

SYMPOSIUM ON THE MANY LIVES AND LEGACIES OF SYKES-PICOT

THE SYKES-PICOT AGREEMENT'S REGIONAL MOMENT: DRAWING LINES OF DEVELOPMENT IN A NEW AND OPEN SPACE

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What was the geopolitical scale of the Sykes-Picot agreement (May 1916)? What did the British and French mid-level officials who drew lines on its maps imagine as the territorial scope of their negotiations? This essay claims that the Sykes-Picot agreement cannot be understood strictly as the beginning of a story about territorial division in the Middle East, but also as an end of a story of perceived regional potency. Rather than a blueprint for what would later become the postwar division of the region into artificially created independent states, the Sykes-Picot agreement was still based on a powerful vision of a broad region that is open for a range of developmental possibilities. This forgotten regional aspect of the Middle East's colonial history should be revisited today in view of the disintegration of its more obvious legacies. Perhaps the significance of the Sykes Picot agreement is not strictly the enduring impact of its "lines in the sand" but rather the light it sheds on the roots of a more regional oriented system.

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December, 1915, 10 Downing Street

On Thursday, December 17, 1915 a meeting was held at 10 Downing Street where Lieutenant-Colonel Sir Mark Sykes was called to give evidence on the Arab Question before the War Committee:¹ "You have been very recently in this part of the world: where have you been?" asked the Prime Minister; Mark Sykes replied laying out a vast tour of the region's distances:

I went to *Sofia* for a short time, then to the Headquarters at *the Dardanelles*. From there I went to *Alexandria*, from there to *Aden*, then back to *Egypt*, then back to *Aden*, then to *Simla*, and then I was eight weeks with the *Mesopotamia Field Force*, and called at all the *Persian Gulf ports on both sides*. I stayed about a week in *Egypt* on my way back, I missed the connection.²

Later in the meeting—as Sir Mark gave evidence on such varied issues as the Arab nationalist movement, Arab resentment towards the French, French colonial attitudes and plans, Arab-Indian hostility, the Kalifate

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¹ Consisting of the Prime Minister Asquith, Secretary of War Lord Kitchener, Secretary of Munitions Lloyd George and First Lord of the Admiralty Arthur Balfour, War Committee, Meeting held at 10, Downing Street, on Thursday, December 16, 1915, National Archives, CAB/24/1 1-7.

² *Id.* at 2 (emphasis added).

question, and his views on the benefits for England from backing Arab aspirations, or on the chances to reach an agreement with France—he kept hovering over the region at similar speeds and heights. When speaking of French fear of an Arab Kalifate he lines up French interests in *Tunis, Algeria and Morocco, Syria, Palestine and Mesopotamia*.³ When warning of the dangers of staying passive with regards to Arab aspirations he moves from *Constantinople to Mesopotamia*, and imagines streams of people traveling uninterruptedly from *Persia to Afghanistan*, unrest in *India* and in the *Sudan*, and *Indian pilgrims at Mecca*.⁴ And when outlining the strategy for an agreement with France he easily links *Aden with Mesopotamia, Damascus and Lebanon with Egypt, Bagdad and Basra*.

And so we see how Sir Mark Sykes, a mid-level officer and a diplomatic advisor for the War Office, while providing his expertise to cabinet just weeks away from reaching the agreement that will famously carry his name, is frantically moving in his mind and in his real travel experiences across large distances and open landscapes, full of dangers and possibilities—from Egypt to Persia, from Afghanistan to Mecca, from Sudan to Beirut—all of that “as one definite problem”⁵ to British desiderata in the region.

Such geographically broad mindset, this essay suggests, is also the dominant spatial image at the background of the Sykes-Picot agreement. Rather than a treaty that signifies the beginning of the region’s postwar territorial division, it is better understood within a set of legal and diplomatic documents that envision the Middle East as a vast and politically potent space.

A Forgotten Regional Moment

We tend to think about the path leading from WWI to the Palestine mandate from the after the fact perspective of the region’s ongoing conflicts and commonly acknowledged failures of cooperation.⁶

But at least in one sense this narrative is too captivated by the bleak and pressing realities of postmandatory Middle East conflicts and instabilities. In the period that led to the establishment of the mandate system, while different actors negotiated their visions for a new world order, the Middle East was understood to be a very different territorial and political entity than we understand it today. In fact, the regional structure that we are so used to, consisting of independent states, jurisdictionally divided, each with its own government, laws, and institutions, was not even a remote dream in the minds of the officials, politicians, and commentators who between 1915 and 1922 were deeply engaged in negotiating such ideas as world peace, Arab independence, British-French influence, or a Jewish national home. What is for us a basic descriptive and explanatory structure for understanding the Middle East’s past, present, and future—that it is made out of sovereign jurisdictions—was for them not even an abstract aspiration. *What then were for these actors the concrete spatial structures by which they imagined and negotiated a new world order in this area?*

The context for answering this question is that of empire. At that point in time, all the actors that had anything to do with negotiating the future of the region were necessarily talking in the language of imperial rule. Arab leaders, former functionaries in the Ottoman empire, nationalist revolutionaries, subjects of that

³ *Id.* at 3.

⁴ *Id.* at 4.

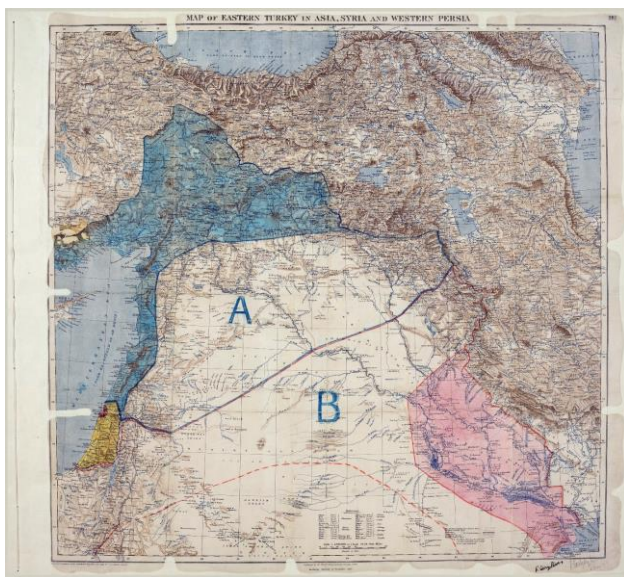
⁵ *Id.* at 5.

⁶ According to that narrative, during the war Britain made conflicting assurances regarding the region’s future and thus created expectations for independence that informed the violent conflicts that followed on. See for example in VICTOR KATTAN, FROM COEXISTENCE TO CONQUEST: INTERNATIONAL LAW AND THE ORIGINS OF THE ARAB-ISRAELI CONFLICT 1891-1949 (2009); MICHAEL J. COHEN, THE ORIGINS AND EVOLUTION OF THE ARAB-ZIONIST CONFLICT (1987); GIDEON BIGER, THE BOUNDARIES OF MODERN PALESTINE, 1840-1947 (2004); ISAIAH FRIEDMAN, PALESTINE, A TWICE-PROMISED LAND (2000); SAHAR HUNEIDI, A BROKEN TRUST: HERBERT SAMUEL, ZIONISM AND THE PALESTINIANS, 1920-1925 (2001); NICK REYNOLDS, BRITAIN’S UNFULFILLED MANDATE FOR PALESTINE 4-25 (2014).

empire, Zionist leaders, British and French policy makers and administrators, international diplomats attempting to constrain imperial power—everybody understood the language of empire and had to converse in it in order to be intelligible.

But empire did not yet speak of states and jurisdictions beyond the confines of (mainly western) Europe. Outside of Europe imperial agents saw vast areas, domains and dominions, colonies and protectorates, and geographical spheres of influence. They saw territories and populations, not independent jurisdictions and not even nations. All this would soon change, but at the period we are considering, when a four-hundred-year old empire was shaken to the ground, and the victorious powers were to plan what will come in its place, it was large and penetrable geographical areas that they envisioned, and certainly not sovereign territorial states. All new ideas that they had to confront, the principle of self-determination of nations, the idea of no annexation, and the prospect of world peace had to be considered within this broad and open spatial framework.

The Sykes-Picot Agreement: A Region Opening Up for Development



The Sykes-Picot agreement can be read as a particular example of such broad regional imagination. As they were negotiating with the Arabs, and in order to safeguard the territorial promises to Sherif Hussein,⁷ while at the same time consolidating their war time relations with their ally France⁸—the British in early 1915 initiated the negotiations which were culminated on 16 May 1916, in the Sykes-Picot agreement.⁹ Commonly and unofficially, titled after the mid-level diplomats that led the negotiation, the agreement famously divided Ottoman territory into British and French spheres of influence. France assumed control of northern Syria which became Lebanon and Syria including Damascus, Homs, Hama, and Aleppo, but also Mosul in Northern Iraq (blue area on the map). Britain assumed the Baghdad

Vilayet (red area on the map). Syria to the east of Homs, Hamah, and Damascus became an “independent Arab State or Confederation” but directly under French influence (Area A on the map). South Syria, in what was to become Trans-Jordan, in the general area of the present Jordan-Syria boundary was assigned to be directly under British influence (Area B on the map). Palestine was to be under an international administration.¹⁰ This rather arbitrary delineations on maps affixed to the treaty was not known to the Arabs when just a month after its signature the Arab Revolt began. The agreement was kept secret but Tsarist Russia

⁷ For an introduction to the McMahon-Hussein Correspondence, see ELIE KEDOURIE, *IN THE ANGLO-ARAB LABYRINTH: THE MCMAHON-HUSAYN CORRESPONDENCE AND ITS INTERPRETATIONS, 1914–1939* (Routledge 2000). For an online full text of the correspondence (consisting of ten letters), see *The Hussein-McMahon Correspondence*, JEWISH VIRTUAL LIBRARY.

⁸ See JUKKA NEVAKIVI, *BRITAIN, FRANCE, AND THE MIDDLE EAST 1914–1920* 2–33 (1969), Nevakivi sees the Sykes-Picot agreement as a direct continuation of British attempts to manage their relations with the Arabs (*Id.* at 22–26).

⁹ For a full text of the Agreement, see *The Sykes-Picot Agreement*, JEWISH VIRTUAL LIBRARY.

¹⁰ *Id.*

had been kept informed. When the Bolsheviks came to power they published the document, and in November 1917 it was printed in the *Manchester Guardian*.¹¹

The publication of the secret agreement startled Arab leaders and many in the Western world, and is until today considered a classic mark of imperial dishonesty and betrayal.¹² It had, no doubt, a considerable impact on both British need to reassert legitimacy vis-a-vis the Arabs and on eventual jurisdictional boundaries in the Middle East. But these dramatic implications obscure another aspect of the Sykes-Picot agreement that its secrecy made possible. Since it was not intended for publication, the drafters of the document were quite free to express in it true imperial sentiment. By that I do not necessarily mean their greed and exploitation. These are obviously expressed in the document and are manifested in its commonplace interpretations. Instead I mean to refer to a powerful imperial image of a region that is opening up for innumerable future possibilities for development and for the management of broad strategic concerns.

France and Britain opened the region's map and drew lines. They surveyed the territory as a vast and open space available for division among them, of course—but also for many other sorts of productive activities. What, in the minds of its imperial architects, was this massive territory capable of? What could it contain? The list of the activities that the agreement superimposes on the map is long and ambitious. Among others, the region is being opened to: (in Section 1) protection of independent indigenous rule, enterprise and local loans, the supply of expertise; the establishment of direct and indirect administration or control (in Section 2), and the conduct of international and regional relations (Sections 3, 9, 10 and 11).

But this broad territorial space can also accommodate much more detailed, administrative and governmental constructions: the expansion and emancipation of ports (in Sections 4-5), the establishment of trade and transportation norms, and their harmonization over the territory (Section 5), the transfer of water (in Section 4), the negotiation with allies over neighboring territories (also in Section 4), the establishment of railroads and the control over their path (Section 6), the monopolization of rail routes and their distribution according to economic needs (Section 7), the transportation of troops (Section 7), the control over rates of customs and tariff (Section 8), the regulation of custom barriers between the different zones and into the area (Section 8), and arms control (Section 12).

This is a startling example of imperial regionalism. In secret, when the powers can speak freely they see the world as divided into regions, to be opened up for influence and for a variety of activities of protection, control, development, political and administrative creation, and for detailed engineering of space and populations. The document that is understood today to symbolize the imposition of territorial boundaries was in fact based on an opposite imperial impulse steeped in regional developmental discourse that pervaded colonial policymaking at least from the turn of the twentieth century.¹³

¹¹ On 23 November 1917 *Pravda* and *Izvestia* began to publish the secret agreements including the various plans to partition the Arab provinces of the Ottoman empire and the proposal to hand over Constantinople and the Straits to Russia. See JAMES BUNYAN & HAROLD FISHER, *THE BOLSHEVIK REVOLUTION 1917–1928: DOCUMENTS AND MATERIALS* 24 (1934).

¹² For a detailed description of the impact on Anglo-Arab relations, see KEDOURIE, *supra* note 7, at 159–184. For the impact of the agreement on the shape of subsequent borders and regional relations, see *INTERNATIONAL RELATIONS OF THE MIDDLE EAST* (Louise Fawcett ed., 2013).

¹³ A number of scholars have in recent years examined the idea of development in historical context (see: GILBERT RIST, *THE HISTORY OF DEVELOPMENT: FROM WESTERN ORIGIN TO GLOBAL FAITH* 35–40 (2008); THOMAS MCCARTHY, *RACE, EMPIRE, AND THE IDEA OF HUMAN DEVELOPMENT* 42–68 (2009)). For the context of Middle East colonial regional development, see *THE SYRIAN LAND: PROCESSES OF INTEGRATION AND FRAGMENTATION: BILAD ASH-SHAM FROM THE 18TH TO THE 20TH CENTURY* (Tomas Philipp & Birgit Schaebler eds., 1998) and recently JACOB NORRIS, *LAND OF PROGRESS: PALESTINE IN THE AGE OF COLONIAL DEVELOPMENT, 1905–1948* (2013).

Where is the Sykes-Picot Agreement?

To be sure, the vision of a region opening up for development was only one of a set of regional images expressed in the negotiations over the fate of post-Ottoman Middle East. Other visions of regional potency are to be found in other important legal and diplomatic documents from this transitional period. In a further project I highlight a set of regional visions in: the *McMahon-Hussein correspondence* (July 1915-January 1916); the *Balfour declaration* (November 1917); *Article 22 of the Covenant of the League of Nations* (entered into force in January 1920); and *A Mandate for Palestine* (which was confirmed by the council of the league of nations in July 1922).¹⁴ These documents were overwhelmingly read in the last decades under the impression of the later territorial conflicts. They are often used in an almost lawyerly way to show what the British did or did not promise the Arabs or the Jews, or the French during the war.¹⁵ But this perspective misses a layered story of regional potency beyond the conflicts' historiography.

- (1) In the McMahon-Hussein Correspondence (July 1915- March 1916),¹⁶ a vast territory is being opened for Arab independent political power. On July 14 1915 a letter from Sherif Hussein to the British High Commissioner Sir Henry McMahon demanded recognition of Arab rule in a huge territory stretching from Mersina and Adana to the border of Persia, from the Gulf of Basra to the Indian Ocean, from there westward to the Red Sea and the Mediterranean Sea—and back north to Mersina.¹⁷ This demand was acknowledged by the British, in McMahon's reply from 24 October 1915 with specific exceptions informed by commitments that they hold, towards the French and Arab Chiefs.¹⁸ This vast territory was diversely related to in the correspondence by both sides as a "kingdom," an "empire," a "califate," "suzerainty," and sometimes just "an Arab state."¹⁹ But this vagueness in terminology does not diminish the political potency of the image of an Arab autonomous region that encompasses much broader territories than Sykes-Picot's "Arab state or confederation of Arab states" in areas A and B.
- (2) The Balfour declaration (November 1917) seems on the face of it to express a strictly nationalistic territorial politics with no regional significance.²⁰ However, when tracing the idea of a Jewish national home from its origins in early Zionist thought, through later Zionist propaganda to British

¹⁴ Karin Loevy, *Reinventing a Region (1915-1922): Visions of the Middle East in Legal and Diplomatic Documents Leading to the Palestine Mandate*, 49 ISRAEL L. REV. (forthcoming October 2016).

¹⁵ In the words of Elie Kedourie, "as lawyers, say, would argue over the wording of a contract or the proper construction of a statute," KEDOURIE, *supra* note 7, at 4.

¹⁶ See *supra* note 8. The correspondence consists of a number of letters exchanged between Sir Henry McMahon the British high commissioner in Egypt and Sherif Hussein, the custodian of the holy cities of Mecca and Medina. Very early on, the correspondence became the subject of conflicting interpretations and for more than half a century it "haunted Anglo-Arab relations", KEDOURIE, *supra* note 7, at 3.

¹⁷ *The McMahon-Hussein Correspondence*, *supra* note 7, translation of a letter dated 14 July 1915.

¹⁸ *Id.*, translation of a letter from Hussein to McMahon, dated 24 October 1915.

¹⁹ The British were deliberately vague in expressing the particular political rule demanded and recognized. See, for example, Ronald Storrs's telegram from 14 May 1915 (quoted in KEDOURIE, *supra* note 7, at 25):

The expression "Arab Empire", "Kingdom", "Government", "Possessions" etc. is used throughout the Sherifial correspondence, on both sides, in a general and undefined sense: and is variously rendered by the words Hukuma (Government) Mamlaka (Possessions) and Dawla (Power, Dynasty, Kingdom). Neither from these terms, nor from any phrase employed by H.M.G. throughout the negotiations, is it possible to elaborate any theory as to the precise nature of this vaguely adumbrated body.

²⁰ The British Government, *The Balfour Declaration, 2 November 1917*:

His Majesty's Government view with favour the establishment in Palestine of *a national home for the Jewish people*, and will use its best endeavours to facilitate the achievement of this object it being clearly understood that nothing shall be done which may prejudice

official discussions about the declaration—it becomes clear how far it is from expressing a territorial jurisdiction. Instead, the Zionists expect their “home” to be a space of European protection within a region of imperial influence.²¹ The Balfour declaration, I claim, was useful as a piece of wartime propaganda precisely because it envisioned that the European and globalized “Jewish question” will be solved in the new global territories that are opening up in the Middle East. Here the regional vision is of a protected space that opens up for the solution of a painful European problem.

- (3) *Article 22 of the Covenant of the League of Nations* (entered into force in January 1920)—In this Article too (and especially when following its drafting process²²) there is no trace for divisions or jurisdictional boundaries in the Middle East. The article follows a classic colonial understanding of the world as divided into vast spheres, or regions of influence in which reside populations with varied levels of civilizational development. Article 22 hovers from region to region and reorganizes domains, territories, and populations. In Section 4 the former Turkish Empire is seen as a large territorial continuum with “communities” possessing different levels of development, to be administered under the advice of a mandate.²³
- (4) In *A Mandate for Palestine* (confirmed by the council of the league of nations in July 1922), the text that founded the Palestine Mandate, a radical shift becomes apparent from the regional themes of Article 22 that authorized it, as well as a shift from all the documents that have led to it. It is, I claim, probably this document—rather than the Sykes-Picot agreement that can be seen as the moment of change—in which the vocabulary of a vast region turned into a vocabulary of state and jurisdiction making.²⁴ In other words—only in this document, which turned out to be tremendously important for the later development of conflicts in the area, do we see—for the first time—a state-like jurisdiction being constructed as an independent quasi constitutional system with authoritative law and institutions and perceived jurisdictional boundaries. This document indeed influenced both the formation of the modern state system in the Middle East and the way by which the national conflicts

the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country.

²¹ See, for example, in Theodore Herzl's 1876 plea to European Powers and particularly to the Ottoman rulers of Palestine, envisioning a potent role for the Jews in the region:

If His Majesty the Sultan were to give us Palestine, we could in return undertake to regulate the whole finances of Turkey. We should there form a portion of a rampart of Europe against Asia, an outpost of civilization as opposed to barbarism. We should as a neutral State remain in contact with all Europe, which would have to guarantee our existence. The sanctuaries of Christendom would be safeguarded by assigning to them an extra-territorial status such as is well-known to the law of nations. We should form a guard of honor about these sanctuaries, answering for the fulfillment of this duty with our existence. This guard of honor would be the great symbol of the solution of the Jewish question after eighteen centuries of Jewish suffering.

THEODORE HERZL, *THE JEWISH STATE* chapter 2 (1876). For a detailed analysis of later Zionist regional visions, see Loevy, *supra* note 14.

²² See Loevy, *supra* note 14. The origin of the regional vision of Article 22 is traced from Wilson's fourteen propositions, through its practical translation by a number of international commentators, architects of the league and the mandate system and particularly the South African General Jan Smuts' December 1918 pamphlet which had tremendous influence on the final draft of Article 22 of the Covenant (The Pamphlet titled, *The League of Nations: A Practical Suggestion* (reprinted in DAVID HUNTER MILLER, 2 *THE DRAFTING OF THE COVENANT* 23 (1928)), was termed “the most effective contribution made by individual enterprise” (FREDERICK POLLOCK, *THE LEAGUE OF NATIONS* 77-78 (1920)). Also see Smuts' influence in the drafting process documented in MILLER, *Id.* at 654-656; 679-681; 691-691. Note that while Wilson and other international reformers were promoting a form of anti-imperialism their geo-political imagination was very much in line with imperial images of a world divided into regional spheres of influence (see Loevy, *supra* note 14).

²³ *Covenant of the League of Nations* art. 22(4).

²⁴ Loevy, *supra* note 14.

developed. But it is, I believe, worthwhile to acknowledge that in the transitional period that led to it there were other and important visions for the region's future.

To conclude, this essay suggested that the Sykes-Picot agreement, which is commonly viewed as marking the starting point for the later establishment of territorial borders in the Middle East, is in fact a part of a different story of the region's lost political potency. Ultimately, this insight is not only a corrective historical reading of the document itself but also a suggestion about its significance to some of the questions facing the region today. As the post WWI order of jurisdictional divisions unravels in the Middle East in the face of revolutions, civil wars, and weak states on the one hand and a meager international order on the other, what seems to be missing is a potent regional vision that can counter the narratives of transnational religious violence and local sectarianism. Reading Sykes-Picot in the context of its "regional moment" may probe us to expand our understanding of the legacy of the region's colonial history beyond its obvious exploitive nature to acknowledge that it is as relevant to the visions of regional cohesion as it is to its politics of jurisdictional separation.

To be sure, the suggestion is not to reproduce a colonial version of regionalism but to broaden the historical perspective on a regionally focused approach to the current crisis. Located in a forgotten "regional moment" in the history of international law in the Middle East, the Sykes-Picot agreement may be still relevant to such an approach.