Human Rights & Human Welfare

Volume 11 Issue 8 *September Roundtable: "The Syrian Spring" and Human Rights*

Article 4

9-1-2011

White Noise, White Heat

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Recommended Citation

O'Donnell, Therese (2011) "White Noise, White Heat," *Human Rights & Human Welfare*: Vol. 11: Iss. 8, Article 4.

Available at: https://digitalcommons.du.edu/hrhw/vol11/iss8/4



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Abstract

If, as former British Prime Minister Harold Wilson famously uttered, "A week is a long time in politics," then the Six weeks since Raghida Dergham's article could be a lifetime and the last six months of the "Arab Spring" an aeon.

Keywords

Human rights, Arab Spring, United Nations, Syria, Responsibility to protect

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White Noise, White Heat

by Therese O'Donnell

If, as former British Prime Minister Harold Wilson famously uttered, "A week is a long time in politics," then the Six weeks since Raghida Dergham's article could be a lifetime and the last six months of the "Arab Spring" an aeon.

The United Nations Human Rights Council passed a resolution on August 23 calling for the urgent dispatch of an independent commission to Syria to investigate possible violations of human rights. The clear aim is to identify those responsible, with a view to ensuring that perpetrators of violations, including those that may constitute crimes against humanity, are held accountable. Simultaneously, the US and several European nations called upon the UN Security Council to impose sanctions against Syrian President Bashar al-Assad and his ruling circle. With a certain synchronicity, the European Union widened its sanctions against Syria. Days later, Libyan rebels opposing Gaddafi's rule had "taken" Tripoli and had surrounded his hometown of Sirte, heating up the debates as to who might eventually lead Libya. Indeed, as August turned into September, an international conference was convened in Paris to determine Libya's future. Events, and the reporting of events, have moved with both the speed and clarity of strobe lighting.

Raghida Dergham's piece is a thoughtful analysis of the UN Security Council's attempts to pronounce on Syria. She scathingly critiques the pro-state stances and double standards of certain international organizations and states (notably Lebanon) and unflatteringly contrasts the Arab League's behavior with that of the UN Secretary-General. Predicting the crumbling of a pro-Syrian UN Security Council "Defiance Coalition," she ponders the deterrent effect of Mubarak's appearance in an Egyptian court. First of all, pronouncements of the death of this apparent coalition appear somewhat premature. Russia and China continue to present as awkward customers at the UN Security Council regarding possible sanctions against Syria. Further, India abstained, and Russia and China both opposed, the UN Human Rights Council resolution. Secondly, to believe that brutal dictators take lessons from anyone or anything seems a triumph of hope over expectation. Thinking realistically and accepting constructive criticism is not within the job description.

Those sounding notes of caution regarding the wisdom of sanctions against (or interventions in) oppressive states have been charged as appeasers who make apologies for mean military dictatorships. However, it is important to recognize the limitations of the prevailing discourse.

Among much of what has passed for political discussion and insight in the last six months or so, there has been a widespread notion (facilitated by talk of an "Arab Spring") that the upheavals occurring in Egypt, Syria, and Libya are all much of a piece. The straightforward talk of oppressive leaders, brave rebel fighting movements, extreme human rights abuses, and the shenanigans of *realpolitik* involving a number of Western and Arab states and their domination of various international institutions, has been both suffocating and obscuring. Of course, regimes that forbid foreign journalists cannot complain when information reaching beyond their borders is incomplete or inaccurate. At the same time, the outside gaze must resist a turn to particular tropes and dark fantasies.

Further, the invocation of the Responsibility to Protect (R2P) doctrine has been perplexing. Previously invoked primarily in thematic UN Security Council resolutions, its dramatic application to the concrete case of Libya was both curious and potentially troubling, as borne out in the controversies surrounding the limits of the doctrine's invocation. A post-Libyan hum supporting UN-authorized military intervention in Syria (to the extent of no-fly zones) is increasingly discernible.

Undoubtedly many of the ruling regimes offended democratically-inclined eyes and it seems intuitive to cheer their demise. However, it is important to consider the extremely volatile and dangerous aftermath of revolutions. Further, what do we know of the opposition movements? In Libya the National Transitional Council (NTC) is united in its hatred of the Gaddafi regime—but beyond that? On one hand the collection of Islamist and secular factions, exiles, and renegade members of the former regime *may* look like a lesson in cosmopolitanism, heralding a democratic power structure that will reflect Libya's genuine multiculturalism. On the other hand it could appear as a gossamer-thin alliance, which will tear asunder under the slightest post-Gaddafi pressure. Could the assassination of General Abdel Fattah Younesbe an uneasy portent?

Of course, it is important not to trade freedom for certainty and oppressive stability, but it should be remembered that while timidity is an artful enemy, caution is not. The romance of revolution is strong. The appeal of creating a brave new world where citizens do not live in fear, and are not routinely and unaccountably abused is absolutely irresistible. However, that is quite different from creating a world in which they will have to be extremely brave.

<u>Thérèse O'Donnell</u> is a Senior Lecturer in law at the University of Strathclyde Law School in Glasgow, Scotland. Her teaching specialities lie in public international law and human rights law. In terms of research, Thérèse is particularly interested in matters relating to collective security and the use of force, notably in relation to governance issues within the UN Security Council. The interface between international law and international relations, the instrumentalisation of law by hegemonic forces and the consequent difficulties then raised in terms of the legitimacy and enforceability of international law is particularly fascinating. Thérèse has published in the area of sanctions and counter-terrorism initiatives and is currently working on responses to natural disasters. Thérèse also maintains a keen interest in transitional justice, the relationship between history and law, issues surrounding collective memory and inter-generational justice.