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BASHAR'S MOMENT OF TRUTH

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On October 21, German investigator Detlev Mehlis submitted to the UN Security Council his interim report on the assassination of former Lebanese Prime Minister Rafiq al-Hariri. The report, which accuses the Syrian authorities of being behind the murder and of subsequently trying to sabotage the investigation, has caused the ground to tremble in Damascus.

According to the Mehlis Report, senior Syrian figures, led by Bashar's brother, Maher, and his brother-in-law, Asaf Shawkat, organized the killing of Hariri. Shawkat is head of Military Security, the more important internal security organ in the state, and he acts as Bashar's right-hand man in all matters connected with the security and survival of the regime. The Report also implicated other senior personalities, especially Foreign Minister Farouq ash-Shar'a, who were accused of covering up the truth and giving false testimony to Mehlis.

The Report provoked strong reactions in the international community, especially in London, Paris and Washington. The Security Council was convened for an emergency discussion and will meet again next week, at the level of foreign ministers. The United States, Britain and France

have served notice that they will press for sanctions on Syria unless it cooperates fully with the continuing investigation and have even raised the possibility of demanding the extradition of the suspects mentioned in the Report so that they can be interrogated and perhaps even put on trial. But while the Mehlis Report gives the U.S. additional leverage to tighten the pressure on Bashar, it is not yet the proverbial "smoking gun." For one thing, it is only an interim report, and many others in addition to Damascus are therefore warning against premature conclusions and decisive actions before the publication of the final report in mid-December. Although Mehlis insisted that he is in no doubt about the involvement of senior Syrian personalities in Hariri's murder, there are as yet insufficient grounds for formal indictment and conviction; solid evidence still needs to be collected.

Besides, the Syrians can always try to blame lower-level security officials for acting without proper authority. Indeed, that "defense" may lie behind the surprising suicide of the Syrian Interior Minister, Ghazi Kena'an, who served for three decades as Syria's pro-consul in Lebanon and who has been mentioned either as an

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accomplice in the killing or as someone who feared that he would be singled out as the fall-guy for it. A week before Mehlis issued his report, Kena'an was found dead in his office. The Syrian authorities claimed that he took his own life, and it will not be difficult in the future to pin the blame for Hariri's murder on him.

One way or another, Syria still has time to play out this drama. But while Bashar must choose what role he wants to play in the future, he is already reaping the rewards of his past mistakes. He could have avoided his current dilemma if he had not allowed relations with the United States to deteriorate so badly following the American invasion of Iraq in spring 2003; the crisis in Syrian-American relations is a result of the support that Bashar gave and continues to give, according to the Americans, to terrorists operating in Iraq. He could have avoided the loss of Syrian control in Lebanon if he had refrained from forcing Lebanese politicians to extend Emile Lahoud's term of office as President of Lebanon in September 2004. And he could have reached an understanding with America and Europe at a much lower cost and extricated himself from the crisis. But Bashar missed all these opportunities and the cost of any deal with the U.S. now may be beyond his capacity to pay.

Moreover, Bashar shows no sign of any willingness to make such a deal. Instead, he continues to misread the regional and international map and apparently dismisses the possibility that the Americans will really act vigorously against him. Alternatively, he may believe that the same uncompromising posture that enabled his father to survive the trials of the 1970s and 1980s will serve him just as well.

But Bashar is not the only one facing a dilemma. For while Assad's regime may be weak, it will

probably not collapse in the absence of forceful American intervention of the sort that brought about the fall of Saddam Hussein. And it is far from clear that George W. Bush will launch another military adventure in the Middle East before he extricates himself from Iraq. Moreover, the U.S. has no obvious preferred alternative to Bashar in Syria.

It is true that opposition elements in Syria and abroad recently issued the "Damascus Declaration," which called for the establishment of a democratic government. But those elements lack any real weight in the Syrian body politic and it is difficult to imagine them seizing power from the current regime. And if the only way to bring down Bashar is through American military force, that raises the prospect of a repetition of the situation in Iraq: disintegration of the state, security and governmental anarchy, strengthening of fundamentalist elements in society, and the intensification of al-Qaeda-type terrorism without limits and without borders.

In light of this reality, American reservations about a decisive, unilateral action against Syria are readily understood. But while Washington would prefer that Bashar change his behavior rather than depart the scene, there is little reason to expect that he will adopt either of those options. In the coming weeks, the American administration will be wracked by uncertainty about how to act with respect to Syria. But whatever the outcome of its deliberations, it is likely that the fate of the regime in Damascus is no longer in the hands of the President of Syria but instead depends on the decisions of the President of the United States.

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