Devising a Consensus-Driven Security Architecture for the MENA Region

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Abstract: The Middle East and North Africa is beset with a series of crises, including most recently the COVID-19 pandemic. A host of conflicts in the region have become inter-locked and shaped by a combination of both state and non-state actors, including external powers who have exploited conflict and tumult to enhance their geostrategic interests. While conflicts may have once been dominated and shaped predominantly by states, today political and conflict landscapes are becoming increasingly defined by armed non-state actors, complicating peace-building efforts and inter- state dialogue across conflict theatres. Addressing the underlying drivers of conflict requires in the first instance an appreciation for the proliferation and dominance of armed groups, the embrace of proxy warfare by regional states and, with that, the degradation of the principles of sovereignty and non-interference. This is central to understanding the limits and constraints of a regional security consensus that is focused primarily on inter-state negotiations and mediation, or that borrows its guiding principles from historic peace agreements like the treaty of Westphalia. On this basis, it is possible to devise instances of bottom-up and localised peaceful order that can be used as stepping-stones for a broader national, and then eventually a regional, consensus-driven security architecture.

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Introduction

In recent years, world powers have decreased their dependency on conventional armed forces, opting instead to rely on a combination of hybrid warfare (the use of irregular local fighters, cyberwarfare and drones, among others) and indigenous local forces.[1] The capacity and willingness of these local forces to fight on behalf of, or in partnership with, outside powers makes them a useful alternative to the more politically sensitive deployment of conventional national forces that governments may struggle to secure political or legislative approval for. In recent years, the United States and its European allies, like other states such as Russia, Iran and Turkey, have increasingly worked with armed non-state actors, sometimes simultaneously. While it is true that regional countries have augmented their military hardware and conventional military capabilities, and the prospects of an inter-state war should not be dismissed (particularly in light of the recent conflict between Armenia and Azerbaijan), proxy warfare has become a viable and preferred option, in large part because it provides a degree of deniability that allows sponsors to escape culpability for the atrocities of armed groups, deny responsibility for the immediate and second-order implications of their conduct on the ground and because it provides a cost-effective means of combatting or deterring their adversaries.

This has had far-reaching implications for long-held notions of sovereignty, which at its essence is premised on the principle of non-interference. But this principle can no longer underscore any region-wide peace-building efforts. Conflicts in Libya, Yemen, Syria and Iraq exemplify the extent to which sovereignty has become a myth – ignored and distorted by every belligerent amid military contests in countries where, conversely, autocratic leaders and their external backers have weaponised the concept of sovereignty to repress and subjugate their populations. Even those states that have historically relied on conventional national armed forces to address regional and national security concerns are increasingly turning to proxy warfare and contributing to the exponential decline of Westphalian sovereignty. This has notably been the case with Turkey, as exemplified by its deployments in Syria, Libya and, more recently, in the conflict between Armenia and Azerbaijan.

Accepting that regional conflicts will continue to be driven by external actors, and will feature the arguably irreparable distortion of sovereignty, is critical to the process of identifying alternative pillars and principles that could underpin a consensus-driven regional security architecture.

Indeed, countries like Iraq and Syria portray both the complexities and contradictions of proxy warfare. In Iraq, the West, for example, has relied on the Iraqi armed forces and Iraqi police units; Arab Sunni tribes in northern Iraq; irregular Shiite fighters; and the Kurdish Peshmerga. In Syria, the West has supported and relied on Arab rebel groups and tribes who have fought the Assad regime, as well as the Kurdish fighters of the People's Protection Units (YPG).[2] All of these actors have at some stage fought one another. In Libya, European countries effectively sit on opposite sides of the conflict, with Italy and most other EU member states

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[1] Ranj Alaaldin, "Securing Humanitarian Assistance in the Middle East Is More Urgent Than Ever", in *Brookings Op-eds*, 11 August 2020, https://brook.gs/33U7cGm.
[2] Ibid.

backing the UN-recognised, Tripoli-based Government of National Accord and France supporting General Khalifa Haftar's Libyan National Army.

The propensity for mobilising proxies in conflicts like those unfolding in Libya, Syria, Yemen and Iraq has both compelled and incentivised the turn to such means of warfare on the part of states that have otherwise preferred to rely on and develop indigenous national forces, as notably exemplified in the case of Turkey. Writing for the Carnegie Corporation's Proxy Wars Initiative and Crisis Response, Osman Sert, a former member of the Turkish parliament and advisor to Ahmet Davutoğlu, Turkey's former prime minister, explains that Ankara has not historically developed the institutional capacity to support proxies but this impaired its ability to secure battlefield gains and to support its allies on the ground.[3] The costs that Turkey incurred during the course of the conflict in Syria has since compelled Ankara to shift its position, as exemplified by its intervention in Libya in 2019, which in mobilising Libyan and Syrian fighters played a decisive role in preventing General Haftar from taking Tripoli.[4]

On the surface, the move toward proxy warfare may suggest more limited implications for stability and human security, the notion being that, unlike inter-state wars, proxy warfare results in limited conflagrations in the absence of heavy weaponry and arsenals that have traditionally been at the disposal of state actors. But proxy wars have had an untold impact on the Middle East and North Africa (MENA) region. Intra-state conflicts have a series of characteristics that makes them more likely to inflict devastating short and long-term consequences. These are conflicts that tend to be inherently protracted, owing to the decentralised organisational structure of its non-state belligerents and the involvement of outside actors. The latter in particular creates a balance between external proxy powers that increases the durability of the conflict, and it is only when all parties perceive their involvement as offering limited returns and intolerable costs that they contemplate either ending their involvement or becoming more amenable to a settlement. These costs include both human and material costs, the financial and reputational costs (among others) that might compel an external actor to re-consider the support and resources they have invested in a conflict. As the Syria conflict indicates, a conflict can endure for almost a decade and still fail to yield an opening that might provide for a lasting settlement.

The notion of a lasting settlement is in itself a difficult concept in the case of civil wars. The second-order effects of conflicts are often understated, particularly their impact on the public consciousness and the collective memories of injustice and repression they create and that establish the grievances and conditions for conflict relapse. The weakening of institutions, the collapse of the rule of law and the collapse of state authority paves the way for alternative authorities including militias, warlords and criminal enterprises to fill the resulting gap, producing war economies that these actors are determined to preserve and that expand their recruiting pool.[5]

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[3] Osman Sert, "Turkey Is Now a Permanent Proxy Sponsor", in *Proxy Wars Initiative* website, 4 June 2020, https://www.pwinitiative.org/turkeyhasembracedproxywarfare.

[4] Ranj Alaaldin and Emadeddin Badi, "Libya's Proxy Sponsors Face a Dilemma", in *Order from Chaos*, 15 June 2020, https://brook.gs/3e1Opvi.

[5] See Steven Heydemann, "Reconstructing Authoritarianism: The Politics and Political Economy of Post-Conflict Reconstruction in Syria", in *POMEPS Studies*, No. 30 (September 2018), p. 14-21, https://pomeps.org/?p=10821; Irene Costantini, "Conflict Dynamics in Post-2011 Libya: A Political Economy Perspective", in *Conflict, Security & Development*, Vol. 16, No. 5 (2016), p. 405-422; Michael G. Findley and Josiah F. Marineau, "Lootable

The humanitarian cost of present and future conflicts cannot be understated. Syria's war has displaced half its population – more than 12 million people – both internally and externally. Millions have been displaced in Iraq and Yemen. In Libya, hundreds of thousands have been displaced.[6] The statistics are harrowing: about 13.5 million people need humanitarian aid in Syria; in Yemen, 21.1 million; in Libya, 2.4 million; and in Iraq, 8.2 million.[7] These crises were set in motion long before the current pandemic, and have been worsened by governance failures that have plagued the region for decades.

Indeed, the UN estimates that the COVID-19 pandemic will plunge a further 8.3 million people into poverty – that means at least 101 million people classified as impoverished and 52 million as undernourished in the Arab region.[8] The destitution that looms large for the region will almost certainly continue to sustain the conditions that enable conflict and make the prospects of a durable peace less likely.

Studies show that "of the 105 countries that suffered a civil war between 1945 and 2013 [globally], more than half (59 countries) experienced a relapse into violent conflict – in some cases more than once – after peace had been established".[9] A recent study conducted by the University of Denver's International Futures model, a statistical simulation of human and social development indicators, shows that while many countries were experiencing armed conflict before the pandemic, an additional 13 countries are likely to see new conflicts through 2022 – an increase of 56 per cent.[10] The study goes further to stipulate that it now expects 35 countries to experience instability between 2020 and 2022, more than at any point over the past 30 years.[11] It is estimated that 90 per cent of current war casualties are civilians, the majority of whom are women and children, compared to a century ago when 90 per cent of those who lost their lives were military personnel, while more than half of all states affected by ongoing conflicts are also affected by protracted armed conflicts persisting for more than ten years.[12]

1. Geopolitical shifts and fragmented security orders

It is implausible to ignore the significance of inter-state rivalries and how these have paved the way for the current state of regional peace and security contours. There are two major developments that warrant appreciation when looking to establish the point at which armed groups started their ascendancy and complicated attempts to establish a consensus-driven

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Resources and Third-Party Intervention into Civil Wars", in *Conflict Management and Peace Science*, Vol. 32, No. 5 (November 2015), p. 465-486.

[6] Ranj Alaaldin, "Securing Humanitarian Assistance in the Middle East Is More Urgent Than Ever", cit.

[7] World Bank, *By the Numbers: The Cost of War & Peace in the Middle East*, 4 February 2016, https://www.worldbank.org/en/news/feature/2016/02/03/by-the-numbers-the-cost-of-war-and-peace-in-mena.

[8] UN News, *Coronavirus Pandemic Threatens to Plunge Millions in Arab Region into Poverty and Food Insecurity*, 1 April 2020, https://news.un.org/en/story/2020/04/1060822.

[9] Richard Caplan and Anke Hoeffler, "Why Peace Endures: An Analysis of Post-Conflict Stabilisation", in *European Journal of International Security*, Vol. 2, No. 2 (2017), p. 133-134.

[10] Jonathan D. Moyer and Oliver Kaplan, "Will the Coronavirus Fuel Conflict?", in *Foreign Policy*, 6 July 2020, https://bit.ly/3dYubkZ.

[11] Ranj Alaaldin, "Securing Humanitarian Assistance in the Middle East Is More Urgent Than Ever", cit.

[12] Alexandre Marc, *Conflict and Violence in the 21st Century. Current Trends as Observed in Empirical Research and Statistics*, Presentation at the UN High-Level Thematic Debate "In a World of Risks: A New Commitment for Peace", New York, 10-11 May 2016, https://wp.me/a8QrDE-eAE.

regional order, and at which the regional security order started to become disrupted and fragmented to pave the way for existing regional peace and security dynamics.

In the first instance, the 1980s period saw the region become engulfed in a fragmented security order in which matters of regional peace and security not only came under inexorable strain but were also starting to move beyond the ambit of state actors. During this period, the Soviet invasion of Afghanistan spawned the groups, fighters and resources that would provide the trappings for a global jihadi movement known as Al-Qaeda, which established branches and battle-fronts across the MENA region. This movement would later provide the historical context and stepping-stone for the formation of Al-Qaeda in Iraq in the aftermath of the 2003 US invasion and, later, the formation of Islamic State in the midst of the Syrian civil war.

Secondly, the eight-year Iran-Iraq war, which unfolded between 1980 and 1988, positioned Iran and its Islamic Revolutionary Guard Corps (IRGC) as a force to be reckoned with in the region at large as it encroached into previously impervious ideologically spaces (like the Iraqi nationalist space) to establish a vast network of proxies that have been central to the Islamic Republic's ability to contain, deter or eliminate its external rivals. It was during the Iran-Iraq war that Iran established some of the region's most formidable militia groups, and set up arguably its single most important foreign legion in Lebanon, Hezbollah.[13]

The emergence of a Shiite theocracy in post-1979 Iran and the subsequent eight-year Iran-Iraq war, together with the invasion of Afghanistan, set the tone for and enabled a distortion of regional peace and security contours that still shapes regional contestations. The legacies and the second-order effects of a devastating war like the Iran-Iraq war continue to shape regional security dynamics, providing the narratives and sentiments that drive the foreign policies of regional countries because of the extent to which they have shaped the political consciousness and outlook of regional leaders and strategists today.

For Iran, the war provided the foundational myth for the Islamic Republic, enhancing its ability to consolidate its hold in the aftermath of a revolution that was driven by and spawned multiple disparate political forces and movements. It was an existential war for Iran, and Iranian leaders to this day assert that it has never ended. Indeed, the Iraqis were backed by a plethora of states, including the Gulf Arab states and the United States, all of whom feared an Iranian victory would result in an Iraqi Shiite Islamist government in Baghdad that would be beholden to Iran. At the same time, both Gulf Arab states and the US feared that an outright victory by Saddam Hussein would transform Iraq into a regional hegemon with implications for the security of the Gulf and US regional security interests, including access to vital oil reserves that were central to America's economy.

The strategic calculus in regional capitals, together with the risk calculus, is rooted in these historical episodes of conflict and tumult. Operationally, the Soviet occupation of Afghanistan and the Iran-Iraq war enabled the environment that allowed militia groups and other armed non-state actors to thrive and compound regional peace-building challenges. Since its creation in 1982, Hezbollah has achieved a "supra-state" status in Lebanon, superseding state institutions while becoming indispensable to Iran's expansionist ambitions, and critical to its

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[13] Ranj Alaaldin, "How the Iran-Iraq War Will Shape the Region for Decades to Come", in *Order from Chaos*, 9 October 2020, https://brook.gs/2SGniwl.

ability to mobilise, establish and train militia groups across the region.[14] Groups like Hezbollah have unparalleled power in their countries and have spawned other militia groups and affiliates.

That said, even after the emergence of the Islamic Republic of Iran in 1979, there were pragmatists in Iran and Saudi Arabia who supported security and economic co-operation. The 1990s saw an effort by the two states to cooperate on security matters. This included a 1997 agreement with Riyadh that aimed to establish a framework for regional security cooperation. Pragmatists in Iran and Saudi Arabia have been in conflict with more radical elements ever since. In other words, both can be rational, as opposed to nihilistic, actors. Iran, for example, supported Shiite Islamist actors in Iraq in the aftermath of the revolution in 1979 but owing to domestic constraints and upheaval, this barely went beyond rhetoric and the leadership in Iran effectively shunned its co-religionists across the border. It was only once Iraq attacked Iran in 1980 that the Islamic Republic dedicated itself to the overthrow of Saddam's Baath regime. Similarly, despite Wahhabism being an instrument of power and central to the legitimacy, authority and influence of the House of Saud, pragmatism has not only allowed for interactions between Saudi Arabia and Iran but also Saudi collusion with Israeli foreign policy vis-à-vis Iranian nuclear ambitions, while other Gulf states like the UAE and Bahrain have gone so far as to normalise their relations with Tel Aviv. These relationships may have been designed on some level to contain Iran but they do at the same time indicate a capacity on the part of some states to forge relationships in whose absence the region may otherwise experience further conflict.

The historical context is important in this respect because, as in many of today's conflicts and geopolitical tensions, there have been openings and windows of opportunity for rapprochement but these have not been capitalised on pursuant to the objective of a durable peace. While as far as Iran is concerned it is still engulfed in an existential conflict with many of its regional neighbours, for the Arab Gulf the Islamic Republic also represents an existential threat that needs to be managed, even if it does not constitute an imminent existential threat. Iran is also viewed in Gulf capitals through the prism of their restive Shiite communities, placing a particular focus on the religious and socio-cultural (and to a lesser degree, political) transnational links that Shiite communities in the Arabian Peninsula enjoy with the region's other Shiite communities, most notably in Iraq, Iran and Lebanon.[15]

Ultimately, prospects of a durable peace, or a détente, were shattered by the 2003 US invasion of Iraq, which paved the way for the ascendancy of Shiite Islamist political actors who were backed or established by Iran, and the decline of Arab Sunni actors who were marginalised and suppressed by their Arab Shiite rivals in Iraq, a rivalry that resulted in the 2006–2007 sectarian war and that ultimately set the tone and both local and structural conditions for the emergence of so-called Islamic State in 2014.

Discourse matters. In December 2004, King Abdullah of Jordan coined a phrase that reverberated throughout the region and has underscored tensions between Iraq and the Arab world. Referring to the empowerment of Iraq's Shiite elite and their relationship with Iran,

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[14] Ibid.
[15] See Cinzia Bianco, "The GCC Monarchies: Perceptions of the Iranian Threat amid Shifting Geopolitics", in *The International Spectator*, Vol. 55, No. 2 (June 2020), p. 92-107.

King Abdullah referred to the dangers of a "Shiite crescent" stretching from Damascus to Tehran, passing through Baghdad. That rivalry has played out on Iraqi soil since, paving the way for the proliferation of Shiite militia groups backed by Iran and the emergence of powerful Sunni insurgent groups, including Al-Qaeda in Iraq and remnants of the Baath regime who were collectively provided with arms, financial resources and safe-passage in and out of neighbouring countries like Syria and Jordan. The violent contestation manifested itself in marked fashion during the 2006–2007 sectarian conflict and then later the 2014 emergence of ISIS, while also extending into geopolitical competition during the Syria civil war where Iraq's Shiite militias mobilised alongside the Assad regime, while Iraqi Arab Sunni tribes and fighters extended their support to rebel groups fighting the regime.

More recently, the second-order effects of the toppling of Muammar Gaddafi continue to shape proxy conflict and geopolitical rivalries both within and beyond Libya. The foreign military rivalries unfolding in Libya today are rooted in the 2011 revolution and the NATO-led intervention. Internally, Libyans are still contesting local and national decision-making structures, while external actors are still embroiled in competing agendas. As Frederic Wehrey points out, "tensions are especially visible among countries that put boots on the ground"; the armed groups have become, "in effect, local proxies for foreign powers, most notably the Emirates (joined by France) and Qatar, who carr[y] out their rivalry in the form of competing "operations rooms" through which information, requests for weapons and intelligence coordination flo[w]".[16] The Gulf states are embroiled in their own internal rivalries in Libya, where Qatar (along with Turkey) supports the UN-recognised government in Tripoli, and the UAE backs the self-appointed head of the Libyan National Army Khalifa Haftar.

Such rivalries have also extended further, to the Horn of Africa. Gulf Arab states' spending power is reshaping geopolitical dynamics on both sides of the Red Sea. As Zach Vertin explains, the UAE, Saudi Arabia, Qatar and Turkey are exporting their rivalries in the Middle East to a strategically important area that places them in proximity to a great power rivalry between the United States and China and in proximity to the Bab el-Mandeb strait, a narrow shipping corridor through which hundreds of billions of dollars in oil and other goods pass between Europe, Asia and the Gulf.[17] Geopolitically, across the strait lies Yemen, where a ferocious proxy battle continues with devastating humanitarian consequences.

2. Consensus-driven frameworks fit for 21st-century warfare

Since 2011, sovereignty in the MENA has become increasingly challenged while state institutions have weakened or collapsed. Changes at the domestic and regional level have created conditions conducive to the ascendancy of violent non-state actors, to such an extent that the Westphalian nation-state system, established from the ruins of the Ottoman Empire in the early 20th century, has come under immense pressure. In this context the rag-tag forces of ISIS were able to breach the territorial boundaries that separated Eastern Syria from

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[16] Frederic Wehrey, "'This War is Out of Our Hands'. The Internationalization of Libya's Post-2011 Conflicts from Proxies to Boots on the Ground", in *New America Reports*, 14 September 2020, p. 12, https://www.newamerica.org/international-security/reports/this-war-is-out-of-our-hands.
[17] Zach Vertin, "Red Sea Rivalries", in *Foreign Affairs*, 15 January 2019, https://www.foreignaffairs.com/node/1123660; Zach Vertin, "Red Sea Rivalries: The Gulf, the Horn, and the New Geopolitics of the Red Sea", in *Brookings Doha Center Reports*, August 2019, https://brook.gs/2FqUty7.

Western Iraq for the best part of five years in an attempt to create a new state (a reborn Caliphate no less).

The notion that armed groups could reconfigure once sacrosanct borders had been considered implausible for at least half a century. Armed groups, including the most sophisticated and organised of them, were no match for the conventional armed forces at the disposal of regional governments, reinforced and heavily backed by one of the two global superpowers, the Soviet Union (later Russia) and the United States, up until and even after the end of the Cold War. Organisations like the Palestinian movement Fatah and the Palestine Liberation Organisation; the Taliban and the Northern Alliance in Afghanistan; and Kurdish movements in Turkey and Iraq were skilled operators and developed long-standing partnerships with their sponsors. Yet, these actors never came even remotely close to achieving their political and ideological objectives in a regional and international order where statehood and state-actors reigned supreme.

Regional order conflagrations have long shaped the Middle East, particularly since the advent of Arab secular nationalism or Nasserism and the toppling of monarchies in Iraq, Syria, Yemen and Libya. Cataclysmic events such as the successive Arab-Israeli conflicts or the Iran–Iraq war, driven by anti-colonial sentiments, socio-economic inequalities and revolutionary fervour, were coupled with a rise in Arab nationalism, economic injustice and failures in governance. However, it is one thing for the region to be gripped in upheaval and another for it to witness the marked ascendancy of armed non-state actors that have added multiple different layers to what was already a complicated and multi-faceted challenge facing the region in its attempts to achieve lasting peace. While it may be plausibly argued that emphasis on armed groups distracts from the reality that even in their absence the region has been mired in devastating conflict, it is also the case that armed groups function and complicate peace-building in ways that make durable peace-building efforts less sustainable.

For example, the notion of a Westphalia peace in the Middle East has been touted by a number of scholars, but such initiatives have often lacked historical perspective. In fact, they are inapplicable to the realities of conflict and governance in the Middle East today, lacking appreciation for the complexities, fluidity and the resilience of armed actors and the fluidity of patron-client relations, as well as the relative autonomy and self-dependency that allow non-state actors to shape the dynamics of governance, politics and conflict.[18] Whereas previously the space in which these groups operated could be severely constrained, they now operate in environments characterised by regional conflicts, weak state institutions and porous borders. As a result, they have tremendous resources at their disposal domestically at the national level, and more options when it comes to securing foreign patronage or resources in a globalised international order.

Regional peace initiatives also discount the fact that regional upheaval today is rooted in the failures of domestic governance, intra-state political tumult and conflicts that have spiralled into broader conflagrations. Conflicts in Syria, Libya and Yemen are not rooted in, and were not triggered by, regional geopolitical rivalries but decades of authoritarian rule and disregard for basic human rights and international norms, as well as decades of festering poverty and

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[18] Borzou Daragahi, "Meet the Middle East's Peace of Westphalia Re-enactors", in *Foreign Policy*, 10 August 2018, http://bit.ly/2nrdd75.

destitution that triggered the demands for basic freedoms and rights during the 2011 Arab Spring**.** These are precisely the conditions and grievances that enabled the pathways toward turmoil and violent instability, opening up opportunities for the emergence and proliferation of armed actors who swell their ranks with the aggrieved and disenfranchised, and exploit governance and security vacuums with great impact.

When tenuous social contracts between governments and their citizens are highlighted as being fundamental enablers of conflict, the question arises whether it is plausible to formulate regional security systems akin to the Organisation for Security and Co-operation in Europe, for example, or other consensus-building initiatives such as the Organisation of American States, the Shanghai Cooperation Organisation or the South Asian Association for Regional Cooperation. One might ask whether inter-state consensus and engagement should be at the forefront of such efforts. While there is an urgent need for a regional system that establishes the guiding principles for a durable peace or at least for dispute and conflict resolution, the Middle East currently lacks what Patrick Milton, Michael Axworthy and Brendan Simms describe as a peace-orientated culture, in which "the most important actors viewed peace as the chief norm regulating inter-state relations".[19] In early modern Europe, the Holy Roman Empire depended on "a high degree of cooperation, consensus and the willingness to compromise on the part of its constituent political parts".[20] The Middle East has not yet established the underlying norms that underscore any viable regional peace-building initiative; as it stands, "leaders in every major state in the region have demonstrated an existential reliance on the use of force".[21]

This is not to discount the importance of inter-state mediation and a so-called grand bargain between competing powers, but to stress the underlying drivers that enable an environment conducive to conflict, and the drivers that, conversely, can enable a lasting settlement.

3. Building blocks for peace: Findings from the Proxy Wars Initiative

In some respects, it is far more conceivable to think of conflict theatres as potential arenas for mutual co-existence, premised on the idea that inter-state mediation is more likely to be successful if it zooms in on and unpacks the host of domains and contours that collectively comprise a conflict, as opposed to focusing on a region-wide grand settlement or the so-called "grand bargain" that sets out to address and resolve regional conflict and upheaval in one comprehensive approach. This is the indication of preliminary findings and research from the Proxy Wars Initiative, a project sponsored by the Carnegie Corporation of New York that has set out to establish conflict mitigation mechanisms in Syria, Iraq, Libya and Yemen. Notwithstanding enforcement and credibility issues, the Syria conflict, for example, has played host to countless local ceasefires or cessation-of-hostility agreements but has failed to yield substantive periods of peace that would otherwise provide some relief for local populations, and similar enforcement issues have arisen in relation to ceasefire agreements in Yemen and Libya.

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[19] Patrick Milton, Michael Axworthy and Brendan Simms, *Towards A Westphalia for the Middle East*, Oxford/New York, Oxford University Press, 2018, p. 61.
[20] Ibid., p. 20.
[21] Suzanne Maloney, "Dreams of Westphalia", in *Foreign Affairs*, Vol. 99, No. 1 (January/February 2020), p. 152.

This stands in stark contrast to previous norms governing civil wars. Some scholars have suggested that, with the end of Cold War bipolarity, the United States sought to build a liberal international order based on democracy and open markets, which saw "the winner-take-all, zero-sum norms of the Cold War [give] way to a search for positive-sum solutions".[22] In the context of civil wars, this meant that major belligerents were expected "to broker negotiated settlements as a path toward post-conflict democratization", as opposed to achieving outright victories.[23] Over the past two decades, however, and particularly since the advent of the war on terrorism, stabilisation and the elimination of terrorist organisations have underscored foreign policy objectives in the region, making it acceptable for belligerents to place far less focus on securing negotiated settlements that will stave off dire humanitarian consequences and greater focus on securing outright victories. "In conflict zones and civil wars, it is now legitimate to try to defeat groups labeled as terrorists and to promote authoritarian rule in the name of stability".[24]

The underlying assumption has been a misplaced one, namely that state sponsors of the armed non-state actors that engage in the bulk of the fighting have an over-arching and predominant say over the conduct of these actors. Such an assumption negates the agency of these groups and lacks appreciation for the drivers of conflict, the local and national conditions that undergird their operational capacity and their relationship with local communities as providers of services, security and justice. Whereas it may have once been conceivable that the withdrawal of foreign support would all but end the prospects of any armed actor, the evolution of armed groups is so advanced that they are now capable of developing their own affiliates and proxies; their existence is rooted in a host of local settings and governance structures. Hezbollah has established affiliates and its own proxies in Syria and Iraq; the Kurdistan Workers' Party (PKK) in Turkey has affiliates spanning different ethnic and religious compositions and borders, including sister-organisations in Syria, Iraq and Iran. In the case of Syria, the PKK, through the People's Protection Units (YPG), has established what is arguably the most stable part of Syria, working with outside actors like the United States to set up autonomous political and governing structures that have been critical to enabling reprieve from conflict, while also engaging and soliciting support from Russia.[25]

Broadening formal peace-building efforts and negotiations so that they account for these realities increases the likelihood of achieving durable settlements to conflict.

Proponents of a grand bargain also fail to appreciate that proxy conflicts do not always incentivise the sponsor to end the conflict, in large part because the underlying basis for engaging in conflict as a proxy power is that it provides a relatively low-cost means through which to attempt to achieve strategic objectives with limited financial cost and political blowback, even providing sponsor powers with a degree of plausible deniability in the event proxies commit human rights abuses. In other words, in the absence of imposing significant

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[22] Lise Morjé Howard and Alexandra Stark, "Why Civil Wars Are Lasting Longer", in *Foreign Affairs*, 27 February 2018, https://www.foreignaffairs.com/node/1122026.
[23] Ibid.
[24] Ibid.
[25] See International Crisis Group, "Steadying the New Status Quo in Syria's North East", in *Crisis Group Middle East Briefings*, No. 72 (27 November 2019), https://www.crisisgroup.org/node/12471; Amberin Zaman, "Syrian Kurds Court Moscow to Avert Potential Turkish Attack", in *Al-Monitor*, 2 September 2020, http://almon.co/3e4y.

costs on the sponsor, it is worth considering the other side of the coin where focus and resources should be directed at the party conducting the fighting on the ground. The incentive structures are therefore absent, much less the availability of an external power willing to ensure that belligerents engage in peace talks as honest negotiators or willing to enforce the terms of any agreement.

State sponsors may draw back their support, even end it altogether, but the inter-connected nature of the plethora of conflicts makes it highly probable that the proxy actor could find an alternative state sponsor or exploit the weakness of state institutions and governance or security vacuums to secure alternative sources of resources, both financial and military. It may also be argued that including armed groups in formal peace negotiations would enhance their legitimacy and compound the problem the international community is setting out to resolve. However, building on what has already been stated in this paper, the Rubicon has already been crossed: the most dominant armed groups in the region – the Houthis in Yemen, Hayat Tahrir al-Sham and the YPG in Syria (among others) and Shiite militia groups in Iraq – have secured substantial local, national and global recognition that these apprehensions towards including armed groups in formal peace talks have become moot and have limited applicability. Armed groups now have multiple sources of financing streams that stem from illicit cross-border trade, foreign patronage, natural resources and the extortion of local communities.

All is not lost, however. Acknowledging that proxy warfare has become normalised and that the externalisation of operational and tactical burdens to armed non-state actors cannot be reversed is an important first step to adapting policies and interventions to conflict dynamics. This will help enable pathways towards peace and contain or prevent the second-order effect of wars that produce further bloodshed and misery, and that draw the United States and its resources back into regional wars. A large part of the problem is that the international community is fixated on the same statist doctrine that has underpinned foreign policy and international relations more generally. The authority and legitimacy of the state has been deemed paramount, irrespective of that state's ability to carry out its duties and functions or its industrial-scale butchery of its own population. But if neither of these factors has failed to shift the pendulum away from the state, the embrace of and long-term reliance on proxies should. It is not necessarily the fact that these actors are dominant players and are vast in their numbers but that both their exclusion from formal peace-building efforts and the uncertainty over their formal and legal status in the absence of long-term political and constitutional settlements will continue to complicate peace-building in the region. Armed non-state actors continue to straddle a grey area and legal lacuna when it comes to their interactions with state powers and authorities, at both the national and the global level.

The problem with Syria's failed and countless truces and peace negotiations was to a large extent attributable to the dishonest commitments of the Assad regime and Russia, who used peace-talks as a smokescreen to intensify their atrocities. However, it was also the case that peace talks were mired in disagreements over who should and should not be in attendance. Russia rejected the participation of opposition groups that it labelled as terrorist groups, while Turkey rejected the inclusion of the PYD. More often than not, peace talks were dominated by Syrian exiles as militia groups on the ground dismissed their legitimacy and credibility. Excluding proxies and armed groups from participating formally in the drafting of multilateral

treaties and agreements is counter-intuitive. It renders the agreement itself futile because it has limited applicability in the conflict environment. In short, an agreement cannot be enforced if it excludes the belligerents. Fundamentally, it signals to these groups that they are bound by neither the terms of such agreements nor the international norms they seek to protect, particularly where these relate to the protection of civilians.

The counter-argument is an important one but is outdated and ill-fitted to geopolitics and conflict dynamics today. Formal law-making is still dominated by statist doctrine and there will be apprehensions in relation to the practical difficulties and potential criminal implications of involving armed groups, potentially even the enrichment and enhancement of armed groups who look to exploit formal negotiations to secure recognition and resources. However, talking to armed groups, regardless of whether you perceive of them as terrorists or not, is not the same as agreeing with them. They are not necessarily dependant on whatever legitimacy may be conferred to them by being included in talks, even while any such legitimacy pales in comparison to the standing they have already secured and depend on from within the local communities and areas they control or influence.

It may also help to establish which conflict theatres are more critical than others, at least for the foreseeable future, and it is here that the opening for an incremental approach to a region-wide peace-building framework may begin. Iraq, for example, has arguably constituted the most critical arena for geopolitical rivalries over the past 18 years but it is also an arena where the interests and objectives of a number of rival states have repeatedly converged, including most recently the defeat of so-called Islamic State. As a result, it is also an arena that could stave off broader regional conflagrations, such as that which could result from a US-Iran conflict.

Conclusion and policy options

Inter-state relations in the region can be defined by the state of play and relations within conflict zones and geographically demarcated zones of influence that can potentially serve as pillars of a durable peace. One of the unintended consequences of regional conflicts has been the demarcation of those conflicts into competing geographic spheres of influence. In Iraq, Libya, Syria and Yemen no single actor has a carte-blanche over the conflict zone at large, with different territorial spheres of influence within each of these countries under the control or influence of competing rival powers, both local and external. The relations between Gulf Cooperation Council countries and Iran have been shaped within Iraq itself, where Iran's posturing has influenced the strategic calculus in Arab Gulf capitals, and vice-versa. In Iraq's Arab Sunni north, Gulf Arab states hold substantial influence, even if they have struggled to translate this into a strategic advantage; in Baghdad and the south it is Tehran that reigns supreme as the most powerful external actor in the country. Similarly, in Syria, the country is divided into competing centres of power, with the north-east under the influence or control of the United States, the north-west under the influence of Turkey and the rest of the country under the combined control of the Russians and the Iranians.

The fundamental proposal here is to start small and local, engaging the conflict landscape as it has emerged over the course of the conflict as opposed to imposing alternative designs that

will either be resisted or that are ill-fitted to the political and conflict landscape. For starters, there are alternatives to traditional state-building modalities that could have a direct influence on how peace-building strategies are pursued, namely by engaging in conflict mediation or resolution efforts that are not incompatible with the political and governing structures that have emerged from the ruins of conflict. This is also needed to pre-empt resistance from actors that have a vested interest in maintaining the status quo. For example, traditional disarmament, demobilisation and reintegration (DDR) and security sector reform (SSR) approaches look to persuade militia fighters to put their weapons down and equip them with the skills needed to enter the job market. More often than not, however, that does not correspond to the fact that these individuals have limited alternatives in the economic environment in which they operate, and it raises the risk calculus as a result of the plethora of threats that these actors face, not least from rival groups. SSR tends to reflect subjective threat perceptions of multilateral organisations invited to consult or advise host countries. Yet, the nature of modern-day warfare is that these same host countries are often either directly or indirectly implicated in the conflicts that unfold. That risks undermining the security equilibrium that is needed to stabilise the security environment before SSR has even started, since it reinforces the domestic rivalries between disparate militia groups and their political backers.

There needs to be a re-evaluation of how policy makers view and address complex, inter-connected issues: the future of sovereignty; the role, responsibilities and accountability of the state; the role, responsibilities and accountability of non-state actors; and the relationships that external powers want with local state and non-state actors. These are all questions that are central to achieving a durable peace. The orthodox approach to engaging issues of political violence, state fragility and the reconstruction and stabilisation of war-torn or unstable countries has involved working through the state, despite the inability of the state to monopolise the use of force and provide for its population – and despite the extremely poor track record of reconstruction and stabilisation assistance in recent years. Investing billions of dollars in capacity-building and institution-building processes or security sector reform in Iraq or Afghanistan for example has failed to yield the necessary dividends. The response should be comprised of continuing efforts to secure lulls in violence, restore a degree of order that allows for reprieve from conflict and rebuilding local and national institutions that deliver basic services and good governance. However, the process of reconstruction and rehabilitation can become a war-producing exercise if the process is attempted at the expense of or without the inclusion of the armed groups. For armed groups, the two are one and the same: their exclusion from the process underscores their perception that these processes will be undertaken at their expense.

An enclave-based approach to peace-building warrants closer appreciation. In such a process, the territories that are held and dominated by armed groups and in which state institutions have limited influence should be integrated into a localised approach that is designed to create localised success stories as stepping-stones to a broader national consensus. This could potentially be achieved by transforming these localised forces into a national guard and creating in the process formalised and regulated spaces in which these groups can operate.[26] Both Syria and Yemen are shaped by competing spheres of influence, territorial enclaves that

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[26] Frederic Wehrey and Ariel I. Ahram, "Taming the Militias: Building National Guards in Fractured Arab States", in *Carnegie Briefs*, May 2015, https://carnegieendowment.org/publications/60005.

are dominated by a plethora of local and external actors but also areas that are self-governing and engaged in service, security and justice delivery to local populations.[27] One of the misplaced notions is that these territories should be ceded to the state, but in some cases that effectively means forcing local communities into subjugation and repression, or, put more simply, calling for the outright victory of one side of the conflict. In the case of Syria, that would be the Bashar al-Assad regime but such a move discounts the fact that this will be met with fierce resistance by local actors and consequently perpetuates the underlying drivers of the conflict, while doing little to bridge the gap between the external backers involved in the conflict.

Rather than seeking to shift the landscape in favour of one side of the conflict, it may be far more effective to focus on enhancing the self-governance capabilities and achieving conflict reprieve for a population that would otherwise be engulfed in further conflict if alternative designs were imposed on them. However, this also requires securing acceptance of the status quo from precisely those actors that seek to upend existing arrangements. The fundamental point here is that it is far more plausible to, firstly, secure consensus in relation to the existing status quo in any conflict context, as opposed to fuelling the drivers of conflict and reinforcing the zero-sum approach belligerents have adopted. As Ariel Ahram notes, "[t]he challenge of managing hybrid security in MENA is not to privilege states and prepare them for eventual supremacy but to negotiate the immediate devolution of functional responsibilities".[28]

Secondly, securing a consensus in relation to localised spheres of influence and control can provide the momentum and stepping-stone for a broader national consensus. It may be argued that this could result in the division of states that are mired in conflict but such suggestions do not take into account the fact that there are fundamental differences between sovereignty – which has been eroded and is effectively a myth in the case of multiple conflict zones engulfed in proxy conflict – and the principle of territorial integrity. There is absolutely no desire for the latter on the part of any external power, which is critical since the partitioning of a country requires at least some consensus or support from either a single global power like the United States or Russia or a group of external actors who would be willing to take ownership of an outcome that brings immense uncertainty and costs. For example, the Syrian regime, its allies and rivals, are all on the same page when it comes to the question of territorial integrity. As such, it is counter-intuitive to suggest that enclave governance could precipitate the permanent modification of Syria's territorial boundaries. However, in relation to Syria's sovereignty, the consensus on the part of those external actors that are combatting the Assad regime is that it should not be allowed to weaponise sovereignty to commit mass atrocities or to prevent humanitarian agencies from delivering aid and support to Syria's beleaguered population.

By zooming in on the local, parties to the conflict can at least enable conflict reprieve that provides the breathing space and an opening for viable negotiations to materialise and strengthen the perception that no single actor will be capable of achieving an outright victory.

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[27] See José Ciro Martínez and Brent Eng, "Stifling Stateness: The Assad Regime's Campaign Against Rebel Governance", in *Security Dialogue*, Vol. 49, No. 4 (August 2018), p. 235-253, https://doi.org/10.1177/0967010618768622; Rana Khalaf, "Governing Rojava Layers of Legitimacy in Syria", in *Chatham House Research Papers*, December 2016, https://www.chathamhouse.org/node/16155.

[28] Ariel Ahram, "Hybrid Security, Frozen Conflicts, and Peace in MENA", in *Proxy Wars Initiative* website, 9 November 2020, https://www.pwinitiative.org/hybridsecurityandfrozenconflicts.

This shift in approach involves a stronger nexus and a mutually beneficial relationship between sponsor and client, one that could pave the way for development assistance and funding and that helps ensure that these do not become weaponised and do not discriminate between different sections of local communities. Fundamentally, these approaches should not enable openings for other militia groups to form. Militias are often products of pre-war legacies and long-standing socio-political dynamics. While little can be done about actors that are ingrained in the socio-political landscape, outside actors can do something about ensuring the local environment does not become conducive to the growth of additional actors. This requires making difficult choices, including working with pre-existing groups that have a dominant influence over local political and security orders to prevent the growth of new armed non-state actors looking to exploit a combination of instability, disorder and the influx of external resources.

While it is true that these recommendations still fall short of fostering the region-wide grand bargain that is ideal, this may also be the only viable and realistic option at this stage, one that is designed to enable pathways for co-existence among geopolitical rivals in at least some conflict zones to enable at least some localised security arrangements that, at some point, could provide the guiding principles for a broader regional security architecture.

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