

States, boundaries and sovereignty in the Middle East: unsteady but unchanging

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Turkey shoots down a Russian plane that crosses into its airspace. Algeria closes its border with Morocco. People know what state they belong to, even when they are refugees away from home. Israeli border police subject incoming travellers to demeaning interrogation, and Palestinian workers undergo daily delays at border checkpoints. The daily evidence is that borders matter in the Middle East. Sovereignty is exercised routinely, at the edges of states and in their interior, at tax time and in the courts. The state takes its model, if not always its daily practice, from Weber and Westphalia.

Moroccans slip across the border to trade despite control points, Palestinians tunnel under the border to bring in supplies, Libyans run across the Egyptian border to play politics on both sides. The ISIS¹ *wilaya* of Sinai, the Polisario fringe on either side of the Morocco–Algeria border in the Sahara, the various forms of putative Kurdistan, and even the Palestinian territories elude the sovereignty of Egypt, Morocco, Iraq, Syria and Israel without having any of their own. Effective income taxation throughout the area is patchy and governments run mainly on trade and tariff revenue. States, sovereignty and borders in the Middle East are as debatable as the concepts themselves. The collection of articles in this issue of *International Affairs* addresses the contradiction between these two pictures.

Territorial states, sovereignty and borders

Henry Kissinger has characterized the current world order as involving three levels of sovereignty.² The middle level is the state, struggling to claim its assigned characteristics of territory, population and recognition.³ Above it hover international organizations such as the EU, encroaching on the state's claim to hold the highest level of political authority. Below it lie subnational groups with or without territory of their own but working to emerge on the second level. Beyond the matter of borders alone, the Middle East has contributed its own forms to this analysis of sovereignty. International constructions have little autonomous purchase on

¹ Islamic State of Iraq and Syria.

² Henry Kissinger, inaugural speech to the opening of the Kissinger Center for Global Studies, Johns Hopkins University, Baltimore, 6 Oct. 2016.

³ Giacomo Luciani, ed., *The Arab state* (London: Routledge, 1990); Mehran Kamrava, ed., *Weak states in the greater Middle East* (Washington DC: Georgetown University School of Foreign Service in Qatar, 2014).

Arab states' policies, and meetings of the Arab states in the form of summits, the Organization of the Islamic Conference and the Arab League serve as state policy forums. ISIS has introduced a new form of putative supranational organization, with a firmer claim to sovereignty than any of its closest competitors such as the international Communist Party or the Catholic Church. Similarly, ISIS *wilayat* and Al-Qaeda franchises act as subnational aspirants, mainly independent from the ethnic base that usually characterizes subnational rebellions.

The notion of the territorial state may not be new to the Middle East, but it is not native there. Without spending fascinating time in the vast historical record of the area, a pertinent starting-point is provided by colonial rule in the nineteenth century, which (re-)introduced the notion of bounded territorial delimitation of the state. According to this notion, those people who were within the state's boundaries were subject to its sovereign control. This was different from the idea of a population state, where the state's writ ran wherever its people were. Morocco was all the people who said their prayers in the name of the caliph of the West, the sultan of Morocco, Commander of the Faithful (*amir al-mu'minin*), wherever they were. It took French colonial control of Algeria to draw a line limiting at least the northern part of Moroccan lands in the Treaty of Lalla Maghnia of 1845; south of Figuig, the treaty stated, border delimitation was *superflu* because there were no people there. The territorial state and the population state meet at some point of population density, because after all the people live on a specific land and the land holds specific people, but the distinction is nevertheless as important as, for example, that between *jus solis* and *jus sanguinis*.

The Sublime Porte of the Ottomans claimed sovereignty over all Sunni Muslims, at least within the Maghreb and Mashreq, and kept other confessions within its borders as *dhimmis*, operating under their own customary legal systems. As an empire, the Ottoman entity was a sort of compound state, but with boundaries and sovereignty. Colonization, consummated by the end of the First World War, installed proto-states, deprived of sovereignty by the colonizer (who held it) but endowed with borders and state-like apparatus. These characteristics they kept when they achieved independence after the Second World War. Vignal's article in this issue describes Syrian efforts at the 'consolidation of the territorial state' after independence.⁴ Boundaries for the most part were not only delimited but also demarcated with hard boundary markers. When newly revised in 2004, as Vignal points out, even the Jordan–Syria border was demarcated, while refugees camped on either side. The region's longest disputed border, between Morocco and Algeria (west of Figuig), is signed, ratified, delimited and closed, albeit not yet demarcated.

As Adraoui points out in this issue,⁵ political Islam has revolutionized the border situation by putatively reverting to the notion of the population state, and, more significantly between peoples than between lands, has installed one

⁴ Leïla Vignal, 'The changing borders and borderlands of Syria in a time of conflict', *International Affairs* 93: 4, July 2017, pp. 809–827.

⁵ Mohamed-Ali Adraoui, 'Borders and sovereignty in Islamist and jihadist thought: past and present', *International Affairs* 93: 4, July 2017, pp. 917–35.

single boundary between *dar al-harb* and *dar al-islam*, the land of war and the land of submission. Within the Land of Islam, boundaries do not exist—or, if they do, it is only for administrative convenience. As in the Islamic Republic of Iran, temporal administration is a practical necessity but subject to the Islamic primacy of the ayatollah. Whether it is also for ethno-national convenience as well remains a debated question, as Adraoui discusses. Like Stalin,⁶ Rachid Ghannouchi and indeed Muhammad the Prophet were troubled by the ‘national question’; Ghannouchi came to terms with national identity and Muhammad with tribal identities. It is a minor irony that the self-assigned full title of ISIS (or ISIL) refers to the colonially established entity of Iraq as well as Syria or the Levant /Lebanon.

Political Islam also presents itself as an antidote to state collapse (and all the more so to states in the lesser categories of failed, failing or fragile). It purports to bring coherence, rectitude and internal authority—qualities inherent in sovereignty—to currently weak, corrupt, arrogant, alienated states—*la hogra* in Algerian slang. If it draws popular support, it is as a protest movement against current conditions more than as a religious revival movement. The states that collapsed in the Arab Spring—Libya and Yemen (if it could ever have been called a state⁷)—were already hollow on the inside before the popular uprising, as Fawcett notes in this issue,⁸ and the states where the uprising both gave impetus to and took it from a religious movement—Tunisia and Egypt—quickly lost their presidential symbol of arrogant corruption while holding firmly to the notion of the state itself.⁹ But none of these states fell apart, giving rise to smaller sovereign pieces; both the weaknesses of the rulership and the popular reaction to them have taken place within the confines of the state itself, which in the latter two cases showed its resilience—or at least was held in place by its neighbours, as in the former two. Even collapsed states have boundaries, kept up by neighbours who work to see the collapse contained. Syrians seeking refuge by crossing the border into Turkey or Jordan, let alone Israel, know very well what a border is.

This is not to deny fissiparous tendencies in a number of these and other states—Yemen and Libya but also Iraq. It is said that Tripolitania belongs to the Maghreb, Cyrenaica to the Mashreq and Fezzan to Africa, but they haven’t gone there yet, even though they play on their neighbours’ politics, as Hüsken describes in this issue.¹⁰ The Shi’a Houthis and the Yemeni Sunnis may each be looking to return to a state separate from the other, but at the same time they each want to rule over the other, or at least to have a role in the other’s state.¹¹ More significantly, as is generally the case in regions other than the Middle East, it is the collapse of

⁶ Joseph Stalin, *On the national question* (Moscow: International Publishers, 1942).

⁷ Abdullah Hamidaddin, ‘Yemen: negotiating with tribes, states and memories’, in I. William Zartman, ed., *Arab Spring: negotiating in the shadow of the intifadat* (Athens, GA: University of Georgia Press, 2015).

⁸ Louise Fawcett, ‘States and sovereignty in the Middle East: myths and realities’, *International Affairs* 93: 4, July 2017, pp. 789–807.

⁹ Robert S. Snyder, ‘The Arab uprising and the persistence of monarchy’, *International Affairs* 91: 5, Sept. 2015, pp. 1027–46.

¹⁰ Thomas Hüsken, ‘The practice and culture of smuggling in the borderland of Egypt and Libya’, *International Affairs* 93: 4, July 2017, pp. 897–915.

¹¹ Simon Henderson, ‘How to end Saudi Arabia’s war of paranoia’, Washington Institute of Near East Policy, 20 Oct. 2016.

responsible government in their state that led to the rise of subnational awareness and to identity claims at self-rule in the absence of self-role.

Thus, the other side of Middle Eastern governments' self-centredness is their neglect of their excluded subnations, usually minorities but sometimes majorities. Recent Iraqi history has been a seesaw of exclusion—governance by a Tikriti minority of the Sunni minority gave way to governance by a Shi'a majority, leading to Sunni welcome of the Sunni 'caliphate' generated in part by the leftovers of the former Iraqi regime, while the Kurdish minority moves gently towards more accentuated forms of autonomy. Turkey's shifting policy towards Assad in Syria is a contradiction of its policies towards its own and other states' Kurds, where negotiations have been an off-and-on affair over the past decades. Bahrain's and Yemen's policies towards their majority and minority Shi'as, respectively, have relied on aggressive Saudi intervention. In Syria and Egypt, religious minorities have been sheltered by an otherwise repressive regime. Before any collapse comes, the Middle Eastern state is fragile and brittle. The striking exception is the integrative attention paid, in various ways, to the Berber portion of the population in the Maghrebi states.

Conceptually, between the border and the state is the borderland, an area (*watan*) defined by being around a border, a 'boundary in depth and in motion',¹² with its own identities, functions and legitimacies. To call it a tribal area misses the fact that it is indeed cut by a state border; moreover, a borderland is cut by many borders. As Hüsken notes,¹³ the tribal borderland carries a moral border between smuggling and trade, and then within the latter between several subtypes. The borderland further holds a social border between the young and fearless and the elders, and another between lineages and various 'a'ilat (families). It carries an economic border between urban Bedouin and the better-off in the countryside, and a political border between Arab Spring factions. Like any borderland, its inhabitants have their own compound identity, citizens of each country and both. The excellent descriptions of the 'grey' border could be applied to many borderlands of the area, including the Lebanese–Syrian borderland discussed by Vignal and Tholens,¹⁴ although there are also some black-and-white cases with their fences and tunnels.¹⁵

Syria's borderland with Turkey is black and white with spots in space and time, analysed by Okayay as a complex case of border management.¹⁶ If Turkey aims to be a Westphalian state, its motto is *cuius regio eius natio* ('whoever rules defines the official ethnicity'), the Kurds being defined as ethnic Turks or not Turkish

¹² I. William Zartman, *Understanding life in the borderlands: boundaries in depth and in motion* (Athens, GA: University of Georgia Press, 2010).

¹³ Hüsken, 'The practice and culture of smuggling'.

¹⁴ Vignal, 'The changing borders and borderlands of Syria'; Simone Tholens, 'Border management in an era of "statebuilding lite": security assistance and Lebanon's hybrid sovereignty', *International Affairs* 93: 4, July 2017, pp. 865–882.

¹⁵ Zartman, *Understanding life*.

¹⁶ Asli S. Okayay, 'Turkey's post-2011 approach to its Syrian border and its implications for domestic politics', *International Affairs* 93: 4, July 2017, pp. 829–46.

at all.¹⁷ So nearby Kurds in the borderlands on either side of the border are bad but Kurds in Iraq further away—indeed, out of the way—and divided in their politics are good; indeed, in a sense Turkey's borderland goes from to Diyarbakir to Kirkuk. Unlike the Egypt–Libyan case, here it is the centre that decides the border relations, and the nature of the border—and the borderlanders—changes dramatically according to the government's domestic policies towards its ethnic groups: a contest between Kissinger's second and third levels of sovereignty. Just as important in those policies as the control of the national definition has been the control of the political definition of the state.

Sovereignty at the lower level is best displayed by the Kurdish Regional Government (KRG) of Iraq, analysed in this issue by Jüde.¹⁸ No other Middle Eastern minority has edged so close to the second level of sovereignty, and no other minority has grasped so well the elements of territoriality and state structure; all it needs is sovereignty. That said, it is striking how badly riven transnational Kurdistan is by fragmentations along the national boundaries that it contests, and even the Iraqi Kurds are split into rival parties: the Kurdish Democratic Party (KDP) and the Party of United Kurdistan (PUK), dogged by Gorran, a PUK breakaway. When rebellion was the name of the game, the Iraqi rival parties vied for control of the movement, falling back (as is customary) on traditional family factionalism. When autonomy came into view on the road to outright sovereignty, the parties learned cooperation, with a little pressure from their friends. In Syria the Democratic Union Party (PYD) and its militant arm, Local Defence Forces (YPG), are on the same road, but independently from the Iraqi Kurds, and in support of the Kurdistan Workers' Party (PKK). Latent factionalism among Syrian Kurds has been kept under control by the pressures of militancy and the distance to the goal.

Thus, this collection of articles examines closely the conditions of state, sovereignty and borders in its area. Refreshingly, it throws light not only on the transparency of the emperor's clothes but on the immaturity of the emperor himself. As Fawcett and several other of the authors point out, the tendency to look at the Middle East as a region inhabited by strong states left observers surprised when a number of the governments fell and states collapsed in the Arab Spring. With a few exceptions, Middle East states are hard states, not strong states, and hard states crack and crumble if subjected to a great enough shock.¹⁹ A strong state lives on a social contract of participation and accountability. The hard state has a social contract too, limited to self-protection in exchange for support; but when self-protection shows weakness in this uneven exchange, it can come down in a great crash. Thus, in the Arab Spring, those states where the autocratic ruler was overthrown in short order (Tunisia and Egypt) survived and re-emerged

¹⁷ Bill Park, 'Turkey's isolated stance: an ally no more, or just the usual turbulence?', *International Affairs* 91: 3, May 2015, pp. 581–600.

¹⁸ Johannes Jüde, 'Contesting borders? The formation of Iraqi Kurdistan's de facto state', *International Affairs* 93: 4, July 2017, pp. 847–63.

¹⁹ Joel Migdal, *Strong societies and weak states: state–society relations and state capabilities in the Third World* (Princeton: Princeton University Press, 1988); Kamrava, ed., *Weak states in the greater Middle East*.

in the same historic forms: party state and military state, respectively. In those where overthrow took time and violence (Libya and Yemen), the brittle state was destroyed and its carcass was up for grabs among the conflicting rebel warlord factions. In those where the uprising was limited and recognized the legitimacy of the state and ruler (Morocco and Algeria), a strong state existed, skimming demands off the top of the protests as reforms to strengthen itself. Finally, in those cases where the hard state resisted, with external intervention (Bahrain and Syria), it too persisted—over the graves of up to several hundred thousand of its people. All these variations exist in the springtime of the Arab state.²⁰

One feature—actually little discussed in this issue except in Jüde's article on Kurdistan—that joins the lower two levels of sovereignty is the division of Middle Eastern states into autonomous regions. Rather than a collection of new states, the area is seeing a collection of regions that wave independence as a goal but settle into autonomous governance in the meantime, while the goal is left hanging on the hook to be available when needed. The advantages of self-governance within a larger state are numerous: claims on public goods such as national wealth and defence while protecting claims on local resources, and national self-determination without the need for wars of national liberation, among others. For the contentious politics of Syria, Iraq and, possibly, Libya and Yemen, temporary stability may well take the form of de facto federation or confederation, without formalization in any treaty or constitution.²¹ Belgium, Somaliland, Spain's 17 regions, Saharan autonomy within Morocco, Bangsamoro in the Philippines, and Bosnia and Herzegovina stand as comparable current examples outside the region, with varying degrees of stability. Boundaries in these cases would be established either in the time-honoured way of medieval Europe, as ceasefire or conquest lines, or along accepted provincial borders.

Regional state order

As noted above, the upper level of sovereignty wielded by intergovernmental or international organizations is weak in the Arab world. There is little chance here of an experiment like the EU or even the Russian Commonwealth of Independent States (CIS), despite some fervent longings in the past as espoused by the pan-Arab movement and embodied in the Union of Arab States of Syria and Egypt or the Ba'ath movement of Syria and Iraq. Instead, the upper level is truly anarchic, a Go game among more or less sovereign governments running more or less territorial states, as skilfully dissected for the 1950s and 1960s by Malcolm Kerr.²² Nasser at that time analysed the prevailing dynamics as the result of two competing notions of unity: unity of ranks and unity of forces.²³ The first saw all Arab states rallying

²⁰ Luciani, ed., *The Arab state*; Zartman, ed., *Arab Spring*.

²¹ Nicholas Heras, *The potential for an Assad statelet in Syria* (Washington DC: Washington Institute for Near East Policy, 2013); Karim Mezran, 'Libya: thinking the unthinkable', Atlantic Council MENASource newsletter, 25 Feb. 2016.

²² Malcolm Kerr, *The Arab Cold War 1958–1967* (Oxford: Oxford University Press, 1967).

²³ Gamal Abdel Nasser, *The philosophy of the revolution* (Cairo: Government of Egypt, 1954).

around a common identity that they strove to institutionalize against the common foreign enemy, an ethnic version of *dar al-islam* against *dar al-harb*. The second reflected a familiar ideological division between right and left in the form of retrograde and enlightened wings within *dar al-arab*. There is nothing as divisive as ethnic unity.

Half a century later, the same dynamics were rampant in the region, but on a different dimension. The dimension of course is not new—the split between the Shi'a and the Sunni is some 1,400 years old—but it came to the fore only recently as the dominant political fault-line and fissure in Islam. Its resurgence can probably be dated to the Iranian Revolution of 1979, and it now undergirds the dynamics of the Arab state order, firing the internecine animosity to an extent not seen since the Christian wars of religion from the Reformation to the Peace of Westphalia. There is nothing as divisive as religious unity.

In the flux of combat it is hard to draw a border, as the battleline surges back and forth. On the Shi'a side, Iran supports the Yemeni Houthis, the Lebanese Hezbollah, and the rump state forces of Bashar al-Assad in western Syria. The Sunni side is fragmented, unable to decide who the real enemy is: Turkey supports the Iraqi Kurds' *peshmerga* while fighting ISIS and the Syrian Kurds, Saudi Arabia intervenes destructively against the Yemeni Houthis, ISIS has dwindling outposts in northern Iraq and coastal Libya, and Al-Qaeda still has its *wilayat* in the Sinai and the Sahel. But the regional order that looms in the future is made up of a Fatal Crescent of Shi'a control circling from Iran through Iraq into Syria and Hezbollah's Lebanon, faced on the north by Sunni Turkey and Syrian Kurdistan, on the south by Jordan and Saudi Arabia and the rest of the Gulf, and to the west by Egypt and the Maghreb. Behind (or involved in) the Shi'a Crescent is Russia, working to win over the historic wariness of Turkey in between, while the western supporters of the Sunni side are far away.

This new configuration of the regional state order has not yet come fully into being and is only being formed through heavy combat and a sorting out of parties and sides. Already, however, it cuts apart both the old Arab Cold War triangle of Egypt, Syria and Iraq and the Gulf triangle of stability of Iran, Saudi Arabia and Iraq. It returns Russia to its Cold War position—and more—as supporter of Syria and Egypt, though of course it shares none of the ideological tenets of the Shi'a Crescent.²⁴ To the extent that this configuration works through states, borders and sovereignty, it compromises the last of these through the hierarchical structure of the Shi'a, leaving state and border otherwise intact.

The shape of things to come

A process of 'settling down' in the region assumes the emergence of Westphalian, Weberian states with established, recognized, demarcated borders. Will they represent a consolidation of the current states, or will there be a reconfiguration

²⁴ Derek Averre and Lance Davies, 'Russia, humanitarian intervention and the Responsibility to Protect: the case of Syria', *International Affairs* 91: 4, July 2015, pp. 813–34.

of the Middle East to incorporate the underlying ethno-religious realities and finally reject the impositions of the San Remo Conference in 1920?²⁵ The answer is clear, for many reasons: as in the rest of the formerly colonized world, from Latin America through Africa into south-east Asia, the borders conferred by the recent historical past have shaped states and national identities, and are likely to remain in place.

To begin with, people of the region think of themselves today in state-national terms—a sense, perhaps paradoxically, heightened by the damage to the political structures wrought by the current conflicts. The Arab Spring began as national uprisings; the irony of citizens of little Tunisia shaking the state structures of the Egyptians was felt in national terms, the Syrians demonstrated under the slogan ‘We are all Syrians’, the systemic rivalry between Moroccans and Algerians holds their national identities firm, Yemenis know they are not Saudis if they know nothing else. Most impressively, Jordanians know they are Jordanians even though two-thirds of them are Palestinians, and in the other countries of refuge where they have not been admitted to citizenship, Palestinians know they are Palestinians wherever they are; Lebanese know they are Lebanese and not Syrian even if Syria thinks they are. Refugees identify as nationals of their country, even despite ethnic ties across the borders.

While subnational identities are undoubtedly strong and often functional as well as sentimental, there is no subnational group that has the necessary characteristics to qualify as a new state. These qualifications consist of a territorialized population with a sense of ethnic or other identity galvanized by a consolidated nationalist movement, capable of attracting international recognition. The exception is of course Palestine, which despite qualifying after more than half a century has still not been able to obtain recognition as a state. The sole other ethnic group even close to being an exception is the Kurds, who do have a territorialized location—in fact, they have at least three, all in established states, Turkey, Syria and Iraq, not to mention Iran, the Syrian one cut to a narrow waist along the Turkish border. All three Kurdish populations have called for independence, although they are not united in a single consolidated movement. Any progress in that direction would be anathema to Turkey, whose government has not even been able to hold to negotiations with a view to acceptance of the Kurds’ ethnic identity, let alone their autonomy. The furthest likely extent of recognition is greater regional autonomy, separately, in Iraq and Syria. No other ethnic group in the region comes near to being able to claim proto-state qualities.

Beyond simple secession, the break-up of existing conglomerate states could provide more coherent successors, again assuming that the pieces qualify as states. A breakup of Syria has been mooted, and also of Iraq. The action responds to the characteristics of some of the pieces but not to others. A Shi’a mini-state in western Syria would continue to provide protection for Christian minorities, but the area between the Kurdish east and the west is not a clear contender for state-

²⁵ Joel Migdal, ed., *Boundaries and belonging: states and societies in the struggle to shape identities and local practices* (Cambridge: Cambridge University Press, 2004).

hood, landlocked and lacking much by way of population, resources, or identity other than simply the Sunni leftover. Much the same situation exists in Iraq, where the Sunni population would be left in the middle between the oil-endowed Kurdish north and the Shi'a south. One might then fantasize about a Syro-Iraqi Sunni state between a Kurdistan to the east and a string of coastal states—Shi'a Syria and Lebanon, Israel—to the west; but this would require some dedicated political engineering. Another breakup would see a return to the two Yemens that existed with a recognized boundary between them until 1990, presumably with a Shi'a Houthis-dominated north and a Sunni south (the north would have some 22 million people, equal to more than two-thirds the population of all of Saudi Arabia). Since the two regions did exist as independent units for half a century (south) and a century (north), they would not have to be reinvented; this case, then, would seem a more likely breakup, although neither formerly functioned as a Weberian governing unit.²⁶

There are also a number of territorial claims rooted in ancient history that could easily be revived. As an example, Syria still lays claim to the Alexandretta sanjak that hangs south into its north-western corner and was attributed to Turkey after the rest of the Turkish border was established at San Remo, though it would take a much stronger Syria and a much weaker Turkey to change its status. More threatening is the reverse: Turkish claims on areas to its south based on a revived identification with the Ottoman empire (which Atatürk declared dead with the creation of modern Turkey). The issue has arisen over the participation of Turkish forces in the liberation of Mosul from ISIS, with the US Defense Secretary indicating 'our respect for Turkey's historic role in the region'.²⁷ If former Ottoman territory is to be considered Turkey irredenta, the door is opened for major territorial changes and disputes. No other current state has the potential for claims of a similar magnitude.

The San Remo boundaries, often attributed to Sir Mark Sykes and François-Georges Picot, are also reasonably stable in terms of physical as well as human geography. Perhaps a third of the borders are geodesic (straight-line) boundaries, the most natural way to designate a border across uninhabited and physically undesignated areas. Often, these inexorable lines have been jogged slightly to encompass salient human and geographical features: the Halfawi on the Upper Nile and coastal populations in the Egyptian Mediterranean, and Jebel al-Magrah on the Gaza line and a *wadi* for Kuwait, among others. In Egypt's south-east, the latitudinal line was moved north-east for reasons of ethnic accommodation and now leaps from mountain top to mountain top in small, straight segments. Many others follow geographic features: the Lebanese border follows a number of crest-lines, the Syrian border follows a river to the south and some *wadis* (where available) to the east, the southern Moroccan border follows some *hamada* and *wadi* lines. Other borders wiggle across features of human and physical geography with no obvious criteria except to get to the next place; in many areas, such as the

²⁶ Hamidaddin, 'Yemen'.

²⁷ Tom Aragno and Michael Gordon, 'Turkey treads on Iraq's toes', *New York Times*, 25 Oct. 2016, p. A1.

southern Turkish or western Iranian borders, the line cuts across mountain ranges and water streams with no nearby features to justify a different course.

There is little in this patchwork quilt to suggest more appropriate lines, since neither human geography nor physical terrain lends itself to more appropriate lines (the matters of Palestine and Kurdistan excepted). The norms for boundary stability—demarcation, permeability and rectification—suggest that states should always be alert to the need for small changes to accommodate physical changes and shifting human patterns; a shift of this sort occurred recently in respect of the Lebanese border. But at the present time, the pressure of civil war on the borders generally provides an inappropriate setting for such adjustments.

Another consideration for the ‘rebordering’ of the Middle East is the agency for change. Border changes, other than minor adjustments as discussed, constitute major challenges to the established shape of a sovereign state. States do not give up territory gently or acquire it easily. Territorial change results from a major military effort, led by an active militant organization bearing a convincing justification following an extended campaign. The struggles of the Kurds, based on an ethnic demand for self-determination and the culmination of what at present amounts to over a century of effort, and the Palestinians, with a similar rationale over a similar period of time, are examples. The response to these campaigns must come from the international community, both regional and global, in the latter case from the United Nations Security Council (the General Assembly is not enough).

Today’s counterparts of Sykes and Picot would have to come from the region, either as agents of neighbouring states redrawing their own borders or as commissioners of the regional community as embodied in the Arab League or the Arab Summit. The shape of the settlement would also have to come from within the Middle East itself.²⁸ New borders might indeed be imposed, but this would have to be done by the states of the region and at a time when the conflict was ripe for a settlement, much as the Taif agreement ending the Lebanese civil war in 1989 was mediated under the auspices of the Arab League. At the same time, an external involvement is still required, again much as the United States was discreetly involved at Taif. Another relevant example is the Paris Conference of 1990, which provided an end to the Cambodian civil war through the participation of the world powers involved in supporting Cambodian factions as well as representatives of the Cambodian parties. These conferences at Taif and Paris did not involve border changes directly but concerned the positions of the states concerned—Lebanon and Cambodia—within their regions. Once a regional reorganization was reached, the settlement would then have to go to the UNSC for approval. If the settlement emerged from a conference of the nature described here, such acceptance would not be difficult to achieve.

However, if the change were of a more unilateral nature, international and even regional acceptance would be more uneven. The standoff around Morocco’s incorporation of the Western Sahara against Algerian opposition is an example

²⁸ Ellen Laipson, ‘A century after Sykes–Picot’, *World Politics Review*, 17 May 2016.

of the difficulties that can arise. A Turkish annexation of pieces of the Ottoman empire beyond current Turkish borders would face a bumpy road to acceptance, possibly taking on the neo-Cold War dimensions of the Russian annexation of Crimea or the independence of Abkhazia or South Ossetia. Another possibility might be a unilateral declaration of independence (UDI), as practised in contemporary times by Kosovo or Eritrea. In both cases, the event was preceded by a bloody conflict and accompanied by international efforts to smooth the process; in the case of Kosovo, international recognition has been widespread but is not yet universal. Again, the huge hesitations of Palestine about announcing UDI and its only gradual efforts to improve its status illustrate the difficulties of new state creation. The obstacles to international recognition, or even selective sponsorship, of new members of the Middle East state system are enormous.

One actor has made a concerted effort to change the whole system and its membership—ISIS. It represents, contradictorily, both the ultimate attempt to institutionalize the Islamist movement by creating a state of its own to recall the Golden Age of the new Muslim political entity thirteen centuries ago, and at the same time the extreme form of carrying the struggle between *dar al-Islam* and *dar al-harb* into the territory of the latter by selfishly committed agents of the former. While ISIS has claimed that it is not a territorial institution but a people's movement, it soon learned to function as a proto-state, organizing services for its people, instituting its form of justice, providing security, even creating social classes. Its record at these tasks is at best uneven, and it seems to be losing the battle for security as a territorial state.

It has had more, if scattered, success as the ultimate form of violence against the West. After the failure of Islamic movements as subversive parties against Muslim states (such as the Islamic Salvation Front in Algeria or the Muslim Brotherhood in Egypt) and as organized attacks against western states (such as the 9/11 attacks on New York and Washington), it has turned to sponsoring the efforts of individual jihadists in a widespread terrorist network.²⁹ Organizationally, this stage is the antithesis of the territorial or even the population state, a new rhizome—as it is referred to—running on inspiration and secret linkages and animated by spiritual and material alienation and the conviction of immediate salvation. It is indeed a new form of action coming out of the area. Fortunately, it is at worst a Zika virus and certainly not an institutional health system, dedicatedly destructionist but incapable of building a new structure.

Conclusion

The collection of articles presented in this issue of *International Affairs* shows by careful analysis that states in the Middle East have an existence that matters and at the same time is characteristically vulnerable, and that the imperfect Middle East

²⁹ Abdu Musab al-Suri (Mustafa Setmariam Nasar), *Call for world Islamic resistance* (n.p., 2005); Brynjar Lia, *Architect of global jihad: the life of Al Qaeda strategist Abu Mus'ab Al-Suri* (New York: Columbia University Press, 2009); Gilles Kepel, *Terrorer dans l'hexagone: Genèse du djihad français* (Paris: Gallimard, 2015).

state system is not on the brink of any major change, either in its components or in the regional order among them. Those components are imperfect states, still growing to extend their authority to their borders but commanding a sense of identity that is larger than their own operations. Weber's ideal is a long way off, but most states are working at it. That is, indeed, probably the case with most aspiring states in the world; but while the Middle East may trail behind some more developed cases, in their several ways Morocco, Algeria, Tunisia, Egypt, Jordan, Israel, Saudi Arabia, Turkey, Iran and probably even Iraq are undeniably states of various types, with recognized, often demarcated, though frequently very permeable, boundaries. Their imperfections may enjoy a good deal of penetrating analysis, but Middle Eastern states are undeniably states, not something else (Libya, Yemen and Syria aside), as the various contributions to this collection amply illustrate.

These states are not likely to be rearranged into new shapes, for the reasons discussed above. The system of which they are all part is going through a new hot and cold war of its own on all three levels of sovereignty, divided by a struggle for religious authenticity that is itself animated by a struggle for rank and relations among the states. The entrance of Iran into the relations of the Mashreq under the banner of Shi'ism, the collapse of Syria and Iraq as poles (with Egypt, which remains) of the old 'Arab Cold War', the brash ambitions and wavering position of Turkey, and the uncertain evolution of the Gulf states (including Saudi Arabia) are major movements in the regional order of the area. More broadly, the diminishing role (up to the present) of the United States and even Europe, elbowed out by Russia elbowing its way into the region, reflects important change in the regional drama. But the sovereign, bordered state actors are likely still to be recognizable.

When things do 'settle down', in the long but foreseeable future, the only way to provide a dynamic stability and fairly peaceful relations will be through the establishment of a community of states that tolerate one another's existence and provide regional order through their mutual relations. An imposed order is not of this world. Imposition of order by a single state or collaborating group of states—regional or external—is not possible, given the antagonism between the two sides of Islam and the feisty nationalism within all the separate states. The age of colonialism in which sovereignty and order are imposed and sustained from abroad is long past; and even the age of the Cold War, in which sovereignty held at home was wielded with the connivance of foreign powers, has lost its sheen. Russia is no more likely than the United States to turn the Fatal Crescent and its Sunni opponents into satellites; rather to seek support from them, in a role reversal. But a self-contained regional community without violence other than boundary frictions, in which the upper level of sovereignty takes on its primary role, is at least as far distant in the future as these past systems of imposed order are in the past.