

THE CASE OF KOBANE (2014 - 2015): AN ETHICAL ANALYSIS OF THE INTERNATIONAL COMMUNITY’S [IN]ACTIONS

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Received: August 25, 2021

Accepted for publication: November 29, 2021

Abstract: The contemporary world is riddled with numerous active regional conflicts (i.e. the situation in Syria, the developments in Iraq, the Nagorno-Karabakh conflict, Kashmir, failed states like Libya, Mali, Somalia, etc.) in which the global and regional actors are deeply involved. These crises lead to population displacements, refugees, and can even become a recruitment pool for extremist and terrorist groups. There are currently around 23 million migrants living in Europe, many of whom left their country not because of economic reasons, but because of the risks to their life. The migration trend to EU countries remains stable, with no signs of slowing down, the main driving force being the insecurity caused by armed conflicts. This paper analyzes the case of Kobane and argues, using a just war theory framework, why it is necessary for the international community to defend the fundamental rights of a community (in this case, a minority group) against abuses from a terrorist group that had not only demonstrated its combat capability, but also had been known to subject the residents of the conquered areas to inhuman treatments. The goal of this research is to explain why it is a necessity for the international community to act before the situation on the ground reaches the point that the vulnerable communities face annihilation, before the conflict reaches a tipping point that triggers mass human displacements and migrations, transforming people into victims.

Keywords: intervention, ISIS, Kobane, Syria, terrorism, just war theory



Rezumat: Lumea contemporană este plină de numeroase conflicte regionale active (ex. situația din Siria, evoluțiile din Irak, conflictul Nagorno-Karabah, Kashmir, state eșuate ca Libia, Mali, Somalia și exemple pot continua), în care actorii globali și regionali sunt adânc implicați. Aceste crize conduc la strămutări de populație, refugiați și pot deveni un bazin de recrutare pentru grupurile extremiste și teroriste. În prezent, în jur de 23 de milioane de migranți trăiesc în Europa, mulți dintre ei fiind forțați să își părăsească țara nu din motive economice, ci din cauza riscurilor la adresa vieții lor. Trendul de migrație către Europa rămâne constant, fără a da semne de descreștere, fiind determinat în principal de insecuritatea cauzată de conflictele armate. Acest articol analizează exemplul Kobane și argumentează, utilizând teoria războiului just de ce, în anumite

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momente, este necesar ca comunitatea internațională să apere drepturile fundamentale ale unei comunități (în acest caz, este implicată o minoritate etnică) împotriva abuzurilor unui grup terorist care își demonstrase deja capacitățile de luptă, dar și tratamentul inuman la care erau supuși rezidenții teritoriilor cucerite. Scopul cercetării este să explice de ce este necesar pentru comunitatea internațională să acționeze înainte ca situația din teren să ajungă în punctul în care întreaga existență a unei comunități este periclitată – punct în care un conflict va crea persoane strămutate și migranți aflați într-o stare acută de vulnerabilitate.

Cuvinte cheie: intervenție, ISIS, Kobane, Siria, terorism, teoria războiului just

I. Introduction

The contemporary world is a dynamic one, “the new normal” being characterized by an ever-changing security environment in which the international actors consolidate their alliances, cooperate with other powers on some subjects, or find themselves in heavy competition with others. This type of context creates situations like Kobane, where the international community¹ does not do “what is right” because those at the top, the states with influence do not have an immediate (self-)interest to intervene. Why should they intervene? Because it is just, it is the right thing to do and, moreover, it is ethical. For example, in the unfolding situation from Belarus, the government from Minsk was using the migrants from Syria and Iraq as a weapon against the European Union member states². The narrative used in the media is double-edged, although the Lukashenko government was blamed for the situation, the migrants were themselves considered perpetrators and not the victims that they were.

Rooted in a just war theory framework, the analysis of the case of Kobane allow us to understand what course of action the international community should take when defending the defenseless, so that the speeches rooted in a human rights approach are not limited only to the performative realm. After all, as we can find on the United Nations website:

¹ In this paper, the term “International Community” will be used to refer to the UN bodies and the countries that are part of NATO, the European Union as well as other like-minded countries.

² The situation from the Polish-Belarusian Border is updated on the *BBC* website: *BBC News*, “Belarus migrants: EU accuses Lukashenko of gangster-style abuse”, November 9, 2021, <https://www.bbc.com/news/world-europe-59215769>, accessed November 14, 2021.

“The United Nations is an international organization founded in 1945. Currently made up of 193 Member States, the UN and its work are guided by the purposes and principles contained in its founding Charter. The UN has evolved over the years to keep pace with a rapidly changing world. But one thing has stayed the same: it remains the one place on Earth where all the world’s nations can gather together, discuss common problems, and find shared solutions that benefit all of humanity.”³

Moreover, the Secretary-General states: “In the end, it comes down to values [...] We want the world our children inherit to be defined by the values enshrined in the UN Charter: peace, justice, respect, human rights, tolerance and solidarity.”⁴ If these are the principles that govern the international community, it means that it is within its purview to defend the fundamental rights of a community (in this case, the inhabitants of Kobane also happen to be part of a minority group) against abuses from a terrorist group that managed to sweep up the territories from two sovereign countries.

The research objectives seek to explain the argument behind why it is *ethical* for the international community to act in defense of the defenseless; to prevent conflict escalation; to prevent the displacement of people; to intervene when the state on whose territory the abuses take place proves to be either unable or unwilling. The current study analyzes the relevant theories regarding the issue of intervention in war/conflict, developing a methodology that will be used to argue that apart from the self-interest of an agent, there are cases/situations that require an intervention in the name of the greater good, which, in the end, will benefit the whole community, at regional and international level. As mentioned earlier, the research will use a just war theoretical framework to provide a more detailed analysis. Specific sections of the analysis will focus on: aspects of utilitarianism; the presentation of the Kobane case so that we arrive at a clear picture of the situation and be able to assess the character of the [in]actions on the part of the international community; the theoretical arguments for intervention; the just war theory; the aftermath of the Kobane siege (it will include the analysis of the effects of the Trump policy for the Middle East); and concluding remarks. The research works on shedding light on similar situations where an interventionist course of action might have been required instead of non-action followed by post-conflict investigations.

³ ***, “About Us”, United Nations, <https://www.un.org/en/about-us/member-states>, accessed November 14, 2021.

⁴ Ibid.

II. The Utilitarian Point of View

This section of the article explores the arguments of author Thomas Nagel in the essay *War and Massacre* (though completed in 1971, the aspects identified by Nagel remain current even where contemporary conflicts are concerned). The article analyzes two categories of moral judgment, namely utilitarian and absolutist. Following the logic of utilitarianism, he says that:

“one should try, either individually or through institutions, to maximize good and minimize evil (the definitions of these categories need not enter into the schematic formulation of the view) and that if faced with the possibility of preventing a great evil by producing a lesser, one should choose the lesser evil”⁵.

This approach raises many ethical challenges when there are no clearly defined moral intentions. Despite this, “[u]tilitarianism certainly justifies some restrictions on the conduct of war”⁶, the main ones being related to the prevention of actions with disastrous effects. While this study does not intend to define what the greatest or least evil refer to, I will point out that in the case of Kobane, the purpose of the intervention would have been to prevent atrocities, therefore justifying the intervention from the point of view of utilitarianism. Non-intervention can lead to massacres, genocides, population displacement, refugee problems, family separations, food unavailability, breakdown in social services, lack of access to education and medical services, etc. Lack of intervention can create captive populations under the control of terror groups, victims who will be forced to integrate into the aggressor’s construct and even coerced to fight. Thus, non-intervention can enable the appearance/manifestation of Nagel’s greatest evil.

It is important to pay proper attention to the actions taken or not taken by various actors and assume responsibility for the results, because many times the lesser evil can turn into the greater evil. An entity assisted at a certain time on humanitarian grounds, can change from victim to perpetrator⁷. To prevent the

⁵ Thomas Nagel, “War and Massacre”, *Philosophy & Public Affairs* 1, no. 2 (Winter 1972): 125 .

⁶ Ibid.

⁷ The case of Iraq is eloquent, after 2003, the country’s new Shia leadership started a campaign of targeted abuses against the Sunni community. A useful analysis in this regard can be read in Priynka Boghani’s article, “In Their Own Words: Sunnis on Their Treatment in Maliki’s Iraq”, *PBS*, October 28, 2014, <https://www.pbs.org/wgbh/frontline/article/in-their-own-words-sunnis-on-their-treatment-in-malikis-iraq/>, accessed on November 20, 2021.

development of such situations, follow-up is needed from the international community.

In the category of absolutist moral judgments, Nagel mentions pacifism in the first instance: “the view that one may not kill another person under any circumstances, no matter what good would be achieved or evil averted thereby”⁸. The author does not support this approach, since it is overall untenable, both in times of peace and conflict. From my point of view, intervention is imperative when the free will of one party is trampled upon, and as a result, action becomes a necessity.

III. The Siege of Kobane

This section will present the case of Kobane. The reason why I have chosen this example is that I closely monitored it because of my professional responsibilities and, as such, I have a good understanding of the situation. There are many other good examples that show us when the international community failed to meet its responsibilities, such as the case of Sinjar⁹, Iraq.

The siege of the Syrian city of Kobane / Ayn Al Arab by the Islamic State of Iraq and Levant / ISIS / DAESH began on September 15, 2014, and ended when the Syrian Kurdish forces managed to liberate the city in January 2015. The rest of the rural area around the city was not liberated until March 20, 2020. The fighting took place between the Islamic State, on the one hand, and the

⁸ Nagel, *War*, 126.

⁹ As per the Human Rights Council’s report from June 2016, “They came to destroy: ISIS Crimes Against the Yazidis”, “ISIS has committed the crime of genocide as well as multiple crimes against humanity and war crimes against the Yazidis, thousands of whom are held captive in the Syrian Arab Republic where they are subjected to almost unimaginable horrors. ISIS has sought to destroy the Yazidis through killings; sexual slavery, enslavement, torture and inhuman and degrading treatment and forcible transfer causing serious bodily and mental harm; the infliction of conditions of life that bring about a slow death; the imposition of measures to prevent Yazidi children from being born, including forced conversion of adults, the separation of Yazidi men and women, and mental trauma; and the transfer of Yazidi children from their own families and placing them with ISIS fighters, thereby cutting them off from beliefs and practices of their own religious community, and erasing their identity as Yazidis. The public statements and conduct of ISIS and its fighters clearly demonstrate that ISIS intended to destroy the Yazidis of Sinjar, composing the majority of the world’s Yazidi population, in whole or in part.” (Human Rights Council, “They came to destroy: ISIS Crimes Against the Yazidis”, June 2016 https://www.ohchr.org/Documents/HRBodies/HRCouncil/CoISyria/A_HRC_32_CRP.2_en.pdf, accessed on November 14, 2021). The events started in August 2014 and the Sinjar area has been liberated since November 2015.

YPG (People’s Protection Units) and YPJ (Women’s Protection Units), on the other. The conquest of the Kobane area, located on the border between Syria and Turkey, was a strategic objective for the Islamic State because the area could be used to gain easy access to Turkey, that will allow the terrorist group to infiltrate militants and smuggle contraband¹⁰. In the context of this episode of the Syrian conflict, about 400,000 people took refuge or were displaced, and dozens of civilians were killed and injured. The number of forces engaged on each side varied: Kurdish forces had about 1,500 - 2,000 fighters, and DAESH about 9,000 fighters. The weapons used by the terrorist group were far superior (rifles, mortars, rockets, IEDs, anti-tank and anti-aircraft guided weapons, surface-to-surface rockets, and other light weapons). By comparison, the Kurds had only light weapons at their disposal, and from September 27, 2014, they also benefited from the support of the US-led international coalition, which carried out airstrikes on DAESH targets¹¹.

The fighting started on September 15, 2014, and on September 18, 2014, the civilians began to evacuate the city. In four days of evacuation, over 130,000 people entered Turkey. On September 27, 2014, the US launched the first strikes against DAESH, the continued strikes against the terrorist group targets provided the necessary support to the Kurdish forces to go on the offensive and regain strategic territories used by DAESH to attack civilians that had taken refuge on the border with Turkey. On January 26, 2015, DAESH was removed from Kobane, but the group managed to carry out attacks until the second half of March 2015, when the last cells of militants were eliminated. By January 2015, about 400,000 refugees had arrived in Turkey, and from there, most had taken refuge in the Duhok area of the Kurdistan Region, in Iraq, in camps set up by the Kurdistan Regional Government and UN agencies¹².

I need to underline that the intervention of the US forces in the Kobane crisis came after images with a profound emotional impact were shown on mainstream and alternate media, leading to a widespread international public outcry that helped publicize this humanitarian crisis. After the Western countries failed to initially support any relevant party in the Syrian crisis with an anti-

¹⁰ Data obtained in my professional capacity.

¹¹ BBC News, “Battle for Kobane: Key events”, June 25, 2015, <https://www.bbc.com/news/world-middle-east-29688108>, accessed on July 20, 2021.

¹² Data obtained in professional capacity, after I participated in several meetings organized by the authorities of the Kurdistan Region, as well as by the United Nations Assistance Mission for Iraq, Erbil Office, where I was able to gain a better understanding of the Syrian refugee crisis.

Assad agenda, the intervention on behalf of Syrian Kurds was an adequate decision.

For an easier understanding of the Kobane case, the position of the international community and of the major actors will be presented next. As noted earlier, initially, DAESH attacks triggered no immediate reaction; but as pressure from the international civil society mounted, US launched air strikes against DAESH targets (in order to keep in line with Turkish requests, US avoided to provide weapons to Syrian Kurdish forces in order to prevent the hardware from falling into PKK hands, and that affected the combat readiness of the Kurds). The Free Syrian Army sent a limited number of forces and the Iraqi Kurdish Peshmerga also sent ground troops (the KDP – Kurdistan Democratic Party – Peshmerga fighters were sidelined because of the lack of trust between YPG / YPJ and the Barzani family, and also because of the failure of KDP Peshmerga to protect the Yazidi community in Sinjar). Additionally, the Kurdistan Regional Government from Erbil took in an important number of Syrian Kurdish refugees from Kobane. Meanwhile, the Turkish government after Western and domestic popular pressure, allowed Kurdish refugees to move from the Syrian side to the Turkish side of the border, but not before stating that they needed to make a thorough verification of the admitted persons in order to prevent PKK infiltration. Finally, at the international level, UN agencies and international NGOs provided food and shelter¹³.

IV. Theoretical Arguments for Intervention

Next, the analysis will present the theoretical arguments regarding the context that ethically requires the intervention of the international community, specifically, the conditions when it is necessary for international forces (under the auspices of the UN, NATO, or some other regional multilateral format) to intervene in order to prevent a humanitarian crisis with all that it entails (human right abuses, population displacement, breakdown in social services). The research framework will apply these criteria to the situation in Kobane and draw the relevant conclusions. The analysis has a constructive approach, setting benchmarks with regard to when it is ethically necessary to intervene to protect a community in need.

¹³ Thomas Mcgee, “Mapping action and identity in the Kobani crisis response”, *Kurdish Studies* 4, no. 1 (2016): 51-77.

For contextualization purposes, we note that the beginning of the conflict in Syria in the context of the “Arab Spring” was to some extent expected by Western states, after the events in Tunisia, Libya, and Egypt. Among young people, the general state was one of euphoria and appreciation, hoping that this trend will spread to all Arab states ruled by authoritarian regimes, as well as to the monarchical ones. Syria is not a country rich in natural resources, such as oil and gas, resources which had been the main source of strife in most Arab states from the Middle East and North Africa region. Moreover, the Syrian regime did not necessarily have an open attitude, leading itself to cooperation with Western states, having often confounded the agendas of European states, especially in Lebanon, where its support for local actors (especially Hezbollah) created tensions and political instability. Until 2015, the Russian Federation had adopted a particularly expectant attitude, offering limited support to the Syrian regime and seeking to protect its military base in Tartous. By 2015, it became clear that the US and other Western states did not have a clear agenda. In the second half of 2015, after the US presidential campaign tilted in favor of Donald Trump, who had declared support for the exit of US forces from the Middle East, Moscow saw that it was the right time to step up its presence and become an international player with the capacity to mediate regional conflicts. Thus, the Russian Federation intensified the cooperation with the Syrian regime and executed a series of attacks on DAESH targets, becoming an important pillar for the survival of the Syrian regime and putting itself in a favorable position to negotiate and promote its own agenda regarding the outcome of the crisis.

In the study *War and Peace*, author Jeff McMahan discussing the ethics behind the use of violence in war, analyzes “the theory behind most national security policies and discuss[es] some alternatives whereby ethical principles should play a prominent role in formulating these policies”¹⁴. He also examines the justification for resorting to violence and killing in time of war and examines the arguments that support the idea of limits on the violence allowed in these circumstances¹⁵. The need for these analyses resides in the fact that the government’s security policies should rely upon some type of grounded theory and be based on ethical principles. A series of arguments from the mentioned article further enable us to understand the author’s intention in establishing a set of ethical principles that this article examines below.

¹⁴ Jeff McMahan, „Război și pace”, in *Tratat de etică*, coord. Peter Singer (Iași: Polirom, 1991), 414.

¹⁵ Ibid.

According to McMahan’s article, just war theory is “a middle position between realism and pacifism”¹⁶. To facilitate the understanding of this theory, I will summarize the core ideas of realism and pacifism: realism stipulates that “moral norms do not apply to foreign policy, which should be guided by concern for the national interest”¹⁷; while from the perspective of pacifism, war “is never justified”¹⁸. As such, just war theory:

“provides arguments for the use of violence in war that do not contradict either the common-sense justifications for the use of violence by individuals or the justifications for the use of violence by states in the internal defense of rights. Just as the violence used by the police forces can be legitimate provided that it serves just and well-defined purposes, so the use of violence by external threats by states can be legitimate if the aims are just and the means are subject to limitations.”¹⁹.

The Kobane case gives us a concrete example of a situation where there was a real, imminent threat, external in nature (considering that DAESH was created in Iraq and the leadership comprised mostly of Iraqis), and where the intervention was meant to ensure first and foremost the right to life, followed by the right to property, the right to education and other fundamental rights arising from coexistence in a peaceful community. The actions taken were subject to limitations determined by the rules of engagement, already defined for the intervention of the international coalition in Syria and Iraq.

McMahan analyzes the two components of the just war theory, namely the theory of goals (*jus ad bellum*) and the theory of means (*jus in bello*). For the purpose of the present paper, it is useful to know the main component of *jus ad bellum* theory, namely “the requirement that war be started for a just cause”²⁰. Such a cause could include the defense of another state against unjustified external aggression. In the present case, the victim is not a state, but a minority group, that the governmental authorities failed to protect. This aspect does not diminish the need for intervention, taking into account the fact that nowadays, more and more non-state actors have acquired powers comparable to those of states (the actions of terrorist groups in Africa, the Middle East, Southeast Asia, of organized crime groups in South America, or of paramilitary groups in some

¹⁶ Ibid., 416.

¹⁷ Ibid., 414.

¹⁸ Ibid., 415.

¹⁹ Ibid., 416.

²⁰ Ibid., 416-417.

US states could be invoked in support of an interventionist argument against any type of organization that deliberately carries out acts of aggression against a state or community). In the present case, ISIS had a systematic agenda of extermination against all those who opposed it and so, the terrorist organization needed to make examples of them to show its strength. Kobane could have been a useful situation to further this goal, only it failed. DAESH's actions on the ground created the right conditions for an international intervention to be carried out.

Another cause that falls under the incidence of *jus ad bellum* has to do with the recovery of rights. McMahan does not identify those instances when it is justified to act for the recovery of rights, but looking at the rights that the Kobane residents lost on account of DAESH actions, we can identify which rights had been infringed upon: the rights to life, to security and safety, education, health, property, etc. In the context created by DAESH, the present analysis finds that the ethical requirement for justifying the intervention of the international community to restore the rights of the Kurdish community is met.

In analyzing the two just war causes identified – punishing aggression and defending fundamental human rights, the author makes a reference to the requirement of discrimination which states that it is acceptable to kill when a person is attacked, when their right to life is endangered. In the present case, the aggressor (DAESH), through its actions, consciously affected the right to life of the inhabitants of Kobane. In addition to infringing upon their right to life, the right to live in a safe environment had also been jeopardized, with terrorist acts causing a state of perpetual fear among the community, not only in Kobane but also in the rest of the territories controlled by this group.

The interventionist argument advanced in this paper states that it is important to address the instances where acts of aggression take place whereby we refers to those situations in which a person/group/community is under attack by a perpetrator that had no right/need/justification to carry out the attack. Of the requirements underpinning the *jus in bello* theory, the requirement of discrimination applies in the analyzed case, stipulating that: “Force must be used only against those persons who are legitimate targets of attacks”²¹. In other words, any person that inflicts harm becomes a legitimate target for attack in order to prevent them from hurting or killing others.

McMahan argues that the requirement is subject to interpretation because it is necessary to define criteria based on which a person is or is not a legitimate

²¹ Ibid., 417.

target in war, given that in the theatre of war, the distinction “between combatants and non-combatants or between the guilty and the morally innocent”²² is crucial. Although it may involve the creation of complex rules, drawing these distinctions is imperative in order to prevent abuses of power and correctly identify the people who have engaged in acts of violence, who may have been forced under duress by entities/persons to become combatants. I am referring to situations in which territories were occupied by a violent group (as was the case with DAESH) who then proceeded to recruit the men in the community, by blackmailing them or threatening them that they and their families will be killed unless they obeyed. Another relevant situation is that of the children turned into soldiers by DAESH or Boko Haram for example. A UN report²³ issued by the Human Rights Council, from November 14, 2014, is relevant in this sense. The report reflects the fact that DAESH used children in the Kobane battles to carry out suicide attacks against Kurdish targets. Hence why it is crucial to operate with a set of clear criteria when intervening in a crisis that allows the actors to differentiate between different combatants since there are cases in which some were forced to fight. Additionally, actions need to be taken to prevent non-combatants from being killed by armed combatants.

Returning to McMahan’s thesis, the author identifies the following principles:

“Our principles of discrimination are a function 1) of the theory that sets out why violence and killing are normally unacceptable, and 2) of the theory that sets out why, in certain cases, violence and killing are justified. The latter theory establishes not only the cases that justify the use of violence but also how people can become victims of an attack, being linked in one way or another to the reasons for resorting to violence. In short, the theory of justification of violence tells us who the culprits are and who the innocent is – in the sense that they are not related to the motive that justifies entering the war in a way that turns them into potential victims. (For example, if the justification for violence is self-defense, then our theory of self-defense will tell us the culprit and the target of the attack.) Our idea that violence is normally unacceptable will tell us how the distinction between innocent and guilty works for us to limit the violence allowed. The *jus ad bellum* theory provides a justification for the violence and killings that take place in a war. The requirement of discrimination is thus a corollary of *jus ad bellum* theory”²⁴.

²² Ibid., 417.

²³ United Nations Human Rights Council, “Report of the Independent International Commission of Inquiry on the Syrian Arab Republic. Rule of Terror: Living under ISIS in Syria”, November 19, 2014, 11, https://www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/HRC_CRP_ISIS_14Nov2014.doc, accessed on February 02, 2021.

²⁴ McMahan, „Război și pace”, 417.

Analyzing the Kobane case through the framework of self-defense supports the argument that the Western intervention in Kobane was justified because DAESH had declared war on the international community through the social channels it controlled (several statements were posted in the *Dabiq* magazine that was issued by the terrorist group). Meanwhile, the US Secretary of Defense Chuck Hagel referred to DAESH in terms of “a terrorist threat to the civilized world”²⁵. Given that no appropriate measures had been taken to counter the threat posed by DAESH, it had been able to commit terrorist attacks in Western states either through its members or affiliates, further strengthening the interventionist argument. The following list of terrorist attacks is illustrative of this point:

- May 24, 2014, Brussels, Belgium;
- September 23, 2014, Melbourne, Australia;
- October 22, 2014, Ottawa, Canada;
- October 23, 2014, New York, USA;
- May 03, 2015, Garland, USA;
- June 26, 2015, Saint-Quentin-Fallavier, France;
- December 02, 2015, San Bernardino, USA;
- November 02, 2020, Vienna, Austria.

These few examples show that the need for self-defense by eliminating the threat of DAESH was an ethically justified one. As such, one of the means available to the international community was to identify potential allies and support them in their fight against DAESH in order to weaken/destroy the source of the threat. The intervention in Kobane helped the anti-DAESH coalition to develop trust relationships with the anti-DAESH groups on the ground from Syria and Iraq. It also showed that a group of countries was committed to a military engagement for the protection of the vulnerable community.

Neta C. Crawford made a useful analysis of the just war theory regarding the U.S. Counterterror War²⁶ that can also be applied in the case of Kobane. Crawford makes the point that just war theory cannot be used as a checklist or simple code of conduct to justify an intervention: “The just war tradition must

²⁵ Jim Garamone, “Hagel calls ISIL Terrorist threat to Civilized World”, *U.S. Department of Defense*, August 11, 2014, <https://www.defense.gov/Explore/News/Article/Article/603045/hagel-calls-isil-terrorists-threat-to-civilized-world/igphoto/2001897580/igphoto/2001888747/>, accessed on July 21, 2021.

²⁶ Neta C. Crawford, “Just War Theory and the U.S. Counterterror War”, *Perspectives on Politics* 1, no 1 (March 2003): 5-25.

be understood as only a crutch or partial palliative until the underlying pathologies can be understood, prevented, and cured by more powerful medicine.”²⁷ Moreover, in the case of terrorism, one should understand that:

“terrorists have both grievances and political aims (these vary by individual and organization); they are frustrated in achieving these aims, or they believe they are unable to do so through peaceful means. Further, terrorists believe that violence works both short-term and long-term, and that violence is a legitimate tool. All these beliefs have to be addressed.”²⁸

The arguments provided by Neta C. Crawford are important for the analyzed case because it addresses two main issues: 1) wars on terrorist organizations are not useful without a clear, comprehensive agenda that will tackle the grievances and the political aims of the members, if not all, at least as many as possible (their strength is in numbers); and 2) the just war is an intervention which provides temporary relief, exactly what was the case in Kobane, where the international community needed solely to intervene to save lives, and not for reconstruction, or mediation purposes.

Robert E. Goodin argues that “if they are waging a war, then terrorist groups ought to morally be bound by the standards canons commonly recognized at international law as to what constitutes a *just war*”²⁹. The present research tries to underline that the international intervention was ethical under the just war framework because DAESH had broken international law by attacking and killing the residents of Kobane and destroying their properties.

V. Just War Theory

C.A.J. Coady in *The Ethics of Armed Humanitarian Intervention* analyzes war and humanitarian interventions, observing that:

“One thing that emerges [...] is that any argument for humanitarian intervention has to overcome the presumptive case against aggressive war and has to discharge the other requirements of just war theory. This includes attention to the immediate good likely to be achieved and evil averted by intervention set against any violation of rights to self-determination involved, and against the

²⁷ Ibid., 21.

²⁸ Ibid., 20.

²⁹ Robert E. Goodin, *What's Wrong with Terrorism?* (Cambridge: Polity Press, 2006), 21.

consequences for world stability and peace that may be in prospect further down the road. Ethics is not only a matter of calculating consequences, but it does include the calculating of consequences and the weighing of different goods and evils, and just war theory reflects this in its requirements, especially that of proportionality. This should involve regard both for the immediate cause of preventing the current suffering or violation and for what aftermath is likely to ensue, and these two outcomes may well be in tension. A properly considered ethical perspective will always put some restrictions both on genuinely doing good and on “do-gooding”.³⁰

Coady is correct in that there is a need to objectively discern a situation to be able to implement a proportionate response and avoid situations such as the US attack in Afghanistan on a DAESH target, in which the US military used the most powerful non-nuclear bomb against caves that housed elements of the terrorist group³¹. In our analysis, that action was aimed at discouraging rivals of the US (like Russia, China, Iran), not terrorist groups. It was done to show the superior combat capability, which far exceeds the level of development of other states.

The intervention in Kobane was a humanitarian action and had a just cause because it ensured a single important goal, that of protecting members of a community from a terrorist group. The US action did not benefit them, even leading to strained relations with its main strategic partner in the area, namely Turkey. In our analysis, the Syrian Kurds had become relevant to the United States after proving that they were among the most efficient, orderly, organized, and reliable entities active in Syria, with a pro-Western orientation. But the cooperation between the Syrian Kurds and the USA developed post-Kobane, which speaks to the fact that at that time, the concern was less pragmatic in nature, rather it was a humanitarian one, fueled by the pressure of the international opinion. The actions of DAESH were broadcast live and triggered prompt reactions on the part of the people, the NGOs, and the UN, stressing the need for a humanitarian intervention. The statement issued by Staffan de Mistura, the UN Special Representative for Syria, is also relevant in this sense:

“The world has seen with its own eyes the images of what happens when a city in Syria or Iraq is overtaken by the terrorist group called ISIS or Da’esh:

³⁰ C.A.J. Coady, *The Ethics of Armed Humanitarian Intervention* (Washington, DC: United States Institute of Peace, 2002), 23.

³¹ Helene Cooper and Mujib Mashal, “US Drops ‘Mother of All Bombs’ on ISIS Caves in Afghanistan”, *The New York Times*, April 13, 2017, <https://www.nytimes.com/2017/04/13/world/asia/moab-mother-of-all-bombs-afghanistan.html>, accessed July 02, 2021.

massacres, humanitarian tragedies, rapes, horrific violence. The city of Kobane on the northern border of Syria, close to Turkey, has been under siege now for three weeks. There were 400,000 inhabitants. They have been defending themselves – they are all Kurds – they have been defending themselves with great courage. But they are now very close to not being able to do so. They are fighting with normal weapons, whereas ISIS has got tanks and mortars. The international community needs to defend them. The international community cannot sustain another city falling under ISIS. Turkey has been very generous in receiving more than 200,000 of its inhabitants but what is needed now is concrete action. The world, all of us, will regret deeply if ISIS is able to take over a city that has defended itself with courage but is close to not being able to do so. We need to act now.”³²

The UN Special Representative for Syria is the main international authority on the United Nations position, and in his statement, Staffan de Mistura openly stated that the situation in Kobane was a humanitarian crisis. He also highlighted the major disadvantage that the Kurds faced against the terrorist group due to the lack of adequate weaponry. Once again, this statement too supports the conclusion that the intervention in Kobane had a clear, humanitarian justification.

SageMan predicted in 2004 that in the event that:

“the US fails to rebuild Iraq, global jihad will be strengthened, and the US needs to anticipate an increase in terrorist threats. If Iraq can develop a government that meets the needs of its people and lives in prosperity and regains its past glory, it will be a model for the entire Middle East. Iraq is a great opportunity but also a great danger.”³³

The author’s words were uncannily prophetic, US actions inadvertently united terrorist groups in Iraq and even created impromptu alliances between Iran and Al Qaeda, allowing the growth of Shiite extremist groups and the development of Syria’s relations with the Baathists. From a moral point of view, the US intervention in Syria and Iraq was an opportunity to work on its own mistakes and eliminate the entities that were created because of US actions in the first place.

³² United Nations, “Note to Correspondents – Statement attributable to United Nations Special Envoy for Syria, Staffan de Mistura”, Geneva, October 7, 2014, <https://www.un.org/sg/en/content/sg/note-correspondents/2014-10-07/note-correspondents-statement-attributable-united-nations>, accessed July 2, 2021.

³³ Marc SageMan, *Understanding terror networks* (Philadelphia: University of Pennsylvania Press, 2004), 183.

VI. The Aftermath of Kobane

In this section, the focus will be on the analysis of the statements of high-ranking officials on the topic, with the goal being to understand if the intervention in Kobane was just, or whether it was not ethically motivated. The analysis will present the relevant statements of the US representative and the Turkish side. Also, at the end of the section, the study will include a short assessment about what happened to the region during the Trump Administration, in order to paint a fuller picture.

The US intervention was the most significant, reason why the analysis will start with a statement from Secretary of State John Kerry:

“In 2014, the terrorist group Daesh began to seize territory in Syria and Iraq, overrunning major cities and committing atrocities. The United States responded quickly by denouncing these horrific acts and – more importantly – taking coordinated actions to counter them. In September of that year, President Obama mobilized an international coalition, now 66 members strong, to halt and reverse Daesh’s momentum. And that is what we are doing. In the 18 months since, coalition airstrikes have helped to liberate Kobane, Tikrit, Ramadi, and other key cities and towns. We have pushed the terrorists out of 40 percent of the territory that they once controlled in Iraq and 20 percent in Syria. We have degraded their leadership, attacked their revenue sources, and disrupted their supply lines. And currently, we are engaged, as you all know, in a diplomatic initiative aimed at trying to end the war in Syria. That civil war fuels Daesh, and in doing what we are doing now, we are working to further isolate, weaken, and ultimately defeat them. We are working intensively to stop the spread of Daesh and its affiliates within and beyond the region.³⁴”

Apart from the political statement, the American Secretary of State underlined that the involvement in Kobane (as well as in other Iraqi and Syrian cities) provided the background for developing an anti-DAESH coalition and helped, in fact, secure the US interest, which makes the intervention not only moral, but also ethical.

On the Turkish side, vice-chairman of Turkey’s governing AK party, Yasin Aktay, stated: “There is no tragedy in Kobane as cried out by the terrorist PKK [Kurdistan Workers Party]” and that “There is a war between two terrorist

³⁴ John Kerry, “Remarks on Daesh and Genocide”, *U.S. Department of State*, March 17, 2016, <https://2009-2017.state.gov/secretary/remarks/2016/03/254782.htm>, accessed on November 16, 2021.

groups.³⁵ Although the statement was not made by an official of the government, it was made by a representative of the ruling party, which makes it very relevant, when taking into consideration the political situation of Turkey. Afterward, Turkey allowed the refugees to cross the border to the Turkish side, but in fact, Erdogan’s government played a realpolitik game to gain as much as possible from the US government³⁶ while also using the “national interest” card in promoting its agenda.

In order to understand the Middle East’s evolution during the Trump Administration, the words of Ambassador John Bolton, former National Security Advisor of the United States for President Trump, are very relevant:

“War by radical Islamist terrorists against the United States began long before 9/11 and will continue long after. You can like it or not, but it is reality. Donald Trump didn’t like it and acted like it wasn’t true. He opposed “endless wars” in the Middle East but had no coherent plan for what followed withdrawing US forces and effectively abandoning key regional allies as the withdrawal unfolded. Trump liked to say, wrongly, it was all “thousands of miles away.” By contrast, during my time at the White House, I tried to operate in reality, with mixed success.”³⁷

The actions, or more appropriately said the inactions, of the Trump Administration contributed to the current security state of the region, going against US interests and, especially, against humanitarian concerns.

VII. Conclusions

The above arguments were intended to demonstrate that the international community’s intervention in Kobane was justified (although, one can argue that the measures taken were not sufficient and that faster and more effective actions could have been taken) given how important it is in such situations for states to respond to the developing situation on the ground and act in an effective way. The analysis did not insist on the anatomy of DAESH, a group declared

³⁵ BBC News, “Up to 700 trapped in Syrian Kurdish town of Kobane, UN says”, October 10, 2014, <https://www.bbc.com/news/world-middle-east-29570734>, accessed on November 16, 2021.

³⁶ Mark Landler, Anne Barnard, and Eric Schmitt, “Turkish Inaction on ISIS Advance Dismays the U.S.”, *The New York Times*, October 07, 2014, <https://www.nytimes.com/2014/10/08/world/middleeast/isis-syria-coalition-strikes.html>, accessed on November 16, 2021.

³⁷ John Bolton, *The Room Where it Happened* (New York: Simon&Schuster, 2020), 168.

terrorist by the USA since 2004 (following its association with Al Qaeda in Iraq³⁸), against which the fighting took place, noting that the intervention was a proportionate response to the danger posed by the prospects of the terrorist group scoring another territorial gain.

Based on the observations made throughout this analysis, it can be argued that the intervention of the international community is justified when a group is at risk (to the point of extermination) because of its ethnicity, or any other form of discrimination, on account of a much stronger enemy, equipped with superior weapons. Other factors to take into consideration can include strategic considerations: will the conflict create a regional imbalance? When a humanitarian crisis is imminent, preventive actions may be required, especially when the intervention is rooted in self-defense. However, any intervention without adequate limitations can lead to abuses, which is why it is important that once the danger is removed, the forces of the international community withdraw. The weapons while superior, should be relatively proportional to the ones used by the opponent, encouraging combatants to surrender, instead of seeking an eliminationist route since some of the combatants might have been forced to take part in the conflict (through blackmail, by having their families threatened, etc.). Various theoretical arguments can be identified both on the interventionist camp and in terms of the limitations that should be required depending on a case by case basis.

By way of conclusion, the analysis will draw attention to several points regarding US action: President Barack Obama may have chosen to respond to calls from the US public opinion to reduce military involvement abroad and focus on domestic policy, but given that the US plays a vital role in promoting liberal democracy and maintaining a global balance of liberal values, this move ultimately proved to be untenable, especially when considering that China and Russia actively work to become a real counterweight to American influence. In other words, there is no pause to be a global leader, to remain morally dominant, and promote liberal ideas. In instances as the one depicted in this study, the issue is not whether one can intervene, but to intervene *at the right time / in a timely manner*. If an intervention is not possible because the actors prove to be unable or unwilling, they should offer the possibility to those who want to leave that area to do so, providing them with the necessary tools.

³⁸ U.S. Department of State, “Foreign Terrorist Organizations”, <https://www.state.gov/foreign-terrorist-organizations/>, accessed on July 04, 2021.

The contemporary world is global, multipolar, complex, and dynamic. For this reason, it is necessary to define the international values in a concrete way and apply them accordingly. Without constancy and consistency, the international community has a credibility issue, and lack of credibility will depreciate the world's trust in it and nullify the valid merits of its commitments.

REFERENCES

- BBC News. “Belarus migrants: EU accuses Lukashenko of gangster-style abuse”. November 9, 2021. <https://www.bbc.com/news/world-europe-59215769>. Accessed November 14, 2021.
- BBC News. “Battle for Kobane: Key events”, June 25, 2015. <https://www.bbc.com/news/world-middle-east-29688108>. Accessed on July 20, 2021.
- BBC News. “Up to 700 trapped in Syrian Kurdish town of Kobane, UN says”, October 10, 2014. <https://www.bbc.com/news/world-middle-east-29570734>. Accessed on November 16, 2021.
- Boghani, Priyn. “In Their Own Words: Sunnis on Their Treatment in Maliki’s Iraq”, October 28, 2014. <https://www.pbs.org/wgbh/frontline/article/in-their-own-words-sunnis-on-their-treatment-in-malikis-iraq/>. Accessed on November 20, 2021.
- Bolton, John. *The Room Where it Happened*. New York: Simon&Schuster, 2020.
- Coady, C.A.J. *The Ethics of Armed Humanitarian Intervention*. Washington, DC: United States Institute of Peace, 2002.
- Cooper, Helene, and Mujib Mashal. “US Drops ‘Mother of All Bombs’ on ISIS Caves in Afghanistan”, *The New York Times*, April 13, 2017. <https://www.nytimes.com/2017/04/13/world/asia/moab-mother-of-all-bombs-afghanistan.html>. Accessed July 02, 2021.
- Crawford, Neta C. “Just War Theory and the U.S. Counterterror War”. *Perspectives on Politics* 1, no 1 (March 2003): 5-25.
- Garamone, Jim. “Hagel calls ISIL Terrorist threat to Civilized World”. *U.S. Department of Defense*, August 11, 2014. <https://www.defense.gov/Explore/News/Article/Article/603045/hagel-calls-isil-terrorists-threat-to-civilized-world/igphoto/2001897580/igphoto/2001888747/>. Accessed on July 21, 2021.

- Goodin, Robert E. *What's Wrong with Terrorism?* Cambridge: Polity Press, 2006.
- Human Rights Council. “‘They came to destroy’: ISIS Crimes Against the Yazidis”, June 15, 2016. https://www.ohchr.org/Documents/HRBodies/HRCouncil/CoISyria/A_HRC_32_CRP.2_en.pdf. Accessed November 14, 2021.
- Kerry, John. “Remarks on Daesh and Genocide”, *U.S. Department of State*, March 17, 2016. <https://2009-2017.state.gov/secretary/remarks/2016/03/254782.htm>. Accessed on November 16, 2021.
- Landler, Mark, Anne Barnard, and Eric Schmitt. “Turkish Inaction on ISIS Advance Dismays the U.S.”, *The New York Times*, October 07, 2014. <https://www.nytimes.com/2014/10/08/world/middleeast/isis-syria-coalition-strikes.html>. Accessed on November 16, 2021.
- Mcgee, Thomas. “Mapping action and identity in the Kobani crisis response”. *Kurdish Studies* 4, no. 1 (2016): 51-77.
- McMahan, Jeff. „Război și pace”. In *Tratat de etică*, coordinated by Peter Singer, 414-428. Iași: Polirom, 1991.
- Nagel, Thomas. “War and Massacre”. *Philosophy & Public Affairs* 1, no. 2 (Winter 1972): 123-144.
- Sageman, Marc. *Understanding terror networks*. Philadelphia: University of Pennsylvania Press, 2004.
- United Nations. “About us”. <https://www.un.org/en/about-us>. Accessed November 14, 2021.
- United Nations Human Rights Council. “Report of the Independent International Commission of Inquiry on the Syrian Arab Republic. Rule of Terror: Living under ISIS in Syria”, November 19, 2014. https://www.ohchr.org/Documents/HRBodies/HRCouncil/CoISyria/HRC_CRP_ISIS_14Nov2014.doc. Accessed on February 02, 2021.
- United Nations. “Note to Correspondents – Statement attributable to United Nations Special Envoy for Syria, Staffan de Mistura”, Geneva, October 7, 2014. <https://www.un.org/sg/en/content/sg/note-correspondents/2014-10-07/note-correspondents-statement-attributable-united-nations>. Accessed July 2, 2021.
- U.S. Department of State. “Foreign Terrorist Organizations”. <https://www.state.gov/foreign-terrorist-organizations/>. Accessed on July 04, 2021.