

Breaking the Stalemate in Syria

by Marwan Maalouf and Khattar Torbey

SUMMARY

After nine months of protests, the conflict between the Syrian regime and the opposition movement has reached a stalemate with neither side gaining ground.

Since its establishment in early September, the Syrian National Council (SNC) has struggled to become the legitimate representative of the opposition inside and outside Syria.

To achieve its objectives of toppling the regime through non-violent protest, the SNC has lobbied for formal international recognition and enlisted international support in the form of humanitarian assistance and regime isolation.

Given Syria's strategic importance and close ties with regional powers, the international community moved slowly in responding to the regime's crackdown, and recent pressure on the Syrian regime from the West and Arab League has been mitigated by the efforts of Iran, Russia, and China.

In order to move beyond the current impasse, the United States, in concert with its allies, should help build the organizational capacity of the SNC so that it can negotiate directly with the Assad regime on behalf of the opposition to push for a transfer of power.

In early 2011, when popular uprisings began to sweep the Middle East, policymakers and pundits alike presumed the Syrian regime was immune to such unrest. However, the arrest and torture of several 15-year-old boys in March caused the streets of Syria to erupt in protest. Over the course of the past nine months, tens of thousands have come out to demonstrate, with unrest from the cities of Deraa, Banyas, Deir al-Zour and Homs spreading throughout Syria, and ultimately engaging between 90 and 110 cities and towns.

During this time, Syria's long-fragmented opposition has struggled to become a unified body. Following months of negotiation—and pressure from the international community—groups both inside and outside Syria officially established the Syrian National Council on September 15, 2011, to serve as the de facto political representation for Syria's opposition. In parallel, the Free Syrian Army was established by the growing cohort of military defectors intent on protecting civilians in restive cities and undertaking armed action against the official security forces. These two groups recently met to coordinate efforts, although it remains to be seen whether the Free Syrian Army will scale back its attacks on Syrian government forces as agreed upon.

The Syrian regime has responded to the protests by pursuing a dual strategy of minor concessions and defiance. It has undertaken cosmetic reforms, such as lifting the emergency law, suspending the Supreme State Security Court, and offering dialogue with the opposition, while brutally suppressing protests across the country. With more than 5,000 estimated casualties, including 307 children, the crackdown was recently characterized by the United Nations Human Rights Council as crimes against humanity and a potential precursor to civil war.

Nine months on, the conflict between the regime and the opposition has reached a stalemate. The regime's heavy-handed response has prevented massive weekly protests from spreading to the main population centers of Aleppo and Damascus, and contained those in restive cities. And the Syrian National Council, while making strides, remains fractured and lacks broad based support within Syria. At the same time, the regime has been unable to put down the nascent revolution; as many as ten protesters are killed on average each day. With neither side able to gain ground, the country is facing an internal deadlock.

The international community is also at a standstill. The international actors calling upon Assad to step down have exhausted nearly all available measures—short of military intervention—to no avail. The impact of economic sanctions, political isolation, and public condemnation by Turkey, the Arab League, the European Union, and the United States has been mitigated by countermeasures from Syria's strong allies, including Russia, China, and Iran. The inaction of the United

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Nations Security Council illustrates the inability of the international community to effectively address the crisis.

As conflict wears on with no foreseeable inflection point, the humanitarian toll on the civilian population and the likelihood of armed civil conflict continue to increase. Time is of the essence in Syria; the Syrian opposition, policymakers, and the international community must act to break the current impasse and forestall irreversible civil strife and potential regional destabilization. The best solution moving forward is for the Syrian National Council to broaden its support and negotiate directly with the Assad regime to push for a transfer of power.

THE OPPOSITION’S STRUGGLE FOR LEGITIMACY

The Syrian National Council (SNC) is now the de facto political umbrella organization of the opposition, particularly on the international stage. It comprises 260 members from groups based inside and outside of Syria, including the Muslim Brotherhood, the 2007 Damascus Declaration, protesters represented by the Local Coordinating Committees (LCC), and independent figures.

However, the SNC faces a crisis of legitimacy inside Syria. Despite widespread distaste for the regime, many remain skeptical of the opposition. With its leadership comprised heavily of Islamists and exile figures, the SNC has been criticized as disconnected from activists on the ground and unrepresentative of Syria’s diverse sectarian makeup. As a result, the Alawite and Christian minority populations who benefit from the current secular order and fear retribution if the Assad regime were to collapse, along with the Kurds, who feel their demands have not been adequately addressed, have only partially and irregularly been involved in opposition activities. The merchant classes of Damascus and Aleppo, with economic interests at stake, have also been reluctant to back the opposition. Even participating groups, such as the youth and LCC, have reluctantly turned to the SNC because of a lack of alternatives.

Since its official establishment in September, the SNC has sought to win the confidence of both Syrians and the international community by presenting its vision for the future. On November 20, the SNC issued a draft political program. Although sparse on details—the document is only one page—it lays out the SNC’s strategy for increasing pressure on the regime as well as a plan for the transitional period after the fall of the government. And from December 16 – 18, the opposition is meeting again in Tunis to further develop this platform. Nonetheless, the organization still lacks cohesiveness and has failed to convince skeptics of its viability as an effective transitional body.

Despite its credibility challenges, the SNC has emerged as the sole representative of the opposition, pursuing three primary policies: the fall of the regime, the creation of a civil state through non-violent protest, and the rejection of negotiations with the regime. This approach was developed through internal SNC dialogue and driven by demands of protesters within Syria. In early December, however, SNC leader Burhan Ghalioun met with the Free Syrian Army (FSA) chief, Colonel Riad al-As’ad, to coordinate their actions. This cooperation with the Free Syrian Army challenges the SNC’s rejection of armed conflict, reflecting growing divisions within the protest movement inside Syria.

To achieve its objectives, the SNC has lobbied for formal international recognition and enlisted international support against the Assad government in the form of increased sanctions, humanitarian channels, and regime isolation. In calling for the protection of civilians as a critical policy objective, the SNC has tacitly endorsed the possibility of international military intervention and advocated for the adoption of a United Nations Security Council resolution condemning the regime for crimes against humanity.

The SNC's embrace of opposition advocacy and politics has excluded a realistic assessment of the likely outcomes of the current situation and options for transition. As such, the body has made repeated policy mistakes and failed to develop a successful strategy for unseating the Assad regime and transferring power to civilian control.

For three months, the SNC has pursued an aggressive strategy of engaging the international community for support in isolating and sanctioning the Syrian regime. Following the failure to pass a resolution condemning Syrian state action at the UN Security Council, the SNC successfully lobbied Western governments, including the U.S. and EU, to increase punitive measures against the regime. However, the SNC must now recognize that the options for international engagement are limited: sanctions and isolation will not be followed by armed military intervention.

Domestically, the SNC has made repeated tactical errors. By focusing its attentions outward rather than on broadening its base of support, it has at times risked appearing as a tool of the international community against the regime. This has aggravated critics and reinforced the perception of the SNC as an exile body, disconnected from the situation on the ground. Proposals such as a humanitarian buffer zone along the Turkish border, which would require substantial military resources by the international community to defend against Syrian security forces, has distracted the SNC from pursuing plausible alternatives for the protection of citizens. The international enforcement of humanitarian corridors would also require a certain degree of military involvement and has not been endorsed by the United States, while Europe recently withdrew its support for such an option.

Since late September, some members of the opposition movement have begun to embrace a militarized strategy. The success of armed defensive actions by youth groups and the FSA in protecting protesters and maintaining civil order has led to discussion of forming an active armed resistance. In parallel, some protesters have increasingly called for support from the international community in the form of a no-fly zone and military intervention. In response to these sentiments, the SNC has sought to assume coordination of the FSA's actions. However, through this move, the SNC tacitly acknowledged its legitimacy is derived from reflecting the demands of the street, rather than setting and coordinating policy for the ongoing protests and leading the revolutionary dynamics. Faced with the increased popularity of the FSA, the SNC moved to co-opt an emerging threat to its leadership. If the SNC is unable to exert control over the armed group, it is now exposed to reputational liability for any future FSA military actions.

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THE COMPLICATED INTERNATIONAL CONTEXT

Despite preceding events in Tunisia, Egypt, and elsewhere in the Arab world, the U.S. and EU were caught unprepared when protests materialized in Syria. The absence of a contingency framework for domestic political instability was exacerbated by Syria’s strategic importance; fearing broader regional destabilization, the major international players responded with caution, mild rebuke, and support for cosmetic reforms. Initial punitive efforts included modest economic sanctions, a strategy which failed to produce immediate results. After six months of violence and protest, the U.S. and EU finally called for Assad to step down, indicating a formal shift in policy.

The ability of the international community to influence outcomes in Syria has been limited by Damascus’ close and complicated ties with regional powers. The Arab League recently stepped up the pressure by suspending Syria’s membership and imposing sanctions, but such bold steps came several months after Western powers. Liable for their own poor records on human rights, ongoing support of Arab dictators, and distracted by other regional conflicts, the League’s powerful monarchies moved slowly. Saudi Arabia, troubled by the threat these revolutions posed for the region’s leaders, intervened first in Yemen and Bahrain, and then waited until Jordan and Morocco had contained their own nascent protest movements before turning its attention towards Syria. Only then did the rest of the region—led by Qatar—follow suit with isolation and sanctions.

Iraq and Lebanon, both subject to internal sectarian complications and political divisions, continue to back the Syrian government. In Iraq, the withdrawal of U.S. troops leaves the country in a precarious security situation that could easily be exacerbated by instability in Syria. In Lebanon, the heavyweight Hezbollah paramilitary, nurtured by and closely tied to the Assad regime and its unwavering Iranian ally, makes any anti-Assad position highly unlikely at this stage. The support of both these countries has proven crucial to bolstering the regime.

Syria’s non-Arab allies have differed in their approach to the conflict. Turkey, an aspiring regional powerbroker, found the North African revolutions sufficient cause to depart from its previous ‘*zero problems*’ policy of non-antagonism towards neighboring states. Turkey initially sought to serve as a mediator between NATO and Syria, before ultimately adopting a policy of open support for the revolutionary movement. This support has included hosting the SNC, the FSA, and refugees on Turkish territory, as well as coordinating refugee assistance and adopting sanctions. Meanwhile, Iran, Russia, and China, longtime strategic allies of the Syrian regime, have continued support in the form of energy, money, food, and arms, undermining efforts at international sanction.

The response of the international community, and of the United States in particular, has been inadequate. In uprisings across the region, the U.S. foreign policy establishment did not sufficiently acknowledge the extent and intensity of the demands for change, instead supporting the status quo. The response to the Syrian protests was late and indecisive. Obama’s first public statement calling for Assad’s departure came only after six months of protest and thousands of civilian casualties. Had the United States supported the Syrian protests from the

outset, when Assad was taken off-guard and unsure of how to respond, policies of isolation, sanction, and public support would have been more effective. Moreover, such international pressure could have played a decisive role in engaging the broader Syrian population, notably in the critical economic centers of Aleppo and Damascus, and forestalled the opposition from taking up arms.

When the United States did move in support of the protesters, its tactic of using regional allies as intermediaries for engagement with the regime was counterproductive. Working through Qatar and Saudi Arabia, the U.S. exerted pressure to cease violence against civilians and introduce neutral foreign observers. The Syrian government, long in competition with its Gulf counterparts for regional influence, is unlikely to reach any negotiated settlement with these interlocutors. And within Syria and the region, the U.S. was seen as cynical for using emissaries from undemocratic states to push for democratic reform. The Assad regime, with its history of insincere reformist rapprochement, used the opportunity to make cosmetic concessions and distance itself from its conservative, authoritarian Gulf counterparts.

POLICY RECOMMENDATIONS

The situation in Syria has reached an effective stalemate: protests are not growing in size or strength and the regime remains relatively strong, nonetheless it has been unable to fully crush the opposition movement. But the Syrian government's recent provisional acceptance of a delegation of neutral observers from the Arab League is evidence of its willingness to negotiate and serves as an opportunity for the Syrian opposition to affect a transition of power. While the United States has limited leverage with the Syrian government and has largely exhausted its available options, it should work in concert with the Arab League, Turkey, and the European Union to:

- ***Help the SNC develop a well-defined platform, governance structure, and communications strategy, so that it can serve as a veritable representative of the opposition.*** It has become clear that the SNC is now the only body that can represent the opposition. But in order for the SNC to be taken more seriously by the regime and its backers, it must broaden its base of support and become a truly inclusive body that represents all factions within Syria. Although the SNC claims that it is reaching out to minority groups and business elites, it needs to better articulate its objectives and future plans, and reassure these constituencies that their interests will not be compromised in a post-Assad Syria. The SNC also lacks a cohesive institutional structure and it is unclear how and who is making decisions. The international community can play an important role in building the SNC'S organizational capacity.
- ***Make clear that the U.S. will not support military intervention and firmly encourage the SNC to consider its strategic options and develop suitable policies accordingly.*** The U.S. must be frank with the SNC about its strategic goals for resolving the current situation in Syria—the top priority for the United States should be to assist in bringing an end to the use of state-sponsored violence against citizens, while supporting the SNC-led opposition

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in its efforts to facilitate regime transition. The SNC should acknowledge the limitations of its options, particularly with regards to foreign intervention, when appealing to those Syrians who have not turned against the regime.

- ***If the SNC is able to become an effective political body, encourage it to negotiate directly with the regime for a transfer of power.*** The SNC should use its de facto leverage to engage the FSA and other opposition entities in negotiations for a political transition as well. In order for the SNC to successfully extend its legitimacy, opposition members and supporters must be assured of their physical safety. Therefore, the only precondition for any negotiations with the Syrian government must be the full withdrawal of military and security forces—including the *mukhabarat* (secret police)—from the streets of Syria. As the opposition, the SNC is better positioned to extract this condition, despite the regime’s earlier resistance to similar demands from the West and the Arab League. These negotiations would theoretically result in the immediate resignation of President Bashar Assad in a scenario similar to that of Yemeni President Ali Abdullah Saleh. Yet this remains an unlikely outcome given Assad’s strength and regional support, so the SNC should consider shifting its efforts to focus on elections, modeled after the case of Serbian President Slobodan Milošević. In Serbia, the youth movement *Otpor!* pushed a fractured opposition to unify and engage in electoral politics. The opposition ran a single candidate, reducing Milošević’s ability to manipulate election results. The success of the opposition at the ballot box, and Milošević’s subsequent rejection of results, led to widespread national protests, eventually forcing Milošević’s resignation. Parliamentary elections should be scheduled for later next year, in order to allow the opposition to organize political platforms and nominate candidates. These elections should be preceded by the immediate release of political prisoners, safe return of opposition exiles and extension of immunity, protections for free and open press including international media, a new political parties law, formation of a constitutional drafting committee that includes members of the SNC, and drafting a new constitution empowering the parliament and the cabinet at the expense of the president. The SNC should end the ongoing protests and cease sponsorship of military actions by the Free Syrian Army and civilian groups, if the regime agrees to the above demands. Presidential elections should follow shortly after. If Assad proves unwilling to conduct good-faith negotiations on political reform and potential transition, his intransigence will bolster the popularity of the opposition among the critical silent majority, which could then push the Alawite-dominated security forces to abandon President Assad in order to secure their own survival.

CONCLUSION

The Syrian regime and the international community must recognize that the political landscape in Syria cannot return to its pre-March state. The opposition is emboldened and will continue to press for regime transition and real democratic change. At some point, the regime will lose power—the question is when and how. Given the current stalemate, these recommendations of opposition-led negotiations represent the most pragmatic and expedient alternative for ending the ongoing bloodshed and humanitarian crisis.