

# How should the UK respond to the attacks in Syria? For a weakened PM, there are no easy options



*Following the suspected chemical attacks in Syria, the question of whether Britain should join any missile strike action in the region alongside the US and France has been raised. [Daniel Kenealy](#) considers whether parliament would support such action if asked, and how Theresa May could avoid domestic political fallout if the matter is not put to a vote after all.*

Since the suspected [chemical attacks in Douma](#) on 7 April the governments of the United States, France, and the UK have been inching closer to launching missile strikes against Syrian government military assets. You would be forgiven for feeling a sense of a déjà vu. In August 2013, news broke of a chemical weapons attack in Ghouta. Western leaders – Barack Obama, Francois Hollande, and David Cameron – reacted with firm rhetoric and it seemed as though missiles would be launched within days. Then, it all unravelled. Cameron [failed to win the support of the House of Commons](#) for UK involvement. That loss was a major factor influencing President Obama's [decision](#) to back down in August 2013: a reminder that votes in the House of Commons could have significant international ramifications.

## Can the UK's armed forces be deployed without parliamentary approval?

The first question to be addressed is can the Prime Minister deploy the UK's armed forces without parliamentary approval? The answer, in a word is yes. Under the [Royal Prerogative](#) the Prime Minister has the necessary legal authority. Although this answer might be legally correct, it ignores the role of conventions in the UK's uncodified constitution and the realities of politics. In an excellent [book](#) Rosara Joseph traces the development of constitutional practice since 1600, showing how arguments in favour of the War Prerogative have changed as our prevailing ideas of what is politically appropriate and legitimate have evolved. It has also been [argued](#) that, since 2003, one such change is the development of a War Powers Convention. Ironically, the 2003 Iraq War – which was [characterised](#) by many institutional and procedural failings – was the first time since 1950 that parliament was given a vote on the use of military force.

In the 15 years since Iraq, the Commons has voted to approve military action against Daesh/ISIL in Iraq in 2014 and Syria in 2015. It also voted to retroactively approve the deployment of UK military force in Libya in 2011. These votes strengthen the argument that a constitutional convention has begun to crystallise. Despite this, successive governments have refused to make the requirement to consult parliament firmer, for example through legislating to that effect. Although it represents a strengthening of parliament's role, the War Powers Convention remains ambiguous, the definitional issues involved in military decisions remain slippery, and any punishment for violating the convention remains political.

That being said, politics matter and the Prime Minister – already weakened and consumed by Brexit woes – could suffer political punishment for ignoring the convention and committing the UK military without a parliamentary vote. The Labour leader, Jeremy Corbyn, would undoubtedly make political hay out of the issue in the short term; and there would likely be Conservative MPs who would also join the chorus of criticism.

## Would Parliament vote for action?

The second question is: would the Prime Minister win a vote? In both [2014](#) and [2015](#), Cameron easily won votes to use UK force against Daesh/ISIL in Iraq and Syria. However, the most appropriate analogy in the present case is the 2013 Syria vote. Many of the arguments voiced then in opposition to bombing resonate today, and perhaps even stronger. Russia is now deeply embedded on the ground in Syria. The US has less diplomatic leverage now than it did then. The Assad regime is far stronger now than then. As in 2013, there is no UN Security Council resolution authorising military action. And the regional situation has grown increasingly complex. What seemed messy in 2013 looks even more so in 2018.

In the 2013 vote Cameron saw 30 Conservative MPs vote against him. Of those, 23 remain in the Commons. But some – including David Davis, who was an important voice of opposition in 2013 – are now in government and likely to support the Prime Minister. Others have said in recent days that they would now favour strikes. Then there are the 10 DUP MPs, whose confidence-and-supply agreement gives the government a working majority of 13. The DUP opposed strikes against Syria in 2013 but have since voted for UK military action against Daesh/ISIL in both Iraq and Syria. It remains unclear how they would vote but they are not obliged, under the terms of their confidence-and-supply agreement, to support the government on this issue. The Prime Minister cannot be assured of holding her majority on her own benches.

With the SNP, Plaid, and the Greens almost certain to oppose strikes, the Prime Minister may need to draw the support of between 25-35 Labour and Liberal Democrat MPs. Although Jeremy Corbyn is likely to oppose strikes, some of his MPs may vote with the government, as [66 of them did in 2015](#) to use force against Daesh/ISIL in Syria. Palpable divisions within Labour, especially on matters of foreign and security policy, remain and the Prime Minister might hope for a similar sized block of Labour support. The eight current Liberal Democrat MPs have a fairly consistent record of voting for interventions since 2011. In short, the vote would be winnable but it would require careful parliamentary management in contrast to the fiasco of the Whip operation in 2013.

### Is there a third way?

Finally, does the Prime Minister have any alternatives? If the US and France are intent to press ahead with strikes over the weekend then it may not be possible to recall parliament in time to approve UK action. In that case MPs may have to content themselves with a retroactive vote. The government's argument would be that the pace of events forced a decision before parliament could be reconvened. It is hard to predict how such a vote might go. It is a difficult thing for a parliament to vote against the activities of UK military personnel once they are underway. And, once the strikes are underway or are completed, the heat of the moment and thus the heat in the debate might have ebbed.

A final option would be for the Prime Minister to offer support to US and French military activities that stops short of the use of force by the UK itself. Most are in agreement that such actions would not require a parliamentary vote, an argument that has precedent in the UK's 2013 actions in Mali and the deployment of Special Forces to Syria. Such a policy decision would be a way of fudging some of the controversy. It would allow the UK to say it was 'involved' without risking the political fallout of bypassing parliament, but runs the risk of sending a message that the UK is further retreating from a role of global responsibility. In short, for a weakened Prime Minister, there are no easy options.

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### About the Author



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