



What the Arab World Needs:

Prospects for an Arab League Renaissance

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The League of Arab States was created in 1945 with the aim of strengthening and coordinating political, cultural, economic and social programs of its members and to mediate disputes among and between them. As an outgrowth of Pan-Arabism, the prospect in which the League was built during the post-world war decolonization period, largely contributed to its structure, vision, mission and goals, some of which are no longer applicable to the Arab world today. The region has undergone a myriad of incidents that prompted its progression into modernized nation-states, yet the institutional embodiment in the Arab League cannot cope with this change. While establishing the League as a collective Arab association, member states repudiated the idea of founding a federation, or a state above the states, and accordingly, they undermined any prospects for an empowered supranational body in order to preserve the national sovereignty of the newly independent Arab states.

According to Rakha Hassan, a member of the Egyptian Council for Foreign Affairs; *“the Arab League was established 75 years ago in very different circumstances. What it desperately needs now is greater financial support to help it carve out a viable role, and a mechanism by which resolutions can be taken by a majority and be binding on all members¹”*. It is no surprise that to this day, the Arab League has been titled a “glorified debating society” to denote its ineffectiveness and insufficient role in dealing with the political, economic and military issues pertaining to its member states (Nasur, 2017).

Arab League summits tend to end with big declarations, no decisions and no plans for action, making it less viable for member states to remain contingent to the League (Musmar, 2020). Member states contest the legitimacy of the League and fail to abide by its charter due to the absence of an enforcement mechanism, consequently leading to its non-fulfillment as a regional mediator in conflict resolution. Thereby, the aim of this paper is to assess the role of the Arab League as a regional organization, and more specifically, to demonstrate its failures in dealing with conflict resolution as well as to locate and identify the organizational characteristics that are affecting its performance. Considering that other regional organizations have faced similar ambiguities while reaching their maturity phase, an insight into the integrative process of the European Union (EU) and the conflict resolution mechanism of the African Union (AU) will be taken into account as an inspiration to the stagnant condition of the Arab League.

¹ El-Bey, Doaa. “The Arab League: What Chance Reform?” *Ahram Online* (2021)

Role of the Arab League as a regional mediator:

According to the League's Charter, mediation can only occur with the consensus of member states and cannot be arbitrarily imposed, consequently, for most conflicts in the Arab world, mediation by the League was rejected under the auspices of national sovereignty and territorial integrity (Youssef, 2014). Since the creation of the Arab League in 1945 until 2008, the organization mediated in 19 out of 56 conflicts that developed in the region, achieving full success only on 5 occasions (Nasur, 2017). Intervention of the League is frequently contested considering that in the past decades the Arab world witnessed two wars against Iraq (1991-2003), civil war in Somalia (1991), two wars in Gaza (2008-2012) two wars against Lebanon (1982-2006), political turmoil in Yemen, military coup in Mauritania (2008), civil war and the secessionist movement in Sudan (2011), Arab-Israeli conflict, Arab Spring, Syrian civil war, a failed State in Libya, the creation of ISIS and the blowout of terrorism.

In the past 10 years, particularly within the context of the Arab Spring, intervention of the League has been negligible in Libya, Syria and Yemen, and the major players involved were mostly foreign powers and the UN (El-Bey, 2021). Despite being the first international body to stride into the Syrian civil war, the League was incapable of enforcing any of its decisions, and none of these conflicts have witnessed an effective reaction on behalf of the organization. The League also failed to address terrorism and radicalism in the region, and critically stalled to confront the refugee crisis resulting from the region's unsettled conflicts.

The most serious shortcomings of the Arab League emanate from certain organizational characteristics that are inconveniencing its performance, typically incorporated in its mandate, decision-making process, organs and operational capacity (Mencutek, 2014). Article 5 of the League Charter stipulates that it is prohibited to resort to force in order to resolve conflict disputes between member states, as long as states do not give permission for the League to intervene, it shall not impede or infringe on states' sovereignty. The latter enthused the inevitability of dealing with a lack of an enforcement mechanism among member states, which has been hindering all preceding and prospective efforts of the League. Member states have a solid stance against any form of violation or threat to state sovereignty. This has been emphasized in all treaty provisions, statements and practices as an organizing principle of the League. Yet, it has been a significant impediment in taking an active role in regional affairs, especially in intrastate conflicts. The League has only anticipated interstate conflicts in its Charter, and its legal instruments and protocols were thus tailored around it, completely neglecting the conditions around intrastate conflicts, once again because of its overemphasis on state sovereignty.

The League's involvement in conflict resolution and use of force are authorized under very strict conditions. The council may become involved in arbitration if the dispute "does not involve the independence of a state, its sovereignty or its territorial integrity" and if the "the two conceding parties apply to the Council for the settlement of this dispute" (Youssef, 2014). Although there is great emphasis on the peaceful settlement of disputes and non-use of

force, the League does not establish mediation mechanisms, nor does it have bodies or procedures to determine whether violations have occurred or not. Article 6 mentions that in case of aggression, the Council should decide on the appropriate measures to deal with violations, however, it fails to specify what exactly is presumed as aggression and does not establish specific mediation mechanisms. Irrevocably, such conditionalities encumber the involvement of the League, especially when it comes to resolving crises within member states.

Besides its failure in conflict resolution, the League has also failed to generate cooperation and integration between member states in the political, economic and social spheres, although the latter were the basis on which the League was formed under the auspices of Pan-Arabism. To this day, the areas of cooperation have been very limited. It has performed inadequately in terms of economic cooperation, with limited inter-Arab trade and insignificant intra-regional capital movements within the Arab world, not to mention that the roots of integration attempts in the region can be traced back to the 19th century.

European Union (EU): Integration and Cooperation:

Since the most distinguished example of integration and cooperation can be delineated from an organization such as the European Union (EU), the Arab League can stimulate its integrative prospects by reflecting on the previous efforts of the EU. The integration process of the EU is taken as the first and most successful example serving the function of regional integration because it exemplifies how a regional organization transformed from being simply an instrument for economic cooperation to being a political actor and a zone for peace-building (Mencutek, 2014). According to a 2007 publication by the EU Commission², the integrative aspect of the EU mainly derives from a collective desire to manage members' joint interests based essentially on economic integration. This framework has been manifested when the architects of the EU assumed that once the process of economic integration was to be established, political integration would follow through a spillover mechanism that would produce more cooperation and more supranational rule-making. Nonetheless, it is essential to highlight that the supranational nature of the EU does not signify a state above all states, but rather refers to two decisive characteristics of this organization: (1) supremacy and (2) direct applicability of its rights in relation to the national rights of its member states. Meaning that, if the EU adopts a rule, it becomes binding on all member states, and if these rules were not abided by, a proceeding against that state may be initiated before the judicial body of the Union.

In this context, the frequently contemplated question for sovereignty advocates is: how does the EU preserve the national sovereignty of its member states if policies become binding on all? The remedy is quite simple: the EU's competences are set out in the EU treaties, which provide the basis for any actions the EU institutions take. The EU can only act within the limits of the competences conferred on it by the treaties, which is how EU member states

² Archick, Kristin. "The European Union: Questions and Answers" *Congressional Research Service*. (2021)

preserve their sovereignty, by abiding to the treaties they voluntarily sign. It can be said that in one sense, the European Union is a product of state sovereignty because it has been created through voluntary agreements among its Members (Imamović and Škrbić, 2017).

This is the agenda in which the Arab League should adopt in order to maintain a successful regional organization conveyed by integration among its member states as well as the natural manifestation of an enforcement mechanism. The solution to the League's failure to comply with its institutional framework could be dealt with by allocating efforts in reinforcing the low politics of the Arab League in order to make it indispensable to higher politics. In other words, if sovereignty "obsessed" states still insist on monopolizing "high politics" (issues of diplomacy, conflict and war), the League can invest in integrational "low politics" issues such as those of economy, science, technology, culture and civil society concerns (such as projects collaborated with UNDP of water scarcity and food insecurity). That way, it will not only demonstrate its utility at the "street level" but it will also help the Arab order mitigate its crippling double logic and will force states to abide by its policies because it cannot detach from such indispensable projects that will also limit foreign intervention and debt (Korany, 2011).

The African Union: Conflict Resolution and Post-Conflict Reparations:

The AU was officially launched in 2002 following the decision of dissolving the OAU to create a new continental organization to build on its work, since African leaders conceded that in order to realize the region's potential. There was a dire need to refocus on new priorities, considering that decolonization and apartheid were no longer the main concerns of the continent. Instead, they believed Africa's focus should be repositioned towards increased cooperation and integration among African states, endeavoring growth and economic development. Conversely, the Arab League is still trapped within the ideals of the twentieth century, with the archetypes of Pan-Arabism still leading the objectives of the League, even though it is no longer relevant to the Arab world today.

Unlike the Arab League, the African Union's Charter explicitly committed its member states to intervene in civil wars inflicted on African soil. Formerly, the OAU's charter used to clearly prohibit intervention in the internal affairs of member states and preserved sovereignty as a constituent aspect just like the Arab League. However, reforms through the creation of the AU dissolved this concept.

Additionally, the AU's right of intervention derives from the ideal of Pan-Africanism and the principle of non-indifference. Those principles stipulate that African countries can no longer remain indifferent to the conflict and suffering that occurs within their States and that African countries have the primary responsibility for establishing and maintaining the peace and security architecture on the continent (Murithi, 2009). Although the AU still suffers from structural impediments, it is yet considered an active regional player in conflict prevention and resolution between and within African States.

The main security organ of the AU is called the Peace and Security Council (PSC) and its responsibility is outlined in Article 3 of the AU Protocol. The PSC consists of 15 members and it is the AU's pivotal decision-making body on conflict and crisis. The continental body's peace and security architecture includes a Panel of the Wise, which promotes extensive mediation efforts, a rapid reaction African Standby Force (ASF) built around five sub-regional brigades, a Continental Early Warning System (CEWS); a Military Staff Committee (MSC); and a Peace Fund. The AU has adopted an all-inclusive approach to peace building that seeks to connect peace, security, and development, and emphasizes the importance of national ownership of post-conflict reconstruction efforts (International Colloquium Report, 2012). They are serviced and supported by the AU's Peace and Security Directorate (PSD), tasked with putting in place the architecture to ensure more effective African management of crises. The AU also has a significant contribution of African troops and police. (Ezeibe and Oguonu, 2014).

In cases of non-compliance of member states with the PSC's decisions, the PSC adopted more coercive mechanisms to secure compliance with its stated objectives, namely sanctions regimes. Sanctions serve many purposes: they can signal dissatisfaction, stigmatize the target, act as a substitute for armed conflict, and potentially change political behavior. The AU's sanctions were meant as symbolic messages within a broader and more effective peacemaking strategy (Williams, 2011).

What makes the African Union a more functional regional organization is its ability to employ an enforcement mechanism that member states uphold and abide by, as opposed to the Arab League where state sovereignty preservation hampered all prospects of effective intervention and resolution by the League. For it to become a functional and prosperous organization, the League should bridge the gap between narrative and practice, yet, this can only happen through structural reform such as that of the African Union and the integrative approach of the European Union. The League was founded in the 1940s as a product of state sovereignty and Arab nationalism. By time, the consolidation of state sovereignty and the decline of pan-Arabism have shaken and diverted the institutional purpose of the League, leaving it in crisis. A more robust and dynamic Arab League could pave the way for increased intra-Arab cooperation in areas of trade, cultural and scientific exchange, and regional security, all currently part of its official mandate, but never pursued in earnest. It is with no doubt that an economic base coupled with a politically united voice could be the solution to the current issues of the Arab League.

Works Cited

1. Archick, Kristin. "The European Union: Questions and Answers" *Congressional Research Service*. (2021)
2. Anderson, Krister. "Going Major Reforming the League of Arab States". *Harvard International Review*. (2004)
3. Dakhallah, Farah. "The League of Arab States and Regional Security: Towards an Arab Security Community?" *British Journal of Middle Eastern Studies*, (2012) Vol. 39, No. 3, pp. 392-411
4. Dersso, A. Solomon. "The quest for Pax Africana: The Case of the African Union's Peace and Security Regime". *African Journal on Conflict Resolution* (2012).
5. Díez, Pedro. "The Role of the Arab League and the European Union as Regional Security Organizations". *Lebanese American University* (2017).
6. El-Bey, Doaa. "The Arab League: What Chance Reform?" *Ahram Online* (2021)
7. Fligstein, Neil. Polyakova, Alina & Sandholtz, Wayne. "European Integration, Nationalism and European Identity". *Journal of Common Market Studies* (2012) Vol. 50, No. 1, pp. 106-122
8. Hammoura, Joe & Ülger, Irfan. "The Arab League: From Establishment to Failure" *E-Journal of Social and Legal Studies*. (2018).
9. Khadduri, Majid. "The Arab League as a Regional Arrangement". *The American Journal of International Law*. (1946), Vol. 40, No. 4, pp. 756-777
10. Little, T.R. "The Arab League: A Reassessment". *Middle East Journal* (1956), Vol. 10, No. 2, pp. 138-150
11. Mencütek, Zeynep. "The "Rebirth" of a Dead Organization?: Questioning the Role of the Arab League in the "Arab Uprisings" Process" .Perceptions: *Journal of International Affairs* (2014).
12. Mohamedou, Mohammad "Arab agency and the UN project: The League of Arab States Between Universality and Regionalism". *Third World Quarterly*, (2016), DOI: 10.1080/01436597.2016.1154437
13. Nasur, Nader. "The Failure of the Arab League in Solving Inter-State Disputes" *British Journal of Arts and Social Sciences* Vol. 22 No. 1 (2017).

14. Oguonu, Chika & Ezeibe, Christian. "African Union and Conflict Resolution in Africa" *Mediterranean Journal of Social Sciences* (2014) Vol. 5, No. 27
15. Oyeranmi, Soji, "European Union and African Union: A Study of Regionalism for Global Integration and Development" (2014). *Journal for the Advancement of Developing Economies*.
16. Pinfari, Marc. "Interregional and Multiparty Mediation: The Case of Arab Africa". *International Journal of Peace Studies*, (2013), Vol. 18, No. 1, pp. 83-101
17. Pinfari, Marco. "Nothing but Failure? The Arab League and the Gulf Cooperation Council as Mediators in Middle Eastern Conflicts". *Crisis States Working Papers Series No.2* (2009)
18. Škrbić, Ajla & Imamović, Meliha. "The Sovereignty of the Member States of International Organizations with Special Focus on the European Union". *EU and Comparative Law Issues and Challenges Series (ECLIC)* (2018).
19. Williams, D. Paul. "The African Union's Conflict Management Capabilities". *Council on Foreign Relations* (2011).
20. Youssef, Hesham. "Mediation and Conflict Resolution in the Arab World: The Role of the Arab League". *OSCE Yearbook* (2014) pp. 299-310