

163RD BERGEDORF ROUND TABLE

Berlin, 11 – 13 November 2016

A ‘WESTPHALIA’ FOR THE MIDDLE EAST?

KÖRBER FOUNDATION
INTERNATIONAL AFFAIRS

January 2017

Executive Summary

- The Peace of Westphalia has great potential to serve as an analytical framework and a source of inspiration to help address the complex conflicts in the Middle East, particularly the war in Syria. It provides a means with which to challenge existing approaches and develop new instruments to promote peace.
- An inclusive socio-political system and the protection of religious and ethnic minorities are essential if sectarian rivalries are to be resolved and replaced by peaceful religious coexistence. For this to happen, all sides would have to forgo attempts to define absolute religious truth.
- The perceived threat posed by an opposing party gaining hegemony is a significant driver of conflict in the Middle East. Transparency and exchange about security interests are needed to dismantle these fears. This could also provide a basis for dialogue about common principles, which, in turn, could lay the foundations for a system of collective security.
- All relevant actors from the region and beyond need to be involved if the potential for peace is to be guaranteed. Peace could then be secured through a system of regional and external guarantors that have the right to intervene in case of a breach of an agreement.

The Westphalian Peace – a Model for Reflection on the Middle East?

At the opening of the 163rd Bergedorf Round Table, the German Foreign Minister, Frank-Walter Steinmeier, emphasized that an analytical approach to history could provide a useful means with which to develop alternative paths to peace. The participants agreed that the seemingly hopeless situation in Syria meant that all parties needed to develop new ideas and strategies. Although the Peace of Westphalia should not be viewed as a blueprint for establishing peace in the Middle East, it could certainly provide the inspiration needed to help question existing approaches to the region.

In 1648, the Peace of Westphalia ended the Thirty Years' War – one of the longest, most brutal and complex wars ever fought in Europe. The negotiations that ended the war were conducted over a five-year period in Catholic Münster and predominantly Lutheran Osnabrück; the negotiations resulted in a form of peace that laid the foundations for a new order in the Holy Roman Empire. The Thirty Years' War is usually viewed – albeit hastily – as a religious war between Catholics and Protestants. Much like the war in Syria, the intertwining of political and religious interests and of various wars and con-

flicts meant that the discord at the time was more complicated and intricate than is often assumed. Consequently, there are similarities between the crisis in Syria and the three primary struggles that characterized the Thirty

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Years’ War – the sectarian conflict between Catholics and Protestants, the fight for dominance in Europe, and the conflict between the emperor and the imperial estates. First, the war in Syria began with a revolt against Assad, the country’s ruler. Similarly, in the Holy Roman Empire, the conflict was sparked by a regional uprising among the Bohemian estates that targeted the House of Habsburg. Moreover, the Elector Palatine’s assumption of the Bohemian crown contributed to the spread of the conflict from the local level to that of the Empire. Second, a number of other European regional powers were entangled in the Thirty Years’ War: the war involved a struggle between France and the House of Habsburg over access to and the capacity to secure European economic, political and military spheres of influence. External powers exploited the German domestic conflict during the Thirty Years’ War to prevent their adversaries from gaining regional hegemony; today, regional conflicts, especially the Syrian civil war, have become the bat-

leground for proxy wars, in which regional powers such as Saudi Arabia and Iran mount massive efforts to contain their rivals’ hegemonic ambitions.

During the 17th century, religion’s decisive grip on the path to power often coincided with the instrumentalization of Catholic and Protestant religious identities. Today, religious rivalries between Sunnis and Shiites continue to kindle existing conflicts. This led the participants to suggest that peace was unthinkable if religion was not properly taken into account.

Furthermore, it was pointed out that both the Thirty Years’ War and the Syria conflict involved states and non-state actors such as warlords and militias. Changing alliances decided the outcome of events when it came to extending or securing positions of power.

“CHANGING ALLIANCES ARE DECIDING THE OUTCOME OF EVENTS.”

When the Peace of Westphalia finally brought the Thirty Years’ War to a close, contemporary observers described the peace accord as a “world wonder.” Although the Peace of Westphalia was not viewed as constituting a classic case of peace developing through war exhaustion – as neither France nor Spain had been close to the end of their capabilities – the war’s destructive dimensions meant that a desire for peace had spread massively throughout the Holy Roman



Empire. This had led the warring parties to understand that they would all gain from participating at the negotiating table.

Negotiations at the Westphalian Peace Conference concluded with an internationally guaranteed peace for central Europe. This was not merely made possible by the genuine desire for peace expressed by the involved powers; the creativity of the diplomats involved also played an essential role, and the innovative instruments they developed helped solve the three core conflicts. The religious war was terminated with a “normative year” that restored the status quo of religious vested rights from 1624. This prevented the imperial estates from forcing their subjects to change religion, while granting subjects additional fundamental rights. At the same time, a complex system of mechanisms and institutions limited the sovereign rights of the emperor and the imperial estates; hence, in contrast with the common “myth of westphalia”, their power ought to be described as conditional sovereignty. Finally, peace was secured by France and Sweden as external “guarantors” and a system of collective security was created for the Holy Roman Empire.

Resolving Sectarian Tensions

The relationship between Catholics and Protestants in the 17th century was seen as very different from relations between Sunnis and Shiites in today’s Middle East. Nevertheless, both conflicts have a common element: both exhibit a profound mistrust between conflicting religious communities that is often compounded by a lack of tolerance. Regardless of whether sectarianism was the primary cause of the conflicts in the Middle East, a narrative of a religious war has come to establish itself. Moreover, sectarian rivalries have taken on a new dynamic and are instrumentalized for political purposes.

Several participants pointed out that politics could be viewed in isolation from religious factors. Some discussants stressed that this demonstrated the need for a strict separation between religion and politics. Others rejected this view as “too European,” arguing that as the Middle East had not experienced the European Enlightenment, it needed a different socio-political system. Moreover, it required more than just the instruments that had established the Peace of Westphalia – such as the “normative year” that had restored and “frozen” the status quo of religious vested rights. Rather, the Middle East needed a socio-political system based on

“A NARRATIVE OF A RELIGIOUS WAR HAS COME TO ESTABLISH ITSELF.”



the inclusion of religious and ethnic minorities. Furthermore, all sides would have to forgo attempts to answer questions involving absolute religious truth, as had been the case with the Peace of Augsburg in 1555 and the Peace of Westphalia in 1648.

A model similar to that of the imperial courts was also broached as a possible solution. The Peace of Westphalia had dictated that the existing imperial courts and other bodies were to provide equal representation for both religions. This contributed to the “juridification” of religious conflicts. Finally, regulations and confidence-building measures, such as a dialogue between clerics of different denominations, would have to be established to ensure peaceful coexistence despite the lack of trust. A discussant from the region described Iran, Saudi Arabia, Turkey and Egypt as the four major regional powers; without their support, the participant argued, it would be impossible to implement such frameworks. Finally, some participants proposed using the principles enshrined within the Final Act of Helsinki as a guiding framework. Helsinki had enabled projects to be carried out that were in the joint interest of all relevant parties. Moreover, despite continued mistrust between the various actors, Helsinki had laid the foundations for a European security order based on territorial integrity, the inviolability of borders and the renunciation of the threat or use of force.

Hegemony: an Element of Stability or a Threat?

The civil war in Syria has long since become a significant source of regional instability. The diverse and somewhat opposing interests of

regional powers and other external actors have dominated the course of the war and prevented a permanent peace settlement. The need to counteract the destabilizing effects caused by the scramble for regional hegemony was just as important in the Middle East as it had been during 17th century Europe.

One of the participating historians explained that hegemony had not necessarily been perceived negatively during the 17th century. Rather, the imperial estates had explicitly requested protection from external hegemonic powers such as France and Spain to help secure their interests. Today, historical experiences of colonialism were said to have imbued hegemony with a different meaning. With regard to the situation in the Middle East, one discussant spoke out against the idea of interpreting an extraterritorial hegemon exclusively in negative terms. The election of a new US president was said to have cast a different light on the *Pax Americana*. Moreover, the election had raised the question of how a US withdrawal from the Middle East might affect the region’s long-term future and whether another power would come to replace Washington’s influence in the Middle East. Although Russia had become a major player in the region since its entry into the Syrian war, it was far from constituting a regulatory power or having a strategy, vision or capacity to act that was comparable to that of the United States.

Some participants described the logic of conflicts in today’s Middle East as a zero-sum game. They particularly stressed the need for actors in the region to refrain from fearing

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the hegemony of other regional players – if necessary this process could be promoted with the help of an external mediator. Irrespective of whether the subjective sense of threat corresponded to reality, it was essential that mutual security concerns were taken seriously. The first step in this direction could be openly discussing the security interests of all stakeholders in order to lay the foundations for a system of collective security.

Who Can Guarantee Peace?

In the 17th century, the Holy Roman Empire was viewed as a “failed empire.” Some participants pointed out that Syria and Iraq were also largely failed states without functioning state apparatuses. They argued that in order to guarantee peace in the region, a form of power-sharing would have to be established in these formerly centralized states, either through a federalist constitution or through other forms of decentralization. Just as had been the case with the Peace of Westphalia, where the external guarantors – France and Sweden – had monitored and controlled the power of the emperor and the imperial estates, a regional peace agreement in the

Middle East would have to be guaranteed by regional and international actors. In 17th century Europe, the guarantors had the right to intervene militarily if peace agreements were breached. Although the United Nations might seem destined to take on this role, the majority of participants believed that the organization currently lacked the political clout to do so. However, the discussion of which Middle Eastern states were in a position to adopt this task proved controversial. Nevertheless, a system of guarantors was said to require a regional balance of power that included the key regional players – Egypt, Turkey, Saudi Arabia and Iran.

Most of the participants warned against using the current state of countries such as Syria and Iraq as a pretext with which to restrict sovereignty in the region after the war had ended. The concept of “limited sovereignty” was said to have postcolonial overtones, and some participants feared that it could be used to legitimize a redrawing of borders. Most participants, for example, viewed a Kurdish state as out of the question. Finally, a majority of regional actors stressed that a system of collective security was inconceivable if it were linked to an automatic loss of sovereignty for the states involved.



Speech by the German Foreign Minister Frank-Walter Steinmeier at the Bergedorf Round Table, 11 November 2016

Dear Thomas Paulsen,
dear Friends of the Körber-Stiftung,
dear guests and participants!

This week we witnessed an historic election in the US with an outcome that was quite unexpected, by most of us. Most likely we now find ourselves at the beginning of a period of greater uncertainty that will see a reconfiguration of the American engagement with the world. And that has serious implications for Europe and the Middle East alike. We must hope for the best, and we must take President-Elect Trump by his word of wanting to work in fair partnership with the international community and stay true to our common principles and responsibilities. Today, however, I do not want to make predictions about a future that we do not yet know. Instead, today we have a chance to discuss where we stand in Europe in relation to the Middle East; and a chance to develop ideas together with experts from the region for moving toward a solution for the bloodiest conflicts of our time. I welcome the chance of discussing a topic that I have been thinking about over the past few months: the idea that there are lessons to be learned from the Westphalian Peace of 1648 for today's Middle East.

* * *

Syria has been a main focus of the international community for some time now. However, despite all our efforts, despite countless rounds of negotiation, we have not managed to bring an end to this brutal conflict. We are still asking: how can we finally cut through the terrible logic of escalation? Disentangle

the web of aggression and fear and conflicting interests? It's not only us here in Europe who ask these questions. Almost two years ago, I went to the Saudi city of Djidda and I met with some Saudi-Arabian intellectuals, all of them accomplished academics and thinkers. We were talking about the war, about the region and about the role of religion. And all of sudden, the youngest guy in the room, sitting at the very back of the room, raised his hand and said: "I think we need a Westphalian peace in this region." I have to admit: this sentence stuck with me. And not because I myself come from Westphalia ... No, what fascinated me was that this young man did not talk about the war, but he talked about peace. And about the conditions that make it possible.

* * *

The peace congress that led to the Peace of Westphalia was the first of its kind in modern European history. It ended the Thirty Years' War, a protracted, incredibly complicated and bloody conflict; it set standards in diplomacy; and it created an order that was to last almost 150 years – and continues to have an impact on our continent to this very day. Solutions were found for issues that interest us again today in the Middle East, for example:

- how to disentangle religion and politics in the quest for peace,
- how to solve questions of hegemony
- how to ensure minority rights.

I am aware that there are experts of the 17th century around this table, who can expand on these extraordinary achievements of 1648. I am also aware that there are regional experts among us who can point to the particularities of the present-day Middle East: clearly a very different world from that of early modern Europe.

As Foreign Minister, I am interested in peace, and in understanding how we can bring it about. To this end I want to use history, not abuse it. If the Cambridge professors at this table allow me to quote an Oxford historian ...: Margaret Macmillan said: "History, if it is used with care, can present us with alternatives, help us to form the questions we need to ask of the present, and warn us about what might go wrong."

In order to find such "alternatives", we in the Foreign Office have been looking at the factors that made Westphalia a success:

- First: One crucial factor in ending conflict is transparency regarding security interests: this is an indispensable basis for genuine peace. The early modern system of collective security established in Münster and Osnabrück made it possible to curb one of the main causes of conflict in the territory of the Empire – that is: fear of other countries' hegemony.
- Second: To give such sophisticated diplomacy a chance, negotiators are needed who work discreetly and have far-ranging decision-making powers. Skillful professional diplomats made the difference in Münster and Osnabrück.

- Third: We need to find the strength to face up to the changing realities on the ground. While peace was being negotiated in Westphalia, the war was raging everywhere in the Empire and diplomacy reacted to the changing fortunes of war.
- Four: Maybe the most important lesson we can learn from Westphalia is that those who seek peace cannot expect to find the full truth, clarity and justice all at once. In any war or civil war there are always multiple truths, as perceived by the various parties to the conflict. That is as true now as it was then. In 1648, everyone, even the Emperor, had to make concessions in the end. They had to weigh up their interests, and accept painful compromises to pave the way for peace. The negotiators wisely decide not to make truth the ultimate objective of negotiations but rather to focus on other, more procedural matters and to use the respective interests as the main lever in their efforts to resolve the central conflict.

The crucial precondition for 1648 was that there was a genuine willingness for peace. It needs such a readiness for compromise and openness for diplomatic solutions among the actors on the battlefield; yes, even among those whose homes have been destroyed and whose families have suffered beyond belief. Late in the Westphalian Peace negotiations, a so-called "Third Party" of Protestant and Catholic princes emerged, united in their desire for peace. I have spent quite some time deliberating who could be the modern Third Party bringing the opposing sides together.

Were it just down to the desire for peace, we Europeans might volunteer: we cannot

stand the suffering and we are directly affected via the refugees. But can we make a difference that is big enough? And this is where I turn to you, coming from Iran, Saudi Arabia, Turkey and other parts of the Middle East: How strong is the desire for peace among your leaders? For how long can you watch these atrocities to happen? When will some of your leaders reconsider their priorities and unite in a joint will to stop the fighting? Might a likely shift in US foreign policy in the Middle East help such a process or make it harder?

I would like to know the answers to these questions. Because I am afraid, I only know one thing for sure: If we do not set new priorities, war will rage on wherever you permit it. The French and the Spanish fought for another ten years after Westphalia, but no longer on German soil. That was the difference that Münster and Osnabrück made.

I look forward now to discussing these insights, alternatives and new ideas further with you.

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Editor	Elisabeth von Hammerstein
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Photos	Körber Foundation/Marc Darchinger
Design	Das Herstellungsbüro, Hamburg

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