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Abstract

The Syrian conflict presents as a case that has been well-studied in the power-sharing literature. It is typically coded as an ethno-sectarian civil war moving towards a decisive military victory by an authoritarian regime and thus unlikely to end in a power-sharing agreement. Yet Syria's experience offers important insights into the effects of new conflict environments on prospects for power-sharing in 'hard' cases. Syria's conflict exhibits attributes and is unfolding in an environment that requires rethinking simplistic correlations between the military and political outcomes of civil wars. Moreover, the form of political settlement that emerges in Syria may also complicate assumptions about the ability of victors to shape the terms of post-war settlements unilaterally. Whether a power-sharing agreement is reached in Syria – however remote the prospects for that might be – will be determined by factors that underscore the impact changing conflict contexts can have on how civil wars end.

Introduction

At first glance, the Syrian conflict presents as a case that has been well-studied in the power-sharing literature. The conflict is typically coded as an ethno-sectarian civil war moving towards a decisive military victory by an incumbent regime and thus unlikely to end in a power-sharing agreement (Downes 2004). This conclusion is mirrored in comments by senior officials of Bashar al-Assad's regime affirming their intention to retain an unfettered hold on power. Syria's experience of civil war thus seems to confirm the widely held view that power-sharing agreements are more likely when no side in a conflict can prevail on the battlefield (Gent 2011).

Moreover, the near victory of an incumbent regime that is both exclusionary and authoritarian renders the prospect of a power-sharing agreement even more remote. In much of the literature, the likelihood of reaching and sustaining such agreements hinges on the extent to which they provide all sides with

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the incentive to cooperate. They also require that a victor be able to commit credibly to sharing power with former adversaries (Fearon and Laitin 2008; Hartzell and Hoddie 2003). Where the possibilities for an inclusive post-conflict settlement are low, as in Syria, and where a regime has a track record of violating previous reconciliation agreements, insurgents have little to gain from entering into a power-sharing arrangement. Similarly, the Assad regime has questioned the ability of the opposition to make credible commitments, describing it as too fractured to act on any promises it might make in the course of negotiations. The strategic logics of both the Assad regime and the Syrian opposition appear to limit the possibility that a power-sharing agreement will emerge as a pathway out of a brutal, decade-long civil war. Indeed, Syria's circumstances seem to fit neatly with the recent global reversion to a grim historical norm. Following a brief period from 1990–2010, when the odds appeared to improve for intra-state wars to end at the bargaining table rather than on the battlefield, such conflicts are once again more likely to be resolved militarily than through negotiated outcomes (Howard and Stark 2017/2018; Pillar 1983).

Contingent Victories and Unstable Settlements

On further reflection, however, the dismal prospects for a power-sharing agreement in Syria raise meaningful questions for scholars of civil war, peacebuilding, and conflict resolution. Most important is the question of whether longstanding assumptions about the conditions most conducive to power-sharing remain valid as conflict environments change, both from within and from without. Whether or not we characterize them as 'new wars', 'surrogate wars', or 'proxy wars' as I do here, today's conflicts in the Middle East, including in Syria, exhibit attributes and unfold in environments that require rethinking such assumptions (Kaldor 2012). It is possible that military victory remains a decisive variable in determining the likelihood of a power-sharing agreement. Ultimately, Syria's experience seems likely to validate this claim. Yet Syria may arrive at a familiar destination by a pathway that challenges simplistic correlations between the military and political outcomes of civil wars. Moreover, the form of political settlement that emerges in Syria may also complicate assumptions about the ability of victors to shape the terms of post-war settlements unilaterally. Whether a power-sharing agreement is reached in Syria – however remote the prospects for that might be – will be determined by factors that underscore the impact changing conflict contexts can have on how civil wars end.

   Three features of Syria's civil war in particular reflect these changes and have a bearing on whether and how a power-sharing agreement might take shape. First, military victory has not strengthened the Assad regime's legitimacy. Loyalist strongholds along the coast have suffered extraordinary losses over the past nine years, and are being hit hard by economic conditions that have pushed the vast majority of Syrians into poverty. Areas formerly held by the opposition, including in southern Syria, remain defiant

and continue to contest the authority of the regime. In the northeast of the country, empowered and mobilized Kurdish communities continue to seek a negotiated political agreement with the Assad regime that includes elements of self-rule. Military victory may well privilege the interests of the Assad regime in defining a post-war settlement. Nonetheless, its standing as victor will not give the regime unilateral authority to define the terms of such a settlement, or to ignore its lack of legitimacy, the interests of its external patrons, or the external resources available to its opponents and their sponsors, first and foremost among them Turkey.

Second, civil war in Syria has not played out as an intra-state conflict neatly contained within national borders. It is a proxy war that has become intensely transnational, with high levels of regional spillover and engagement by regional and international actors, both state and non-state actors alike. In addition, the conflict has generated significant *spill-in*, not only by terrorist organizations like the Islamic State (ISIS) and al-Qaeda, but also by a major regional power: Turkey. Turkey now occupies parts of northwest Syria and has placed some of these areas under the authority of the provincial governor of its own southern province of Gaziantep.1 As a result, the governments backing local proxies – including Russia, Turkey, and Iran – have a direct stake in the terms on which Syria's conflict ends. And as is evident in the diplomatic efforts to achieve a political solution to the conflict, the interests of the leading external sponsors of the regime and of the opposition regarding power-sharing are not neatly aligned with those of the regime in Damascus, in Russia's case, or of opposition factions, in the case of Turkey.

Third, the Assad regime's pyrrhic victory has been achieved at a price that the regime cannot bear alone. Conflict has wreaked havoc on Syrian society and devastated its economy. The World Bank has estimated the cost of Syria's post-conflict reconstruction at some USD 200 billion. Therefore, even if the Assad regime regards victory as little more than an opportunity to impose an authoritarian peace, it faces significant fiscal constraints on its capacity to do so. These financial constraints, combined with the influence that external actors can bring to bear during the transition from war to peace, will affect the regime's calculus concerning the trade-offs associated with an imposed authoritarian peace versus a power-sharing agreement.

Thus far, the Syrian conflict has not become Russia's 'quagmire', as once predicted by President Obama (Bell and Perry 2015). However, to avoid finding itself saddled with the economic burden of funding reconstruction, or with the prospect of propping up an insolvent client regime indefinitely, Russia has lobbied aggressively for the easing of Western sanctions and for the European Union (EU) to provide reconstruction assistance. The EU, however, insists that reconstruction support will only be forthcoming if the Assad regime undertakes a 'meaningful and inclusive political transition', one that will inevitably dilute the regime's authority (European Council, Council of the European Union 2018). For Russia, therefore, the trade-offs associated with power-sharing are different from those for the Assad regime.

To the Victor, the Spoils? Power-Sharing as a Second-Best Outcome of Conflict

Military gains have secured the Assad regime's survival. Nonetheless, ample incentives exist for the regime to enter into some form of power-sharing agreement. Importantly, some of the political benefits of doing so would result even if the regime proves insincere about its commitment to sharing power. Research has shown that the winners in civil wars, including authoritarian regimes, benefit when they exploit power-sharing frameworks instrumentally. According to Mukherjee (2006), when civil wars end in a decisive military victory for either governments or insurgents, governments disproportionately gain support and legitimacy from the offer of a power-sharing agreement, while insurgents lose support and legitimacy. Jarstad and Nilsson (2018:180) similarly find that regime type matters for the kind of power-sharing agreements that are reached between former belligerents. Authoritarian regimes, they argue, are most likely to 'implement pacts that do not pose a real threat to their authority, such as symbolic representation in a power-sharing government'. In fact, this appears to be precisely the form of power-sharing envisioned by Russia: an arrangement that will ensure the Assad regime's continuity, preserve the full scope of its authority, strengthen its claims to legitimacy, meet EU requirements for the provision of financial aid for reconstruction, and assist Russia in stabilizing a client regime while burnishing its diplomatic credentials as the lead architect of a political settlement.

Facing a legitimacy deficit and a resurgent if diffuse and still low-level insurgency in recaptured areas, with its economy crippled by war and economic sanctions, isolated diplomatically from the West, with an occupying power controlling pockets of its territory and its most important patron supporting a Potemkin political settlement, the Assad regime's cost-benefit analysis of a power-sharing agreement may not be as straightforward as its public positions suggest. Moreover, while the regime remains outwardly hostile to the possibility of sharing power, it is attentive to the risks of alienating its Russian patron and of being labelled a spoiler in diplomatic efforts undertaken by the United Nations (UN). Given these circumstances, the regime's first-order preference – to reimpose its monopoly rule over a unified Syrian state on all Syrian territory – must be weighed against the potential gains of accepting a second-best outcome in the form of a power-sharing agreement.

To date these incentives have not proven sufficient to change the Assad regime's calculus. Politically, it has remained recalcitrant in its response to diplomatic efforts to achieve a negotiated settlement of the conflict. Despite its dependence on Russian military and economic support, the regime has rejected UNSC 2254, the UN Security Council resolution backed by Russia that underpins the current Geneva II talks (Arab Center for Research and Policy Studies 2016), and it regularly rebuffs Russian diplomatic initiatives that it views as infringing on Syrian sovereignty. Despite the potential gains it would realize from a political settlement, the Assad regime thus remains steadfast in its determination to bring about the failure of the Geneva process. Russian

pressure on Syria to at least play along with the talks has not persuaded it to change its behaviour.

Militarily, and consistent with its antipathy towards diplomatic initiatives, the Assad regime has systematically undermined efforts to contain and de-escalate armed violence. Beginning in the second half of 2019, it expanded operations aimed at retaking northwest Idlib province, the only remaining insurgent stronghold. Its offensives escalated throughout spring 2020, violating de-escalation agreements reached between Russia, Turkey, and Iran, causing the mass displacement of civilians, and provoking a large-scale military intervention by Turkey.

Empowered Sovereigns, Disengaged Democracies, and Imposed Power-Sharing

The Assad regime's refusal to engage seriously in negotiations over a power-sharing agreement – even at the cost of deepening an economic crisis that threatens to destabilize the country, extending the life of economic sanctions, prolonging Turkey's occupation, and forcing the regime into a costly military operation to retake the remaining opposition strongholds – is a telling indicator of the severe impediments to a power-sharing arrangement in cases like Syria. Such obstacles have been amplified, however, by changes in the broader geo-strategic landscape within which violent conflicts like those in Syria unfold.

If some of the factors inhibiting the chances for power-sharing in Syria have been well mapped out in the literature – including the presence of a government dominated by a sectarian minority that has framed conflict in zero-sum, existential terms, and a military balance of power that heavily favours the incumbent regime over the insurgents – others have not yet been fully taken into account. These include, in particular, the convergence of the Assad regime and its external sponsors around a shared commitment to a maximalist conception of sovereignty.

The Assad regime, with Russia's support, has embraced and stridently defends a rigid, expansive conception of its status as sovereign authority over all of Syria's territory. Throughout the Syrian conflict, officials and regional specialists have floated ideas and proposals for various forms of decentralization and territorially-based formulas for power-sharing to bring the conflict to a close. All have been rejected by the regime. Proposals for power-sharing are characterized by the regime as infringing on its sovereignty, and as threats to the territorial integrity of the country being advanced by external opponents whose real purpose is to weaken the regime. Instead, it has aggressively asserted its sovereign prerogatives in international institutions such as the UN, applied them in justifying its heavy-handed control over the delivery of humanitarian assistance, and references sovereignty and international law in calling for an end to Western sanctions. Further, Russia and the Assad regime justify the presence of Russian forces in Syria, along with those of Iran, Hezbollah, and an assortment of mercenaries from other countries, on the grounds that they were

requested by a sovereign government and are therefore legitimate and lawful. The presence of US and Turkish forces, on the other hand, is characterized as illegal on the same grounds.

What the Syrian case highlights, therefore, is that in contrast to the immediate post-Cold War period, in which ideas like Responsibility to Protect gained legitimacy – signalling an international willingness to acknowledge the limits of sovereignty – the past two decades have witnessed a resurgence of harder-edged views of sovereignty as an inviolable feature of stateness. This shift has gone hand-in-hand with the growing influence of authoritarian regimes in the international system and the rise of nativist-populist political forces around the world, including in the US and among EU member states. It has been accompanied, as well, by a declining commitment to norms of democratization among Western states, a factor that Howard and Stark argue has depressed the likelihood that a civil war will end with a negotiated settlement (2017/2018:127).

Like the case of Bahrain explored by Simon Mabon in this special feature (2020), what the Syrian case represents is a conflict in which internal dynamics mitigating against power-sharing have converged with shifts in the international system that reinforce domestic factors. It is possible, if not likely, that no power-sharing agreement would be reached in Syria even in the absence of these shifts. Their presence makes such an outcome even more remote than might otherwise have been the case.

Nonetheless, the Syrian conflict is not over, and it is not yet possible entirely to rule out a power-sharing agreement of some kind. In fact, Syria's experience offers some useful insights into how non-negotiated, imposed power-sharing frameworks might emerge as the result of external intervention in a protracted civil war. Such an outcome would not be unique to Syria. The international system is full of hybrid forms of imposed power-sharing that cannot be ruled out as possible features of an outcome in the Syrian case. Perhaps the most common are imposed, coercive, or *de facto* forms of power-sharing, in which external actors engage with local authorities directly and against the wishes of a recognized central government.

We see many different forms of this kind of power-sharing in the international system. At one end of the spectrum is the continued recognition of states or territories whose sovereignty is contested by other governments. This includes Taiwan and Northern Cyprus, which in most respects behave as sovereign states yet acknowledge that their status as such is anomalous and subject to change in the future. Further along the spectrum are cases like the Kurdish region of Iraq, where the scope of direct engagement between outside powers and local authorities exceeds what might be expected on the basis of Iraq's constitutional arrangement which extends elements of self-rule to Kurdish authorities. Even further along the spectrum are cases in which third parties recognize and engage with forces challenging a recognized government. This has occurred in the cases of Venezuela, Kosovo prior to its independence, and with international recognition of the Syrian opposition as 'a' representative but not 'the' representative of the Syrian people.

Are such cases truly examples of power-sharing? One feature that might assist in answering this question includes whether external actors implicitly or explicitly recognize a local authority as representing a legitimate source of governance. Extending elements of sovereignty to a local or regional actor whose legitimacy is rejected by the recognized sovereign government can produce imposed or coercive forms of power-sharing. In such arrangements, the recognized government is excluded from a given territory and forced to accept, if not to acknowledge as lawful or legitimate, that a local authority is acting as a sovereign within the space it controls. A second core distinction might arise in cases where an external actor invests heavily in state-building and governance activities within a territory that is nominally under the authority of a recognized sovereign government. Turkey's role in northern Syria may be a case in point. The Turkish government has invested in building health, education, security, communications, and finance infrastructure in the areas of Syria it now controls. The long-term intentions of the Turkish government in making these investments are not entirely clear. How long Turkey might remain in Syria is anyone's guess. Yet over time, we may see forms of local governance emerge that acquire the features of a regional authority with which the Assad regime will be forced to contend.

An Open-Ended Denouement

Syria's civil war is unlikely to be the exception that proves the rule. An ethno-sectarian conflict in which an authoritarian regime led by a sectarian minority is on the cusp of military victory is a poor candidate for a negotiated political settlement. Yet as I have tried to show, the strategic choices that confront a likely victor, even in circumstances such as Syria's, are not necessarily cut-and-dried. If a changing international landscape has empowered the regime and weakened its opponents, there remain factors in play that could compel the regime's compliance with demands for power-sharing, despite its resistance. Both the Assad regime and its external patrons will pay a high price for their unwillingness to engage more seriously with international efforts to secure a power-sharing deal of some sort. The uncertain implications of the Covid-19 pandemic may further increase pressure on the regime to respond to external pressures for a political settlement. And, as of mid-2020, we cannot rule out either the possibility that Turkey will succeed in imposing a power-sharing deal as its price for withdrawal from the territories it occupies in northwest Syria, or that the Kurdish PYD will extract a measure of self-rule in exchange for acceptance of the regime's sovereignty over Syria's northeastern territory. Should economic conditions become sufficiently dire, Russia may also become more responsive to the EU's demands for a meaningful political transition as the trade-off for critical financial aid. However unlikely these possibilities may be, they highlight the more complex strategic context that is shaping the decisions of combatants about the costs and benefits of power-sharing arrangements, and they underscore the importance of taking into

account how conflict contexts have changed when analysing and theorizing about the likelihood of such outcomes.

Notes

[1] On Turkish governance in northwest Syria, see Yesiltas *et al*. 2017.

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