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## Getting to Negotiations in Syria

### The Shadow of the Future and the Syrian Civil War

Paul D. Miller

In early 2014, representatives of the Syrian government and opposition rebel groups met for a UN-mediated peace conference—the so-called Geneva II talks. The sides met and talked for a week—no small achievement—but ended the conference without progress or result, or even a firm commitment to meet again. The failure at the Geneva II talks was emblematic of a deeper reality that policymakers and analysts are loath to admit: There is almost no prospect for a negotiated solution to the civil war in Syria in the near term.

Nor is this unusual in the early stages of civil wars, which typically last far longer than the Syrian war has so far. Combatants fight because they believe they can gain from fighting; that, in fact, fighting is the most cost-effective means of pursuing their goals. Either they are proven right and achieve a decisive military victory, or, more commonly, they arrive at a costly revision of their estimate of the benefits of war, such that negotiations become a legitimate alternative. Much scholarly analysis has focused on what gets combatants to that point—including certain military conditions,

the presence of outside mediation, and the presence of divisible resources. Whichever variable is used, by most accounts, Syria's belligerents are not there yet.

Why not? At root, for combatants who choose negotiations, a key factor is their beliefs about the future: Will fighting continue to be costly? Will the other side be willing to talk? Will talks yield greater benefits than fighting? These are estimations about future possibilities. Thus, the “shadow of the future” plays a significant role in bringing combatants to the negotiating table. Because combatants are not the only players that affect their fate—outsiders also influence the future—this is the area in which the international community can most effectively play a role. International actors have a range of options that can decisively influence Syria's belligerents' expectations about the future. If the Syrian factions believe that all sides will abide by an eventual peace agreement that protects their interests and that an impartial third party will guarantee the peace and provide resources for reconstruction, they

are more likely to agree to negotiations, make reasonable demands, and abide by the peace agreement's terms. If, however, the international community communicates that it is collectively unable or unwilling to guarantee peace or invest in Syria's future, Syrians will continue to believe—perhaps rightly—that they have more to gain by carrying on the fight. Syria's civil war may end in a military victory for one side or the other. But if the international community wants to help end the civil war in a negotiated settlement, it should give the parties incentive to talk by promising a peacekeeping and reconstruction force that will start *after* they have agreed to peace.

## Background

The civil war in Syria war grew out of protests against corruption, oppression, and economic stagnation that swept the Arab world in early 2011. The protests eventually led to the toppling of long-time rulers in Egypt and Tunisia, civil war in Libya, revolution in Yemen, and government-led reforms in Jordan and Morocco—arguably the most significant series of political events in the Arab world since the independence movements, coups, and revolutions of the 1950s and 1960s. In March 2011, the Arab Spring had not yet turned violent, and protesters in Syria hoped for a similarly peaceful outcome as had happened in Egypt and Tunisia.

But Syrian President Bashar al-Assad, having watched the fall of Egyptian President Hosni Mubarak and Tunisian President Zine el Abidine Ben Ali, apparently concluded that the only response that would sustain him in power was a violent crackdown. Police and military units dispersed protests violently in April and May; by July, enough disillusioned army officers had defected to form the Free Syrian Army, and opposition groups announced the formation of the Syrian National Council the next month. Protesters became

insurgents, and civil war had begun. On one side was the Syrian government and military forces held together by the Assad family and its Alawite and Christian backers. On the other was a disparate and fragmented opposition first organized into a Syrian National Council in August of 2011 (which did not gain universal support among Syrian factions or international backers). A second effort in November 2012 created the National Coalition for Syrian Revolution and Opposition Forces, or the Syrian Coalition (SC). The United States recognized the SC as the “legitimate representative of the Syrian people,” and the SC was granted Syria's seat in the Arab League.

The war started as a protest against the corruption, stagnation (exacerbated by drought), and autocracy in Syria, but it quickly took on a sectarian tinge because of the particularities of Syria's social and political structure. As the majority-Sunni population protested against a regime dominated by the minority Alawite sect, sectarian tensions boiled over. In turn, sectarianism fueled regional involvement, with Saudi Arabia, Turkey, and other Sunni Gulf states lining up behind their coreligionists and Iran backing its Shia client. Finally, the sectarian and regional elements fostered yet another layer to the war when foreign jihadists, some funded by Gulf money, saw in Syria an opportunity to create yet another battlefield for their terrorist campaign; Iran mobilized Hezbollah to do the same. The civil war in Syria is simultaneously a war between the Syrian people and their government; between Sunni and Alawite; between a Saudi Arabian-led coalition and Iran; and between jihadists and everyone else.

Despite the multidimensional nature of the conflict, the civil war in Syria has, by historical standards, been neither especially protracted nor produced a particularly high body count. Other

civil wars, such as those in Rwanda, Vietnam, and the Democratic Republic of the Congo, have lasted longer and killed more people. Yet, like virtually all civil wars, Syria's has quickly become a total war for those involved. Since it started in mid-2011, the war has killed up to 126,000 Syrians and displaced millions, and the Assad regime has used chemical weapons on its own people, a rare occurrence in the history of warfare.<sup>1</sup> "For the Assad regime, this war has long been seen as an existential battle to the finish, a last stand for which it has been preparing since 1982," according to Gayle Tzemach Lemmon, referring to the government's brutal crack-down against an earlier uprising.<sup>2</sup> The feeling is apparently mutual. "Rebels appear unwilling to consider a plan that does not include Assad's ouster, while Assad is unwilling to go voluntarily," according to Zachary Laub and Jonathan Masters.<sup>3</sup>

There is, in fact, almost universal agreement among scholars and analysts that negotiations to end Syria's civil war are extremely unlikely for the foreseeable future. Stephen Biddle has argued that "neither side is willing to accept the compromises needed, and neither side trusts the other to comply with any such terms in the aftermath."<sup>4</sup> Frederic Hof argued in May 2013 that "the likelihood of an ultimate success—meaning a negotiated, peaceful, managed, and complete transition—is pretty low. . . . There is not much of an appetite for negotiations across the spectrum of the Syrian opposition. Their view is that Assad should resign and leave the country before negotiations even begin."<sup>5</sup> The International Crisis Group assessed in June 2013 that a negotiated settlement to Syria's civil war was unlikely because "the repression, torture, massacres and massive looting and destruction of property throughout the country have generated a vast reservoir of individuals with nothing to

lose and thus willing to fight to the end."<sup>6</sup> And that was before the Syrian government killed 1,400 civilians with chemical weapons.

Despite the improbability of negotiations, the international community has been pushing for talks almost since the beginning. Kofi Annan, a former UN Secretary General who was appointed Joint Special Envoy from the UN and the Arab League, tabled a six-point peace proposal in early 2012 that was endorsed by the UN Security Council in March and reiterated by the Action Group for Syria, an international gathering of states concerned to end the civil war in Syria, in June 2012. The plan called for a ceasefire, the free flow of humanitarian assistance, freedom of movement for journalists, for the combatants to "commit to work with the Envoy in an inclusive Syrian-led political process," and for the government to "respect the freedom of association and the right to demonstrate peacefully as legally guaranteed."<sup>7</sup> The government of Syria professed to accept the plan, then promptly violated its terms. The UN finally convened a peace conference in January 2013 without effect. More recently, others have stressed the international dimensions to any negotiations to the civil war in Syria. Frederic Hof has

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argued for the United States and Russia to “build a bridge from their chemical framework agreement to something that goes to the heart of the Syrian conflict,”<sup>8</sup> though without specifying what that might look like.

It is difficult to see how the international context would be helpful in bringing negotiations about. The United States and Russia were able to agree on a measure to limit the war, which benefits both their interests, rather than end it, which would raise the difficult issue of settlement terms, on which the great powers differ. The United States has called for Assad’s removal, which would increase the chances of removing Syria from Iran’s orbit, whereas Russia is keen to support the Syrian regime, which grants Russia permission to operate a naval facility in Tartus. Similarly, the regional powers have conflicting aims at stake in Syria. Turkey, Saudi Arabia, and Jordan, like the United States, want to see Syria freed from Iranian influence, and they also want to stem the refugee flow into their countries. Iran, which has sent weapons and other material support to the Assad regime, hopes to strengthen its client against regional and international pressure and may see another opportunity to embarrass the United States and its allies.

Within Syria, signs of talks are equally bleak. The opposition was, initially, in favor of talks. The first president of the SC, Ahmed Mouaz al Khatib, reportedly pushed for negotiations with the Assad regime, a position that put him at odds with other leaders and factions within the opposition. His resignation in April 2013 and replacement by Ahmad Jarba, who has publicly called for international military intervention in Syria, put an end to the possibility of early talks, at least on the opposition side.<sup>9</sup> Additionally, there are other rebel forces, including al Qaeda-affiliated militants,

who may not be willing to abide by any agreements reached by the mainstream rebel factions.

Assad, for his part, professed in a major January 2013 speech to be in favor of dialogue and political reform but claimed (despite Khatib’s willingness to negotiate) that the opposition was not “a partner that is capable and willing to move in a political process.” Assad outlined a peace process of his own that included a cessation of international support to armed groups; a ceasefire; a “national dialogue” with “all the spectrums of Syrian society” culminating in a “national dialogue conference” to propose constitutional and legal reforms; an interim government and referenda on the proposed reforms; and finally a new government, another conference, a general amnesty, and reconstruction. While apparently flexible and generous, major holes made the scheme unworkable and ignored the opposition’s major concerns. For example, despite calling for a ceasefire, Assad also insisted that the armed forces “preserve the right to respond in case the homeland, citizens, and public and private facilities came under attack.” He gestured only vaguely at “finding a mechanism” to ensure that all sides comply with the agreement—which is essentially the heart of the problem—and he did not define who would be eligible to participate in the conferences. The general amnesty he proposed to offer was specifically an amnesty from criminal, not civil, prosecution; individual victims of war crimes would retain the right to pursue justice.<sup>10</sup> Assad’s plan received no serious consideration from the opposition or the international community.

The gap between the government and the rebels has thus widened, as the replacement of Khatib by Jarba has shown, and Assad’s inflexibility suggests that the gap is unlikely to narrow any time soon. Nor has the international community helped. The

International Crisis Group judged recently that “Western governments, having demonised the regime, couched their posture in moralistic tones, linked it to expressions of public outrage and repeatedly written off Assad, cannot shift gears without incurring tremendous political costs.”<sup>11</sup> The civil war in Syria is thus very far from a negotiated settlement. Why is the civil war in Syria seemingly intractable? What is preventing successful negotiations from starting? What tools of leverage, if any, does the international community have with which to push the warring factions toward a peaceful settlement?

## Ending Civil Wars

Much of the literature on civil war termination has focused on conditions that must be present before negotiations are likely to take place, or on the content of negotiations that would be most likely to be accepted by warring parties, but less often on when or why negotiations might begin. One of the most common and widely accepted insights in the literature is that negotiations are more likely once a civil war has reached a “hurting stalemate,” a condition in which neither side is able to prevail militarily but is paying a cost for continued fighting. As William I. Zartman put it, “A mutually hurting stalemate defines the moment as ripe for resolution: both sides are locked in a situation from which they cannot escalate the conflict with their available means and at an acceptable cost.”<sup>12</sup> By this standard, the civil war in Syria should be ripe for negotiations. The International Crisis Group assessed recently that “neither the opposition nor the regime can prevail militarily.”<sup>13</sup> Frederic Hof judged that “Syria’s conflict has hardened to the point where conventional fire and maneuver combat between opposing military units is relatively rare.”<sup>14</sup> And the G20 Joint Communi-

qué declared in September 2013 that “that Syria’s conflict has no military solution,” suggesting that the civil war may already have become a hurting stalemate.<sup>15</sup> Yet the combatants in Syria are far from engaging in meaningful negotiations. A hurting stalemate may be a necessary condition for peace talks to begin, but it is far from a sufficient one. At the very least, combatants must recognize that there is a stalemate, but this may be one of the missing factors in Syria.

## Dynamics Prior to Negotiations

One major approach to the study of civil war termination is an analysis of the dynamics prior to negotiations, focusing on variables that make negotiations more or less likely. Combatants face a cost-benefit calculation about the relative merits of fighting versus talking. Before they talk, they have to believe that doing so is more worthwhile than fighting. An influential early analysis of war in this vein argued that “An agreement (either explicit or implicit) to end a war cannot be reached unless the agreement makes both sides better off; for each country the expected utility of continuing the war must be less than the expected utility of the settlement.”<sup>16</sup> Each side’s utility of fighting is a function of that side’s estimate

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of its probability of winning the war. If a given side's expectation of winning decreases, continuing to fight is less useful, and that side's willingness to negotiate should increase. If we understood the Syrian government's and the rebels' cost-benefit calculations, we could accurately predict their willingness to negotiate and, possibly, predict how events might change their calculations and increase or decrease their desire to negotiate.

But this approach neglects the fact that military progress is not always a straightforward phenomenon, especially in irregular conflicts: Combatants can interpret military outcomes differently and thus calculate the utility of continued fighting in ways that can be hard to predict. Early in the Vietnam War, the United States measured its progress by the number of enemy fighters killed or terrain features secured. On those measures, it was able to claim it was making progress and consequently that there was high utility in continued fighting—perceptions that only gradually changed as the fighting wore on and perceptions of the nature of fighting changed. In Syria, fighting in Damascus receives heavy focus because of the symbolic value of the capital—and thus may sway perceptions of the conflict more than, for example, the Syrian rebels' seizure of Mannagh Air Base in northern Syria in August 2012, which is militarily significant because it could open a supply line from Turkey.

Another influential study of the bargaining dynamics in cases of civil war extended the analysis of the costs and benefits of fighting versus talking. Paul R. Pillar argued that belligerents will decline to negotiate if either side believes that its objective does not require the other's cooperation; if it can achieve its objective militarily; and if achieving it militarily is less costly than through negotiation. Counterintuitively, then, leaving both sides with some com-

bat capability helps them agree to terms because it lowers the risk and cost of cooperation. Assad's demand that the rebels disarm, then, hurts the chances of a realistic negotiation. For these reasons, negotiations are unlikely to commence until the course of a continued war has become fairly clear and combatants understand the expected relative costs and benefits of talking versus fighting. This is made harder when actors are not monolithic, which is the case in Syria because of the fractured nature of the insurgency.<sup>17</sup>

Pillar's analysis begins to approach the role of perceptions and beliefs about the future in the initiation of negotiations. It shares with previous models the weakness of treating the interpretation of military events as straightforward and unproblematic. Furthermore, it assumes that the future event most relevant to the combatants is the military situation. This is a weak assumption in any war—all wars have political, regional, and international aspects to them—but especially in civil wars and insurgencies, in which the political aspect is more prominent. For example, the recognition of the SC by the international community in 2012 was a political and diplomatic event, not a military one, that almost certainly played a major role in shaping the Syrian rebels' perceptions of the course of the conflict and their utility of continued fighting.

Another study focusing on the incentive structure of negotiations has highlighted the role of asymmetry. Zartman argued that

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governments start from a position of strength and rebels from weakness, which is what makes civil wars difficult because negotiations work best between equals: “The asymmetry of internal conflict rarely produces the stalemate needed for negotiation.”<sup>18</sup> Another difficulty is that there are asymmetrical stakes: The rebels are fighting for their existence, while the government believes it is fighting to reestablish order, which also means there is an asymmetry of commitment (the government may revise its view if the fight drags on and the government fares poorly). Rebellion is inherently a difficult topic to negotiate over. According to Zartman, “Recognition is both the top and the bottom line . . . there is no room for trade-offs, which are the components of bargains. The rebels’ issue and commitment are integral and indivisible and the insurgents have little to give up but their rebellion.”<sup>19</sup> It is also difficult to get each side to recognize the other’s spokesmen as legitimate interlocutors. Negotiations can change depending on what stage of mobilization the rebellion is in: Both success and failure can challenge insurgent cohesion and, thus, the rebel coalition’s legitimacy as a negotiating participant. All these reasons help explain why negotiations in the Syrian war have proven elusive to this point.

Less can be said for how to start negotiations. Zartman claims that negotiations are most likely when there is “a mutually hurting stalemate, the presence of valid spokespersons, and a formula for a way out,”<sup>20</sup>—a generic summary that does not define what constitutes a helpful “formula.” Is the six-point plan a good formula, or is Assad’s peace plan? Without further guidance, neither might be seen as a good plan until it succeeds; then, *ex post facto*, it will be deemed to have been good—which is not a helpful prospective guide for policymakers. “Negotiations take place when both parties lose faith in their chances of winning and see an

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## Rebellion is inherently a difficult topic to negotiate over.

opportunity for cutting losses and achieving satisfaction through accommodation,”<sup>21</sup>—but what causes a shift in their beliefs such that they lose faith in victory or perceive an opportunity for peace? Zartman briefly mentions that military escalation and leadership changes may help create turning points—but while these insights may be accurate, they are also underspecified.

### Dynamics Within Negotiations

Another approach to civil war termination is to examine the dynamics that obtain within negotiations once they start—often coupled with the insight that war and negotiations typically overlap. James Morrow built on the utility-calculation model with the insight that wars often do not end in a clear victory for one side and defeat for the other. War outcomes are not limited to a simple binary win-loss dependent variable; wars terminate along a full spectrum of outcomes between the two sides’ preferred objectives, and negotiations typically focus on pushing the outcome further toward one side or the other.<sup>22</sup> The Syrian war, for example, may end in a power-sharing agreement or constitutional changes, rather than simple military victory or defeat for one side or the other. R. Harrison Wagner similarly contrasted the analysis of war as a “costly lottery” in which combatants pay a high cost to wage war in the belief that they might “win” or receive benefits that outweigh their costs, with an analysis of war as a bargaining game, in which

the ongoing combat is part of the process of generating terms of an ultimate outcome.<sup>23</sup>

While true that a war may not end with a clear victory for one side and defeat for the other, it is likely that the combatants hope it does. Combatants get into a war hoping for victory—thus, it seems, there is little point to discussing the negotiating dynamic between parties during the war’s early phase, when both parties are still aiming to win. Furthermore, we cannot know in advance when a war is in its early phase and when it is nearing termination. Only empirical investigation of combatants’ beliefs about their relative progress in the war can tell us that. These theoretical approaches, then, tell us about negotiating dynamics once they have begun, but little about *when* or *why* they might start.

Other research has focused on the specific terms of settlement that are most favorable to lasting peace. Partition, separation, and power-sharing are widely seen as forms of possible compromise in civil war. “Once the belligerents accept the notion that the war can conclude without the extermination or expulsion of the adversary, the warring parties develop what may be characterized as a certain level of indifference regarding the settlement,”<sup>24</sup> according to Jane Holl, and thus become more open to power-sharing and similar agreements—though this still does not describe what causes combatants to come to such a belief. And even when the belief is present, negotiations do not automatically follow: Sometimes the sides keep fighting because they value the “shape of the settlement” more than they care about the damage of conflict and they see fighting as a way of influencing the eventual settlement terms. For example, an improved military position gives one side more bargaining leverage; or, perhaps, the killing of key enemy personnel prevents them from assuming a role in the post-war settlement. Holl suggests that

knowing the enemy’s calculus is useful for reaching a peace settlement: Understanding the relative value they assign to peace versus victory, or the costs they assign to conflict versus compromise, would enable one to formulate a strategy in response. But Holl neglects that the strategy might involve further fighting as much as peace talks, so knowledge of the opposing side’s calculus does not necessarily lead to peace. Finally, she rightly observes that the strength of a combatant’s political will, measured by “the level of costs deemed acceptable to incur,” is another important factor that works to obstruct the possibility of peace talks.<sup>25</sup> As war escalates and both sides incur costs—for example, from the use of chemical weapons—the loss may prompt them to revise their level of acceptable costs *upward*, making them even more committed to the war and the war harder to end—an insight that seems consistent with the commonsense view that rebels become more committed to a cause the more they suffer for it, as seems to be the case with the Syrian rebels.

A recent RAND analysis, by Colin P. Clarke and Christopher Paul, has attempted to build on the idea of a hurting stalemate by arguing that the stalemate is only the first step in a process that culminates in peace. After a stalemate has set in, negotiations are more likely to succeed if they include the government and the rebels recognizing each other as legitimate interlocutors for talks; agreeing to a ceasefire; accepting intermediate agreements short of a comprehensive peace deal; accepting a power-sharing arrangement; moderating their leadership; and agreeing to a third-party guarantor.<sup>26</sup> This analysis gives little hope for near-term negotiations in Syria. The Syrian combatants have taken none of the steps beyond a hurting stalemate, except possibly the Syrian government’s professed acceptance of a ceasefire in early 2012—which it promptly

violated. Assad repeatedly rejected the legitimacy of “terrorists” and “takfiris” in his peace proposal, the rebel leadership has grown less moderate with Khatib’s replacement by Jarba, the basic rebel demand (the overthrow of Assad) is the opposite of a power-sharing deal, and neither side has adhered to the six-point plan that envisions a role for the United Nations as the third party. Clarke and Paul’s analysis thus helps make sense of the intractability of Syria’s civil war. However, it provides little explanation for what the international community can do to cause the warring parties to progress further down the pathway to peace. Their analytical framework—more fleshed out and detailed than most—is more a description of successful negotiation than an analysis of what motivates the parties to take each step in the process.

### **The Shadow of the Future and Civil War**

These analyses hardly scratch the surface of the vast literature on civil war termination. Other scholars have focused on the presence or absence of divisible resources for the combatants to split between them;<sup>27</sup> on the stakes being low enough for combatants to feel able to make compromises; on the insurgents being able to survive their initial period of vulnerability;<sup>28</sup> and on whether negotiation terms are endogenous or exogenous to the conflict itself.<sup>29</sup> The literature as a whole tends to beg the question of how favorable conditions cause negotiations, why favorable conditions sometimes yield

negotiations and sometimes do not, and why combatants come to believe that a certain set of terms are acceptable. For example, why do some leaders moderate and not others? Why do governments sometimes recognize the legitimacy of rebel factions as negotiating partners, and sometimes not? How and why do combatants perceive stakes to be “low” versus “high”? What causes them to perceive a resource, like state power, to be divisible? Theories that focus on external circumstances and negotiating dynamics have tended to underemphasize the perceptions, beliefs, and ideology of the participants in favor of structural, rational actor, or environmental explanations—but it is precisely these intangibles that may be the intervening variable between favorable circumstances and settlement terms, on the one hand, and actual peace on the other.

One way of approaching these intangibles is by looking at what the combatants believe about the future. By and large, the literature has focused on conditions prior to or during negotiations, and conditions within the warring state, but scholars have only hinted about how conditions in the future and external to the battlefield affect the likelihood and success of negotiations in the present. Social scientists have long understood that anticipated future events affect present behavior; our choices are influenced by the so-called shadow of the future. International relations theorists applied this insight to understand how and why sovereign states may choose to cooperate under conditions of anarchy. According to Robert Axel-

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rod, “What makes it possible for cooperation to emerge is the fact that the players”—i.e., sovereign states—“might meet again. This possibility means that the choices made today not only determine the outcome of this move, but can also influence the later choices of the players.”<sup>30</sup>

The same holds true in negotiations to end a civil war, because of the strong similarities between civil war and conditions of anarchy—namely, the lack of a central authority capable of enforcing order. Pillar’s argument that negotiations are most likely once the outcome of a war is largely clear gestures in this direction—the combatants become more likely to cooperate (negotiate) as their expectations about the future solidify—as does Zartman’s insight that negotiations become more likely once combatants lose faith in their ability to win. Both insights have to do with the belligerents’ beliefs about the future. Alastair Smith and Allan C. Stam examine the role of beliefs, especially divergent beliefs, on the negotiating situation, but focus on beliefs about the present.<sup>31</sup> Holl noted that belligerents evaluate the value of conflict “more prospectively than retrospectively”;<sup>32</sup> a battle is not strategically significant unless it causes combatants to “revise their expectations of the future course of the war.”<sup>33</sup> The same is true of other conditions that affect combatants’ perceptions of the future value of war. What warring parties believe may happen in the future, after a hypothetical negotiation, will affect their willingness and ability to participate

in negotiations, the demands they make during them, and their willingness to abide by the terms of an agreement.

Two related future events are probably most important in determining a belligerent’s attitude toward negotiations: the other side’s likelihood of abiding by any peace deal, and the presence or absence of a third-party guarantor of peace. In particular, Barbara F. Walter’s analysis based on a study of civil wars and insurgencies since 1940 found that third-party enforcement of negotiated settlements is crucial to their success because of the third party’s role as a trusted and impartial interlocutor and a check on the opposing party.<sup>34</sup> Syria’s own role as guarantor of the Ta’if Agreement in Lebanon is an example of a third-party guarantee, though Syria may not have been seen as impartial. “If a third party agreed to enforce the terms of a peace treaty, negotiations always succeeded regardless of the initial goals, ideology, or ethnicity of the participants. If a third party did not intervene, these talks usually failed.”<sup>35</sup> Third parties are crucial because “credible guarantees on the terms of the settlement are almost impossible to arrange by the combatants themselves.” In the absence of the normal institutions that adjudicate disagreements peacefully, including courts, police, political parties, and a legislature—the very institutions rejected by a rebellion and destroyed by war—combatants lack the means to enforce their opponent’s compliance with a peace deal and thus the grounds on which to trust one another. “Only when an enforcer steps in to guarantee the terms do commitments to disarm and

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share political power become believable.”<sup>36</sup> In addition to the international community’s role in guaranteeing peace, it also tends to bring significant resources to bear for reconstruction and economic development, which create economic opportunities (both licit and illicit) for wartime elites. Thus, intervention by the international community can reduce violence (lowering the cost of sustaining a movement) and increase benefits through economic opportunity.

If the combatants believe that the international community is unable or unwilling to play the role of third-party guarantor of peace and distributor of reconstruction aid, they are unlikely to reach a peace agreement or treat any negotiations or intermediate agreement seriously. If, however, the international community were able to communicate beforehand its willingness and ability to guarantee peace and spend resources on reconstruction if the combatants agreed to terms, the parties might soon discover a new willingness to negotiate, even if other conditions are unchanged. In civil war, actors put a premium on the present because they are not certain there will be a tomorrow. But the more certain the parties are that there will be a tomorrow, the more willing they will become to talk about it. As Robert Axelrod and Robert O. Keohane write, “The more future payoffs are valued relative to current payoffs, the less the incentive to defect today—since the other side is likely to retaliate tomorrow.”<sup>37</sup> The prospect of international intervention creates the space for combatants to think about tomorrow.

In other words, the parties’ beliefs about the future change their present perceptions of the relative costs and benefits of fighting versus talking. The calculation of costs and benefits is not objective; it takes place in the minds of combatants limited in all the ways critics of rational actor models are familiar with—bounded rationality, wish-fulfillment, imperfect information, cog-

nitive bias, recency bias, ideological commitments, and, of course, the stress and strain of combat.<sup>38</sup> In this complex psychological milieu, beliefs about the future course of events (which may or may not be well-founded) will play a significant role in actors’ willingness to enter into, and abide by, a negotiated settlement.

It is relatively easy to see how this idea—that the shadow of the future affects combatants’ willingness to negotiate an end to civil war—holds true in situations where combatants have already concluded that the costs of fighting are too high relative to the achievable outcomes. To test the plausibility of this idea, it is useful to consider a thought experiment in which combatants initially believe they stand to gain from continued fighting. If rebel leaders in a civil war believe they are making military progress and have steady access to money, weapons, and recruits, they are likely to calculate that they stand to benefit more from continued fighting than from negotiating. The rebels do not feel any pressure to negotiate or compromise. Consequently, the rebel leaders’ range of acceptable negotiated outcomes is very narrow, even nonexistent, short of a government surrender. They have calibrated the cost they

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*In civil war, actors put a premium on the present because they are not certain there will be a tomorrow. But the more certain the parties are that there will be a tomorrow, the more willing they will become to talk about it.*

are willing to pay to the outcome they hope to achieve, and they are able to pay a relatively high cost.

However, if the same rebel leaders believe that the international community is willing and able to enforce a negotiated settlement, guarantee peace, and invest in the future reconstruction of the country, the rebel leaders face a new calculation. By creating the possibility of an exit from the war, the international community has changed the range of possible outcomes and introduced one outcome that does not require the high costs of fighting. The costs of fighting on to ultimate victory may now appear unnecessary—if not to the rebel leaders, then to some portion of their support base, which will translate into pressure on the leaders. Regardless, the rebels' willingness to pay high costs will be compromised, their overall cost tolerance will decrease, their willingness to negotiate will consequently increase, and their range of acceptable outcomes will expand. Of special importance for this argument is that the rebels' material ability to pay high costs has not changed, nor has their access to resources or the military situation—only their beliefs about the future.

Importantly, this argument does not require us to assume that rebels and government forces would be motivated by a sincere desire for peace, or even that the international community is highly competent to bring about an end to the fighting. Neither might be true. All that is required is a belief that the presence of international military forces will dampen the fighting—even if they are not expertly used, a fair assumption given the track record of most interventions since the end of the Cold War—thus lowering the cost of “doing business” for everyone; and that intervention will bring reconstruction assistance, which can be hijacked or exploited by elites on either side (also a fair assumption). Even small or inef-

ficient interventions typically bring a lull in fighting (or at least a transformation from political violence to criminal violence that no longer threatens the state) because the international presence alters the “rules of the game”—the local balance of power, the bargaining dynamics between local elites, the beliefs and perceptions of local actors—and can prompt combatants to pause and take a “wait and see” approach. Additionally, local elites often work with international interveners to accomplish “compromised” or “co-opted” peace building, in which locals go through the motions of peace agreements in exchange for access to international reconstruction resources, as in Bosnia or, perhaps, Afghanistan. While that is not the optimal outcome aimed at by international actors, it may be enough to get rebels and government leaders to enter into negotiations and take peace agreements seriously. If rebel and government leaders alike believe that they would benefit economically while suffering fewer casualties and exposing themselves to less risk under an international presence, peace talks are achievable.<sup>39</sup>

## **Conclusion: Influencing Syria's Future**

Scholars and commentators have offered a range of prescriptions for international involvement in Syria's civil war. Some have simply urged the United States to take sides and overthrow Assad; others have urged the United States to stay out of Syria and let the situation unfold on its own. Between these extremes, analysts have proposed an array of international initiatives designed to drive the factions to the negotiating table, including arming the rebels, offering asylum to Assad and his inner circle and family, imposing a no-fly zone over parts of Syria, and undertaking limited military strikes on select targets within Syria. Unfortunately, military force would be best suited to a policy of overthrowing Assad. If the inter-

national community intends to end the Syrian civil war through negotiations rather than a victory by one side or the other, military intervention during the conflict is unlikely to help.

For example, some have urged the United States to undertake a bombing campaign against the Assad regime, not to catalyze a rebel victory but simply to degrade the Syrian government's capabilities, persuade Assad that he cannot win, and thus force his regime to the negotiating table. Andrew Tabler called for "a partial military intervention aimed at pushing all sides to the negotiating table." He argues that "after stepping up its involvement, Washington should seek talks between the regime and moderate opposition forces." The purpose of military force would not be to destroy the Assad regime, but coerce it. "By tipping the balance on the ground toward the opposition, Washington could convince the regime—or at least its patrons in Moscow—that the conflict will not end by force alone. What is more, such increased U.S. support for the opposition would give the Americans more leverage to bring the rebels to the negotiating table."<sup>40</sup> Similarly, Gayle Tzemach Lemmon argues that limited military force will enhance the United States' leverage over both sides and increase the chances of them agreeing to negotiate. "The United States should use the leverage it has, in the form of continued pressure and looming military strikes, to help get all sides to the table. That could involve striking key Assad regime assets related to its chemical weapons program even while dangling offers of negotiations, in the hopes that a bargain can be struck between all the players and the war will end with a transfer of power—no matter how unlikely that may look at the moment."<sup>41</sup>

What these recommendations have in common is the assumption that a U.S. military intervention would drive the Syrian com-

batants to the negotiating table; indeed, that it is the best option before the international community, because it would achieve peace more quickly than other options. However, while a U.S. military intervention in Syria's civil war—whether a no-fly zone, arming the rebels, or bombing government targets—might degrade the regime's capabilities and even enable a rebel victory, it is unlikely to hasten a *negotiated end* to the war. Stephen Biddle, for example, rightly notes that the logic of a military strike works in the opposite direction as argued by the idea's proponents. "Some argue that U.S. airstrikes could play a catalytic role in enabling such a deal by changing the regime's interest calculus: by tilting the playing field in favor of the rebels, they argue, such strikes could give the regime an incentive they now lack to make compromises and accept a negotiated peace."<sup>42</sup> Biddle argues, against Tabler, that airstrikes alone are unlikely to change the military balance of power and thus unlikely to change Assad's calculations (even the air campaigns in Kosovo and Libya were accompanied by a ground offensive from rebel forces).

Meanwhile, airstrikes could *harden* the Syrian rebels' demands and make them less willing to negotiate.<sup>43</sup> A broader interven-

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tion would probably go too far: Instead of convincing Assad that the war was stalemated, it would likely convince him that he was losing—again, decreasing the chances that the rebels would negotiate. The argument that international military intervention could be calibrated so finely that it would be strong enough to influence Assad's calculations without being so strong that it caused a rebel victory shows unfounded faith in the ability of blunt military force to accomplish precise diplomatic ends.

U.S. military intervention in Syria is likely to prolong the conflict. As Pillar noted, negotiations are unlikely to begin until the course of a conflict is broadly clear.<sup>44</sup> If, as most observers argue, the war is already at a stalemate, it meets one of the most important criteria for negotiations to begin. The international community should focus on helping the Syrians understand that there is a stalemate, not on changing the military situation. By changing the military situation, U.S. military involvement would reintroduce unpredictability into the situation and destroy whatever sense of the likely outcome of the conflict that may have formed in recent months. This would end, or at least prolong recognition of, the stalemate as both sides recalculate the costs and benefits they gain from continued fighting. In particular, it is likely to make rebels believe they now will incur fewer costs for fighting and stand a better chance of complete victory—thus lessening their inclination to negotiate.

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Furthermore, an American intervention could have the unintended effect of hardening Assad's resolve. The asymmetry that Zartman rightly argues causes rebels to demonstrate higher commitment and be willing to pay higher costs is now turned back on the Syrian government, which would face an asymmetrical conflict against an immeasurably more powerful United States. By intervening, the United States would be transforming the nature of the asymmetry, the narrative of the war, and Assad's position within it: He might now be able to escape his image as disreputable tyrant massacring his own civilians, instead posturing himself as an underdog patriotic nationalist defending Arab sovereignty against an imperial bully. Such a transformation might convince few outside his inner circle, but that is all that would be needed to help his regime shoulder ever-higher costs in a war for their very survival.

Outside observers are right that the international community can play a key role in shaping Syria's conflict and even pushing the combatants toward a negotiated settlement, but military intervention in the war itself is the wrong way to go about it. A military intervention in Syria's civil war may be the best option if the U.S. and other actors wanted to cause a decisive rebel victory, but not if they intended to spur a negotiated settlement. Instead, the tool that gives the international community the most leverage over events in Syria is the promise of future impartial intervention should the parties negotiate and come to terms. A credible promise from the international community—probably under the auspices of the UN—to devote substantial resources to Syria's postwar reconstruction may be the catalyst that drives combatants to the negotiating table.

As I argued above, this does not require us to believe that the rebels would lay down their arms, that the government would embrace democracy, or that either side would selflessly cooperate



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with the international community’s agenda—nor even that the international community would be especially effective or efficient in its intervention. This argument simply assumes that Syrian elites are likely to recognize that they are paying high costs and receiving relatively few benefits from continued fighting, and thus would welcome an initiative that reverses that formula. A peace agreement that brings an international intervention—probably in the form of an expansion of the existing UN Supervision Mission in Syria (UNSMIS)—stands a good chance at lowering the level of violence. An expanded UNSMIS could physically separate the warring factions, increase transparency and accountability between them, deter or arrest spoilers, and create a neutral space for peaceful political contestation—as similar UN missions did in Mozambique, Nicaragua, Kosovo, and other post–Cold War peace-building operations. As Biddle argued, “Even if airstrikes could catalyze negotiations, even if those negotiations succeeded, and even if the result ended the war, there would still be a need for a major and highly risky outside commitment to send ground forces to stabilize the result.”<sup>45</sup> At the same time, a peace deal that brings international money for Syria’s reconstruction opens up opportunities for economic gain through theft, bribery, corruption, and legitimate reconstruction contracts.

If international commitment to Syria’s postwar future is indeed one of the keys to jump-starting serious peace talks, then any

signs that the international community is unwilling or unable to commit are likely to prolong the war. The UN Security Council and the Action Group for Syria have proven unable to push the six-point plan any further or secure a credible commitment to a ceasefire, while the Friends of Syria coalition has shrunk and been sidelined by its members’ insistence on Assad’s resignation. Several Western states, including the United States, United Kingdom, France, and Germany, have disqualified themselves from the role of a third-party guarantor because of their explicit siding with the rebels against Assad, while Russia has done the same by siding with him. The public debate over a possible U.S. military response to the Syrian government’s use of chemical weapons was probably also unhelpful: Although the debate was not about international commitment to postwar Syria, it may have been perceived by Syrians and others as a general sign of disinterest, risk-aversion, fiscal limitations, or fatigue by the United States. Even though the United States cannot play the role of third-party guarantor and was never likely to contribute troops to a future UN peacekeeping mission in Syria, the United States is typically expected to pay a significant share of peacekeeping costs, and American behavior still sets the tone for much of the international community. Disinterest, risk-aversion, or fatigue by the United States can act like contagion throughout the rest of the international community. A donor conference for Syrian refugees in January 2013 raised just \$1.5 billion,

most of which was earmarked for neighboring countries hosting refugees.<sup>46</sup>

Lakhdar Brahimi, the joint UN–Arab League Envoy for Syria, continues to champion the six-point plan at the ongoing Geneva II talks. The rebel factions continue to wrangle over who will represent them and what their negotiating positions are. The Syrian government earlier agreed to attend the talks but, oddly, insisted it would not actually talk to the rebel groups. What the talks would then entail, without talking, was unclear—which probably contributed to the failure of the first round in January 2014.<sup>47</sup> U.S. Secretary of State John Kerry repeated his government’s call for Assad’s resignation in October 2013, even as he continued to encourage the Syrian government to abide by its agreement to disarm itself of chemical weapons—a stance criticized by the Russian foreign minister for being contradictory and counterproductive.<sup>48</sup> There were few signs in early 2014 that anyone’s willingness to engage in serious peace talks had changed for the better.

Brahimi and other international actors can improve the odds that peace talks succeed if they can first get a credible commitment to postwar Syria from the international community. The Geneva II talks would have a better chance of success if they were held simultaneously with, or after, a major donor’s conference to gather pledges for postconflict reconstruction and a meeting of the Security Council to expand the mandate for UNSMIS and secure new troop commitments—conditioned on the rebels and the government agreeing to terms. The promise of international time, attention, money, and military observers would help persuade combatants on both sides that a peace deal would stick; that they would be protected against the other side’s defection; that their interests would be protected; that they would have opportunities for gain under a reconstruction regime; and thus that they can risk giving peace a chance.

## Notes

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<http://www.foreignaffairs.com/articles/137043/gayle-tzemach-lemmon/the-best-case-scenario-in-syria>

<sup>3</sup> Zachary Laub and Jonathan Masters, “Syria’s Crisis and the Global Response,” Council on Foreign Relations backgrounder, September 11, 2013. As of May 23, 2014:  
<http://secure.www.cfr.org/syria/syrias-crisis-global-response/p28402>

<sup>4</sup> Stephen Biddle, “Assessing the Case for Striking Syria,” testimony before the House Committee on Homeland Security, 1st Session, 113th Congress, September 10, 2013.

<sup>5</sup> Council on Foreign Relations, “The Hard Road to Syrian Peace,” interview with Frederic Hof, May 14, 2013. As of May 23, 2014:  
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<sup>6</sup> International Crisis Group, “Syria’s Metastasizing Conflicts,” Middle East Report No. 143, June 27, 2013, pp. 25–26.

<sup>7</sup> See United Nations Security Council, Resolution 2042 (S/RES/2042), April 14, 2012. As of May 23, 2014:  
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<sup>9</sup> Jeremy Sharp and Christopher Blanchard, *Armed Conflict in Syria: Background and U.S. Response*, Washington, D.C.: Congressional Research Service, RL33487, September 6, 2013.

<sup>10</sup> Bashar al-Assad, “Speech by Bashar al-Assad on Syrian Crisis,” January 6, 2013. As of May 23, 2014:  
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<sup>11</sup> International Crisis Group, 2013, p. 27.

<sup>12</sup> William I. Zartman, ed., *Elusive Peace: Negotiating an End to Civil Wars*, Washington, D.C.: Brookings Institution Press, 1995, p. 8. See also Navin A. Bapat, “Insurgency and the Opening of Peace Processes,” *Journal of Peace Research*, Vol. 42, No. 6, November 2005, pp. 699–717.

<sup>13</sup> International Crisis Group, 2013, p. 36.

<sup>14</sup> Hof, 2013.

<sup>15</sup> Council on Foreign Relations, “G20 Joint Communiqué on Syria, September 2013,” September 6, 2013. As of May 23, 2014:  
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<sup>17</sup> Paul R. Pillar, *Negotiating Peace: War Termination as a Bargaining Process*, Princeton, N.J.: Princeton University Press, 1983.

<sup>18</sup> Zartman, 1995, p. 8.

<sup>19</sup> Zartman, 1995, p. 10.

<sup>20</sup> Zartman, 1995, p. 18.

<sup>21</sup> Zartman, 1995, p. 18.

<sup>22</sup> James Morrow, “A Continuous-Outcome Expected Utility Theory of War,” *Journal of Conflict Resolution*, Vol. 29, No. 3, September 1985, pp. 473–502.

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<sup>26</sup> Colin P. Clarke and Christopher Paul, *From Stalemate to Settlement: Lessons for Afghanistan from Historical Insurgencies That Have Been Resolved Through Negotiations*, Santa Monica, Calif.: RAND Corporation, RR-469-OSD, 2013. As of May 23, 2014: [http://www.rand.org/pubs/research\\_reports/RR469.html](http://www.rand.org/pubs/research_reports/RR469.html)

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<sup>29</sup> Suzanne Werner, “Negotiating the Terms of Settlement: War Aims and Bargaining Leverage,” *Journal of Conflict Resolution*, Vol. 42, No. 3, June 1998, pp. 321–343.

<sup>30</sup> Robert Axelrod, *The Evolution of Cooperation*, Basic Books, 1984, p. 12. See also Kenneth Oye, “Explaining Cooperation Under Anarchy: Hypothesis and Strategies,” in *Cooperation Under Anarchy*, in Kenneth Oye, ed., Princeton, N.J.: Princeton University Press, 1986, pp. 1–24.

<sup>31</sup> Alastair Smith and Allan C. Stam, “Bargaining and the Nature of War,” *Journal of Conflict Resolution*, Vol. 48, No. 6, December 2004, pp. 783–813.

<sup>32</sup> Holl, 1995, p. 281.

<sup>33</sup> Holl, 1995, p. 282.

<sup>34</sup> Barbara F. Walter, “The Critical Barrier to Civil War Settlement,” *International Organization*, Vol. 51, No. 3, Summer 1997, pp. 335–364; Barbara F. Walter, *Committing to Peace: The Successful Settlement of Civil Wars*, Princeton, N.J.: Princeton University Press, 2002.

<sup>35</sup> Walter, 1997, p. 335.

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<sup>37</sup> Robert Axelrod and Robert O. Keohane, “Achieving Cooperation Under Anarchy: Strategies and Institutions,” *World Politics*, Vol. 38, No. 1, October 1985, p. 232.

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<sup>39</sup> Paul D. Miller, *Armed State Building*, Ithaca, N.Y.: Cornell University Press, 2013. See also the collection of essays in Roland Paris and Timothy Sisk, *The Dilemmas of Statebuilding*, New York: Routledge, 2009, especially chapters 1, 2, and 6.

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<sup>42</sup> Biddle, 2013.

<sup>43</sup> Biddle, 2013.

<sup>44</sup> Pillar, 1983.

<sup>45</sup> Biddle, 2013.

<sup>46</sup> Sylvia Westall, “Donors Meet Target of \$1.5 Billion Aid for Stricken Syrians,” Reuters, January 30, 2013.

<sup>47</sup> “Syria Says Ready for Geneva-II Talks,” Kuwait News Agency, October 20, 2013.

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## About This Perspective

It appears that there is almost no prospect for a negotiated solution to the civil war in Syria in the near term. This essay argues that this is because the Syrian factions believe—perhaps rightly—that they have more to gain by carrying on the fight than by negotiating toward peace. If the belligerents believed that all sides will abide by an eventual peace agreement and that an impartial third party will guarantee the peace and provide resources for reconstruction, they would be much more likely to negotiate. The international community's best option, then, is to promise a peacekeeping and reconstruction intervention that will start *after* the combatants have agreed to peace.

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