

CRS Report for Congress

Received through the CRS Web

Syria after Hafiz al-Asad

Alfred B. Prados
Specialist in Middle East Affairs
Joshua Ruebner
Analyst in Middle East Affairs
Foreign Affairs, Defense and Trade Division

Summary

Dr. Bashar al-Asad seems poised to succeed his father, the late President Hafiz al-Asad, following the latter's death from a heart attack on June 10, 2000; however, Bashar is untested and may face challenges from other leading figures or dissidents. No major changes in Syria's position on peace talks with Israel or relations with the United States seem likely while the successor regime consolidates its control. This report will be updated as further developments take place. See also CRS Issue Brief IB92075, *Syria: U.S. Relations and Bilateral Issues*, updated regularly.

Role and Legacy

The death of Syrian President Hafiz al-Asad on June 10, 2000 removed one of the longest serving heads of state in the Middle East and a key figure in regional affairs. The late President al-Asad, a former air force commander and minister of defense, came to power in a bloodless coup in November 1970, and was elected by referendum to his fifth 7-year term on February 10, 1999. Hardworking, ascetic, and usually cautious, the late President exercised uncontested authority through his personal prestige and his control of the Arab Socialist Resurrection (Ba'th) Party, the armed forces, and the intelligence apparatuses, which form the triple pillars of the regime. A member of the small and formerly disadvantaged 'Alawite community (an offshoot of Shi'a Islam comprising 10-12% of the Syrian population), he placed fellow 'Alawites in key positions while attracting some support from the Sunni Muslim majority. As his health worsened in recent years, he appeared increasingly preoccupied with arranging for a smooth succession by his son Dr. Bashar al-Asad. Some commentators assert that the president's death cut short the process of preparing the largely untested Bashar for presidential office.¹ Bashar will turn 35 in September. So far, however, a smooth transition to an administration headed by Bashar seems to be unfolding (see below).

¹ Howard Schneider and Edward Cody, "Syria's Assad [variant spelling] Dead at 69," *The Washington Post*, June 11, 2000, pp. A1, A26.

The late President al-Asad leaves a mixed legacy. He brought unprecedented stability to a country previously known as the most politically unstable in the Middle East,² using authoritarian and sometimes brutal measures to counter dissent. Syria's economy remains encumbered by an inefficient public sector, excessive central planning, and administrative controls, despite some limited efforts toward economic reform since 1991. Through his key regional alliances (notably with Iran, Saudi Arabia, and Egypt), de facto control of Lebanon, and exploitation of Syria's position as the leading Arab confrontation state with Israel, al-Asad made Syria a leading force in Middle East politics. Long allied with the former Soviet Union, al-Asad was able to reopen a dialogue with the United States by joining the allied coalition that expelled Iraq from Kuwait in 1991, and by beginning sporadic peace talks with Israel later that year.

Domestic Implications

Constitutional Amendment and Procedures. Hours after the death of President al-Asad on June 10, 2000, the Syrian People's Assembly (parliament) met in an emergency session. Speaker of the Assembly 'Abdel Qadir Qaddura announced that more than one third of the assembly members proposed amending Article 83 of the Syrian Constitution. The proposed amendment would lower the minimum age requirement for President from 40 to 34 years of age in order to make Dr. Bashar al-Asad eligible for the presidency. Speaker Qaddura obtained the parliament's consent to include the proposed amendment on the schedule of the emergency parliamentary session. In accordance with Article 149(3) of the constitution, Qaddura formed a special committee to discuss the constitutional amendment, which met for half an hour and recommended the proposed amendment. Parliament then passed the amendment unanimously.³

Article 88 of the constitution stipulates that in the event of the President's permanent incapacitation, the first Vice President shall carry out the duties of the President until a new President is elected by referendum. In accordance with this article, Vice President 'Abdul Halim Khaddam is serving as acting president. A Syrian official initially claimed that Prime Minister Muhammad Mustafa Mero was in charge; however, a subsequent announcement corrected this claim.⁴ It appears that the original statement was the result of a constitutional misunderstanding and did not signify a power struggle between the Vice President and Prime Minister. Mero was appointed prime minister in March 2000 and is not yet believed to have an independent power base, making an attempt on his part to take charge highly unlikely.

On June 11, Vice President Khaddam signed two decrees in his capacity as acting president. Laws Number 9 and Number 10 of 2000, (1) confirm the constitutional amendment to Article 83; (2) state that the Regional Command of the Ba'th Party met on June 10 and unanimously endorsed Dr. Bashar al-Asad as its candidate for President; (3) promote Bashar al-Asad from the rank of colonel to lieutenant-general in the Syrian armed

² Thirteen presidents headed Syria between independence in 1946 and al-Asad's takeover in 1970, many of them achieving power by extra-constitutional means.

³ Ibrahim Hamidi, "In a 'Consensus', Parliament Amends Article 83 of the Constitution," *al-Hayat*, June 11, 2000.

⁴ "Khaddam, Not Mero, in Charge of Syria-Officials," *Reuters*, June 11, 2000.

forces; and (4) name him chief of the armed forces.⁵ These laws pave the way for Bashar al-Asad's election to the presidency.

The People's Assembly met on June 25, 2000 to consider the Ba'th Party's nomination of Bashar al-Asad to become president. The assembly formed a special committee of 70 deputies, headed by independent deputy 'Abdullah al-Mousali, to consider the nomination. The committee met for four hours and unanimously endorsed Bashar's candidacy. When the assembly met as a whole to listen to the committee's recommendation, Munthir al-Mousali, a deputy from the Movement of Arab Socialists, objected to the procedure by which the assembly amended the constitution to lower the minimum age requirement for president. Other deputies attempted to shout down al-Mousali's objections, who later apologized for raising the issue. Bashar, who reportedly was watching the televised proceedings, apparently agreed that al-Mousali should be given ample time to state his viewpoint.⁶ Despite al-Mousali's procedural objections, the assembly unanimously endorsed the Ba'th Party's presidential nomination of Bashar al-Asad on June 27, 2000, and set July 10 as the date for the presidential referendum.

Ba'th Party Regional Command. Prior to the death of President al-Asad, the ruling Ba'th Party's top decision-making body, the Regional Command, had scheduled a conference for June 17, 2000. At this five-day conference, which took place as scheduled despite al-Asad's death, the Regional Command discussed political, military, economic, and organizational issues and elected new members to the Regional Command. The Regional Command is composed of 21 members, representing an important section of the Syrian political elite. Prior to the conference, four seats on the Regional Command were vacant, those of Hafiz al-Asad and those of three members who were removed from the Regional Command: his exiled brother Rif'at al-Asad, former Prime Minister Mahmud Zu'abi, and former Chief of Staff Hikmat al-Shihabi. Approximately 1,150 conference delegates elected Bashar al-Asad to fill his father's position as Secretary General of the Regional Command. In addition to Bashar, the delegates elected eleven other new members to the Regional Command, including Foreign Minister Farouq al-Shara'a and Prime Minister Muhammad Mustafa Mero.

Succession Issues. While both the Regional Command of the Ba'th Party and the Syrian People's Assembly have moved rapidly to ensure that Bashar al-Asad will succeed his father as president, his imminent election does not ensure that he will be able to consolidate and maintain power. The 'old guard' (see below) could decide to maintain Bashar al-Asad as a figurehead president and wield power behind the scenes. Alternatively, the 'old guard' could keep Bashar al-Asad on a tight leash and remove him from power if they are displeased with his performance. Bashar al-Asad also faces potential challenges to his rule from other quarters, such as those members of the 'old guard' displaced by Bashar's rise to power, his exiled uncle Rif'at al-Asad, and the long-dormant Muslim Brotherhood.

The 'Old Guard'. Who composes the 'old guard' of the Syrian political elite and how do they feel about Bashar al-Asad assuming the presidency? As of now, it appears that

⁵ "Decisions Published by Khaddam and the Regional Command," *al-Hayat*, June 12, 2000.

⁶ Ibrahim Hamidi, "A Deputy Opens a Heated Debate on the Constitutionality of Amending the Nomination Age," *al-Hayat*, June 27, 2000.

there are two emerging blocs in the 'old guard': one is loyal to Bashar al-Asad and the other has been marginalized by his rise to power and may oppose it. It remains to be seen which bloc will succeed in gaining the upper hand.

The 'pro-Bashar' bloc of the 'old guard' appears to center around three people. They are: 1) General 'Assef Shawkat, Chief of Military Intelligence for the Ground Forces and Bashar al-Asad's brother-in-law (he is married to Bashar's sister Bushra); 2) General 'Ali 'Aslan, Chief of Staff of the Armed Forces, and 3) Farouq al-Shara'a, Foreign Minister. The support of Shawkat and 'Aslan could prove invaluable to Bashar in winning the loyalty of the armed forces and its intelligence apparatuses. Farouq al-Shara'a, although he appears to have no independent power base within the Syrian political elite, could prove invaluable to Bashar al-Asad by promoting his legitimacy internationally. Incidentally, al-Shara'a was the first person to leak the news that Hafiz al-Asad definitively planned to hand Bashar the reigns of power.⁷

However, it appears that not all members of the 'old guard' are pleased by the prospect of Bashar al-Asad becoming Syria's next president. Bashar al-Asad's rapid rise over the last two years coincided with President Hafiz al-Asad's sidelining of those in the 'old guard' who were believed to oppose Bashar. A potential 'anti-Bashar' bloc of the 'old guard' centers around three people. They are 1) 'Abdul Halim Khaddam, Vice President and current Acting President; 2) Hikmat al-Shihabi, former Chief of Staff, and 3) 'Ali Duba, former Chief of Military Intelligence. As noted above, Khaddam, who served as Foreign Minister before becoming Vice President in 1984, issued the laws confirming the constitutional amendment that makes Bashar al-Asad eligible to be president and promoting him to Chief of the Armed Forces. However, Khaddam has stayed out of the limelight since Hafiz al-Asad's death. Khaddam reportedly was very upset by the late president's decision to transfer responsibility for Lebanese affairs, Khaddam's primary 'file', to Bashar in 1998. Also in 1998, former Chief of Staff Hikmat al-Shihabi was 'retired' from his position in the armed forces, ostensibly because he reached the mandatory age for retirement, or possibly because of other reasons. In the context of the current 'anti-corruption' drive, which has been spearheaded by Bashar al-Asad over the last two years, Syrian authorities reportedly were preparing to take legal action against al-Shihabi.⁸ There are conflicting reports as to al-Shihabi's whereabouts; some claim that he has fled Syria and entered the United States (he has a son living in Los Angeles), although others maintain that the rumors about his arrest were false and that he remains in Syria.⁹ If al-Shihabi were to join forces with Khaddam, who may have assisted him in fleeing Syria, they could form a powerful anti-Bashar axis within the 'old guard'. Another member of the 'old guard' with an ax to grind against Bashar al-Asad is former Chief of Military Intelligence 'Ali Duba. In the past, Duba expressed reservations about Bashar's rise to power and was stripped of his position in February 2000. Although he is rumored to be under house arrest, there is also speculation in the Israeli press that Duba has gathered forces loyal to him and intends to strike against Bashar al-Asad when the time

⁷ See his wide-ranging interview in the Lebanese newspaper *al-Mustaqbal*, translated by Foreign Broadcast Information Service (FBIS), March 31, 2000.

⁸ Ibrahim Hamidi, "Damascus: An Expectation of Measures Against al-Shihabi," *al-Hayat*, June 6, 2000.

⁹ Ibrahim Hamidi, "Khaddam and al-Hariri Were at al-Shihabi's Farewell," *al-Hayat*, June 8, 2000, and Amos Harel, "In Contradiction to the Rumors: [al-]Shihabi is Not Under Arrest and Did Not Flee to the United States," *Ha'aretz*, June 12, 2000.

is ripe.¹⁰ At this time, the existence of an ‘anti-Bashar’ bloc in the ‘old guard’ is little more than speculation. However, such a bloc could prove to be an impediment to Bashar al-Asad assuming full control.

Rif’at al-Asad. Another player who potentially could challenge Bashar al-Asad is his exiled uncle Rif’at al-Asad. Rif’at, who used to command the elite Defense Brigades, attempted to seize power from Hafiz al-Asad when Hafiz had a heart attack in 1984. As a result, Rif’at went into exile in Europe, where he reportedly harbored hopes of eventually returning to Syria and assuming power. Last fall, Syrian forces attacked a private port in Latakia that Rif’at al-Asad owned. Forces loyal to Rif’at defended the port and a pitched battle ensued, leading to the destruction of Rif’at’s remaining base of influence inside Syria. In the aftermath of Hafiz al-Asad’s death, Syrian authorities have issued an arrest warrant for Rif’at al-Asad and have tasked the various intelligence agencies with preventing him from entering the country.¹¹ In response, Rif’at has termed Bashar’s rise to power a “real farce” and a “violation of the law and the constitution.”

Muslim Brotherhood. Although Hafiz al-Asad ruthlessly crushed a Muslim Brotherhood uprising in 1982, there is a remote possibility that this organization may try to challenge Bashar al-Asad’s rule. Remaining activists in the Muslim Brotherhood have long since gone underground and are unlikely to reemerge at this stage. However, the organization has become more active in recent months. For instance, in December 1999, they released a statement critical of the Syrian negotiating position in the peace process.¹² After Hafiz al-Asad’s death, the Muslim Brotherhood released a measured statement that called for national cohesion, multi-party politics, general freedoms, and free elections.¹³ This statement could be interpreted as a Muslim Brotherhood challenge to the existing political system in Syria.

Implications for the Peace Process

Prior to Hafiz al-Asad’s death, Syria and Israel apparently came very close to agreeing upon terms for Israel withdrawing from the Golan Heights in exchange for peace and normalization of relations. The disposition of the northeastern shore of the Sea of Galilee posed the most serious territorial obstacle toward an agreement. Although Israeli Prime Minister Ehud Barak offered to withdraw from all of the Golan Heights with the exception of this area, Hafiz al-Asad stuck to his long-standing position that Israel must withdraw from all Syrian land conquered in 1967. President Clinton was unable to bridge this disagreement in a summit meeting with President al-Asad in March 2000.

The Syrian-Israeli track of the peace process is likely to remain dormant for some time, as a new leadership arises in Damascus and attempts to consolidate its power domestically. Whoever takes control of Syria’s foreign policy in the upcoming months is

¹⁰ Moti Zefet, “Danny Yatom: Israel Will Grant Protection to the SLA after the Withdrawal,” *Ha’Tzofeh*, March 30, 2000.

¹¹ Ibrahim Hamidi, “Damascus Hastens the Plan to Appoint Bashar al-Asad to the Presidency of the Republic,” *al-Hayat*, June 12, 2000.

¹² “‘The Muslim Brotherhood’ in Syria: The Palestine Issue is the Essence of the Conflict and the Golan is One of its Branches,” *al-Hayat*, December 23, 1999.

¹³ “Shock in the Region at al-Asad’s Death; Mubarak Emphasizes Syrian Unity,” *al-Hayat*, June 11, 2000.

unlikely to be more flexible on the territorial issue than President al-Asad was. Syrian public opinion will likely oppose a peace treaty that does not involve the return of all Syrian occupied territory. On the other hand, whoever takes control of Syria's foreign policy might prove to be more flexible on issues such as water, security arrangements, and normalization. Greater flexibility on these issues might persuade Israel to be more flexible on the territorial issue, potentially paving the way to an eventual agreement. Bashar al-Asad has told President Clinton that he will continue pursuing his father's goal of achieving a just and comprehensive regional peace. Initial unconfirmed reports suggest that Bashar might agree to a creative territorial arrangement on the northeastern shore of the Sea of Galilee. This type of arrangement reportedly would result in Syria formally regaining sovereignty over all Israeli-occupied land, with the two sides establishing joint civilian projects in the area.¹⁴

Implications for U.S.-Syrian Relations

A transition of leadership from Hafiz to Bashar al-Asad is not likely to alter the various factors that influence U.S.-Syrian relations, at least in the short term. Bilateral relations, long affected by Syria's ties to the former Soviet Union and its adversarial relationship with Israel, have improved somewhat in the past decade. However, a number of issues continue to divide the two countries: the stalemate in Syrian-Israeli talks, Syria's role in Lebanon, Syrian connections with terrorist activity, Syria's poor human rights record, a recent warming in Syrian-Iraqi relations, and Syrian efforts to acquire advanced arms that U.S. officials think could upset the military balance in the Middle East. Syria remains on the list of countries identified by the U.S. State Department as supportive of international terrorism. Syria's presence on this list triggers an array of economic sanctions against Syria. Annual foreign operations appropriations acts also ban direct and indirect economic or military aid to Syria,¹⁵ while other statutes and directives forbid the sale of arms and numerous commercial items to Syria.

The degree to which Bashar may be willing or able to modify Syrian policies that the United States finds objectionable remains unclear, even in the event of a smooth transition to the presidency. On one hand, his western education and interests seem to have predisposed him toward advocating more openness in economic and perhaps political affairs. On the other hand, there is no reason to believe that he disagrees with the broad lines of policy laid down by his father over the past three decades, and he is not likely to challenge long standing policies that reflect the views of key figures in the Syrian power structure. His willingness to publicize his conversations with President Clinton suggests that he wants to continue cooperating with the United States, probably at a measured pace in the near term. Should Bashar fail to consolidate his control over the principal organs of the Syrian regime and be eliminated or relegated to a titular role, the outlook for U.S.-Syrian relations might be even more uncertain.

¹⁴ For example, see Eldad Bak, "Bashar [al-]Asad Requests a Renewal of the Negotiations with Israel 'As Soon as Possible'," *Ma'ariv*, June 19, 2000, and Muhammed Thruf, "Bashar Accepts a Compromise on the Sea of Galilee Problem," *al-Watan* (Qatar), June 20, 2000.

¹⁵ S. 2522, the Foreign Operations Appropriation bill for FY2001, repeats the bans on direct and indirect aid to Syria in Sections 507 and 523, respectively, while Section 527 bans assistance to countries on the terrorism list. See CRS Issue Brief IB92075 *Syria: U.S. Relations and Bilateral Issues*, for further details.