



# New ideas and some old truths

The government's proposals for extra-territorial arrangements in Sinai and self-rule for the West Bank and Gaza Strip deserve more careful consideration than the pressures of public relations tactics have allowed, writes DANIEL J. ELAZAR.

THE APPARENT deadlock in Israel-Egypt negotiations indicates that what we need are new ideas that transcend the barriers of conventional thinking on the principal points of the Arab-Israeli conflict. It seems to me that such new thinking is not only desirable but possible, provided it is based on the recognition of certain constants in the Middle East situation which seem to have been ignored by most, if not all, of the parties involved, and not least by the U.S.

Four points stand out:

□ The most permanent elements in the Middle East are not the territorial states as they presently exist but those ethno-religious communities which in their most comprehensive form reflect a common kinship manifested through a common creed.

In the long history of this ancient region, empires, states, provinces, and cities have come and gone, while its peoples have had an amazing persistence. Not only the Jews but the Armenians, the Copts, the Arabs, the Kurds, and the Maronites, to mention only a few, have a recorded presence in the region stretching back two thousand years or more. Even such relative latecomers as the Turks have been in the region for a millennium or more.

These peoples have made their adjustments to different political structures, sometimes as leaders, sometimes as subjects; but as peoples they have survived where states have disappeared. It may be said that the Middle East is a mosaic of long-lived peoples who have used various political devices over time to achieve political self-determination.

Precisely because of the ancient character of the peoples of the Middle East, "instant peoplehood" — as has been touted in the case of the Palestinian Arabs — is suspect. Peoples form over the centuries, not in a decade or two, and the truly legitimate structures, whether states or churches, are those created by ancient peoples.

All the evidence points to the fact that modernization has not eliminated the primacy of ethno-religious identity, but has only sharpened certain aspects of it. Those who thought that the imposition of new categories of statehood would undermine the old order have discovered how mistaken they were, often learning of their error through civil war or massacres.

Any settlement in this region must therefore take into consideration the permanence of ancient peoples and their rights, and keep in perspective those claims of statehood that are based on 15 or 30 or even 50 years of national identification.

□ Even more than states, boundaries in the Middle East have been highly impermanent, rarely lasting more than a generation or two under the best of conditions. The region consists essentially of oasis areas surrounded by deserts, with the struggle between the desert and the sown being one of the few constants. The carving up of those oasis

heartlands which are the basis of such continuous geographic identity as exists in the region and the territories in between has been a regularly recurring effort.

There is not a single boundary in the Middle East today that is as much as 100 years old. To take the Israeli case, the oldest boundary is that between Israel and Sinai, which was drawn in 1906. Israel's northern boundaries were only established in the early 1920s, while its eastern boundaries have never been formally established except on an interim basis. The same is true for the boundaries of Syria and Egypt, not to mention Jordan, which does not even have an historic heartland known by that name.

Nor is this simply a phenomenon of modern nation-building in the region. It is a recurring pattern. Even during the days of imperial rule, the boundaries changed regularly as a result of external and internal wars, and the imperial powers were constantly re-dividing the territories within their domain. The Ottoman Turks re-drew the provincial boundaries in what was known as Syria and Palestine on the average of twice every century.

The whole purpose of boundaries in the Middle East has not been to encompass geographically fixed nations, but to provide security for the peoples of the various heartlands or powers able to make their needs felt at any given time. To repeat, in this region the peoples are constant, not the boundaries.

□ The various peoples of the Middle East are so scattered that homogeneous states have been rarely, if ever, attainable in the region. Excluding Egypt, one can identify homogeneous areas the size of relatively small provinces or medium sized American counties at best. In urban areas, populations have usually been substantially intermixed, at most separated into neighbourhood groupings. In rural areas, the division has often been on a village by village basis, which leads to great complications when trying to draw boundaries on a more than local level.

History has shown that every successful political arrangement must involve the satisfaction of the majority along with the maintenance of the communal rights of the minorities under the same jurisdiction.

Every polity in the region is, in some respects at least, a compound one with no possibility — short of expulsion or genocide — of becoming an ethnically unitary nation-state as called for in European theories of nationalism.

□ As a consequence of the foregoing, peace has existed in the Middle East only when conventional notions of sovereignty have been drastically limited and principles of shared power have operated in their place.

The various empires that have succeeded in bringing peace to the region, particularly the ancient Persian Empire and the more recent Ottoman Empire, were based on principles of local autonomy — at times

ethnic, at times a combination of ethnic and territorial — whereby each of the peoples within the imperial system had some significant measure of cultural, religious, and even political self-determination or home rule.

The rulers of those empires recognized the constant facts of life in the Middle East for what they were. Unfortunately, the historical record shows that only where there have been dominant empires have these peaceful relations obtained, albeit at some cost to the subject peoples.

In those periods when the region has broken up into separate states or small imperial domains, consistent inter-state warfare has generally been the rule, with all the consequences that such warfare inevitably has on peace and the stability of populations and boundaries.

Today the region is once again divided into many states. The result is once again as it was before, and not only with regard to the conflict between Israel and her Arab neighbours.

In the years after World War II — the first years of independent statehood for most of the states in the region — there have been civil wars in Cyprus, Ethiopia, Iraq, Iran, Lebanon, Sudan, and Yemen; revolutions based on ethno-religious differences in Libya and Syria; interstate conflicts or border clashes between Egypt and Libya, Iraq and Iran, Ethiopia and Somalia, Syria and Turkey, Syria and Jordan; and such foreign interventions as the Egyptian war in Yemen in the mid-1960s, which added a new twist to the general pattern of regional conflict through the use of poison gas.

NONE of the peoples in the region would wish for a return of imperialism, even in the name of peace. Nor would any of the states in the area wish to sacrifice their independence for that reason. However, the record has once again demonstrated that the system of fully sovereign states as developed in modern Europe is not appropriate to the Middle East.

Thus new inventions are necessary to achieve peace within the framework of modern nationalism and — hopefully — democracy. Such inventions must be in the spirit of the region, not foreign transplants likely to be rejected by the bodies politic. In the development of these new inventions, it might be possible to learn from old imperial solutions, even if these cannot be applied as they were in imperial times.

Two particular arrangements stand out as having had recurring success in imperial peace systems of the past. One is the principle of ethnic autonomy or home rule — what in the Ottoman period was known as the millet system. The other is the principle of extra-territorial arrangements whereby particular groups can be protected by external powers with which they have an affinity — what were known in Ottoman times as capitulations.

While both the millet and capitulation systems have been roundly rejected by newly sovereign states jealous of their sovereign prerogatives, serious remnants of the millet system in fact persist in every one of those states, and the outside intervention of brethren or great powers has been tacitly reaffirmed.

Even the most extreme of these states have discovered that, unless they are willing to exterminate minority populations or drive them out — the pattern followed by the first new states in the region early in the 20th century — it is necessary to come to some accommodation with them. All but the most extreme rulers have learned that it costs less to do so by giving them formal or informal cultural and religious autonomy in some spheres and even legal powers in matters of personal status (marriage, divorce, and inheritance are the most common of these) than to try to force them to give up ways of life that go back to antiquity.

With a few exceptions, these accommodations have not been incorporated in a written constitution because of the reluctance of the new states to limit formally their sovereignty; but for all intents and purposes they cannot be changed without civil war or great upheaval. To the extent that they become constitutionalized over time, it will mean that, while not every group that has an identity of its own can have a state in the complex pattern of the Middle East, each can have the wherewithal to preserve its own integrity.

Extra-territorial arrangements are in greater disfavour in the newly established states of the Middle East, principally because they smell of colonialism. Indeed, were they to involve overt intervention from outside the region, they would be just that. Extra-territorial arrangements among neighbours are another matter, however. Even now, a number of such arrangements prevail on the Egyptian-Sudanese border, where they have been formally incorporated into the settlement between the two states.

VIEWED IN this light, the Begin plan that calls for extra-territorial arrangements in eastern and southern Sinai after the peninsula is returned to Egyptian sovereignty does not represent a radically new departure within the Middle East, but an inventive approach for a disputed borderland region that has served to separate the Judean and Egyptian oases without resorting to clearcut boundaries since time immemorial. It could foreshadow a new era of peaceful inter-state relations in the region. Instead of being viewed with suspicion, the Israeli prime minister's creative effort should be hailed as a step towards rationality in a situation where the simple-minded exercise of sovereignty can only lead to repeated wars.

Similarly, Mr. Begin's suggestions to hold the issue of sovereignty in abeyance with regard to the administered territories of Judea, Samaria, and Gaza offer the opportunity for appropriate inventiveness. His plan points to a combination of self-rule for the local minority population within a system of shared rule by the two states — Jewish and Arab (Jordan) — that presently share historic Eretz Yisrael/Palestine. It deserves far more careful and understanding consideration than the pressures of public relations tactics and hardened preconceptions have allowed.

The Israeli government's concessions on the sovereignty issue reflect a perception, perhaps only intuitive, perhaps more, of the limitations of the sovereignty concept in the Middle East. While no state in the area wishes to give up the essence of its sovereignty, it is quite proper to think of Israel's recommendation as a first step towards creating shared arrangements on the peripheries of sovereignty which can foster peace, in part because they overcome the jurisdictional problems that have always arisen on the peripheries of the many oases that comprise the region, and in part because the problems can be solved by so intertwining the various parties that war becomes difficult and unprofitable for all.

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