

UK: Labour right lines up with government over Syria bombing

Chris Marsden
17 April 2018

Today's emergency debate reaffirming the convention that Parliament should approve military interventions takes place after Prime Minister Theresa May yesterday defended her decision to participate in the April 14 US-led bombing of Syria.

Labour Party leader Jeremy Corbyn secured the debate on the need for parliamentary approval "before committing UK forces to pre-meditated, hostile, military action overseas" after May refused to recall Parliament from its Easter recess to discuss Syria.

Corbyn's appeal stated that Parliament did not have the opportunity to question the government on the legal and evidential basis for the UK's participation and why it acted before the ongoing inspection by the Organisation for the Prohibition of Chemical Weapons (OPCW) in Douma had concluded.

Given that "these strikes have been explicitly presented—both by the government and by the United States—as a precursor to even stronger intervention against the Syrian regime if they judge that to be necessary," this "sets a precedent for potential and much more dangerous future action, not just in Syria, but in other countries where similar situations may arise."

Yesterday May faced widespread criticism, but largely for having failed to recall Parliament rather than any substantive opposition to the illegal action taken by the US, France and the UK—based on unproven allegations of the use of chemical weapons by the Syrian government.

On the Labour benches, Corbyn was alone in raising the substantive points contained in legal advice commissioned by the party, rejecting the government's justification for war. His closest allies were silent, leaving the Blairite wing of the party to dominate the debate. They either back May unequivocally against Corbyn's criticisms—Liz Kendall, Mike Gapes, Chris Leslie, John Woodcock—or complained of the lack of consultation—Hilary Benn, Yvette Cooper, Jess Phillips—on a decision they nevertheless agreed with.

The same position of qualified support was taken by Scottish National Party leader Ian Blackford and Vince

Cable of the Liberal Democrats—who wanted to know when the next strikes would be mounted.

Separating off the issue of securing parliamentary approval from the attack on Syria is bogus. It is a means of restoring Parliament's tattered democratic credentials while allowing MPs to back criminal acts of aggression.

May did not recall Parliament because she could not afford any discussion on an action that was opposed overwhelmingly by working people and on a pretext that few believed. That is why, almost immediately after the rocket attack, the government was stressing its limited character and published the legal advice on which the decision was supposedly taken.

Attorney General Jeremy Wright presented his legal advice to the cabinet last Thursday. The government published a summary stressing that its aim was to "alleviate the extreme humanitarian suffering of the Syrian people by degrading the Syrian regime's chemical weapons capability and deterring their further use, following the chemical weapons attack in Douma on 7 April 2018."

Wright's argument essentially consisted of the disputed claim that the Bashar al-Assad regime had a history of using chemical weapons, meaning that no proof of their use in Douma or of its responsibility was required. Given this unproven "war crime and a crime against humanity," the UK was therefore "permitted under international law, on an exceptional basis, to take measures in order to alleviate overwhelming humanitarian suffering."

The supposed legal basis was to be established with reference to three conditions:

Convincing evidence, generally accepted by the international community as a whole, of extreme humanitarian distress on a large scale, requiring immediate and urgent relief;

No practicable alternative to the use of force if lives are to be saved;

The proposed use of force being necessary and

proportionate and limited in time and in scope.

Defining the missile strike as “urgent and limited” action meant that an act of war could be carried out without recalling Parliament while not openly rejecting the convention set since 2003, when Tony Blair’s Labour government sought and won the approval of the Commons for war against Iraq.

This argument was so legally unsound that its only public backers were the Blairite advocates of “humanitarian war,” Lord Falconer and Lord Goldsmith—the man who infamously advised Blair on the legality of the Iraq war.

Prior to yesterday’s debate Tom Watson, the deputy Labour leader, released a five-page legal opinion arguing that the Syria airstrikes were illegal because there is no such argument for humanitarian intervention.

Dapo Akande, professor of public international law at Oxford University, insisted:

- Neither the UN charter nor customary international law permits military action on the basis of the doctrine of humanitarian intervention and the UK is one of very few states that advocates for such a legal principle.

- No customary international law rule prevails over the United Nations charter prohibiting the use of force.

- Establishing a doctrine of humanitarian intervention would allow for individual assessments by states of when force was necessary and open the door for abuse.

- Even if there was a doctrine of humanitarian intervention in international law, the strikes against Syria do not meet the three tests arbitrarily set out by the government.

May’s speech was a reiteration of her previous assertions and lies:

The UK had needed to act rapidly to stop the possibility of further attacks. Corbyn’s criticisms, including his arguments that diplomatic efforts had not been exhausted, ignored the fact that Syria had broken a 2013 agreement to dismantle its chemical weapons programme—making it necessary to swiftly carry out “a limited, targeted strike on a legal basis that has been used before.”

Making clear that, despite her denials, she was seeking to reassert the right to pursue war without parliamentary approval, May stressed, “We have always been clear that the government has the right to act quickly in the national interest.”

Whereas it was “Parliament’s responsibility to hold me to account,” she insisted, it could not be trusted to deliver the correct verdict because this “was a decision that required the evaluation of intelligence and information, much of which was of a nature that could not be shared with Parliament.”

This statement is the very negation of democracy. If MPs have no right to a say on war because they are not privy to state secrets, then neither is the electorate to be allowed to intrude on actions with the gravest consequences supposedly taken in their name and in their interests.

Later in the debate, May made clear that her “secret intelligence” implicating the Syrian government consisted of social media posts by the Islamist opposition: “Open source accounts [stating] that barrel bombs were used to deliver the chemicals. Barrel bombs are usually delivered by helicopters. ... The Opposition does not operate helicopters or use barrel bombs.”

This is from a government that constantly denounces social media as the source of “fake news” that must be censored.

Given the deeply reactionary implications of May’s speech, the flouting of democracy and, above all, the acute dangers of war with Russia posed by the bombing of Syria, Corbyn made politically damaging points.

A debate should have been held: “The prime minister is accountable to this parliament, not to the whims of the US president.” The basis of her decision was “legally questionable,” especially given that it was not yet confirmed that the Assad regime had launched the Douma attack. The government was hypocritical, given its support, including the sale of arms, for Saudi Arabia’s brutal military operations in Yemen.

Diplomacy was required, not an escalation of an “abhorrent conflict.” Britain needed a War Powers Act mandating that the prime minister must have parliamentary approval on future military actions.

However, the debate made clear that Corbyn heads a party in which a substantial number of MPs would have backed the government had a vote been taken and given May the majority she needed. While Corbyn and his supporters such as Shadow Chancellor John McDonnell accommodate the warmongers in their own party, securing the right of Parliament to determine military action is a pyrrhic victory.



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