

From Libya to Syria: Assessing the Impact of the Responsibility to Protect Doctrine on Global Intervention Strategies

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Abstract

This article examines how the implementation of the Responsibility to Protect (R2P) doctrine in Libya has impacted the international community's attitude towards intervening in Syria. The central research question addressed is: 'How has the implementation of the R2P doctrine in Libya influenced the international community's response to the Syrian crisis?' The analysis contends that the evolution of the Libya intervention – from protecting civilians to debatably facilitating regime change – has cast a shadow over R2P, leading major powers to approach the idea of intervening in Syria with caution. This article addresses the complex Syrian conflict and questions the potential of realist motivations, such as resource security, to justify intervention. Ultimately, it advocates for a nuanced approach that balances ethical imperatives with geopolitical realities, suggesting that a clearer understanding of states' identities and motives, informed by constructivist perspectives, is essential for formulating effective and ethically sound strategies for civilian protection under R2P.

Keywords

Syria – realism – Responsibility to Protect – strategic interests – intervention – constructivism

1 Introduction

In the realm of international relations, the Responsibility to Protect (R2P) doctrine stands as a beacon of hope, a promise to shield vulnerable populations from the horrors of mass atrocities.* Yet its implementation in the Libyan context ignited a contentious debate, casting a pall over

* The authors would like to thank Dr Dara Conduit and Dr Yasmine Nahlawi for their invitation and suggestions for this Special Issue. Moreover, the internal reviews and comments from Dr Nahlawi and Dr Conduit were warmly received, and we thank the highly useful comments made by Professor Alexander J. Bellamy.

the international community's readiness to intervene in conflicts such as the ongoing crisis in Syria.

The central research question guiding this inquiry is as poignant as it is imperative: 'How has the implementation of the R2P doctrine in Libya influenced the international community's response to the Syrian crisis?' This question permits a critical exploration of the ramifications of R2P's deployment in Libya on the global approach to intervening in Syria. At its core lies a profound inquiry into the evolving dynamics of humanitarian intervention and the intricate interplay between ethical obligations and geopolitical pragmatism – to unveil the application of R2P in Libya and global reaction to Syria. As we engage in this inquiry, it becomes increasingly evident that the discourse surrounding intervention under R2P cannot afford to exist in a vacuum, divorced from geopolitical realities. The intervention in Libya was framed as a mission against a regime threatening civilians. Neither the North Atlantic Treaty Organization (NATO) nor any NATO leader specified that the mission objective was regime change. NATO and its state leaders condemned the governance of Colonel Muammar Muhammad Abu Minyar al-Gaddafi and would have wanted him to step down (rather than forcibly remove him). Although Gaddafi was removed by Libyan non-state armed groups, and not by NATO, the intervention to protect civilians was criticised for resulting in regime change. This criticism cast a long shadow over R2P, prompting major powers (namely Russia and China with statements pitted against the possibility of regime change) to approach the prospect of intervention in Syria with caution, if not scepticism.¹

The interests of powerful NATO third-party states have supported certain groups to fulfil their geopolitical interests (e.g. protecting civilians and pressuring Gaddafi to surrender power in Libya). Therefore, this study emphasises the importance of realist motivations, such as strategic interests, in justifying interventions. In advocating for a more balanced approach, this study highlights the necessity of incorporating both ethical considerations and geopolitical realities to fully understand and apply the R2P doctrine effectively. This study argues that a synthesis of geopolitical realities and ethical considerations is essential for understanding the complexities and motivations behind interventions under the R2P doctrine in conflicts like those in Syria and Libya. It argues that a synthesis of these elements is essential for the future application of R2P to be both clear and effective. As we navigate the challenging dynamics of

¹ However, even with this criticism, there is little evidence to suggest that China and Russia would have regarded Syria differently if not for the intervention in Libya.

the Syrian crisis, it becomes crucial to balance the noble goals of humanitarian intervention with the pragmatic realities of global politics.

While realism provides valuable insights into the material and strategic interests that shape state behaviour, it is insufficient to fully explain the international community's response to the Syrian crisis. Realism focuses primarily on power dynamics and geopolitical considerations, emphasising how states act to maximise their interests and security. However, this perspective overlooks the significant role of normative and identity-based factors in decision-making processes. Constructivism complements realism by addressing these overlooked elements, offering a deeper understanding of how state identities, historical experiences, and normative commitments influence foreign policy. In the case of Syria, the lessons learned from the Libyan intervention, where the R2P doctrine was perceived as a pretext for regime change, have led to increased scepticism and caution among Western states. These states are driven not only by strategic calculations but also by their identities as protectors of human rights and their commitment to ethical principles. Thus, synthesising realism and constructivism provides a more comprehensive explanation of the international community's reluctance to intervene in Syria, highlighting the interplay between material interests and normative imperatives.

The approach in this article is novel because it moves beyond the Libya experience that was anecdotally criticised for promoting a regime change that had catastrophically undermined the application of R2P for Syria. It does so by reflecting on how powerful states, including through international institutions, tend to support one 'right' side of a conflict to weaken and/or defeat an aggressor – such as the Western and Arab allies of NATO supporting the Benghazi rebels against pro-Gaddafi forces in Libya – in a manner that conforms with realist interests. The realist interests of such states pitted against Colonel Gaddafi resulted in his overthrow and the conflated allegation of regime change that has resulted in great criticism of R2P (which is well cited).² It is extremely important to examine the possibilities of Western geopolitical interests in Syria. We argue that the nuances of the identities of states involved in the proxy war also need to be considered because geopolitical interests do not cover the culture, history,

² Milad M. Elharathi, 'Humanitarian Intervention: Morals Versus Realism – The Use of Force in the Defence of Human Rights in Libya', *World Affairs*, 18(1) 72–85 (January–March 2014); Simon Adams, 'Libya' in Alex J. Bellamy and Tim Dunne (eds.), *The Oxford Handbook of the Responsibility to Protect* (Oxford: Oxford University Press, 2016), pp. 768–785, 772–773; Manuel Fröhlich, 'The Responsibility to Protect: Foundation, Transformation, and Application of an Emerging Norm' in Fabian Klose (ed.), *The Emergence of Humanitarian Intervention: Ideas and Practice from the Nineteenth Century to the Present* (Cambridge: Cambridge University Press, 2016), pp. 299–330, 327–330.

diplomacy, and ideas of states. This partly explains why a number of draft resolutions in relation to the Syrian civil war have been vetoed by Russia and China.

2 Principles of the Responsibility to Protect Doctrine

The 1990s witnessed a ‘failure’ of the international community ‘to react in a timely and effective manner to the genocides perpetrated in’ Rwanda and Bosnia respectively.³ Under the branding of ‘Never Again’ and ‘Lessons Learned’, the United Nations (UN) reinforced its values to protect human rights and condemn atrocity crimes. Further action from the world organisation was encouraged by Kofi Atta Annan’s ethical question, ‘if humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica, to gross and systematic violation of human rights that offend every precept of our common humanity?’⁴

The Canadian government responded to this question by establishing the International Commission on Intervention and State Sovereignty (ICISS) to investigate cases of atrocity crimes that warranted potential intervention to override state sovereignty if a state manifestly failed to protect civilian lives. This initiative reflected on Deng’s idea that state sovereignty brings a responsibility and code of ethics related to whether an intervention will do more harm in addition to the legality and need for timely responses on a case-by-case basis.⁵

The ICISS stressed that humanitarianism should not institute war, double standards, consistency or used as self-defence and only the UN can authorise military force, potential regime change, and respect of targeted states.⁶ The ICISS contended that R2P would prioritise victims of atrocity crimes instead of the desires and interests of intervening powers.⁷ The ICISS interprets sovereignty as a state having the responsibility to protect its citizens and promote their welfare; to retain responsibility to citizens internally and the international community via

³ Yasmine Nahlawi, *The Responsibility to Protect in Libya and Syria: Mass Atrocities, Human Protection, and International Law* (Oxon: Routledge, 2020), p. 1.

⁴ Kofi Annan, *‘We the Peoples’: The Role of the United Nations in the 21st Century* (New York: United Nations, 2000).

⁵ Francis M. Deng, Sadikiel Kimaro, Terrence Lyons, Donald Rothchild, and I. William Zartmann, *Sovereignty as Responsibility: Conflict Management in Africa* (Washington, DC: The Brookings Institution, 1996).

⁶ International Commission on Intervention and State Sovereignty (ICISS), *The Responsibility to Protect* (Ottawa: IDRC, 2001).

⁷ Ramesh Thakur, ‘R2P after Libya and Syria: Engaging Emerging Powers’, *The Washington Quarterly*, 36(2) 61–76 (May 2013), p. 65.

the UN externally; and states should be held accountable for their actions.⁸ If this social contract is breached, then under R2P, as agreed in 2005, the international community had a responsibility to take timely and decisive action through the UN Security Council. However, the ICISS provided recommendations on the right intentions to disable the tyranny of a regime against its civilians, but merely overthrowing a regime is not a ‘legitimate objective’.⁹

After the influence of the ICISS, the United Nations placed pressure on a state’s sovereign responsibilities. The UN proclaimed that a state’s failure to protect its own citizens from human rights violations and atrocity crimes could eventually lead to collective security measures, which include sanctions and potentially military intervention, through Chapter VII of the UN Charter. Atrocity crimes within this rhetoric include war crimes, crimes against humanity, ethnic cleansing, and genocide.¹⁰ The World Summit in 2005 provided the reinforcement of the norms underpinning the national and international responsibilities on R2P.¹¹

R2P is not legally binding but norms are spread at its second phase and there are legal obligations on states concerning atrocity crimes and other treaties such as the Genocide Convention and triggering of Chapter VII of the UN Charter. R2P aims to protect populations from atrocity crimes and if states fail to do so, then diplomacy is undertaken. This consists of three pillars placing initial emphasis on the state to protect their people; call for international support if they lack the capacity to ‘protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity’; and collective security measures can be undertaken under Chapter VII of the UN Charter ‘should peaceful means be inadequate’.¹² The third pillar advised (although did not require) the UN Security Council to undertake Chapter VII sanctions and a potential use of force on a case-by-case basis with the possibility to cooperate with regional arrangements if it wants to avoid another Kosovo humanitarian crisis and the subordination of international law from NATO.¹³ Despite these non-legally binding norms, it is important to note that international law and the UN Charter do not permit the use of force

⁸ Yukiko Nishikawa, ‘The Reality of Protecting the Rohingya: An Inherent Limitation of the Responsibility to Protect’, *Asian Security*, 16(1) 90–106 (2020), pp. 98–99.

⁹ ICISS, *The Responsibility to Protect*, 4.33.

¹⁰ ‘2005 World Summit Outcome’, UNGA Res. 60/1, 24 October 2005, paras. 138–139.

¹¹ *ibid.*, paras. 138–139.

¹² *ibid.*, paras. 138–139.

¹³ *ibid.*, paras. 138–139. In the Kosovo intervention, Chapter VIII of the UN Charter, notably Article 53(1), was violated because NATO did not seek permission from the UN Security Council prior to engaging with the 78-day bombing campaign over Serbia (United Nations, Charter of the United Nations, 24 October 1945, 1 United Nations Treaty Series XVI).

except in two circumstances.¹⁴ One exception is Chapter VII action and the other is self-defence against an act of aggression, which does not require approval from the Security Council,¹⁵ and thus a humanitarian intervention not authorised by the Council to save lives (or the rhetoric of R2P's third pillar) is dubious under international law – largely due to the encroachment on state sovereignty.

Global redistributive ethicists desire an expansion of military intervention by broadening the justification of humanitarian intervention that would undercut sovereignty in the event of a state failing to save their civilian's lives.¹⁶ This clause is similar to the parameters of R2P. A humanitarian intervention thus involves the incursion of a third party and its armed forces into another territory without the host state's consent to save lives. Humanitarian intervention can be defined as:

[T]he threat or use of force across state borders by a state (or group of states) aimed at preventing or ending widespread and grave violations of the fundamental human rights of individuals other than its own citizens, without the permission of the state within whose territory force is applied.¹⁷

Therefore, the scope of a humanitarian intervention can challenge state sovereignty that would in turn violate international law. There is the danger of humanitarian interventions defying the logic of fighting wars to protect national self-defence,¹⁸ and expand realist geopolitical motives – as will be debated in the remainder of this article within the contexts of Libya and mainly Syria. This is why R2P requires UN Security Council authorisation.

Although this background on R2P and humanitarian intervention may be well-known to experts within this field, this article assesses the interests of states and their identities when deciding to exercise R2P to save civilian lives and/or pursue interventionist motives for relative gain.

¹⁴ Article 2(4) of the Charter of the United Nations, 1945.

¹⁵ See Chapter VII of the Charter of the United Nations, 1945, and particularly Article 51.

¹⁶ Henry Shue, 'Eroding Sovereignty: The Advance of Principles' in Robert McKim and Jeff McMahan (eds.), *The Morality of Nationalism*, 3rd ed. (Oxford: Oxford University Press, 1997), pp. 340–359.

¹⁷ J. L. Holzgrefe, 'The Humanitarian Intervention Debate' in J. L. Holzgrefe and Robert. O. Keohane (eds.), *Humanitarian Intervention: Ethical, Legal, and Political Dilemmas* (Cambridge: Cambridge University Press, 2003), p. 18.

¹⁸ Michael C. Hawley, 'Can Just Wars Be Fought Proportionately? A Critique of *In Bello* Proportionality', *Journal of Military Ethics*, 22(2) 89–102 (September 2023), p. 96.

Prior to doing so, a brief literature review on R2P in Libya and Syria is provided. This is followed by this article's unique contribution to the literature.

3 Literature Review: Thematic Analysis of the Responsibility to Protect in Libya and Syria

This literature review identifies multiple thematic similarities in a wide array of articles primarily centred around the R2P doctrine and its application, or lack thereof, in the cases of Libya and Syria. Several distinct yet interrelated themes emerge, including the political nature of R2P, challenges in implementation, geopolitical factors, and the impact of international norms on military interventions. These themes highlight the complexities and inconsistencies in applying R2P, especially in situations involving humanitarian crises.

3.1 The Political Nature and Implementation of R2P

A recurrent theme is the political character of R2P and the difficulty of its consistent application. Welsh emphasises that R2P is a political principle rather than merely a call for military intervention.¹⁹ She highlights the challenges in international consensus, particularly in the cases of Libya and Syria, where the use of military force was inconsistent, raising concerns about the legitimacy and efficacy of R2P as a principle of conduct rather than outcome.²⁰ Similarly, Garwood-Gowers argues that while R2P was applied successfully in Libya, this was due to unique political circumstances; Syria, where intervention did not occur, represents the norm of inaction due to international disagreements.²¹

In a similar vein, Berti assesses how the NATO-led intervention in Libya stretched the limits of R2P's mandate, eventually leading to regime change rather than purely protecting civilians.²² This case highlights the tension between legal and political justifications for military action under the guise of R2P.

¹⁹ Jennifer M. Welsh, 'The Responsibility to Protect after Libya & Syria', *Daedalus*, 145(4) 75–87 (September 2016).

²⁰ *ibid.*

²¹ Andrew Garwood-Gowers, 'The Responsibility to Protect and the Arab Spring: Libya as the Exception Syria as the Norm?' *University of New South Wales Law Journal*, 36(2) 594–614 (January 2013).

²² Benedetta Berti, 'Forcible Intervention in Libya: Revamping the "Politics of Human Protection"?' *Global Change Peace & Security*, 26(1) 21–39 (2014).

3.2 Geopolitical Interests and Power Dynamics

The second major theme revolves around how geopolitical interests and power dynamics influence the application of R2P, particularly in the cases of Libya and Syria. Oliver Stuenkel and Ramesh Thakur both highlight the role of emerging powers like BRICS in shaping the global discourse on R2P.²³ Stuenkel argues that while BRICS nations support R2P's non-military pillars, they diverge on the use of force due to national interests and geopolitical considerations.²⁴ Thakur adds that engaging emerging powers is crucial for maintaining R2P's legitimacy.²⁵

Lombardo also notes the limitations of R2P in Syria, where strategic alliances, particularly Russia's veto in the UN Security Council, prevented intervention despite ongoing atrocities.²⁶ This reflects how global power dynamics often override humanitarian concerns. Tocci further explores the interplay between power and norms, arguing that both crises revealed the evolving nature of global power shifts, with the West and BRICS countries playing critical roles in defining the future of R2P.²⁷

3.3 The Role of Historical and International Memories

Another theme that emerges is the influence of historical and international memories on decisions about humanitarian intervention. Bachleitner explores how recollections of fascism and colonialism shaped UN Security Council debates, with Libyan representatives invoking the memory of fascism to justify intervention against Gaddafi, while Syrian representatives referenced colonialism to resist foreign interference.²⁸ This theme highlights how shared historical experiences influence contemporary political decisions regarding humanitarian action.

²³ Oliver Stuenkel, 'The BRICS and the Future of R2P: Was Syria or Libya the Exception?' *Global Responsibility to Protect*, 6(1) 3–28 (January 2014); Thakur, 'R2P after Libya and Syria'.

²⁴ Stuenkel, 'The BRICS and the Future of R2P'.

²⁵ Thakur, 'R2P after Libya and Syria'.

²⁶ Gabriele Lombardo, 'The Responsibility to Protect and the Lack of Intervention in Syria between the Protection of Human Rights and Geopolitical Strategies', *The International Journal of Human Rights*, 19(8) 1190–1198 (September 2015).

²⁷ Nathalie Tocci, 'On Power and Norms: Libya Syria and the Responsibility to Protect', *Global Responsibility to Protect*, 8(1) 51–75 (February 2016).

²⁸ Kathrin Bachleitner, 'International Memories in Global Politics: Making the Case for or Against UN Intervention in Libya and Syria', *Review of International Studies*, 50(2) 271–288 (March 2024).

3.4 Impact of R2P on Global Norms of Protection

Several articles address the broader impact of the Libya intervention on international norms, particularly the R2P doctrine. Brockmeier, Stuenkel, and Tourinho argue that the Libya case reignited debates about the legitimacy of using force under R2P, with some countries viewing it as overreach.²⁹ Kersavage adds that the Libya and Syria cases expose two major deficiencies in R2P: the subordination of humanitarian concerns to political interests and the lack of conceptual clarity on military interventions.³⁰

3.5 Obama Doctrine and US Foreign Policy

Several authors analyse US foreign policy, particularly under the Obama administration, in relation to R2P. Murray argues that Libya and Syria helped shape the emerging ‘Obama Doctrine’, which emphasised multilateral cooperation and limited military engagement.³¹ This doctrine faced challenges in Syria due to geopolitical complexities, especially opposition from Russia and China. Rees further explores how different types of ideas – principled versus cognitive – shaped Obama’s decisions, with principled ideas driving intervention in Libya and cognitive arguments restraining action in Syria.³²

3.6 Critiques of Military Interventions and Alternative Approaches

The final theme focuses on critiques of military interventions and the exploration of alternative approaches to R2P. Zambakari criticises NATO's intervention in Libya, arguing that it was mismanaged and led to regional instability, including the proliferation of armed groups.³³ Nuruzzaman similarly critiques the interventions in Libya, Bahrain, and Syria, emphasising that they failed to promote human rights and instead exacerbated abuses due to the prioritisation of geopolitical interests.³⁴

²⁹ Sarah Brockmeier, Oliver Stuenkel, and Marcos Tourinho, ‘The Impact of the Libya Intervention Debates on Norms of Protection’, *Global Society*, 30(1) 113–133 (2016).

³⁰ Kathryn Kersavage, ‘The “Responsibility to Protect” Our Answer to “Never Again”? Libya Syria and a Critical Analysis of R2P’, *International Affairs Forum*, 5(1) 23–41 (June 2014).

³¹ Donette Murray, ‘Military Action but Not as We Know It: Libya Syria and the Making of an Obama Doctrine’, *Contemporary Politics*, 19(2) 146–166 (April 2013).

³² Morgan Thomas Rees, ‘Obama and the Use of Force: A Discursive Institutional Analysis of Libya and Syria’, *International Relations*, 36(3) 382–402 (2022).

³³ Christopher Zambakari, ‘The Misguided and Mismanaged Intervention in Libya: Consequences for Peace’, *African Security Review*, 25(1) 44–62 (March 2016).

³⁴ Mohammed Nuruzzaman, ‘Rethinking Foreign Military Interventions to Promote Human Rights: Evidence from Libya Bahrain and Syria’, *Canadian Journal of Political Science*, 48(3) 531–552 (September 2015).

3.7 Our Unique Contribution to the Literature

Our article contributes a distinctive analysis to the existing literature on R2P by examining how its implementation in Libya influenced international responses in Syria. We bridge gaps in the debate by integrating realism and constructivism, providing a more comprehensive understanding of state behaviour in crises. Our analysis highlights how both material interests and state identities – such as Russia's focus on sovereignty and the West's role as human rights defenders – shaped the divergent approaches to intervention in Libya and Syria.

We argue that the transition from civilian protection to regime change in Libya undermined the credibility of R2P, leading to caution and resistance, especially from Russia and China, in the Syrian context. This backlash, often overlooked in the literature, links the two cases, showing how Libya's aftermath influenced the hesitancy to intervene in Syria.

Additionally, our focus on state identities, using a constructivist lens, provides a fresh perspective on why vetoes in the UN Security Council blocked actions in Syria. We show how these identities, coupled with geopolitical realities, played a pivotal role in shaping international responses.

Ultimately, we advocate for a balanced approach to R2P that combines ethical imperatives with geopolitical realities. This synthesis addresses gaps in the literature and offers a pragmatic framework for the future application of R2P in global crises. Now that the literature review has been presented, the forthcoming section covers the application of R2P and intervention in the context of Libya.

4 Assessing the Implementation of R2P in the 2011 Libyan Intervention: Successes, Controversies, and Unintended Outcomes

The 2011 intervention in Libya provided an initial test of R2P's third pillar that upheld the centrality of the UN Security Council to protect Libyan civilians from atrocity crimes.³⁵ On 17 February 2011, unarmed protestors fought against Gaddafi's security forces. Within the first

³⁵ Paul, D. Williams and Alex J. Bellamy, 'Principles, Politics, and Prudence: Libya, the Responsibility to Protect, and the Use of Military Force', *Global Governance*, 18(3) 273–297 (July–September 2012), p. 276.

week, this conflict resulted in many civilian deaths and Libyan security forces were pushed out of Benghazi by rebel forces.³⁶

The UN Security Council referenced R2P and authorised the use of force for member states to act nationally and via regional organisations or arrangements to protect Libyan civilians.³⁷ Therefore, the Security Council authorised the use of force as a means of bringing effect to R2P. All 15 members of the Council voted in favour of Resolution 1970 to implement an arms embargo and travel ban against some Libyan politicians (including the Head of the Liaison Office, chief and directors of security, the Defence Minister, Director of Military Intelligence, and Secretary for Utilities) and a handful of the Gaddafi family (including a cousin, daughter, and four sons).³⁸ Armed rebels called for the UN to impose a no-fly zone on the Gaddafi regime's air force, a call that was supported by the Arab League, Gabon, Nigeria, and South Africa; the then Chinese ambassador to the UN, Li Baodong, reinforced the perspectives and concerns of Arab and African states.³⁹ Despite these sanctions and condemnations, the Libyan regime army targeted Benghazi – the rebel stronghold – with Gaddafi's message on 17 March 2011 that 'we will find you in your closets'.⁴⁰

The United-Kingdom (UK) and France believed that R2P should be applied to Libya due to an influx of refugees escaping the violence that would threaten their border security.⁴¹ The UK intervened to retain its 'great power status', had an 'appetite for revenge' on Gaddafi for his past wrongs, including terrorism, and held air bases close by in Italy.⁴² Therefore, UK Prime Minister David Cameron along with French President Nicolas Sarkozy deemed that military intervention would be successful and fairly low cost, and they attained 'public and/or opposition party support'.⁴³ This decision-making process has been supported by Chivvis

³⁶ Al Jazeera, 'Battle for Libya: Key Moments', 23 August 2011, <https://www.aljazeera.com/news/2011/8/23/battle-for-libya-key-moments>, accessed 18 November 2024.

³⁷ David Luban, 'Will Syria Redefine the Just War?' *Just Security*, 24 September 2013, <https://www.justsecurity.org/1035/syria-redefine-war/>, accessed 11 November 2024.

³⁸ UN Security Council Resolution 1970, 'On Establishment of a Security Council Committee to Monitor Implementation of the Arms Embargo against the Libyan Arab Jamahiriya', UN Doc. S/RES/1970 (26 February 2011), Annex I: Travel Ban.

³⁹ UN Security Council, 'Verbatim Record of the 6,491st Meeting', UN Doc. S/PV.6491, New York (26 February 2011).

⁴⁰ David D. Kirkpatrick and Kareem Fahim, 'Gaddafi Warns of Assault on Benghazi as UN Vote Nears', *The New York Times*, 17 March 2011, <https://www.nytimes.com/2011/03/18/world/africa/18libya.html>, accessed 21 October 2024.

⁴¹ Jason W. Davidson, 'France, Britain and the Intervention in Libya: An Integrated Analysis', *Cambridge Review of International Affairs*, 26(2) 310–329 (May 2013).

⁴² Grant Dawson, 'No Future for Libya with Gaddafi: Classical Realism Status and Revenge in the UK Intervention in Libya', *Cambridge Review of International Affairs*, 35(3) 357–374 (2022), pp. 357, 360, 366.

⁴³ Davidson, 'France, Britain and the Intervention in Libya'.

because it was based on using force to protect human rights and the rule of law, and was restricted to stopping violence against innocent civilians using limited airpower and a UN mandate to avert civilian casualties.⁴⁴

Subsequently, Security Council Resolution 1973 compelled the Libyan authorities to comply with international law, human rights, and international humanitarian law to protect civilians.⁴⁵ The resolution aimed to ensure the safety of Libyan people ‘by all means necessary’ (meaning military force).⁴⁶ In addition, the resolution established a ban on all flights in Libyan airspace except for the transport of humanitarian assistance.⁴⁷ It also enforced an arms embargo on Libyan authorities,⁴⁸ denied the flights of Libyan-owned or operated aircraft,⁴⁹ and froze financial assets of the regime and affiliates of the Central Bank of Libya, Foreign Bank, and the Libyan National Oil Corporation.⁵⁰ China was resistant to R2P’s Pillar Three regarding forcible intervention in Libya and reports suggested that Beijing would prevent UN action beyond a no-fly zone.⁵¹ However, China did not block or abstain passively, but Baodong stated that it was impossible to achieve peace and protect Libya’s territorial sovereignty with the use of force.⁵² Some coalition states directly armed and supported Libyan rebels in a contravention of Resolutions 1970 and 1973 on the arms embargo, travel ban, and assets freeze.⁵³ Resolution 1973 permitted member states, with the notification of the UN Secretary-General, to undertake all required measures (and not be prevented by paragraph 9 of Resolution 1970 on the application of the arms embargo) to protect Libyan civilians from areas being threatened or attacked by the Libyan state.⁵⁴ Despite these resolutions that applied the arms embargo, France provided ammunition and light arms to rebels based in mountains near the capital, Tripoli, because the delivery of arms to support the protection of civilians was not prohibited by the arms embargo.⁵⁵

⁴⁴ Christopher S. Chivvis, *Toppling Gaddafi: Libya and the Limits of Liberal Intervention* (Cambridge: Cambridge University Press, 2014), pp. xv, 4–6.

⁴⁵ UN Security Council Resolution 1973, ‘Imposes Additional Measures in Connection with the Situation in the Libyan Arab Jamahiriya’, UN Doc. S/RES/1973 (17 March 2011), paras. 3–5.

⁴⁶ Tim Dunne and Sarah Teitt, ‘Contested Intervention: China, India, and the Responsibility to Protect’, *Global Governance*, 21(3) 371–391 (July–September 2015), p. 380.

⁴⁷ UNSC Res. 1973, paras. 6–7.

⁴⁸ *ibid.*, para. 13.

⁴⁹ *ibid.*, para. 17.

⁵⁰ *ibid.*, para. 19, Annex II.

⁵¹ Dunne and Teitt, ‘Contested Intervention’, pp. 380–381.

⁵² UN Security Council, ‘Verbatim Record of the 6,498th Meeting’, para. 10.

⁵³ UNSC Res. 1970; UNSC Res. 1973.

⁵⁴ UNSC Res. 1970; UNSC Res. 1973.

⁵⁵ UNSC Res. 1970; UNSC Res. 1973.

On 19 March 2011, the multi-state NATO coalition initiated a bombing campaign that included logistical help from Qatar and the United Arab Emirates to protect civilians, with France, the United States (US), and the UK providing aerial power, and others joined.⁵⁶ The removal of Gaddafi's regime seemed a Western solution, but Resolution 1973 made it clear to respect the arms embargo without prejudice of using all necessary means barring the deployment of ground forces.⁵⁷ Supporting one faction to oust Gaddafi and conquer or contain other opposition militias failed in Libya because of the assumption there was a single opposition group, and the country is now divided among radical and rival militias.⁵⁸ NATO forcefully conducted aerial attacks on pro-Gaddafi forces, armed the rebels, and turned a blind eye on other weapons reaching rebels despite the arms embargo including seaports.⁵⁹ Gaddafi's arsenals were looted and large weapons entered Gaza, the Sinai, Mali, and Niger.⁶⁰ In the aftermath of the intervention, the UN planned for a peacekeeping mission, which the new Libyan government blocked, and no Security Council members agreed to extend the UN Support Mission in Libya to include the deployment of peacekeepers.

The intervention in Libya did not contain a clear objective or endgame and there was a lack of consensus between major regional powers. NATO met their narrow objective quickly to secure Benghazi and support the rebels. This aim of securing the area and NATO states assisting rebels was to protect civilians protesting in opposition to the dictatorship (initially rallied by the Arab Spring). However, the intervention of NATO in Libya was anecdotally criticised for encouraging regime change. The central argument is that these selfish motives propelled NATO, and its members as third-party states, to expand its mission and thus create the non-humanitarian outcomes. NATO allegedly played into realist motives of better oil deals with the rebels, with what Paris identifies as a changing 'bait and switch' mandate from civilian protection of an area to regime change.⁶¹ As a counterargument, it could be argued that arming and supporting the Benghazi rebels provided the best opportunity to protect the lives of

⁵⁶ Al Jazeera, 'Battle for Libya: Key Moments'.

⁵⁷ UNSC Res. 1973.

⁵⁸ Michael Walzer, 'Syria', *Dissent*, 9 March 2012, <https://www.dissentmagazine.org/blog/syria/>, accessed 22 October 2024.

⁵⁹ David Pugliese, 'NATO's Secret War Against Gadhafi', *Montreal Gazette*, 21 February 2012, A15, <https://www.pressreader.com/canada/montreal-gazette/20120221/281732676402211>, accessed 25 November 2024.

⁶⁰ Walzer, 'Syria'.

⁶¹ Roland Paris, 'The "Responsibility to Protect" and the Structural Problems of Preventive Humanitarian Intervention', *International Peacekeeping*, 21(5) 569–603 (October 2014), p. 584. However, we argue that NATO had to change its mandate from lighter sanctions to robust protection of civilians because Gaddafi's armed forces became increasingly offensive in rebellion areas.

civilians. When the rebels captured Gaddafi and brutally killed him, it resulted in regime change.

5 NATO's Shifting Role in Libya and the Paralysis of R2P in the Syrian Conflict

To answer the research question, it is necessary to investigate whether the consequence of NATO's changing mandate in Libya was the absence of armed intervention from the UN Security Council in the case of Syria.

It is important to note that violence in Syria did not commence after hostility in Libya, but at the same time. Therefore, the deliberations of the Security Council on Syria started prior to the fall of Colonel Gaddafi, not subsequently. Russia and China were more open to coercive pressure on Bashar al-Assad (the Syrian president at the time and until 8 December 2024) before the fall of Colonel Gaddafi than they were afterwards. The protracted conflict in Syria resumes in different forms and has recently paused since its onset in March 2011, resulting in countless casualties and prompting widespread displacement of civilians fleeing their homes and seeking refuge abroad. Erameh reported that between 250,000 and 470,000 had been killed in the Syrian civil war and no less than 6.5 million had been internally displaced.⁶² In the Syrian prison system, 65,000 civilians have disappeared, and there are 12 million displaced people either as refugees or internally displaced people (IDPs).⁶³ As of March 2023, 230,224 civilian deaths have been documented, 154,871 have been arrested, and an estimated 14 million Syrians have been displaced.⁶⁴ An influx of refugees has impacted on neighbouring states.

The Syrian conflict is a convoluted tapestry of competing interests and factions. Initially ignited by the Arab Spring, al-Assad's regime managed to retain control over strategic areas like Damascus and Aleppo with the backing of Russia and Iran. However, even though many civilians opposed al-Assad's regime in Syria at the beginning of the conflict, armed groups that formed later were fragmented between secular and Islamist groups that had different goals. The complexity of the conflict was further exacerbated by the emergence of the Islamic State of

⁶² Nicholas Idris Erameh, 'Humanitarian Intervention, Syria and the Politics of Human Rights Protection', *The International Journal of Human Rights*, 21(5) 517–530 (April 2017), p. 525.

⁶³ Michael Walzer, 'Philosopher Michael Walzer on the Ethics of Intervention in Syria', cited in Geoffrey Mock, *Duke Today*, 15 April 2016, <https://today.duke.edu/2016/04/walzer>, accessed 12 September 2024.

⁶⁴ Syrian Network for Human Rights, 'On the 12th Anniversary of the Popular Uprising', 15 March 2023, pp. 1, 6, 11, <https://reliefweb.int/report/syrian-arab-republic/12th-anniversary-popular-uprising-total-230224-civilians-documented-dead-including-15275-who-died-due-torture-154871-arrested-andor-forcibly-disappeared-and-roughly-14-million-syrians-displaced>, accessed 11 September 2024.

Iraq and the Levant (ISIL), which spread throughout Syria and Iraq, perpetrating mass atrocities and engaging in combat against government and rebel forces. In the north of Syria, Kurdish combatants allied themselves with the US in the fight against ISIL to gain autonomy in their territories. Amidst this intricate web of alliances and rivalries, the Syrian conflict continues to ravage the country, leaving devastation and suffering in its wake.

The UN Special Envoy, the late Kofi Annan, drafted a peace plan in March 2012 to protect civilians under UN supervision, provide humanitarian assistance to hard-hit areas, and release arbitrarily incarcerated persons.⁶⁵ However, diplomacy failed to produce a lasting ceasefire.⁶⁶ The use of chemical weapons in 2013 had the US poised to intervene militarily, but this was offset by negotiations that resulted in UN Security Council Resolution 2118 providing a framework to eliminate Syria's arsenal of chemical weapons.⁶⁷ The resolution hinted at the threat of collective military action under Chapter VII of the UN Charter. Stahn was optimistic of sanctions and prevention adopted from Resolution 2118 for deterrence, rather than collective security for intervention, with a clearer strategy to avoid 'suspicion'.⁶⁸ However, the use of chemical weapons only represented a small portion of the atrocities and ongoing failure of the al-Assad regime, which continually failed to comply with the Security Council's demand to stop these actions, despite numerous international condemnations. Therefore, diplomacy and the weaker pillars of R2P responding to chemical weapons failed to avert further Syrian government-based atrocities.

Now that a brief conflict analysis has been presented, the forthcoming part focuses on the intervention being circumvented by states that possess the veto power. This is followed by an assessment of the Syrian crisis that is undermined by realist geographical and strategic interests.

⁶⁵ Kofi Annan, 'Annan's Peace Plan for Syria', *Council on Foreign Relations*, March 2012, <https://www.cfr.org/syria/annans-peace-plan-syria/p28380>, accessed 17 July 2024.

⁶⁶ Anthony H. Cordesman and Aram Nerguizian, 'The Case for and against a "Realist" Strategy in Syria', *Centre for Strategic & International Studies*, 2017, p. 3.

⁶⁷ UN Security Council Resolution 2118, 'Framework for Elimination of Syrian Chemical Weapons during the Syrian Civil War', S/RES/2118, adopted 7038th meeting, 27 September 2013.

⁶⁸ Carsten Stahn, 'Between Law-breaking and Law-making: Syria, Humanitarian Intervention and What the Law Ought to Be', *Journal of Conflict & Security Law*, 19(1) 25–48 (Spring 2014), p. 47; UN Security Council Resolution 2118.

6 Geopolitical Gridlock and Humanitarian Dilemmas: The UN Security Council's Disagreement over Syria

Western states tried to issue a resolution in the UN Security Council to condemn the Syrian regime and demand it to stop attacking civilians; however, this was denied in the Security Council due to the veto powers of Russia and China. For instance, arms embargoes that resembled Resolution 1970⁶⁹ and a call for al-Assad to transfer temporary power and hold elections were vetoed by both China and Russia. This is partly due to the geopolitical interests of Russia and China – they did not want the West to continue toppling regimes around the world, especially in their sphere of influence.⁷⁰

Russia and China vetoed at least nine times from the outbreak of civil war in 2011 to the sanctions on the regime for use of chemical weapons.⁷¹ To provide a few examples of their use of vetoes, a draft resolution on 4 October 2011 condemned Syrian targeting of protestors⁷² and draft resolution 847 on 8 October 2016 called for the immediate cessation of airstrikes over the city of Aleppo. Despite Russia reaching an agreement with the US in 2017 to prohibit al-Assad's chemical weapons use, Russia vetoed to oppose the renewed mandate of the UN investigation of Syrian chemical weapons attacks.⁷³ This demonstrated that paralysis of the Security Council was a geopolitical problem for R2P and, more broadly, for humanitarian intervention. The joint UN Organisation for the Prohibition of Chemical Weapons (OPCW) panel was scheduled to release a report concerning the 4 April 2017 sarin gas attack at Khan Sheikhun, an opposition village, that killed over 60 people, including children.⁷⁴

⁶⁹ UNSC Res. 1970.

⁷⁰ Russia retaining its arms deals with al-Assad and China's relatively small investment in the Syrian oil sector were not the main reasons why Moscow and Beijing backed the Syrian regime (Thomas Grove, 'Syria Reaches Oil Deal with Ally Russia', Reuters, 3 August 2012, <https://uk.reuters.com/article/us-russia-syria-oil/syria-reaches-oil-deal-with-ally-russia-idUSBRE8720WC20120803>, accessed 12 September 2024; Jaime A. FlorCruz, 'Why China Didn't Back UN Plan for Syria', Cable News Network, 10 February 2012, <https://edition.cnn.com/2012/02/09/world/asia/syria-china-florcruz/index.html>, accessed 18 September 2024).

⁷¹ BBC News, 'Syria War: Russia and China Veto Sanctions', 28 February 2017, <https://www.bbc.co.uk/news/world-middle-east-39116854>, accessed 30 June 2024.

⁷² United Nations Security Council, 'France, Germany, Portugal and United Kingdom of Great Britain and Northern Ireland: Draft Resolution', S/2011/612, 4 October 2011, para. 1, <https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Syria%20S2011%20612.pdf>, accessed 30 June 2024.

⁷³ AFP, 'Russia Uses Veto to End UN Investigation of Syria Chemical Attacks', *The Guardian*, 24 October 2017, <https://www.theguardian.com/world/2017/oct/24/russia-uses-veto-end-un-investigation-chemical-attacks>, accessed 10 July 2024.

⁷⁴ Kareem Shaheen, 'The Dead Were Wherever You Looked: Inside Syrian Town after Gas Attack', *The Guardian*, 6 April 2017, <https://www.theguardian.com/world/2017/apr/06/the-dead-were-wherever-you-looked-inside-syrian-town-after-chemical-attack>, accessed 10 July 2024.

As a response to the chemical weapons attacks in 2017 and the UN political stalemate due to the Russian and Chinese vetoes, the al-Assad regime was condemned by the US, UK, and France. Al-Assad's regime was internationally condemned for bombing innocent civilians and systematically destroying hospitals of opposition rebel groups.⁷⁵ UN investigations confirm that chlorine gas was dropped in rebel strongholds in 2014, 2015, and 2017.⁷⁶

The conflict has lingered on with further vetoes. On 19 September 2019, a draft resolution on the humanitarian situation of civilians in Idlib, northwest Syria, was presented to the UN Security Council by Belgium, Germany, and Kuwait.⁷⁷ China vetoed this on the grounds of respecting Syria's territorial sovereignty and that the Syrian government was engaged in counterterrorism.⁷⁸ Russia vetoed the same draft resolution due to allegations of the objectives of the text to save transnational terrorists located in Idlib.⁷⁹

After two earthquakes and an outbreak of cholera in 2023, Russia vetoed continued cross-border aid to northern Syria from the Bab-al-Hawa crossing with neighbouring Turkey, blocking an estimated 4.1 million people from access to medicine, food, and water.⁸⁰ The reason for Russia's veto of humanitarian aid reaching northern Syria was based on including the authorisation of the Syrian government and Moscow's wording being removed from the draft resolution and the risk of the Security Council becoming a NATO 'get-together'.⁸¹ This failure of Syria to protect its people from mass atrocity crimes signifies the inadequacy of diplomatic and peaceful means, and thus the Security Council could sanction collective action as per paragraph 139 of the 2005 World Summit Document. For instance, UK national approaches condemn the chemical weapons attacks that should exercise R2P and apply preventive humanitarian intervention under Chapter VII of the UN Charter as a last resort.⁸² Yet the British parliament objected to initial military action, which may be to do with the consequences or the Security Council stalemate and thinking about deterrence and the

⁷⁵ Julian Borger and Peter Beaumont, 'Syria: US, UK and France Launch Strikes in Response to Chemical Attack', *The Guardian*, 14 April 2018, <https://www.theguardian.com/world/2018/apr/14/syria-air-strikes-us-uk-and-france-launch-attack-on-assad-regime>, accessed 10 July 2024.

⁷⁶ BBC News, 'Syria War: Russia and China Veto Sanctions'.

⁷⁷ S/2019/756.

⁷⁸ United Nations Security Council, 'The Situation in the Middle East', draft resolution S/PV.8623, 19 September 2019, <https://documents.un.org/doc/undoc/pro/n19/286/56/pdf/n1928656.pdf>.

⁷⁹ *ibid.*

⁸⁰ United Nations, 'In Meeting Following Russian Federation's Veto of Cross-Border Aid Text, General Assembly Speakers Highlight Humanitarian Consequences for Millions', Meeting Coverage, 19 July 2023, <https://press.un.org/en/2023/ga12517.doc.htm>, accessed 10 July 2024.

⁸¹ *ibid.*

⁸² Stahn, 'Between Law-breaking and Law-making', p. 26.

aftermath. Despite the British government acknowledging that there was tantamount evidence of the al-Assad regime using chemical weapons on 21 August 2013, the House of Commons voted against military action due to a lack of clarity on how future use would be deterred and what would occur after military action, and because a transitional assessment would be conducted by an UN-based expert team.⁸³

China and Russia were against regime change, as seen in Libya, because it meant removing a regime that was loyal to them in the region and replacing it with a pro-Western democracy. China supported Resolution 1970. However, Beijing abstained on Resolution 1973 due to disagreement with the Western-influenced no-fly zone and later perceived the resolutions as Western covert methods for fulfilling ‘regime change’, thus resulting in vetoes regarding Syria.⁸⁴ China’s UN Ambassador, Li Baodong, claimed that China held scrutiny over the authorisation of ‘all necessary measures’ for the protection of civilians, but did not block Resolution 1973 due to pressure from the African Union and Arab League to move away from Beijing’s non-interference policy.⁸⁵ Russia also abstained in the vote on Resolution 1973 but did not veto it. President Dmitri Medvedev stated that Russia partially understood the ‘events in Libya too’, while Moscow was thinking about its economic interests (namely, natural resources), fear of potential Middle East unrest spreading to its troubled North Caucasus area, and suspicion concerning humanitarian intervention and regime change.⁸⁶ This would indicate that China and Russia were at least partially worried about Libya before Gaddafi was ousted from power.

Similar arguments were made by leaders elsewhere. For instance, the South African President, Jacob Gedleyihlekisa Zuma, favoured Resolution 1973 to protect Libyan civilians from the Libyan state, but later claimed that the resolution was ‘abused for regime change ... and foreign

⁸³ Ian Anthony, ‘The Syria Vote in the British Parliament’, Stockholm International Peace Research Institute, 30 August 2013, <https://www.sipri.org/commentary/expert-comment/2013/30-aug-2013-syria-vote-british-parliament>, accessed 18 July 2024.

⁸⁴ An early example of China using its veto was with the draft resolution on Syria mistreating protestors at the beginning of October 2011. Jonas Parellø-Plesner, ‘China’s Desert-Dance in Libya’, European Council on Foreign Affairs, 31 October 2011, https://ecfr.eu/article/commentary_chinas_desert_dance_in_libya/, accessed 18 July 2024.

⁸⁵ Li Baodong cited in Douglas H. Paal, ‘China: Mugged by Reality in Libya, Again’, *Carnegie Endowment: Asia Pacific Brief*, 11 April 2011, <https://carnegieendowment.org/posts/2011/04/china-mugged-by-reality-in-libya-again?lang=en>, accessed 18 July 2024.

⁸⁶ Dmitri Anatolyevich Medvedev cited in Hannah VanHoose, ‘Understanding the Russian Response to the Intervention in Libya’, Centre for American Progress, 12 April 2011, <https://www.americanprogress.org/article/understanding-the-russian-response-to-the-intervention-in-libya/>, accessed 20 July 2024.

military occupation'.⁸⁷ It could thus be argued that South Africa was worried about regime change after Gaddafi had fallen from power, but China held reservations with the second resolution. Similar to Libya, Western leaders wanted al-Assad to step down by applying pressure on him to coerce the government into negotiating a settlement and thus funded and supported the rebellious Free Syrian Army (FSA) to fight the enemy, al-Assad, but Russia and China designate the rebels as the foes.⁸⁸

Luban has similarly identified that the alleged success of R2P in Libya angered Russia who argued that humanitarianism had evolved into regime change resembling a 'bait and switch' strategy, derived from NATO, which is a major reason why Moscow is pitted against UN Security Council action in Syria.⁸⁹ Despite this claim, it is important to note that Russia was part of a G8 statement that called for Colonel Gaddafi to 'step down', with Medvedev willing to mediate his 'departure' as long as Libya remained a single state, but Russia softened its 'wording on' al-Assad using force against protestors in Syria.⁹⁰ Inconsistency in the R2P approach had now occurred, even though both situations held similarities such as a dictator targeting his own country's civilian protestors from the Arab Spring movement. Although this argument has already been made, it is integral to exhibit the paralysis of the Security Council (namely, due to the veto of the permanent members (P5) of the Security Council system) that has made it difficult to uphold R2P values in Syria. Based on this debate on inconsistency, R2P appears to be bound by geopolitical constraints and is inept at rescuing civilians or modifying humanitarian intervention as part of a just cause.

Erameh stresses that the geopolitical stalemate between the US, Russia and China resulted in non-intervention to save lives from the destructive al-Assad regime.⁹¹ Global leaders need to agree on terms to enforce an arms embargo and support locally based ceasefires to avoid advocating national interests.⁹² It could be argued that the vital realist interests of both Russia and China, which are in opposition to US interests, were involved with Syria. Syria is a part of multipolar geopolitical interests that form competing power politics hindering the protection

⁸⁷ Jacob Gedleyihlekisa Zuma cited in Paris, 'The "Responsibility to Protect" and the Structural Problems', p. 584.

⁸⁸ Erameh, 'Humanitarian Intervention', p. 527.

⁸⁹ Luban, 'Will Syria Redefine the Just War?'

⁹⁰ BBC News, 'G8: Libya's Gaddafi "Should Go", Say World Leaders', 27 May 2011, <https://www.bbc.co.uk/news/world-africa-13572830>, accessed 20 July 2024.

⁹¹ Erameh, 'Humanitarian Intervention', p. 517.

⁹² *ibid.*, p. 519.

of innocent lives.⁹³ Consequently, Syria is a tragedy for R2P with scepticism on the desire for intervention to advance both ‘geopolitical and economic interests by great powers’.⁹⁴ Therefore, the accountability of the al-Assad regime for engaging in atrocity crimes against a civilian population has not been applied, which in turn weakens the applicability of R2P.

As a response to geopolitical constraints and scepticism of regime change when exercising R2P, a legal liberalist perspective can be proposed. When international norms are violated, such as the instance of using chemical weapons that abuses the laws of armed conflict, and the UN Security Council blocks humanitarian protection, a more flexible approach to Article 2(4) of the UN Charter could deal with this problem.⁹⁵ Koh has argued that Article 2(4) of the Charter prohibits states from using force ‘in any other manner inconsistent with the purposes of the United Nations’.⁹⁶ Koh claimed that these principles include ‘respect for human rights and for fundamental freedoms’ as contained in Article 1 of the Charter.⁹⁷ This interpretation of respecting human rights can provide for a humanitarian scenario, prevent upcoming atrocities, achieve accountability for war crimes, sanction against the use of chemical weapons, and maintain peace and security. However, conflating the doctrine can be dangerous by undermining the humanitarian intervention doctrine as vague and merging then complicates the process and the response.

Despite criticism on geopolitical interests and P5 obstruction from liberalist thought, modern realists would argue that power politics, as in Syria, will continue. This is why Fiott and Morkevičius argue that the complementarity of normative ethics is required for broader, and more pragmatic, preventive humanitarian intervention to elude mammoth state-building tasks that are beyond narrow state interests.⁹⁸ Wesley has argued that the long-term pledges affiliated with humanitarian intervention are often hindered from the lack of ‘compelling’ self-interests that drive commitment.⁹⁹ This may be evident with the quick exit in Libya that left the state in

⁹³ Aidan Hehir, ‘Syria and the Dawn of a New Era’, *E-International Relations*, 23 February 2014, <https://www.e-ir.info/2014/02/23/syria-and-the-dawn-of-a-new-era/>, accessed 30 September 2024.

⁹⁴ Erameh, ‘Humanitarian Intervention’, p. 518.

⁹⁵ Stahn, ‘Between Law-breaking and Law-making’, p. 25.

⁹⁶ Harold Hongju Koh, ‘Syria and the Law of Humanitarian Intervention (Part II: International Law and the Way Forward)’, *EJIL: Talk! Blog of the European Journal of International Law*, 4 October 2013.

⁹⁷ *ibid.*

⁹⁸ Daniel Fiott, ‘Realist Thought and Humanitarian Intervention’, *The International History Review*, 35(4) 766–782 (August 2013), p. 771; Valerie Morkevičius, *Realist Ethics: Just War Traditions as Power Politics* (Cambridge: Cambridge University Press, 2018).

⁹⁹ Michael Wesley, ‘Toward a Realist Ethics of Intervention’, *Ethics & International Affairs*, 19(2) 55–72 (September 2005), p. 70.

a poor state of affairs. These realist, and debatably normative realist, values can thus be applied to the narrow geopolitical interests of intervening states.

The calculation of success was provided by realism, which meant Russia intervened in Syria on the premise of realist prudence. This realisation of realist ethics is thus credible in this instance, which would please normative realists.¹⁰⁰ Similarly, realists have contended that rather than choose one anti-al-Assad faction to secure their victory, waiting and observing is needed. Cordesman and Nerguizian have recommended that the US should wait the Syrian conflict out until it is very evident that external forces and warring Salafist and secular forces cannot attain a one-sided victory and the outcome merely rests on military (and economic) exhaustion or protracted instability/conflict.¹⁰¹ Prior to the overthrow of al-Assad, the more the US distanced itself from Syria – allowing other powers to take the blame while supporting its partners and allies in suppressing al-Assad and focusing on Islamic extremism and Iran as primary threats – the more favourable the context would have been for advancing US interests.¹⁰² Once the situation in Syria was ripe for intervention, the US could have acted with a high probability of success and minimal costs by financing and militarily supporting rebel forces, similar to its approach in Iraq against ISIL. Even advocates of human rights and R2P, such as Eraméh, acknowledge that the realist intentions of national interests and foreign policy remain inseparable from actions conducted by the state.¹⁰³ Walzer argues that there were too many actors holding a variety of geopolitical and economic agendas in Syria, so it was too difficult to calculate the outcomes of potential action or inaction.¹⁰⁴

Syria's strategic location and political landscape make it a focal point for international intervention. Syria provides access to the Mediterranean Sea that links with Europe, the Persian Gulf (Saudi Arabia), and it borders Iraq, Lebanon, Israel, Jordan, and Turkey (all of which are Western allies). Based on its location, Syria has political and commercial value to secure Israel, holds free-flowing oil and can contain both Russia and Iran.¹⁰⁵ For these reasons, the US and Saudi Arabia have supported a variety of rebels and the al-Assad government was supported

¹⁰⁰ Fiott, 'Realist Thought and Humanitarian Intervention'; Morkevičius, *Realist Ethics*.

¹⁰¹ Cordesman and Nerguizian, 'The Case for and against a "Realist" Strategy in Syria', p. 2.

¹⁰² *ibid.*, p. 5.

¹⁰³ Eraméh, 'Humanitarian Intervention', p. 527.

¹⁰⁴ Walzer, 'The Ethics of Intervention in Syria'.

¹⁰⁵ India Birrell, 'A Reason for Intervention: A Realist Understanding of the West's Decision to Intervene in Syria', *The Organisation for World Peace*, 9 June 2019, <https://theowp.org/reports/a-reason-for-intervention-a-realist-understanding-of-the-wests-decision-to-intervene-in-syria/>, accessed 30 August 2024.

by both Russia and Iran.¹⁰⁶ Russia supported the al-Assad regime and intervened to secure vital strongholds, shielding them from Western interference. However, it is surprising that Russia did not prevent the overthrow of al-Assad in early December 2024, which is likely due to its ongoing engagement in Ukraine. Yet, Turkey has intervened against a former US ally, the Kurds, in northern Syria. The contention rests on the overly complex situation in Syria, which is why there has been caution with widescale intervention, but the central argument of the article rests on the interests of states and their identities that has framed the meaning and cooperation (or lack of it) with R2P. The article will now address some interventions and realist explanations and potential solutions to the Syrian conflict.

7 Realist Strategies and Multipolar Tensions: The Geopolitical Interplay in Syria

Taking Waltz's structural realist theory on the balance of power into consideration, Russia has geopolitical interests in countering the West.¹⁰⁷ States may form multilateral alliances with whomever they choose due to sovereign equality in the international system. Russia has supported Syria and Iran to confirm that US unipolarity was now over, paving the way for a multipolar challenge to US hegemony. The Russia–Syria coalition also signified Russian relative gains to provide political, military, and economic advantage (over the US) while the US intends to maintain a presence in northeastern Syrian to counterbalance the Russians by engaging with the People's Defence Units (YPG), Syrian Democratic Forces (SDF), in ground operations against ISIL.

The plethora of groups fighting for different reasons in Syria made it difficult for al-Assad to retain power because Russia would have had to continually support and invest in the regime. However, Russia has been involved in its war against Ukraine since late February 2022 and thus its realist ambitions, even to retain its client state within the Middle East for geopolitical reasons, descended Moscow's priorities. On 8 December 2024, the Hayat Tahrir al-Sham (HTS) group that was previously linked with al-Qaeda affiliated Jabhat al-Nusra toppled the al-Assad regime, with President al-Assad fleeing to Russia.¹⁰⁸ The leader of the HTS, Ahmed Hussein al-Sharaa (Abu Mohammad al-Jolani), has stated that it will take at least four

¹⁰⁶ Miguel Paradela-López and Alexandra Jima-González, 'Michael Walzer's Humanitarian Intervention Theory', *Social Sciences*, 9(4) 41 (March 2020), p. 11.

¹⁰⁷ Kenneth Neal Waltz, *Theory of International Politics* (New York City, NY: McGraw-Hill, 1979).

¹⁰⁸ Joseph Stepansky, 'US Caught by Surprise as Syria Overthrows al-Assad: Analysis', Al Jazeera, 8 December 2024, <https://www.aljazeera.com/news/2024/12/8/us-caught-surprise-syria-overthrows-al-assad-analysis>, accessed 23 January 2025.

years to establish conditions for electoral votes after over three decades of authoritarian rule.¹⁰⁹ The US continues to monitor the Syrian de facto government to determine whether it will harbour terrorists and whether it will ensure inclusivity of minority groups in the state's future governance.¹¹⁰

Hence, Syria still presents a choice between ignoring the violations of human rights – due to the UN Security Council veto – or using military force. Calculations based on a quick fix with airstrikes and avoidance of boots on the ground (as in Kosovo and Libya) are unrealistic expectations of those intervening in Syria.¹¹¹ The US has assessed the possibility of success and decided it is not feasible.¹¹² The reasonability of success rests on realist calculations that traditionally derive from the just war tradition. For Morkevičius, war is inevitable (as in Hindu, Christian, and Islamic texts) and power is required to preserve order with a structural realist balance of power between kings (and now states) to consider morality that may have material advantages to pursue justice overseas (but only if he [a state] has the strength to succeed with justice).¹¹³

If the US intervenes in Syria – but only when calculations suggest a reasonable chance of success – it can pursue justice because it has the strength and authority to do so in a moral rather than a legal manner. However, this is not likely the case because the US has experienced war fatigue from its failure in Afghanistan; has been a major financier of Ukraine's fight against Russia's invasion since 24 February 2022; has been observing and seeking mediation of its major Middle Eastern ally, Israel, since the Hamas hostage crisis began in 7 October 2023; and had its then President, Joe Biden, focusing on internal American problems. Although the Russian military presence in Syria has decreased since the war in Ukraine, Russia is active in Syria, and President Vladimir Putin and affluent oligarchs have formed a patron–client relationship with Syrian officials. American domestic issues and avoidance of confrontation with Russia could better explain why the US has chosen to avoid a full-scale military intervention in Syria.

¹⁰⁹ Ismaeel Naar, 'Syria's Rebel Leader Offers Hint of Timetable for Potential Elections', *The New York Times*, 30 December 2024, <https://www.nytimes.com/2024/12/30/world/middleeast/syria-rebel-leader-elections.html>, accessed 23 January 2025.

¹¹⁰ *ibid.*

¹¹¹ Walzer, 'Syria'.

¹¹² Luban, 'Will Syria Redefine the Just War?'

¹¹³ Morkevičius, *Realist Ethics*, p. 192.

Alongside the chance of success, a military intervention can also be undertaken if the state is deemed illegitimate and perpetrates prevalent basic social rights abuses. In such circumstances, intervening states – with the approval of home citizens – can undertake intervention with the promise of retaining proportionality.¹¹⁴ McMahan takes this argument further to contend that airstrikes in ISIL-controlled cities in Syria and Iraq risk disproportionately harming civilians, which is why ground forces are needed.¹¹⁵

If US troops on the ground in northeast Syria are part of realist interests to support the SDF against an increased Russian and Turkish military presence, then this response is still supporting the Kurdish group. If Ankara called for involvement, then the US would need to be involved as a measure to contain Turkey to avert the wiping out of Kurds (traditional allies of the US) in northern parts of Syria.

If undertaking a realist approach, the Syrian conflict requires the great powers to resolve the conflict and bring a ceasefire by making compromises in their ‘geopolitical bargaining’.¹¹⁶ This may be unfeasible due to the criticisms of the Libyan intervention that morphed into regime change, and thus further vetoes in the UN Security Council are likely to maintain respect for Syria’s state sovereignty and Russian support. Chemical attacks qualify as prohibited weapons under international law but the use of force weakens those legal and non-violent responses under Chapter VI of the UN Charter’s diplomatic, peaceful settlement of disputes.¹¹⁷ However, even if Chapter VII of the Charter is pursued for the use of chemical attacks, this legal mechanism can be blocked, which resulted in the Western (US, UK, and France) intervention (over 100 aircraft and naval missiles) in April 2018 against various Syrian government chemical weapons storage and research sites.¹¹⁸

Intervention has been stalled, and action only very limited in recent times, partly due to the geopolitical impositions of China’s small oil deals and Russia’s arms engagement with the

¹¹⁴ James Morley, ‘Can an Intervention in Syria be Morally Permissible? Is it Morally Obligatory?’ *E-International Relations*, 18 October 2012, p. 4, <https://www.e-ir.info/2012/10/18/can-an-intervention-in-syria-be-morally-permissible-is-it-morally-obligatory/>, accessed 30 August 2024.

¹¹⁵ Jeff McMahan, ‘Syria is a Modern-day Holocaust. We Must Act’, *The Washington Post*, 30 November 2015, <https://www.washingtonpost.com/news/in-theory/wp/2015/11/30/syria-is-a-modern-day-holocaust-we-must-act/>, accessed 30 August 2024.

¹¹⁶ Ali Nehmé Hamdan, ‘On Failing to “Get It Together”: Syria’s Opposition Between Idealism and Realism’, *Middle East Research and Information Project*, 277, 28–34 (Winter 2015), pp. 33–34.

¹¹⁷ Stahn, ‘Between Law-breaking and Law-making’, p. 35.

¹¹⁸ Julian Borger, ‘Syria: US, UK and France Launch Strikes in Response to Chemical Attack’, *The Guardian*, 14 April 2018, <https://www.theguardian.com/world/2018/apr/14/syria-air-strikes-us-uk-and-france-launch-attack-on-assad-regime>, accessed 30 August 2024.

Syrian administration. It would be plausible for Russia to argue that the US wishes to intervene to install a democracy and profit from oil revenue by protecting the Kurds, like in the Iraq invasion, and thus is not solely interested in intervention on humanitarian grounds. Yet a realist argument could consider that further US geopolitical interests are needed to provide boots on the ground.¹¹⁹ Therefore, international relations theory can be analysed within the context of the modern Cold War in Syria to bring out the normative dimensions of humanitarian intervention that would also consider national interests.

The interveners have shaped Syria into a regional Cold War, and foreign proxy war, in which major powers intervene to improve their regional powerbase and to significantly weaken their enemies.¹²⁰ Similar to Vietnam, there are a variety of intervening states, but the myriads of internal factions make Syria an even more multifaceted and complex conflict. However, structural realists might claim that the influx of foreign powers aligning with al-Assad or anti-government groups was healthy to attain security and containment between great powers as part of the balance of power explanation (which is why the US could have waited for an opportune moment to intervene strategically). Conversely, US realist interests to repair and protect oilfields in northeast Syria can further support the SDF and local Kurds to further reduce Russian military presence and military equipment. This analysis suggests that factors central to Syria were determinative and not exclusive on the experience in Libya. Now that the realism of states has been discussed, the subsequent section covers a constructivist analysis of R2P implementation and the international response.

8 State Identities and Norms in the Libyan Intervention

The intervention in Libya was marked by the involvement of NATO forces, led primarily by the United States, France, and the UK. These states perceived themselves as protectors of global human rights, a self-identity that aligns with the normative underpinnings of R2P. Their intervention was initially framed as a mission to protect civilians from the Gaddafi regime, which had threatened mass violence against protestors and civilians. However, the intervention quickly transitioned from protecting civilians to facilitating regime change, a move that was justified by the intervening states as necessary to ensure long-term stability and protection of

¹¹⁹ Jack Detsch, 'US Troops Really Are in Syria to Protect the Oil – for the Kurds', *Foreign Policy*, 5 August 2020.

¹²⁰ Benedetta Berti and Jonathan Paris, 'Beyond Sectarianism: Geopolitics, Fragmentation, and the Syrian Civil War', *Strategic Assessment*, 16(4) 21–34 (January 2014), p. 28.

human rights. This shift, while criticised, was influenced by the intervening states' identities and their commitment to the norms of human rights and international responsibility. In addition, the conditions on the ground concerning the uprising in Misrata (Libya's third largest city) was not anticipated by NATO, resulting in protection expanding beyond Benghazi. The aftermath of the Libyan intervention, however, raised significant questions about the limits and potential misuse of R2P, as the country descended into chaos and violence post-intervention. Although there is little evidence to suggest that the shift from humanitarian protection to regime change undermined the credibility of R2P and exposed its potential for political manipulation, Russia and China have used this as a pretext for vetoing draft resolutions regarding Syria. Therefore, the political backlash over Libya did not necessarily prevent international responses to the Syrian civil war.

8.1 Impact on the Syrian Crisis

The Syrian crisis, which began before the Libyan intervention, presented a complex challenge to the international community.¹²¹ Although the experience in Libya did not have a profound impact on how states approached the Syrian conflict, Russia and China expressed concerns that regime change was being conflated with humanitarian intervention, and argued for the principle of non-interference. Russia and China, both of whom had abstained from the Security Council resolution authorising force in Libya, were highly critical of the intervention's shift towards regime change.¹²² Syria was so complex and so entwined with regional and geopolitical rivalry that intervention was not a realistic prospect. It is this argument that contradicts the Russian and Chinese perceptions of Libya as a case of the R2P doctrine being misused for regime change and why they were consequently more resistant to similar actions in Syria.

Russia and China had interests in Syria that surpassed their interests in Libya. Constructivist perspectives help explain this shift, highlighting how the identities and social constructs of these states played a crucial role in shaping their responses.¹²³ Russia attempted to counterbalance Western interventionism. Russian interests drove its relationship with al-Assad, which is why Moscow's identity influenced its consistent use of Russia's veto power in the

¹²¹ Gaddafi was killed on 20 October 2011; the battle/siege for Homs began in early May 2011.

¹²² Andrew Garwood-Gowers, 'China and the "Responsibility to Protect": The Implications of the Libyan Intervention', *Asian Journal of International Law*, 2(2) 375–393 (July 2011).

¹²³ Ghassen Ben Hadj Larbi, 'The Libyan Crisis in the Evolution of R2P as an International Norm', *Forum of International Development Studies*, 46, 1–22 (February 2016).

Security Council to block resolutions that could lead to military intervention in Syria.¹²⁴ China's identity as a proponent of non-interference in the domestic affairs of states also shaped its opposition to intervention.¹²⁵ The international community's divided response to Syria can be understood with constructivism, where the normative backlash against the perceived overreach in Libya led to a more cautious and fragmented approach.¹²⁶ The emphasis on state sovereignty and the suspicion of Western motives were significant factors that hindered a unified international response under R2P.¹²⁷ Russia became more committed to defending Syrian state sovereignty after October 2011 than it had previously been opposed to military intervention, and China re-echoed its previous principles of non-interference and the judicial sovereignty of countries if referring cases to the International Criminal Court.¹²⁸

9 Geopolitical Realities: Ideas, Beliefs, and Identities in Shaping State Behaviour

Constructivist theory helps illuminate the interplay between ethical imperatives and geopolitical realities. Fukutomi argued that the intervention in Libya showed how powerful states could leverage normative frameworks like R2P to pursue broader strategic goals, such as regime change.¹²⁹ However, there is limited evidence to suggest that US President Obama wanted to oust Gaddafi prior to the adoption of Resolution 1973, and he helped to broker the resolution to remove Gaddafi. Obama's foreign policy strategy attempted to build new diplomatic pacts with once traditional enemies, such as the deals with Iran and Cuba, before 2011 that were reinvigorated in 2015.¹³⁰ Obama's approach also included diplomacy with European involvement in Libya prior to 2011. Ideas, beliefs, and identities are central to constructivist theory, which posits that these factors, rather than merely material interests, shape state behaviour and the international system.

¹²⁴ Roland Dannreuther, 'Russia and the Arab Spring: Supporting the Counter-Revolution', *Journal of European Integration* 37(1) 77–94 (2015).

¹²⁵ Garwood-Gowers, 'China and the "Responsibility to Protect"'.

¹²⁶ Brockmeier, Stuenkel, and Tourinho, 'The Impact of the Libya Intervention'.

¹²⁷ Brent J. Steele and Eric Heinze, 'Norms of Intervention, R2P and Libya: Suggestions from Generational Analysis', *Global Responsibility to Protect*, 6(1) 88–112 (January 2014).

¹²⁸ UN Ambassadors Vitaly Churkin (Russia) and Li Baodong (China) stressed these reasons in the earlier vetoes since 4 October 2011.

¹²⁹ Mitsuhsa Fukutomi, 'Humanitarian Intervention in Libya: Is It Causing Internal War?' *Hitotsubashi Journal of Law and Politics*, 45, 23–32 (February 2017).

¹³⁰ Michael Crowley, 'On Cuba and Iran, Barack Obama Defies His Critics', *Politico*, 21 July 2015, <https://www.politico.eu/article/cuba-iran-obama-defies-critics-foreign-policy-legacy-united-states-presidency/>, accessed 14 September 2024.

In the interventions in Libya and Syria, R2P can be seen in several ways. The norm of humanitarian intervention under R2P shaped the decision to intervene in Libya, driven by the idea that the international community has a responsibility to protect civilians from their own governments when those governments fail to do so.¹³¹ The beliefs of Western states (including the US and NATO members) about their role in the world, particularly their self-perception as guardians of international human rights, influenced their decision to intervene in Libya.¹³² However, the chaotic aftermath of the Libyan intervention, characterised by a power vacuum and ongoing conflict, significantly altered these beliefs. The failure to establish a stable post-Gaddafi government led to a reassessment of the risks and consequences of intervention, contributing to a more cautious approach in Syria.¹³³ Furthermore, Russia's identity as a defender of state sovereignty and a counterbalance to Western influence shaped its opposition to similar interventions in Syria.¹³⁴

The international response to Syria was shaped by the geopolitical realities and the opposition of Russia and China to intervention. Their identities as protectors of sovereignty and opponents of unilateral Western intervention were reinforced by the Libyan experience.¹³⁵ The reluctance to intervene can be seen as a reaction to the normative shifts following Libya, where their perceptions of misusing R2P for regime change created a precedent that many states were unwilling to follow.¹³⁶

10 Conclusion

Since the eruption of the Syrian and Libyan civil wars, a vast amount of literature has been written comparing the two as case studies and asking why the West intervened in Libya but not in Syria. As addressed in the previous literature review, themes emerged on the political aspects of R2P and challenges in its application,¹³⁷ geopolitical dynamics,¹³⁸ historical experiences,¹³⁹

¹³¹ Larbi, 'The Libyan Crisis in the Evolution of R2P'.

¹³² Garwood-Gowers, 'China and the "Responsibility to Protect"'.

¹³³ Fukutomi, 'Humanitarian Intervention in Libya'.

¹³⁴ Dannreuther, 'Russia and the Arab Spring'.

¹³⁵ *ibid.*

¹³⁶ Steele and Heinze, 'Norms of Intervention, R2P and Libya'.

¹³⁷ Welsh, 'The Responsibility to Protect after Libya & Syria'; Garwood-Gowers, 'The Responsibility to Protect and the Arab Spring'; Berti, 'Forcible Intervention in Libya'.

¹³⁸ Stuenkel, 'The BRICS and the Future of R2P'; Thakur, 'R2P after Libya and Syria'; Lombardo, 'The Responsibility to Protect and the Lack of Intervention in Syria'; Tocci, 'On Power and Norms'.

¹³⁹ Bachleitner, 'International Memories in Global Politics'.

the influence of R2P on international norms of protection,¹⁴⁰ American foreign policy,¹⁴¹ and military intervention prioritising geopolitical interests.¹⁴² None of these studies have brought the discussion to light through the lens of international relations theory. In contrast, we place this question under the microscope of political theory, analysing it through the frameworks of realism and constructivism. By doing so, we aim to provide a deeper understanding of the underlying motivations and international dynamics that shaped the different responses to these conflicts. This dual approach enables us to move beyond surface-level explanations, such as military feasibility or humanitarian concerns, and delve into the complex interplay of power, identity, and international norms that shaped the divergent international responses to the Libyan and Syrian civil wars.

In this exploration of the complex interplay between the R2P doctrine and international geopolitics, the cases of Libya and Syria offer profound insights into the challenges and limitations of humanitarian interventions. A response can be made to the research question concerning the implementation of R2P in Libya and subsequent influence on the response of the international community to the Syrian civil war. The intervention in Libya was initially applauded as a successful incursion that applied the normative principles of R2P. However, the intervention also revealed that R2P was susceptible to political misuse and held the unfortunate potential of catalysing broader regional instability. The abstentions of major UN Security Council members with Resolution 1973 and the reasons given by Russia and China reveal other economic, security, and non-interference interests that held higher importance than regime change. Russia clearly supported its patron-client relationship with al-Assad and China adopted its traditional non-interference and judicial sovereignty stance (one that was contradicted by Beijing's support of UN Security Council Resolution 1970 on Libya). The precedent of R2P influenced global hesitation towards a full-scale intervention in Syria, despite the escalating humanitarian crisis there, mostly for geopolitical reasons and the state identities of those parties involved and partially for regime change in Libya.

Syria's ongoing conflict further underscores the pivotal role of geopolitical interests in shaping international responses to atrocity crimes. The paralysis within the UN Security Council, exacerbated by Russian and Chinese vetoes, starkly illustrates the complex dynamics where

¹⁴⁰ Brockmeier, Stuenkel, and Tourinho, 'The Impact of the Libya Intervention'; Kersavage, 'The "Responsibility to Protect"'.

¹⁴¹ Murray, 'Military Action but Not as We Know It'; Rees, 'Obama and the Use of Force'.

¹⁴² Zambakari, 'The Misguided and Mismanaged Intervention in Libya'; Nuruzzaman, 'Rethinking Foreign Military Interventions to Promote Human Rights'.

humanitarian imperatives collide with the strategic interests of powerful states. The inability to apply R2P effectively in Syria not only highlights the doctrine's vulnerabilities but also questions the international community's commitment to safeguarding human rights when confronted with geopolitical challenges.

The novelty of the argument presented in this article rests on robust intervention, and the rhetoric of R2P, in Libya and the difficulties of its application in Syria due to realist geopolitical interests, resulting in paralysis of the UN Security Council. In Libya, Benghazi rebels were provided with third-party support for their military struggle against Gaddafi and the Libyan security forces. The rebels and NATO intended to protect civilian lives, but the huge arsenal of weapons from third-party states ended up in the hands of many other armed groups and were used to fight their wars within the region. It can also be cynically argued that the main interests of third-party states (mainly those in NATO) were for revenge (especially from Britain), to neutralise Gaddafi (deemed as a thug in Western media) by supporting the rebels that could overthrow him, resulting in better oil deals. Therefore, the intervening members of NATO states exercised their realist interests.

When undertaking this analysis in the context of Syria, one or multiple factions were fighting a military struggle against the al-Assad regime and the Syrian armed forces. Yet many armed groups are not fighting for independence, and not all groups are fighting to protect all civilian lives, but rather for their own communities. For example, the Kurds in the north fight to retain their territory and Salafist groups fight for other ideological reasons. Third-party states have intervened, including the US, UK, and France with airstrikes and Russia to support al-Assad against his foes. However, the veto of principally Russia has curtailed condemnation and investigation of chemical weapons, which has undermined the protection of civilian lives. Unlike Libya, there was a plethora of armed groups and tribes fighting in a military struggle for or against the al-Assad regime to survive and to retain their territories. It was thus very difficult for third-party states to determine (with their realist interests) which factions to support in their military struggle against the oppressive al-Assad regime given that the outcome could have proved more dangerous than the disseminated weapons in Libya that reached regional conflicts. The danger resided in competing geopolitical interests of powerful states supporting al-Assad or allying with other armed groups (such as Russia, Iran, the US, UK, and France). These factors based on flouted human rights for civilians due to the use of veto powers and the complexity of inescapable realist interests are the outcome. This is a major setback for R2P,

but this article takes these issues into consideration to propose that a focus on state identities (constructivism) can better address the political factors, and persuasion, in the decision-making to protect civilian lives in Syria and elsewhere when considering R2P. The constructivist analysis of the R2P doctrine's implementation in Libya and the international community's response to the Syrian crisis highlights the significant impact of ideas, beliefs, and identities on state behaviour.

The future of R2P depends on reconciling the noble aspirations of humanitarian intervention with the pragmatic realities of international politics that can fortify accountability when a state, or its regime, engages in atrocity crimes. For R2P to be a genuinely effective tool, the international community must strive for a consensus that respects both the sovereignty of states and the imperative to prevent mass atrocities. This requires a reinvigorated commitment to international law and multilateralism, where geopolitical interests do not overshadow the urgent needs of vulnerable populations. Only through such a balanced approach can R2P evolve to meet the demands of contemporary global challenges, ensuring that it does not become an instrument of convenience for powerful nations but rather a consistent and reliable mechanism for preventing and responding to mass atrocities.

As the Syrian conflict moves beyond the collapse of the al-Assad regime, the international community faces an uncertain road ahead. The fallout from the regime's collapse is likely to expose new layers of geopolitical complexity, humanitarian crises, and power vacuums that may further challenge the principles of R2P. The need for a unified international approach becomes even more urgent in the aftermath, as the region navigates the consequences of decades-long strife and external interventions. By drawing lessons from both Libya and Syria, this article underscores the importance of aligning humanitarian norms with pragmatic solutions to address the enduring legacy of these conflicts. The task of reconciling sovereignty with global responsibility remains critical if the international community seeks to prevent future atrocities and rebuild trust in multilateralism.

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Title	From Libya to Syria: Assessing the Impact of the Responsibility to Protect Doctrine on Global Intervention Strategies
Author(s)	Danny Singh and Haian Dukhan
Publication Date	Unknown at time of deposit
Acceptance Date	25 October 2024
Deposit Date	10 April 2025
Type	Article
Version	Accepted Manuscript
Publisher	Brill
Repository URL	https://ulaw.repository.guildhe.ac.uk/id/eprint/45/

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For a definitive version of the publication, please see the version of record. This is available at

<https://doi.org/10.1163/1875984X-20250003>