

SYMPOSIUM ON THE BANDUNG CONFERENCE AT 70: INTERNATIONAL LAW'S MANY THIRD WORLDS

BETWEEN SYMBOL AND STRUCTURE: THE ARAB WORLD AND INTERNATIONAL LAW

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Introduction

There are worlds we name, and worlds we summon into being. The Arab World has long inhabited both roles—invoked in international law as geopolitical reality, yet shaped by repetition, signification, and remembered alignments. It appears over the centuries not as a subject with agency, but as a revenant: referenced for its solidarity and unity, yet rarely allowed either coherence or consequence. What holds the “Arab World” together in international law, this essay argues, is not essence but performance, not institutional substance, but the staging of collectivity. Bandung (1955) made this dynamic briefly visible: nine Arab states, fragmented in voice and agenda, appeared united; Palestine, symbolically central, remained formally absent. The pattern endures, from the choreography of the Arab League to strategic posturing in relation to Gaza’s ongoing genocide by Israel. The “Arab World,” in this light, is not an unfulfilled project, but a legal and political arrangement, summoned, displayed, and sustained in a state of permanent deferral.

Between Naming and Framing: The Legal Life of a Collective Identity

The “Arab World” is not a legal person. It is a political formation reassembled under specific historical pressures. Its birth in the establishment of the League of Arab States in 1945 exemplified an original moment of solidarity, promising “to strengthen the close relations and numerous ties which bind the Arab States” and to “coordinate their political activities . . . to safeguard their independence and sovereignty.”¹ The roots of Pan-Arabism and the resilient idea of unity between Arab states goes beyond the scope of this essay.² Aspirational solidarity swiftly yielded to structural dysfunctionality, manifesting notably in failures to mediate effectively in regional crises like the Lebanese Civil War or the Iran-Iraq conflict in the 1980s.³ A similar oscillation marked the

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¹ *Pact of the League of Arab States*, pmbl., Art. 2, Mar. 22, 1945, 70 UNTS 237, 239.

² Laurent Bonnefoy, *Pan-Arabism and the Arab Spring: Between Continuity and Rupture*, 69 MIDDLE E. J. 151 (2015); ADEED DAWISHA, *ARAB NATIONALISM IN THE TWENTIETH CENTURY: FROM TRIUMPH TO DESPAIR* (2003); YOUSSEF M. CHOUEIRI, *ARAB NATIONALISM: A HISTORY* (2000).

³ MALCOLM H. KERR, *THE ARAB COLD WAR, 1958–1967: A STUDY OF IDEOLOGY IN POLITICS* (1967); Marco Pinfari, *Nothing But Failure? The Arab League and the Gulf Cooperation Council as Mediators in Middle Eastern Conflicts* (Crisis States Working Paper No. 45, 2009).

League's collective boycott of Israel in 1948⁴ and its coordinated declarations during the Suez Crisis of 1956—episodes where “Arabness” was dramatically activated, mobilizing states to articulate collective grievances even as national interests and strategic aims diverged. Later, the League's suspension of Egypt's membership following the 1979 Camp David Accords offered yet another fleeting moment of collective resolve, only to collapse rapidly as individual Arab states resumed bilateral diplomacy with Egypt, betraying underlying fractures.

Indeed, the Arab World's collective identity resides precisely in its persistent condition of “in-between-ness”—a collectivity devoid of institutional machinery yet continually recurring within diplomatic language and multilateral forums. Internally, the divergent priorities of Gulf monarchies, Levantine republics, and North African states are habitually masked beneath diplomatic choreography whenever collectively summoned. Externally, international law actively incentivizes bloc behavior—rewarding collective representation in negotiations, nominations, voting procedures, and regional security arrangements—rendering the Arab World emblematic of this procedural logic.⁵ The invocation of collectivities provides diplomatic cover, enabling individual states to deflect divergences, displace responsibility, and posture as unified actors. International institutions thereby sustain an illusion of deliberate responsiveness without compromising their foundational commitment to state sovereignty. The Arab World exemplifies this dual position: simultaneously a diplomatic resource and a legal artifact, performing engagement while resisting semantic stability, caught between symbol and structure.

Staging the “Arab World” in Bandung

Bandung was less of a diplomatic innovation and more of a carefully constructed stage.⁶ The conference was not merely about formal diplomatic negotiation, but constituted a symbolic performance in which leaders consciously enacted the role of post-colonial statesmen. This theatricality, far from superficial, shaped the very substance and perception of Afro-Asian solidarity. The 1955 Conference brought together twenty-nine newly decolonized or soon-to-be independent states, mostly from Asia and Africa, to assert their political presence and moral authority in a bipolar world.⁷ But behind the gestures of solidarity lay uneven scripts. The Arab World was one of them. Nine Arab states participated: Egypt, Syria, Lebanon, Iraq, Saudi Arabia, Yemen, Libya, Sudan, and Jordan. Their presence, as reflected in the preparatory correspondence of the Indonesian and Indian organizers, was needed to flesh out the geography of the Third World and affirm its post-colonial credentials. It was Indonesian Prime Minister Ali Sastroamidjojo and Indian Prime Minister Jawaharlal Nehru, in particular, who emphasized Arab representation to broaden the conference's legitimacy and to secure engagement on key decolonization issues in the Middle East. For example, Nehru's letter to Egyptian President Gamal Abdel Nasser in November 1954 directly urged robust Arab participation at Bandung, emphasizing the symbolic and strategic

⁴ Letter Dated 15 May 1948 from the Secretary-General of the League of Arab States to the Secretary-General of the United Nations, UN DOC. A/573 (May 15, 1948).

⁵ The election of ICJ judges is the most common example of a practice that affects representation in several UN organs. Jeffrey Golden, *National Groups and the Nomination of Judges of the International Court of Justice: A Preliminary Report*, 9 INT'L LAWYER 333, 337 (1975); Bruce M. Russett, *Discovering Voting Groups in the United Nations*, 60 AM. POL. SCI. REV. 327, 327–28 (1966).

⁶ Naoko Shimazu, *Diplomacy as Theatre: Staging the Bandung Conference of 1955*, 48 MOD. ASIAN STUD. 225, 226–27 (2014).

⁷ GEORGE MCTURNAN KAHIN, *THE ASIAN-AFRICAN CONFERENCE: BANDUNG, INDONESIA, APRIL 1955* (1956); *BANDUNG, GLOBAL HISTORY, AND INTERNATIONAL LAW: CRITICAL PASTS AND PENDING FUTURES* (Luis Eslava, Michael Fakhri & Vasuki Nesiah eds., 2017) [hereinafter *BANDUNG, GLOBAL HISTORY*]; Dipesh Chakrabarty, *Legacies of Bandung—Decolonisation and the Politics of Culture*, 40 ECON. & POL. WKLY. 4812 (2005).

importance of Arab states in the emerging post-colonial world order.⁸ The inclusion of Arab states was thus a strategic decision by the conference conveners, intended both to amplify anti-colonial solidarity and to counterbalance Western narratives about the fragmentation of the post-Ottoman Arab region.

The lack of a unified Arab position in Bandung reflected ongoing regional disputes—such as tensions between Egypt and Iraq over the leadership of the Arab League, and divergent foreign policy priorities following the 1948 Arab-Israeli War. A case in point: in early 1955, the Arab League Council was deadlocked over Egypt's proposal for joint Arab action on Palestine, reflecting the rivalry with Iraq and other internal divisions.⁹ These frictions inhibited the articulation of a single Arab voice. Arab delegates raised similar themes, but their interventions remained uncoordinated. Though invoked repeatedly in speeches—particularly by Egyptian and Syrian delegates—Palestine had no seat at the table.¹⁰ The Egyptian delegation devoted a significant portion of its remarks to Palestine, emphasizing the necessity of international action, while the Syrian delegate linked the fate of Palestine to the broader legitimacy of post-colonial legal order.¹¹ These speeches, recorded in the official proceedings, underscore how Palestine was symbolically central but procedurally marginal. Its political absence was mirrored by its legal framing. In the final communiqué, it was mentioned only under the residual heading of “Other Problems”—a section that bundled it with other ‘unresolved’ issues such as West Irian, Aden and the Southern Parts of Yemen known as the Protectorates. The communiqué's section on Palestine states:

In view of the existing tension in the Middle East, caused by the situation in Palestine and of the danger of that tension to world peace, the Asian-African Conference declared its support of the rights of the Arab people of Palestine and called for the implementation of the United Nations Resolutions on Palestine and the achievement of the peaceful settlement of the Palestine question.¹²

This placement was not incidental. It signaled the difficulty of making Palestine legible within the diplomatic architecture of post-colonial legality. Arab states were compelled to raise it because solidarity demanded it. But the legal and political design of the conference could not accommodate a non-state actor without status. Palestine became a subject of collective concern, but not of legal personhood. Its symbolic centrality clashed with its procedural marginality. This tension—between invocation and recognition, presence and deferral—offered a blueprint for how Palestine, and by extension the Arab World, would manifest in legal discourse for decades to come, including today.

Arab states did not arrive with a single voice, but neither did most others.¹³ Bandung's narrative of unity was more performative than cohesive, attempting to harmonize divergences ranging from Pan-Africanism to South

⁸ Andrea Benvenuti, *Nehru's Bandung Moment: India and the Convening of the 1955 Asian-African Conference*, 21 INDIA REV. 153, 160–65 (2022); Swapna Kona Nayudu, *India, the Suez Crisis, and the Hungarian Revolution*, in *THE NEHRU YEARS: AN INTERNATIONAL HISTORY OF INDIAN NON-ALIGNMENT* (2025).

⁹ U.S. Dep't of State, *Foreign Relations of the United States, 1955–1957, Vol. XIV: Arab-Israeli Dispute*, Doc. 1 (1989) (archived at U.S. Dep't of State).

¹⁰ Nahed Samour, *Palestine at Bandung: The Longwinded Start of a Reimagined International Law*, in *BANDUNG, GLOBAL HISTORY, AND INTERNATIONAL LAW*, *supra* note 7, at 593.

¹¹ *Statement by the Egyptian Delegation at the Opening Session*, Bandung, Apr. 18, 1955, in *ASIA-AFRICA SPEAKS FROM BANDUNG* 67–70 (Indonesian Ministry of Foreign Affairs 1955).

¹² *Final Communiqué of the Asian–African Conference*, Bandung, Apr. 24, 1955, *reprinted in ASIA-AFRICA SPEAKS FROM BANDUNG*, *supra* note 11, at 161–69.

¹³ Divisions among the twenty-nine member states at Bandung offered ample evidence both of the fragile “spirit of Bandung,” see RICHARD WRIGHT, *THE COLOR CURTAIN: A REPORT ON THE BANDUNG CONFERENCE* (1956), and of the sensational media commentary it spawned—e.g., *Bandung Conference: Sir John [of Ceylon] Tears Off Chou's False Front*, LIFE, at 29–37 (May 2, 1955). The charged atmosphere and its evolving rhetoric have been traced in nuance by later scholars: Michael Fakhri, *The Spirit of Bandung*, in *BANDUNG*,

Asian non-alignment, Sinophile socialism to Islamic republicanism. The incoherence of the Arab contribution was not unique, but it carried different weight. Unlike Latin America, where regional legal cooperation and voting blocs have become routinized, the Arab World's regional platform has remained persistently fractured—more invoked than institutionalized. Their collective invocation of Palestine—central to the post-colonial imaginary, yet absent from legal form—made visible the limits of inclusion. Palestine's marginality was not merely a diplomatic failure; it marked the success of a representational mode that could reference solidarity without accommodating its procedural expression. As a consequence, the “Arab World” appeared to signify unity while sidestepping institutional commitment. This helped stabilize the idea of Third World solidarity while papering over deeper contradictions. Internally, Arab regimes could perform coherence without resolving ideological rifts. Externally, they gave the Conference a Mediterranean hinge—a rhetorical link to Arab and Islamic anti-colonial traditions, a spatial thread between Asia and Africa. Egypt's role was pivotal in this configuration: Nasser's presence allowed the conference to straddle both continents, and his speech at Bandung explicitly referenced both Pan-Arab and Pan-African liberation, positioning Egypt as a linchpin in the broader post-colonial imaginary.¹⁴ In this sense, the Arab states completed the picture but did not redraw its frame.

And yet, that presence proved operational. Bandung showed that collectivity need not be substantively realized to be legally functional. The Arab World became a device: invoked to authorize claims, lend context, or mask fragmentation. Its image, not its coherence, was what mattered. That role—performative, partial, strategically ambiguous—has persisted across decades of international legal representation. Invocation, it turns out, can be enough.

Coda: From Symbolic Apparition to Structural Indifference

If Bandung once offered a model for making collective identities present without full constitution, the events surrounding the ongoing Gaza genocide by Israel reveal the fragility of that model. Palestine's presence in international legal discourse is often insisted upon with clarity, but rarely translates into procedural consequence. In Gaza, the absence of legal standing in numerous ongoing international cases on its behalf is experienced as the tangible absence of protection, recourse, or remedy.¹⁵ The Arab World is regularly invoked to speak for Palestine, but such invocations rarely yield more than symbolic solidarity. For example, the Arab Peace Initiative (API) offered normalization with Israel in exchange for full withdrawal from territories occupied in 1967, a just resolution of the refugee question pursuant to UN General Assembly Resolution 194, and the establishment of a Palestinian state with East Jerusalem as its capital.¹⁶ Reaffirmed at the Riyadh Summit in 2007, the API continues to serve as a symbolic consensus rather than an enforceable policy framework.¹⁷

The invocation of the Arab World, often urgent in its rhetorical stance, rarely carries an expectation of substantive consequence. Arab states undertook multiple collective diplomatic efforts in 2024–2025 in response

GLOBAL HISTORY, AND INTERNATIONAL LAW, *supra* note 7, at 431; Heloise Weber & Poppy Winanti, *The “Bandung Spirit” and Solidarist Internationalism*, 70 AUSTL. J. INT'L AFF. 391, 393 (2016).

¹⁴ Reem Abou-El-Fadl, *Beyond Pan-Arabism: Suez and Afro-Asian Solidarity in Abdel Nasser's Egypt*, JADALIYYA (Oct. 16, 2020).

¹⁵ The enduring insight of post-colonial critique lies not merely in the constructed nature of identity but in demonstrating that construction itself functions as a political technique of governance. EDWARD W. SAID, *ORIENTALISM* (1979); MAHMOOD MAMDANI, *CITIZEN AND SUBJECT: CONTEMPORARY AFRICA AND THE LEGACY OF LATE COLONIALISM* (1996).

¹⁶ *Arab Peace Initiative, Council of the League of Arab States at the 14th Ordinary Session*, Beirut, Mar. 27–28, 2002, *reprinted in* MIDEAST MIRROR (Mar. 28, 2002); *see also Arab Peace Initiative 2002*, Europarl Doc. (2002).

¹⁷ *Final Communiqué of the 19th Arab Summit*, Riyadh, Mar. 28–29, 2007; NOURA ERAKAT, *JUSTICE FOR SOME: LAW AND THE QUESTION OF PALESTINE* 189–90 (2019).

to what they repeatedly characterized as genocide in Gaza, but these initiatives yielded few material results. In January 2024, the Arab League held an emergency session in Cairo, issuing a communiqué condemning Israeli actions and calling for an international investigation and ceasefire.¹⁸ At the thirty-third Arab League Summit in Manama on May 16, 2024, member states issued the Bahrain Declaration, urging UN intervention and renewed commitment to the Arab Peace Initiative.¹⁹ In May 2024, Arab and Global South states co-sponsored a UN General Assembly resolution recognizing Palestine as qualified for full UN membership.²⁰ Most recently, at the thirty-fourth Arab League Summit in Baghdad in May 2025, leaders again denounced Israeli actions as genocide and announced a Gaza reconstruction fund.²¹ The gap between rhetoric and action has, however, never been broader. What in Bandung passed as political theatre now risks being read as ritual exhaustion, a choreography performed as much for its own sake as for any anticipated result.

Yet this is not simply a story of dysfunction or missed opportunity; rather, it reveals a foundational structure of international legal practice: the accommodation of contradiction through performance—the artful translation of political divergence into forms legible to law without requiring resolution. Legal structures do not seek to overcome fragmentation; instead, they recognize, categorize, and manage divergence, facilitating participation without altering the architecture of collective agency. Thus, the Arab World persists not as an unfinished project or a site of failure, but precisely because its unsettled meaning remains functionally valuable, invoking solidarity and collective identity even—and especially—when consensus is unattainable. To interpret this phenomenon solely as dysfunction overlooks the deeper logic at play. Within the grammar of international law, the Arab World is not a silenced subject waiting for recognition but a representational arrangement—a diplomatic device through which collectivity is referenced without being structurally anchored. Efforts to propose greater coherence or enhanced legal standing misread the nature of this performance. Indeed, the international legal system operates precisely as designed—maintained by those who constructed its operative limits. The tendency to invoke without enacting is woven into the very fabric of international legal discourse. The symbolic utility of collectivities is affirmed repeatedly, deferring substantive agency indefinitely. If Gaza marks a rupture, it is not by introducing new dilemmas but by stripping away this performative façade, revealing how little symbolic collectivity matters precisely when it is most urgently needed. Legal discourse continues to reference solidarity, but such invocations now circulate unmoored—detached from institutional consequence and substantive intent.

What, then, remains? This essay does not call for reform, nor does it offer a blueprint for redesign. It does not seek to restore solidarity, nor to mourn its loss. Such gestures would risk reenacting the very assumptions this analysis has aimed to unsettle. Instead, it proposes a shift in perspective: to view the appearances of collectivity not as signs of promise or failure, but as performances—ritualized expressions shaped by legal structures that permit presence while withholding procedural weight. It has sought to linger with complexity, tracing how collectivity functions in the uneasy space between being named and being enabled, and suggesting that this gap reveals not the failure of law, but the very logic through which law operates. Moments of invocation—speeches, communiqués, diplomatic rituals—are better read not as markers of coherence or causes for lament, but as symptoms of a system that relies on the appearance of unity while continuously deferring its realization. The Arab World will continue to surface: referenced, invoked, at times even centered. But it is neither absent nor incomplete. It occupies a place both necessary and elusive in the structure of international law: always visible, rarely activated—a collectivity maintained through continual invocation and strategic deferral, not as exception, but as a constitutive feature of the system itself.

¹⁸ See Arab League, [Statement on Emergency Meeting Regarding Gaza](#), Cairo, Jan. 17, 2024.

¹⁹ See League of Arab States, [Final Communiqué of the 33rd Arab Summit](#), Manama, May 16, 2024.

²⁰ See [GA Res. ES-10/23, Status of Palestine in the United Nations](#), UN Doc. A/ES-10/L.30 (May 10, 2024).

²¹ See Arab League, [Baghdad Summit Declaration](#), May 15, 2025.