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Will the U.S. Violate Its Own Laws by Arming Rebels in Syria?

Chris Ernesto

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As the Obama administration contemplates its next moves in Syria, a decision that is now more pressing with Israel twice bombing Syria in the past week, U.S. credibility hangs in the balance.

If the U.S. escalates its involvement in Syria by directly arming rebels (Obama has already authorized clandestine operations, according to sources, and has pledged at least \$250 million in "aid" to the rebels), it runs the risk of violating U.S. laws that prohibit material support of terrorists.

And in the context of U.S. drone strikes in Yemen, Pakistan and Somalia, where President Obama claims to be targeting al-Qaeda and its affiliates, the administration appears to be gambling that people won't recognize the double standard of the U.S. being on the same side as al-Qaeda in the struggle to overthrow Syria's president Bashar al-Assad while fighting against them in other parts of the Middle East and Africa.

Regardless of how advocates of increased Syrian intervention attempt to nuance the debate, included amongst the Syrian rebels are the al-Nusra Front, a group the U.S. has labeled a terrorist organization, and Al-Qaeda, the sworn enemy of the U.S. Further, the leader of al-Qaeda, Ayman al-Zawahri has urged all Muslims to help Syrian rebels. (Zawahiri's has also said that he wants Syria to become an Islamic state, not the secular state that currently exists under al-Assad.) Thus,

it is self-evident that arming the rebels in Syria would violate U.S. law since providing material support to groups designated as terrorists is a violation of the USA PATRIOT Act (18 U. S. C. §2339B).

Proponents of arming the rebels have claimed that they would work to insure that the non-terrorist elements of the Syrian rebels would be the only ones who would get U.S. weapons. This claim has only been taken seriously by the terminally naïve. Libya and Afghanistan are just two recent examples of how weapons eventually end up in the hands of a wide range of people, including "enemies" of the U.S.

Another double standard scenario faces the Obama administration: The issue of the "red line" of chemical weapons being used in Syria. In August 2012, Obama stated that if "we start seeing a whole bunch of chemical weapons moving around or being utilized. That would change my calculus" in Syria. Well, now that it appears possible, if not likely that sarin gas was used by Syrian rebels and not the government, will Obama apply his "red line" to rebels and consider arming the Syrian government? Of course he won't, but it further points out the hypocrisy and double-standards of U.S. foreign policy, and puts U.S. credibility at risk.