no prospect of mem-

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<sup>3</sup> *2013 Freedom in the World* (Washington, D.C.: Freedom House Report, 2013); available at <http://www.freedomhouse.org/report-types/freedom-world>.

<sup>4</sup> For Armenia it is critical that the relationships with both Russia and the EU be improved in order to avoid the further growth of authoritarianism and to provide adequate security to itself and the Nagorno-Karabakh. However, on 3 September 2013, on the occasion of his visit to Moscow, President S. Sargsyan stated that it was Armenia's intention to join the Customs Union. This statement was very unexpected by both European Union officials and the Armenian public at large. The EU reaction was quite predictable: "However, given Armenia's wish to join the Customs Union of Russia, Belarus and Kazakhstan, announced in September 2013, the Association Agreement, incompatible with membership in the Customs Union, will not be initialed nor signed. The European Union will continue cooperation with Armenia in all areas compatible with this choice." For more details, see the statements and discussions regarding the decision of the Armenian leadership at: [http://eeas.europa.eu/armenia/index\\_en.htm](http://eeas.europa.eu/armenia/index_en.htm).

bership, and as many of them lack liberal democracy's most generally accepted conditions or credentials, the EU's ability to exert influence is much reduced.<sup>5</sup>

For Russia, inclusion of the former Soviet republics into the Eurasian Union implies a clear indication of its intention to secure (and to control) the area of its direct strategic interests, in line with its national security strategy. Thus, critical for all South Caucasus state entities is a capacity to balance between the EU and Russia. They do so, in both cases, at the cost of their state sovereignty.

### **Sovereignty: From “By Any Means” To “By No Means”**

“Sovereignty” *per se*, for the newly independent states and state entities of the South Caucasus, is a magic word. It implies a desired step toward a restoration of their independence or a proclamation of it for the first time in many years. Hence, the notion of becoming a “nation-state” in the full sense of the term is an absolute priority, and the most important component in the self-identity of state entities in the South Caucasus. In the case of this region, the degree of sovereignty each state possesses—and the perception of it by all state entities and all external actors involved—mirrors their different status in the international arena: Armenia, Azerbaijan, and Georgia are internationally recognized states; Abkhazia and South Ossetia are semi-recognized states; and the Nagorno-Karabakh Republic is an unrecognized but *de facto* state.

However, in spite of *de jure* differences in their international status, all state entities of the South Caucasus experience different degrees of insecurity, in certain circumstances threatening the territorial integrity and state sovereignty of their direct neighbors, as well as the security of their population.<sup>6</sup> It is important to stress once again that the sovereignty of newly independent Armenia, Azerbaijan, and Georgia was in 1991 internationally recognized within the borders of the former Soviet republics. Nonetheless, their formal independence and international recognition were almost immediately violated in the course of internal ethno-political conflicts. Hence, there emerged as a consequence of these conflicts the Nagorno-Karabakh Republic, the Republic of Abkhazia, and the Republic of South Ossetia, with each claiming sovereignty over their historic territories, which were included in the former Soviet Republics of Azerbaijan and Georgia, respectively.<sup>7</sup> The further transformation of internal ethno-political conflicts into

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<sup>5</sup> Peter Burnell, “New Challenges to Democratization,” in *New Challenges to Democratization*, ed. Peter Burnell and Richard Youngs (New York: Routledge, 2010), 17.

<sup>6</sup> Azerbaijan openly threatens NKR and Armenia; Georgia considers Russia as a major threat; Abkhazia and South Ossetia view Georgia as a direct source of threat; Armenia does not threaten Azerbaijan, but is ready to provide full-scale defense and security to NKR. Currently, the only real possibility of resumption of military action is in the area of the Nagorno-Karabakh conflict. At the recent meeting of the Armenian and Azerbaijani Presidents in Vienna on 19 November 2013, they “agreed to advance negotiations on a peaceful settlement of the Nagorno-Karabakh conflict” and to meet again in the next few months.

<sup>7</sup> The contradictory versions of national histories have played a significant role in the aggravation of ethno-political conflicts in the South Caucasus.

international territorial conflicts resulted in *de facto* alterations of state borders and the suspension of the sovereignty of Azerbaijan over the territory of Nagorno-Karabakh (and the territories surrounding it) and of Georgia over Abkhazia and South Ossetia. Thus, in the South Caucasus we are dealing with three types of state entities and with a diversity of sovereignty models. We are also dealing with a spectrum of approaches to the challenge of how best to preserve sovereignty – from “by any means” to “by no means.”

In this analysis the terms “sovereignty,” “shared sovereignty,” and “residual sovereignty” will be used. The latter must be understood as the lowest level of state sovereignty. Another important issue related to the models of sovereignty at work in the South Caucasus is the complex and overlapping correlation between self-determination and sovereignty.<sup>8</sup> The sovereignty of the internationally recognized states directly influences the right of self-determination; conversely, the claim for self-determination of the given state entity reduces the sovereignty of the “metropolitan” state over its territory and population.

### *Georgia–Abkhazia–South Ossetia*

For internationally recognized Georgia and Azerbaijan, the restoration of their territorial integrity is a strategic goal with a strong symbolic meaning. The unsuccessful attempt of the Georgian leadership in August 2008 to resolve this issue by military means changed the *status quo* in the “Georgian conflicts.” The recognition by Russia and several sovereign states of the independence of Abkhazia and South Ossetia *de jure* confirmed and supported the latter’s sovereignty over the territories they claimed as their own. But it also put them into a situation of complete dependence upon Russia as their patron. This development therefore *de facto* sharply reduced their sovereignty over their territories and their populations, as well as over their independent decision-making capacity. Any development in Abkhazia and South Ossetia depends to varying degrees upon Russia’s interests.

The critical difference between Abkhazia and South Ossetia is that the latter cannot preserve its sovereignty by any means. It retains very limited options, and oscillates between being on the verge of a failed state and simply a Russian military base. To avoid these extremes, it must either share its sovereignty with Georgia (on the basis of a federal state) or delegate it completely to Russia, on the basis of unification with North Ossetia. If South Ossetia would consider shared sovereignty, then Georgia’s move toward the EU (through an Association Agreement to be signed at the Eastern Partnership Summit in Vilnius) would be very helpful indeed for a future Georgia–South Ossetia reconciliation. However, the South Ossetian population, as it exists now, and a dominant part of its leadership prefer to shelter under Russia’s umbrella.<sup>9</sup>

<sup>8</sup> For more details, see Dahbour, *Self-Determination without Nationalism*, 191.

<sup>9</sup> See, in particular, the statement of Leonid Tibilov, the President of the South Ossetia, on 24 July 2013: “For every Ossetian, the issue of unification of the people is a priority.” He also stated that he “would consider his presidential mission fulfilled if South Ossetia by the desire

With respect to Georgia–Abkhazia relations, the situation is more complicated. The consideration of a model of shared sovereignty with Georgia is already a thing of the past.<sup>10</sup> However, the complexity of the *status quo* itself provides maneuvering space for Abkhazia, which has enough resources and capacity to maintain its status as a semi-recognized state (in this regard, the best example is Northern Cyprus, as recognized by Turkey). The relationship with Russia provides benefits for Abkhazia’s economy and for its defense, but it also sharply reduces Abkhazia’s policy- and decision-making options.<sup>11</sup> Meanwhile, Abkhazia can benefit from Russia–Georgia antagonisms and gradually enlarge its sovereignty from residual to shared status through cooperation with Russia, Georgia, Turkey, and Armenia (the opening of a railroad through the Abkhazian territory constitutes an example of how this might occur).

The other side of this coin must be noted. The very existence of Abkhazia in its current semi-recognized status is a *de facto* and *de jure* reduction of Georgia’s sovereignty over its internationally recognized territory. The ability of Georgia to accept this reality and to search for ways toward cooperation will contribute to mutual understanding and trust between all entities concerned. Owing to the perception that Russia poses a direct security threat to Georgia’s sovereignty,<sup>12</sup> Georgia is rapidly moving in the European direction. Any level of participation in European institutions and organizations is considered as a guarantee along the pathway toward preservation of the sovereignty of this South Caucasus state over its territory and population. There is also a strong under-

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of its citizens were to unite with Russia and the reunification of the Ossetias would occur.” “*Tibilov: My mission will be accomplished if South Ossetia unites with Russia*,” Information Agency Regnum; available at <http://www.regnum.ru/news/polit/1687422.html>. “*Should there be a united Ossetia?*” The Caucasus Echo; available at [www.ekhhokavkaza.com/content/article/25056026.html](http://www.ekhhokavkaza.com/content/article/25056026.html).

<sup>10</sup> The last model for the resolution of the Abkhazian conflict was introduced in a speech by President Saakashvili in March 2008, who offered to Abkhazia “free economic zone, post of Vice-President of Georgia, unspecified security guarantees, ‘unlimited autonomy.’” For details, see “Saakashvili Outlines Tbilisi’s Abkhaz Initiatives,” *Civil Georgia* (28 March 2008); available at [www.civil.ge/eng/article.php?id=17473](http://www.civil.ge/eng/article.php?id=17473).

<sup>11</sup> The Abkhazia–Russia relationship is developing in several areas. However, there is a growing understanding in the Abkhazian political establishment regarding the growing dependence of Abkhazia on Russia. Internal disagreements among the Abkhazian elite will push the leadership to search for ways to minimize dependence on Russia by increasing cooperation with neighboring countries. See Sergey Markedonov, “Abkhazia: Russia’s Attempts to Create a Nation-state,” *Russia & India Report* (16 October 2013); available at [http://indrus.in/opinion/2013/10/16/abkhazia\\_russias\\_attempts\\_to\\_create\\_a\\_nation-state\\_30183.html](http://indrus.in/opinion/2013/10/16/abkhazia_russias_attempts_to_create_a_nation-state_30183.html). See also “Russian Ambassador Assassinated in Abkhazia,” *The Washington Post* (11 September 2013); available at [www.washingtontimes.com/news/2013/sep/11/russian-ambassador-assassinated-abkhazia/](http://www.washingtontimes.com/news/2013/sep/11/russian-ambassador-assassinated-abkhazia/).

<sup>12</sup> According to the National Security Concept of Georgia, “The 2008 war demonstrated that the Russian Federation does not accept the sovereignty of Georgia, including Georgia’s choice of democracy and its independent domestic and foreign policy.” Available at [www.nsc.gov.ge/files/files/National%20Security%20Concept.pdf](http://www.nsc.gov.ge/files/files/National%20Security%20Concept.pdf).

standing in the Georgian political and business establishment, as well as in the society at large, that the country will benefit from further democratization.

Furthermore, conflicting approaches to security and sovereignty in Abkhazia and Georgia reduce the possibility of reconciliation between these two state entities – even in the medium term. To differing degrees, Georgia and Abkhazia are sharing their sovereignty with the European Union and Russia, respectively, which compete in many spheres. The shared sovereignty model between Georgia and Abkhazia can be considered only within a “soft power” framework, namely, in the human and, perhaps, ecological areas.<sup>13</sup>

Summing up the developments in this Georgia–Abkhazia–South Ossetia triangle, it must be stressed that while South Ossetia is ready to delegate sovereignty completely to Russia, Abkhazia is trying to preserve it by applying for Russian support, even through acknowledging the high price that is being paid. Georgia views itself as more advanced – namely, as a “European state” in the South Caucasus. It hopes that the advantages of inclusion into the European security and economic systems will sooner or later assist in the discovery of frameworks for reconciliation with Abkhazia and perhaps for reintegration with South Ossetia.

#### *Armenia–Nagorno-Karabakh–Azerbaijan*

The developments in the triangle Armenia–Nagorno-Karabakh (NKR)–Azerbaijan are different and more complicated, owing to the fact that the implementation of the right of the Karabakhi Armenians to self-determination has not only violated the territorial integrity and sovereignty of internationally recognized Azerbaijan, but also transformed the developments into a protracted inter-state conflict.<sup>14</sup> Azerbaijan is the only state in the South Caucasus capable of maintaining sovereignty over its economy and defense. It has no need to share sovereignty with, or to delegate a part of it to, any international organization. However, there is a dualism at work in Azerbaijani perceptions of its sovereignty: on the one hand this state claims a role as a regional power, and on the other hand it has lost its sovereignty over a section of its internationally recognized territory. Thus, a restoration of its territorial integrity is a strongly articulated priority and a precondition for the fulfillment of its desire to play a role as a regional power. Moreover, it should be stressed that, in comparison to Georgia, Azerbaijan does not rely directly on any international organization or state to assist in the restoration of its territorial integrity, but it demands from international organizations the legitimization of the possibility of the resolution of the conflict by force. Furthermore, as implied, neither Russia nor the

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<sup>13</sup> In the meantime, the new Georgian leadership is moving cautiously toward a reconciliation with Russia. The positive developments in Russia–Georgia relations to some extent will positively influence the Georgia–Abkhazia relationship.

<sup>14</sup> It should be mentioned that there was initially a conflict of sovereignties of Azerbaijan and Nagorno-Karabakh in the pre-Soviet, Soviet, and post-Soviet periods. In 1991, recognizing Azerbaijan as existing in the borders of the Azerbaijani SSR, the international community indirectly contributed to the further escalation of the Nagorno-Karabakh conflict.

EU possesses any real leverage (or at least, are not interested) to influence Azerbaijan's domestic or foreign policy. Armenia is another internationally recognized state in this triangle. Although it possesses limited economic resources (in comparison to Azerbaijan) to support maintenance of its sovereignty, it has enough military power to preserve its territorial integrity and to provide the necessary military support to the NKR. In the meantime, its direct involvement in the Nagorno-Karabakh conflict sharply reduces its maneuverability and renders it very sensitive to any changes around the NKR. On the one hand, the security of the two Armenian state entities is an absolute priority for any Armenian president and any Armenian government. On the other hand, the prioritized security issue directly and indirectly limits Armenia's sovereignty in decision making, and strongly influences its relationship with its direct neighbors, as well as its domestic policy. A vivid example must be mentioned: the decision of the President of Armenia, Serzh Sargsyan, to apply for membership in the Customs Union despite the existence of already discussed, agreed upon, and prepared documents intended to be signed at the Third Eastern Partnership Summit in Vilnius was motivated (according to the official statements) by broad security reasons.

Hence, in this matter Armenia has once again confirmed that Russia is a strong component of its defense and security policy. Armenia completely shares its sovereignty with Russia in these two areas. Other areas where the shared sovereignty model is applicable concern the Armenian economy, in particular its growing dependence upon Russian investments,<sup>15</sup> and demographic developments owing to changes in Russian migration policy and to emigration trends from Armenia in general.<sup>16</sup>

Parts of the Armenian political establishment speculate that the sharp U-turn toward the Eurasian Union was related directly, on the one hand, to the security threat posed to NKR and Armenia by Azerbaijan. On the other hand, there is a cognizance that limited possibilities still exist for further improvement in Armenia–EU relations.<sup>17</sup> Another group of Armenian analysts and politicians argues that Armenia is losing its sovereignty.<sup>18</sup>

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<sup>15</sup> Although the EU is the first economic partner of Armenia, the level of EU investments has been significantly lower than Russia's. In light of the recent decision by the Armenian authorities, they will continue to decline. "Russian Direct Investments Make up 39.5% of Foreign Direct Investments into Armenia's Economy," *ARKA News Agency* (5 September 2013); available at [http://arka.am/en/news/economy/russian\\_direct\\_investments\\_make\\_up\\_39\\_5\\_of\\_foreign\\_direct\\_investments\\_into\\_armenia\\_s\\_economy/](http://arka.am/en/news/economy/russian_direct_investments_make_up_39_5_of_foreign_direct_investments_into_armenia_s_economy/).

<sup>16</sup> According to the National Statistics Bureau of Armenia, on 1 April 2013, the population of Armenia was 3.029 million, against 3.275 million on 1 April 2012. In January–March 2013, 259,200 Armenian citizens left the country. In the same period, 223,700 people arrived in Armenia. The negative balance is 35,500, in comparison to 25,400 in the first quarter of 2012.

<sup>17</sup> Please see the statements of EU officials regarding the Armenia–EU relationship at <http://www.aysor.am/en/news/2013/11/22/traian-hristea/> and <http://www.rferl.org/content/armenia-european-union-/25105725.html>.

<sup>18</sup> On 25 October 2013, in Minsk, Armenia signed a memorandum on intensification of cooperation between Republic of Armenia and the Eurasian Economic Commission according to which it is obliged to refrain from offering any statements or actions contradicting the inter-



The third constituent part of this triangle is the Nagorno-Karabakh Republic. Its residual sovereignty is gradually expanding toward shared sovereignty with Armenia owing to internal positive developments in this *de facto* state and a strong interdependence between Armenia and the NKR, especially in terms of security. However, this interdependence significantly reduces the space available to both Armenia and the NKR for maneuvering, particularly in the areas of economic and foreign policy. It must be stressed that the lack of information in regard to crucial decisions on Armenian security, including the management of the Nagorno-Karabakh conflict, on the one hand, contributes to a growing apathy and—to a certain degree—mistrust throughout the Armenian society at large. On the other hand, there are several correlated questions: How does the sovereignty that Armenia shares with Russia influence the Nagorno-Karabakh Republic's claim for self-determination and independence owing to the latter's strong (if not complete) dependence upon Armenia? How does the NKR's residual sovereignty contribute to—or, conversely, damage—Armenia's sovereignty and even force Armenia to delegate significant parts of its sovereignty to Russia? To what extent does Russia wish to play a role as a security shield to Armenia (and would the NKR be included?) in the context of growing mutual strategic interests between Russia and Azerbaijan?

It is difficult to formulate clear answers to any of these questions. Also, there is no sign of any possible cooperation, even in the area of soft power initiatives, between Armenia, the NKR, and Azerbaijan. Seeking to play a role as the regional power, Azerbaijan is not prepared to discuss the issue of sharing its sovereignty with the Nagorno-Karabakh Republic. In its turn, Nagorno-Karabakh considers its *de facto* state status as an absolute and nonnegotiable priority. Although the NKR cannot exist without significant and diversified support from Armenia, the possibility of the unification of the two Armenian state entities is not discussed between them either.<sup>19</sup> And Armenia (partly because of this complex situation) cannot allow itself to act without taking into serious consideration any implications for the NKR's security and defense.

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ests of the members of the Customs Union. This memorandum has a direct negative influence on the Armenian position in the Nagorno-Karabakh conflict. The Prime Minister of Armenia in responding to a question posed by one of the Armenian MPs regarding this memorandum and the statement of the President of Kazakhstan regarding the resolution of the Nagorno-Karabakh conflict, mentioned in particular the following: "Indeed, many of our partners in the Customs Union and CSTO, unfortunately, often do not respect earlier reached political agreements, and make decisions that do not meet the interests of Armenia." See, in particular, *The Euroasian Economic Commission and Armenia Signed a Memorandum for Deeper Cooperation*; available at: <http://ria.ru/world/20131106/975071901.html>. "Tigran Sargsyan expressed dissatisfaction with the position of individual members of the Collective Security Treaty Organization and the CU regarding the Karabakh conflict," *ArmInfo Information Agency* (13 November 2013); available at [www.arminfo.info/index.cfm?objectid=A4F1F140-4C79-11E3-91930EB7-C0D21663](http://www.arminfo.info/index.cfm?objectid=A4F1F140-4C79-11E3-91930EB7-C0D21663).

<sup>19</sup> An interesting analysis of Armenian geopolitical culture as concerns the internal tensions over how to present Nagorno-Karabakh, and its surrounding territories, is provided by Lawrence Broers and Gerard Toal in "Cartographic Exhibitionism? Visualizing the Territory of Armenia and Karabakh," *Problems of Post-Communism* (May-June 2013): 16–35.

Thus, in the Armenia–Nagorno-Karabakh–Azerbaijan triangle, we are dealing with three models of sovereignty in an absolutely turbulent external environment. These overlapping models of sovereignty (and visions of security) produce a high level of ambivalence and contribute to growing tensions between all three actors.

**Conclusion**

As mentioned above, in the South Caucasus there are three types of states, and three strongly interconnected models of sovereignty. This diversity (see Table 1 below) in regard to sensitive security issues complicates internal developments in each state entity of this area and their interactions (or lack thereof) with each other.

Azerbaijan is ready to restore its territorial integrity by force—or “by any means”—(at least according to the official state position) and is making plans to enjoy its restored sovereignty. There is no sign of any willingness to consider the option of shared sovereignty with the NKR, or with Armenia over Nagorno-Karabakh. In turn, the NKR is preparing to preserve its sovereignty over the territory of Nagorno-Karabakh and the

Table 1: State Entities and Sovereignty in the South Caucasus.

<i>State entity</i>	<i>Status</i>	<i>Level of sovereignty</i>	<i>External dependence</i>	<i>Violation of sovereignty</i>
Armenia	Internationally recognized	Shared	Russia	Over decision making
Azerbaijan	Internationally recognized	Self-sufficient (but over a limited territory)	None	Over territory by Armenia and NKR
NKR	Internationally not recognized	Residual / Shared	Armenia	Over decision making (by Armenia)
Georgia	Internationally recognized	Shared	EU	Over territory (by Abkhazia and South Ossetia directly), and by Russia indirectly
Abkhazia	Internationally semi-recognized	Residual / shared	Russia	Over decision making (by Russia)
South Ossetia	Internationally semi-recognized	Delegated	Russia	<i>De facto</i> no sovereignty

surrounding territories<sup>20</sup> not only from Azerbaijan, but also from Armenia, rejecting the option of unification with Armenia.<sup>21</sup> Partially, Armenia, owing to its support for the NKR position, is (to some degree forcibly) broadly sharing its sovereignty with Russia, and considers this nation a guarantor of Armenia's sovereignty and security. Thus, there are, on the issue of sovereignty, direct interdependencies between Azerbaijan, the Nagorno-Karabakh Republic, and Armenia. In this triangle there are several important issues that must be considered:

- The “melting” sovereignty of Armenia, which is more and more shared with Russia
- The strong, albeit partial (with the exclusion of the territory of Nagorno-Karabakh and the seven districts around it), sovereignty of Azerbaijan
- The residual sovereignty of the NKR (the main part of its sovereignty is shared with Armenia; the sovereignty over international relations/negotiations is delegated to Armenia).

The prospects of any shared sovereignty between Armenia and Azerbaijan over Nagorno-Karabakh remain impossible owing to the different political, economic, demographic, and military characteristics of these two internationally recognized states and their absolutely different visions and evaluations of the situation in the area of the international conflict around Nagorno-Karabakh. It is of critical significance that the NKR (supported by Armenia) completely rejects any option that involves discussing its sovereignty with the Azerbaijani side; on the other hand, it does not wish to delegate its sovereignty to Armenia. There are some groundless speculations—at least for now—regarding the recognition of the NKR by Russia and possible developments in the conflict area after Armenia's membership in the Customs Union. Both options completely depend upon Russia's vision of its role in the South Caucasus and upon whether the Customs Union and the future Eurasian Union will become “success stories” for Putin's Russia. Thus, under the current circumstances, the multi-level conflict between these state entities will become aggravated. Cooperation and discussion on shared sovereignty questions either between Armenia and Azerbaijan over Nagorno-Karabakh or between Azerbaijan and Nagorno-Karabakh are excluded.

With regard to developments in Georgia, and its relationship with Russia, Abkhazia, and South Ossetia, several issues should be noted. First, Georgia will be presented with

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<sup>20</sup> Azerbaijan claims these territories as its own; the NKR, backed by Armenia, considers it as a bargaining point in negotiations over the NKR's final status. According to the Article 142 of the Constitution of NKR, “Until the restoration of the state territorial integrity of the Nagorno-Karabakh Republic and the adjustment of its borders, the public authority is exercised on the territory under factual jurisdiction of the Republic of Nagorno-Karabakh.” See The Constitution of the Nagorno-Karabakh Republic, available at <http://www.nkr.am/en/constitution/9/>.

<sup>21</sup> At the initial stage of the conflict in the beginning of 1988, the Karabakh Armenians demanded unification with the Armenian SSR.

many opportunities if it signs the Association Agreement, including a Deep and Comprehensive Free Trade Agreement (DCFTA) with the EU.

Second, the newly elected president, as well as the newly appointed prime minister and his team, will try to avoid any tension in their relationship with Russia, although it is clear that Russia no longer poses a direct security threat to Georgia and that a scenario similar to 2008 will never again appear. Indeed, improvement of the Russia–Georgia relationship has occurred to a certain degree. However, there is a deadlocked situation regarding the discussions of Georgian versus Abkhaz sovereignty over the same territory: Russia considers itself as a guardian of Abkhazia’s sovereignty, and hence opposes Georgia’s intention to restore its sovereignty over Abkhazia. As concerns South Ossetia, it must be noted that the situation is aggravated owing to the clear intention of Russia to actually separate South Ossetia from Georgia and annex it.<sup>22</sup>

Of course, the movement toward Europe is a strong priority for Georgia, and its political establishment appears ready to share sovereignty with the EU and to delegate to it some degree of control over its defense and security issues. However, it is obvious that the EU in its current form is unable to help restore Georgia’s sovereignty over Abkhazia and South Ossetia. There is a very vague probability that the European prospects of this South Caucasus state will open more space for cooperation between Georgia and Abkhazia, and therefore will bring these two state entities closer to each other, indeed even to the extent that an overshadowing of an issue of extreme sensitivity to both sides—sovereignty—will take place.

The more mutually acceptable model could involve shared sovereignty of Georgia and Abkhazia over the territory, resources, and population within the borders of an internationally recognized Republic of Georgia. The name of the state, one could speculate, could be changed to the Republic of Georgia and Abkhazia. This state could exist as a confederation of two juridically equal state entities. However, under current circumstances this model cannot be implemented.

In conclusion, sovereignty *per se* is critical for all South Caucasus state entities. It must be considered as one of the key factors that assist our understanding of the ways in which security and stability in the South Caucasus are managed. The willingness of the state entities to share it or to delegate it to other regional or non-regional actor(s) directly depends upon their security situation and the scale of threats posed by their neighbor(s). Under these circumstances, the broad regional cooperation will remain on a low level and will fail to expand beyond bilateral cooperation agreements with different regional powers. In other words, reluctant neighbor(s) will be mutually excluded.

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<sup>22</sup> Paata Zakareishvili: Why Russia Builds a ‘Berlin Wall’ around South Ossetia; available at [http://slon.ru/russia/rossiya\\_stroit\\_berlinskuyu\\_stenu\\_vokrug\\_yuzhnoy\\_osetii-975777.xhtml](http://slon.ru/russia/rossiya_stroit_berlinskuyu_stenu_vokrug_yuzhnoy_osetii-975777.xhtml).

## Afghanistan 2001–2014: The Enduring Literature?

Peter Foot\*

Do we have a problem with book publishers? Are we getting a reliable supply of material covering the ongoing war in Afghanistan – this far-too-long, post-9/11 conflict? That there are lots of books is not in doubt – but do they help chart a course for the future? Do they locate the conflict in ways that assist in defining its uniqueness from, or its commonality with, other experiences of violence? How might the available published work assist in the post-2014 phase of Afghanistan’s development and the necessary engagement of the international community—define that as you will—in that country’s future? The best of them appeared around 2011: ten years too late for decision makers, the result of a decade of reflection for the rest of us.

Let us step back a bit. The 1982 Falklands War generated a great deal of literature, but one among the very best books about it was written to mark the war’s thirtieth anniversary. Ian Gardiner’s *The Yompers: With 45 Commando in the Falklands War*, despite its combat-style title, is a wonderful series of insights into the nature of command, at every level: political context, experience of the “ordinary” soldier, mental and emotional resilience, blue-on-blue casualties (to speak of just the things one remembers without opening the book again).<sup>1</sup> What is interesting is that this book, had it been “guided” by some of the more enthusiastic literary agents out there, might easily have been limited to resembling the “Andy McNab” kind of account: big on sales, but limited in value.

Contrast that to the blurb for Sgt. David Bellavia’s recounting of his war in Iraq, *House to House: An Epic Memoir of War*: “Blood flows over my left hand and I lose my grip on his hair. His head snaps back against the floor. In an instant, his fists are pummeling me. I rock from his counterblows. He lands one on my injured jaw and the pain nearly blinds me. He connects with my nose, and blood and snot pour down my throat.”<sup>2</sup>

Military pornography, surely.<sup>3</sup> That there is a market for this kind of thing is not in doubt. The problem is that it risks limiting the “lessons” we learn from the account, if any, to the lowest tactical level and very little else. During the Vietnam War, Ho Chi Minh and Vo Nguyen Giap had a global map for planning that reminded them of their vital links to Moscow and Beijing; President Lyndon Johnson pored over detailed tactical maps of Vietnam in making decisions about bombing transit routes, arms caches, and the like. Too much recent Western literature on Afghanistan risks the same narrowness.

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<sup>1</sup> Ian Gardiner, *The Yompers: With 45 Commando in the Falklands War* (London: Pen and Sword, 2012).

<sup>2</sup> Sgt. David Bellavia, with John Bruning, *House to House: An Epic Memoir of War* (New York: Simon and Schuster, 2007).

<sup>3</sup> A better book on Afghan combat aspects is Toby Harnden, *Dead Men Risen: The Welsh Guards and the Real Story of Britain’s War in Afghanistan* (London: Qercus, 2011).

Perhaps that is why studies that emphasize the importance of Afghan history are so often more rewarding than the more contemporary accounts. This, it has to be said, carries dangers as well. A country that, seemingly, takes so much pride in being “the graveyard of empires” can be acknowledged as being fiercely aware of its past but tragically blind to much besides, including its own future. Three examples make the point.

The first is William Dalrymple’s *Return of the King*, a masterful account of the British Empire’s first, disastrous attempt at playing The Great Game, from 1839–1842.<sup>4</sup> The then non-existent threat from Imperial Russia to British supremacy in India was goaded into existence by British actions – not the last time that unintended consequences flowed from Great Power decisions. Dalrymple is brilliant in bringing to life the mid-nineteenth-century personalities involved: Afghan and British leaders in all their splendor, weakness, courage, failures, and opportunism. Every page quietly resonates to subsequent events, without anything being said. The self-limiting ability of Afghan peoples to unite—despite desperate domestic differences—in the face of external intrusion, is dramatically drawn. The short-term pride in defeating yet another would-be Alexander the Great trumps all other considerations. One is left, frankly, astonished.

The second is Edward Giradet’s *Killing the Cranes: A Reporter’s Journey Through Three Decades of War in Afghanistan*.<sup>5</sup> This is a rare piece of observational analysis, as suggested by the subtitle, across the most recent thirty years of Afghanistan’s suffering. The settings for, and direct encounters with, the likes of Ahmad Shah Massoud, Gulbuddin Hekmatyar, and Osama bin Laden tell the big story in miniatures. Reading the book, one wonders whether anyone actually knows how many billions of dollars have been spent in war and on development to so little effect. As Giradet concludes, interlopers may not have made things better, but “It is now up to the Pushtuns, Tajiks, Hazaras, Uzbeks, and others to come to terms with what they have done to their homeland and to agree on whether they want a nation or not.”

The third is Rodric Braithwaite’s *Afghantsy: The Russians in Afghanistan 1979–1989*.<sup>6</sup> Again, the unspoken weight of the narrative is forward-looking. Braithwaite, who was Great Britain’s ambassador to Moscow from 1988 to 1992, nowhere draws explicitly obvious or profound points of “policy relevance,” but both obvious and profound ones drench each page. One frequently puts down the book to exclaim: “How did we miss that?” The care that the Soviet leadership put into developing social welfare programs—not least women’s assistance—in all walks of life, cannot be denied. The sensitivities of long-term occupation and social transformation were deeply understood (putting Moscow Olympic boycotts into a different perspective entirely). The trepidation—about going in, staying, and leaving—felt by senior decision makers in Moscow bears respectful consideration, and Braithwaite’s book allows this most generously. No other

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<sup>4</sup> William Dalrymple, *Return of the King: The Battle for Afghanistan* (London: Bloomsbury, 2013).

<sup>5</sup> Edward Giradet, *Killing the Cranes: A Reporter’s Journey Through Three Decades of War in Afghanistan* (White River Junction, VT: Chelsea Green, 2011).

<sup>6</sup> Rodric Braithwaite, *Afghantsy: The Russians in Afghanistan 1979–1989* (London: Profile Books, 2011).

Western former ambassador to Moscow has written with such deep geopolitical appreciation of Soviet policy agonies. By extension, the implied “lessons” for others coming after the Soviet withdrawal—a remarkably dignified event, all things considered, and one that we would do well to emulate in 2014, given the ghost of a chance—thunder across the consciousness. To be fair, Braithwaite has had remarkable subsequent access to Soviet decision making, and discovered far more than we could have possibly known in either December 1979 or October 2001.

Still, the messages are not so different from Dalrymple’s analysis of the nineteenth century: “Don’t invade Afghanistan.” Covering the reasons why such a conclusion is probably inescapable, a number of studies are enormously helpful. These are enquiries that seek to look at the serial conflicts in Afghanistan through Afghan lenses, not Western ones. Peter Tomsen’s *The Wars of Afghanistan* is an excellent American attempt.<sup>7</sup> Its sense of balance is clear from an observation towards the end of the book: “The Bush administration had achieved a military victory in Afghanistan but was in the middle of a long-term policy failure.” As a diplomat, Tomsen knows this, and knows the people who know it. His long book ends with policy recommendations that are interesting but do not appear to have been followed by his successors in linking with the Mujahadins’ successors or the minority Pashtuns in power in Kabul.

Slightly more narrow, but definitely more focused, is Andrew Wegener’s Australian Army study, *A Complex and Changing Dynamic: Afghan Responses to Foreign Intervention 1878–2006*.<sup>8</sup> The conclusion seems, now, axiomatic: “[A] genuine understanding of the target society, and of the objectives and tools of the intervention, is essential for success.” No such understanding can be said to have underpinned George W. Bush’s decision to select air power in October 2001 as the primary means of carrying out the first stages of the United States’ campaign against the Taliban regime. Wegener’s analysis goes a long way to providing a level of understanding that was sadly not then available to decision makers in Washington. Interestingly, his conclusions hew closely to those of Lord Curzon, Viceroy of India from 1899–1905. Churchill, too, was not far away from the same point: “Khan assails Khan, valley against valley, but all unite against the foreigner.” Curzon’s position is clearly made by Sherard Cowper-Coles in his professional memoir, *Cables from Kabul*.<sup>9</sup> Support local leadership—tribal *maliks* and elders, via a network of political agents—to take essential responsibility for regional and local security matters. For Curzon, Kabul was never seriously considered for the role as the provider of national security in a deeply divided country. Wegener emphasizes the centrality of “micro-societies” in Afghanistan. The state, as he says, “has never controlled or governed society; it has never possessed the institutions or resources capa-

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<sup>7</sup> Peter Tomsen, *The Wars of Afghanistan: Messianic Terrorism, Tribal Conflicts, and the Failures of Great Powers* (New York: PublicAffairs, 2011).

<sup>8</sup> Andrew Wegener, *A Complex and Changing Dynamic: Afghan Responses to Foreign Intervention 1878–2006* (Canberra: Land Warfare Studies Centre, 2007).

<sup>9</sup> Sherard Cowper-Coles, *Cables from Kabul: The Inside Story of the West’s Afghanistan Campaign* (London: HarperPress, 2011).

ble of doing so.” Indeed, from timeless Afghan history, as the saying has it, the leader who captures Kabul loses Afghanistan.<sup>10</sup>

The post-Bonn assumptions about building a strong central government based in Kabul run entirely counter to Afghanistan’s known history. How did we get into this situation, when the literature advising otherwise has been available for a century or more? Britain’s three imperial Afghan Wars have been a joke, corrective, or counter-example for a century, depending on one’s point of view. Are books a waste of time for policy makers? Is the pressure to support immediate political objectives so over-riding as to contradict common sense? Have those who write policy-relevant stuff, in the expectation of being of assistance, just been wasting their time? Or have they ignored history? Maybe technology is the answer: we live in a new world of long-reach, casualty-light, and devastating effectiveness that differs so completely from previous historical conditions that the “lessons” of the past are ignorable, irrelevant, or not applicable. One can “get” 9/11 fully; one can understand the need to “do something” afterwards about Afghanistan, host of Osama bin Laden. But not having any idea what is to replace people and structures after the Taliban have been bombed out of their offices does not constitute strategic vision. The critique of the intelligence services is strong, and the willful refusal to understand Afghanistan looks astonishing in retrospect. Perhaps there was nothing conveniently available on the Internet.

It is therefore a relief to find—if far too late to have helped decision makers in 2001—a raft of books that really go the heart of the matter. Astri Suhrke’s *When More is Less: The International Project in Afghanistan* is one such.<sup>11</sup> She brilliantly outlines how failures occurred, even as one despairs that the principals involved are less well informed than she. Her book is well worth the read for any future nation-building exercise. Rob Johnson’s *The Afghan Way of War* is simultaneously deeply depressing and wonderfully illuminating: who else has the courage to put a final chapter together, ending with a Pashtun poem exalting a father’s death to his son, entitled “Lessons Learned?”<sup>12</sup> We are in deeply mysterious places when we travel through this cultural landscape. Our secular societies in Europe and North America simply lack the social, intellectual, spiritual, or cultural equipment necessary to fully comprehend the contours of Afghan society. No wonder we blunder about all over the place. Belatedly recruiting anthropologists to the cause simply does not cut it.

A work that gets closest to filling the gap between Afghan realities and an external appreciation is Fernando Gentilini’s *Afghan Lessons: Culture, Diplomacy, and Coun-*

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<sup>10</sup> An intriguing counter-possibility is provided in Lucy Morgan Edwards, *The Afghan Solution: The Inside Story of Abdul Haq, the CIA and How Western Hubris Lost Afghanistan* (London: Bactria, 2011). Edwards powerfully argues for a real but lost opportunity to topple the Taliban, without invasions and all the rest that have extended Afghans’ tragic experience of war into a third successive decade.

<sup>11</sup> Astri Suhrke, *When More is Less: The International Project in Afghanistan* (London: Hurst, 2011).

<sup>12</sup> Rob Johnson, *The Afghan Way of War: Culture and Pragmatism – a Critical History* (London: Hurst, 2011).



*terinsurgency*.<sup>13</sup> An Italian diplomat serving as NATO's main civilian representative in Afghanistan, Gentilini works hard to get alongside his hosts in Kabul and throughout the wider country. His many encounters have a revealing freshness: "I saw a fighting dog with a human foot between its jaws and a gang of screaming kids trying to drag the foot from the dog as if it were the most natural thing in the world."

Gentilini sets out to be well prepared; he actively looks for books to take with him to assist him in his mission. Maybe his fate is to be the same as the rest of us: "[R]eading was a flawed pleasure ... the country where travelers could immerse themselves in the tracks of the first Greek colonizers or of a snow leopard, was one I would never see. Because the Afghanistan of our times, the one I had before my eyes, was one that seemed to have been chewed up and spat out as a mushy mess."

Trying to make sense of that mess for the future, looking toward the planned withdrawal by December 2014, is the study from the International Institute for Strategic Studies, edited by Toby Dodge and Nicholas Redman.<sup>14</sup> It is worth reading if only for the hefty "Strategic Geography" section of excellent maps with illuminating commentaries. The regional powers that will play a bigger role in Afghanistan after 2014, whether they like it or not—Pakistan, India, Iran, China, Saudi Arabia, and Russia—are all given proper, interdependent analysis. The impact on Afghanistan of the rivalries between Pakistan and India, and between Iran and Saudi Arabia, is likely to characterize developments for a long time to come. As for the United States, the study draws the obvious conclusion: in a war-weary, fractious, highly partisan domestic context, the ability, readiness, and willingness of the United States to continue its engagement in Afghanistan has to be assessed negatively.

In many ways, Gentilini's evocations of his experiences become metaphors for so much more. His book ends with him waiting for a flight out of Kabul:

The last text message on my Afghan cell phone ... was like a slap in the face: "Why did you promise to help me and then let me down?"

There was no name and I didn't recognize the number, but I did have an idea who might have sent it.

The fact of the matter is that you should never promise anything, especially in a place like Kabul, where nothing depends just on you. Nevertheless, a promise is sometimes the easiest way out. I didn't have the guts to reply or call back. I just prayed that the flight would be called on time and that it would be over as quickly as possible.

Afghan anger, nameless suspicion, searing self-criticism, honest professional insight, desperation to leave. It all sounds so familiar from the past, and is likely to be repeated again. That is what the books all say.

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<sup>13</sup> Fernando Gentilini, *Afghan Lessons: Culture, Diplomacy and Counterinsurgency* (Washington: Brookings Institution, 2013).

<sup>14</sup> Toby Dodge and Nicholas Redman, eds., *Afghanistan to 2015 and Beyond* (London: International Institute for Strategic Studies, 2011).



## *Connections: The Quarterly Journal*

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