THE UNIVERSITY *of* EDINBURGH

Edinburgh Research Explorer

The British Legacy in the Middle East

Citation for published version:
Gorman, A 2017, The British Legacy in the Middle East. in NA Butenschon & R Meijer (eds), The Crisis of Citizenship in the Arab World., 1, Social, Economic and Political Studies of the Middle East and Asia, vol. 116, Brill, pp. 41-66. DOI: 20.500.11820/7b7bdcea-e08d-47f7-b7e9-153cfafbf684

Digital Object Identifier (DOI):
20.500.11820/7b7bdcea-e08d-47f7-b7e9-153cfafbf684

Link:
Link to publication record in Edinburgh Research Explorer

Document Version:
Peer reviewed version

Published In:
The Crisis of Citizenship in the Arab World

OPEN ACCESS

CHAPTER 4

The British Legacy in the Middle East

Anthony Gorman

From the middle of the 19th century until the mid-20th century, Britain played a significant role in determining the development of political institutions and practices of citizenship in the Middle East that was to leave a substantial legacy. Articulated in different ways according to the particular needs of the situation, the British imperial project engaged with local regimes and traditions, the requirements of the contemporary international context, and where necessary popular demands, to lay a foundation of public culture and practice based on conceptions of nationality and citizenship and democratic institutions as the basis of a body politic, even as it qualified the scope and authority of such institutions. In so doing it sought to establish its own priority of establishing stable states sympathetic to its imperial interests. The result was a mixed legacy that provided a legal framework of citizenship and constitutional rule but qualified rights and a tradition of authoritarian rule with which to curb opposition that would readily taken up by local elites. In exploring the evolution of these conceptions and practices of citizenship during this period, this chapter will focus on the cases of Egypt, the mandates of Iraq, Palestine and Transjordan, and the Gulf states of Kuwait and Bahrain.

Background

From the beginning of the nineteenth century Britain came to exercise an increasingly significant and at times dominant role in Middle Eastern political affairs. While its role in the defeat of the French in Egypt in 1801 announced its presence in the region it did not take up a more specific authority until the second half of the century. With the occupation of Egypt in 1882 which continued in various guises, from the initial so-called veiled protectorate to the formal protectorate of 1914-1922, and on until its withdrawal in 1956, Britain embarked on the first major example of a number of imperial commitments. In the mandatory administrations of

Iraq (1923-1932), Palestine (1923-1948) and Transjordan (1923-1946) constructed from the former Arab provinces of the Ottoman Empire, Britain played a more formal role of mentoring these new states under the authority of the League of Nations. In Kuwait, Bahrain and other Trucial states a series of treaties signed by Britain with local rulers during the nineteenth century and maintained until its formal withdrawal from the Gulf at the beginning of the 1970s formed the basis of British imperium, guaranteeing its control in matters of defence and foreign affairs while supporting the rule of the traditional ruling families.

These particular political circumstances afforded Britain an environment in which it exercised considerable authority in erecting the constitutional architecture and influencing the culture of citizenship. This was exercised in different ways. In Egypt the British agent and consul-general exerted considerable authority on the workings of government through a network of British advisers placed in the Egyptian government, particularly in the time of Lord Cromer (1883-1907). The mandatory administration in Palestine, Transjordan and Iraq served as a direct instrument of British authority but, in the case of Iraq, British influence continued well after formal independence in 1932 through a series of advisors.[1] The device of bilateral treaties, in Egypt with the Anglo-Egyptian Treaty of 1936, in Jordan with the Anglo-Transjordan (1928), and in Iraq with the Anglo-Iraqi Treaty (1930) and the Portsmouth Treaty (1948), was the basis through which Britain formalised relations between itself and the respective states and legitimated its interference in domestic affairs.[2] During World War II, Britain invoked its rights under these treaties to reassert control over Egypt and reoccupy Iraq after the rise of a pro-German government in 1941 until the end of the war. The arrangements with the Trucial States provided similar legal sanction.

---

[1] Stephen Longrigg, *Iraq, 1900 to 1950: a Political, Social, and Economic History* (London: Oxford University Press, 1953), 342.
[2] The declaration of February 22, 1922, in which Britain granted Egypt self-government though reserved to itself certain important powers while not mutually agreed can be similarly characterised.

Throughout this period the British government presided over a process of constitutional change in which governing institutions were defined, terms of nationality formulated, and the rights of citizens, whether explicitly or implicitly, delineated. In promoting this course the British authorities invoked the virtues of democracy, constitutional government and an active citizenry. This was the case, particularly in the mandatory administrations where Britain was entrusted with the role by the League of Nations of laying the basis of representative institutions, legal and social rights and the protection of minorities.

Despite these claims and commitments, in shaping institutions of governance and a culture of citizenship British policy was not driven primarily by such ideals but was characterised by a pragmatic and flexible approach, largely qualified by British concerns about political stability and calculations made to maintain a continuing British presence and its future influence. This was also moderated through competing demands of the local population that involved negotiation with the local elites and an engagement, whether accommodation or resistance, with popular calls for the recognition of particular political, economic, social and cultural rights. The results of this political project and the dynamics of the relationship that it established would play a significant part in determining the trajectory of citizenship as a practice in the post-colonial period.

Constitutional Rules

Constitutional reform was a central pillar of British rule in both Egypt and the mandates. In 1883 soon after the occupation of Egypt, a new constitution (organic law) was promulgated that laid the basis for government and administration for the next 40 years. Following a sustained nationwide protest against its continued presence in 1919-21, the British government unilaterally granted Egypt self-government and authorised the drafting of a new constitution. Written by a committee appointed by the Egyptian government but undoubtedly under some British influence, the 1923 constitution was strongly influenced by European and

particularly Belgian constitutional practice.[3] It established a constitutional monarchy drawn from the family of Muhammad 'Ali with a bicameral parliament. The king as executive was accorded very considerable powers with the right to appoint the Prime Minister, dismiss the cabinet and the parliament, and declare martial law. The popular will was represented by the House of Representatives which was elected by popular vote along with three-fifths of the membership of the Senate, while the king appointed the remainder.

In the mandates of Iraq, Palestine and Transjordan, the establishment of a system of government and definition of citizenship required deference, in principle at least, with the provisions of the Covenant of the League of Nations. Composed of the former Arab provinces of the Ottoman Empire, the Class A Mandates (the category that included both British and French mandatory administrations in the Middle East) were states whose independence was provisionally recognised but which were deemed to require a period of tutelage before being granted full status. This period therefore necessitated deliberation, negotiation and occasionally insistence on the part of the mandatory power, in the process of the codification of an institutional basis of government, the powers of the state, and the legal definition of nationality and rights of citizenship.

Each of the British mandates offered particular challenges in this respect.[4] The state of Iraq, composed of the former Ottoman provinces of Basra, Baghdad and Mosul, was both an expression of the international ideals of self-determination but also British imperial design. Initially founded on the agreement of the League of Nations and the Treaty of Lausanne, its principal constitutional document was the Organic Law of Iraq (1925), first drafted in 1921 by British officials and subsequently revised

---

[3] Abdeslam M. Maghraoui, *Liberalism Without Democracy: Nationhood and Citizenship in Egypt, 1922–1936* (Durham : Duke University Press 2006), 130.
[4] Norman Bentwich, "Mandated Territories: Palestine and Mesopotamia (Iraq)," *British Yearbook of International Law* 2 (1921), 48-56.

after extended Iraqi consultation.[5] As with its 1923 Egyptian counterpart, the Iraqi constitution provided for a strong monarchy with the Hashemite King Faysal, a newcomer to Iraq, paradoxically serving as a figure of national unity. Like Egypt also, Iraq possessed a bicameral parliament but with the Senate wholly appointed by the King and a Chamber of Deputies elected by universal male suffrage of all Iraqis of 20 years of age and over. The election process set up an indirect system with primary electors voting for secondary selectors (in a ration of 250:1), who in turn would elect deputies.[6] In Transjordan a similar two stage election process was prescribed (here the ration was 200:1) by the Organic Law of 1928 where all males of 18 and over were entitled to vote for secondary electors for the 14 elected members of a 21 member Legislative Council largely advisory as an advisory body to Emir Abdullah, brother of Faysal.[7]

In contrast to the monarchies of Iraq and Transjordan in Palestine the Order in Council of 1922 served as the constitution set the British High Commissioner as the chief executive and established a Legislative Council as a national representative body. [8] From the beginning, however, Palestinian politics was riven with the struggle between Arab and Jewish nationalism and the Council foundered with the boycotted elections of 1923.[9] In 1935 a new British proposal for a legislative body again came to nought with only the system of municipal government offering any official avenue for political representation.[10] Without an effective constitution and representative institutions, politics in Palestine was therefore largely determined by the contest between Arab and Zionist nationalisms and offered little space for citizen involvement at a national level.

---

[5] One of the chief points of discussion had been the powers given to the king which the Iraqi committee had thought excessive in the original draft, Majid Khadduri, *Independent Iraq*. (Oxford: Oxford University Press, 1951), 15.

[6] Majid Khadduri, *The Government of Iraq* (Jerusalem: New Publishers Iraq, 1944), 15. Direct election was not employed until the elections of January 1953.

[7] Mary C. Wilson, *King Abdullah, Britain and the Making of Jordan* (Cambridge: Cambridge University Press, 1987), 97.

[8] Palestine, The Palestine Order in Council, 10 August 1922
 http://unispal.un.org/UNISPAL.NSF/0/C7AAE196F41AA055052565F50054E656 (accessed 30 August 2015).

[9] Palestine Royal Commission [henceforth *Peel Commission*]*: Report*, 1937, 56.

[10] *Peel Commission*, 347-352.

The National Citizenry

Integral to the process of setting up the constitutional basis for these states was a legal definition of nationality and citizen rights. In the case of Egypt this seemed less urgent. Although the 1923 constitution contained a section On the Rights and Duties of Egyptians stating important principles, until the passing of a new nationality law in 1928 Egyptian nationality still relied on nineteenth-century Ottoman legislation.

In the mandates, the general principle applied with the nationality laws was that former Ottoman subjects would by definition automatically acquire the nationality of the state in which they were now resident.[11] This was most clearly the case in the Iraqi Nationality Law of 1924 and a similar provision was applied in Transjordan. In Palestine, where the terms of the mandate had specifically required the establishment of a citizenship law, the Palestinian Citizenship Order of 1925 included the same provision and thus immediately accorded citizenship to the majority Arab population in Palestine.[12] However, more particular were the conditions for the acquisition of Palestinian citizenship: the applicant had to have been resident for a certain period of residence, demonstrate a good character and possess an "adequate knowledge" of English, Arabic or Hebrew. The last clearly referenced the promise of the British government to support Palestine as a Jewish national homeland (which had been formally incorporated into the terms of the mandate), and provided a legal support for Jewish immigration and settlement.

---

[11] Norman Bentwich, "Nationality in Mandated Territories Detached from Turkey," *British Yearbook of International Law* 7 (1926), 97.

[12] Norman Bentwich, "Palestine nationality and the mandate," *Journal of Comparative Legislation and International Law* 21 (1939) 4: 230-232. The term "citizenship" in the legislation seems distinctive to Palestine; elsewhere in Iraq and Transjordan the term nationality is favoured in the legislation. For a detailed discussion of the period 1917-25, see Lauren Banko, "The Creation of Palestinian Citizenship under an International Mandate: 1918-1925: Legislation, Discourses and Practices," *Citizenship Studies* 16 (2012) 15-6: 641-655.

Definitions of nationality were much more exclusive in the Gulf States. Kuwaiti nationality was only defined in law in 1948 and was restricted to a narrowly defined group made up of members of the ruling family, those who had been permanently resident in Kuwait since 1899 (a date which referenced the agreement between Britain and Mubarak the Great), and children of Kuwaiti fathers or of Arab or Muslim men born in Kuwait after that time. Naturalisation was allowed after 10 years' residence but was also conditional on Arabic proficiency.[13] A decade later in 1959 the law was amended with 1920 (the year of the war between Saudi Arabia and Kuwait) now set as the date by which permanent residence was established while the requirements for naturalisation became more restricted.[14] With the withdrawal of the British and independence in 1961, citizenship was soon extended to many Bedouin in return for military service which was used effectively to break down loyalties to tribal sheikhs and to secure electoral loyalty.[15]

These various legal definitions of the national citizen posed as the antithesis to the foreign national. Here the long tradition of the Ottoman Capitulations, a regime of legal and economic privileges enjoyed by foreign nationals that dated back to at least the sixteenth-century, had emphasised the advantages of foreign nationality over the comparative disadvantages of local citizenship. Indeed, for this reason the extrajudicial rights enjoyed by foreigners became an increasing target of nationalist criticism from the late nineteenth-century for compromising local sovereignty and reinforcing the hierarchy of the colonial order. With the dissolution of the Ottoman Empire the Capitulations were abolished in Palestine, Transjordan and Iraq, presumably as contrary the principles of the mandate. In Egypt, the state with the most established historical identity, they paradoxically remained in force until their abolition in the Treaty of Montreux in 1937. The regime of Mixed Courts, created in 1875 to deal with legal disputes between Egyptians and foreigners, lingered on until

---

[13] Jill Crystal, *Oil and Politics in the Gulf: Rulers and Merchants in Kuwait and Qatar* (Cambridge: Cambridge University Press, 1990), 79, 186n.
[14] Anh Nga Longva, "Citizenship in the Gulf States, Conceptualization and Practice," in *Citizenship and the State in the Middle East: Approaches and Applications*, ed. Nils A. Butenschon et al. (Syracuse, N.Y.: Syracuse University Press, 2000), 185.
[15] Crystal, *Oil and Politics*, 88. In the same year, a nationality law granted Qatari citizenship to those who had been resident in Qatar prior to 1930 (Crystal, *Oil and Politics*, 149-50).

their dissolution in 1949 even if some of practices if not rights given to those with foreign nationality continued in some form, particularly in the justice system.[16]

Minority Rights

The Ottoman Empire had been governed by a Muslim political elite which accommodated different religious communities through the millet system that delegated authority to the community on matters of property and personal status. While this system had been significantly eroded under the impact of the Tanzimat, religious and ethnic identity still remained important social markers in Middle Eastern society at the end of the First World War. The dismemberment of the Empire after the war with the consequent dislocation of different ethnic and religious communities called for new political arrangements which took some account of this pluralism. Here the British solution was to grant certain recognition to the rights and claims of certain minorities, in part because it had the virtue of winning the support of these communities but also because it satisfied the requirements of the League of Nations.

In Iraq this religious and ethnic diversity which comprised the three large communities of the Shi'ites, Sunnis and Kurds, along with smaller groups such as the Turkomen, Yazidis and various Christians sects, offered particular challenges to the project of nationhood and national citizenship. To accommodate this diversity the British authorities allocated specific sectarian representation at different levels of government. At the local level the Provincial and District Councils provided for representation for non-Muslims with dedicated seats for Christian, Jewish, Sabaean and Yazidi communities. At the national level the Chamber of Deputies included fourJewish and Christian deputies each out of a total of 88 members during the mandate period. The principle if not the specific figures continued into the 1950s.[17]

---

[16] Anthony Gorman, "Regulation, Reform and Resistance in the Middle East Prison," In *Cultures of Confinement: A History of the Prison in Africa, Asia and Latin America*, ed. Frank Dikötter and Ian Brown (London: Hurst, 2007), 114-115.

[17] These consisted of two Christian and one Jewish representative in Mosul; two Christians and two Jews in Baghdad, and one Christian and one Jew in Basra province, Khadduri, *Government of Iraq*, 15, 305.

In Transjordan, where the population was more homogeneous, minority communities were also granted specific representatives. The first Transjordanian Legislative Council (1928-31), made up of 16 elected members (and 22 members in all), allocated five seats to minorities (two Circassian and three Christian representatives).

Such provisions in part were designed to provide specific communities with a guaranteed voice in the new political system but they offered the potential for distortion of the principle of equal representation for political gain. In Transjordan Circassians enjoyed representation more than fivefold the mainstream Muslim population in proportion to their numbers, a policy likely to have been prompted by the generally pro-palace sentiment of that community.[18] The legal recognition of tribal rights both in Jordan and Iraq demonstrated a similar strategy of working within existing social hierarchies in order to win support. In Transjordan two tribal representatives (one each from the north and south) were appointed to the Legislative Council by a local commission of ten members while tribal sheikhs in Iraq were granted the right to adjudicate disputes and collect taxes.[19]

In addition to political representation, was the recognition of religious rights and cultural rights to maintain separate education systems.[20] In Iraq, Kurdish primary schools were established in the north of the country and there were soon demands for Kurdish secondary schools and a Training College. The Local Languages Law of 1926 allowed for the use of Kurdish in administration and primary schools in the north but Arabic remained the principal language of instruction in secondary and

---

[18] Notionally one elected member represented 5000 Circassians, 7000 Christians and 27000 Muslims. The first post-independence constitution of 1947 which replaced the Organic Law continued this practice with the 20 elected members of the Assembly being made up of 12 Muslims, four Christians, two tribal representatives and two representatives for Circassians and Chechens, see Abdo Baaklini, Guilain Denoeux and Robert Springborg, *Legislative Politics in the Arab World* (Boulder CO, London: Lynne Rienner, 1999), 135, 137.
[19] Kamal Salibi, *The Modern History of Jordan* (London and New York: IB Tauris, 1993), 115; Charles Tripp, *A History of Iraq*, 2nd ed. (Cambridge: Cambridge University Press, 2002), 37.
[20] For Palestine, see *Peel Commission*, 48, 52-53.

higher education.[21] With the failure of the creation of genuine civil spirit these divisions could take on political implications. In Palestine the recognition of English, Hebrew and Arabic as official languages and the constitutional right for different communities to maintain their own schooling system in their own language saw the separate development of education and civic ideals, a fact later bewailed by the Peel Commission.[22]

Formal recognition was only one way in which rights for minority groups might be acknowledged. Just as Copts had been favoured in the Egyptian bureaucracy before the First World War so British policy of favouring Sunnis (only about 20% of the total population) in the Iraqi administration at the expense of the Shi'ites and Kurds also undermined a genuine sense of national community that could be exploited later by politicians.[23] In Iraq this would have great implications in the immediate post-independence era. The Assyrians, a Christian refugee community from Anatolia, who were favoured by the British in the recruitment of the Iraqi levies during the 1920s, were left exposed as perceived allies of the British after independence was granted in 1932. Despite the guarantees that had been offered by the Iraqi government to respect minorities, too readily accepted by the British, the violent suppression of the Assyrians in 1933 demonstrated the fractures in the new national community.[24] The potential for tension between the concepts of national citizen and community member has continued until the present in various forms.

In its dealing with the issue of minority representation, British policy never institutionalised sectarian identity to the extent that the French administration did in Lebanon. However, the formal recognition of ethnic identity, ostensibly contrived to be inclusive could also serve as an effective divide-and-rule strategy that arguably undermined the concept of a single national citizenry. In Egypt, a country which had

---

[21] Orit Bashkin, *The Other Iraq: Pluralism and Culture in Hashemite Iraq* (Stanford, Calif.: Stanford University Press, 2009), 44, 182-3.
[22] *Peel Commission* 36-37: Articles 15 and 22 recognise different languages and each community entitled 'to maintain its own schools for the education of its members in its own language.' see also *Peel Commission*, 333-334.
[23] Tripp, *History of Iraq*, 31.
[24] Tripp, *History of Iraq*, 80.

the longest tradition of political and social continuity, British machinations at times fed social tension between religious and ethnic groups. Jews and Copts, as well as many foreigners, had been favoured by the British in government employment in the years before the First World War. In the Unilateral Declaration of Independence of 1922, the notion of a national community was further undermined by the British insistence on reserving to itself the right of protection of the minorities, a position that ran the risk of implicating Copts and Egyptian Jewry within the colonial order. The subsequent discussion and rejection by the Egyptian constitutional committee of a provision for separate parliamentary representation for Copts was significantly preoccupied with how the British government might exploit this issue.[25] While the majority decision to reject such a provision was later styled as a statement of the integrity of the national citizen body the ongoing issue of Coptic representation in parliament demonstrates its continuing political sensitivity and the religious dimension that has been applied to Egyptian citizenship.

The Citizen and Political Rights

In presiding over a process of codification of nationality laws and constitutions, and the recognition of various minority rights, the British sought to lay the foundation of and win support for its programme of state-building. Nationality laws served to define citizen status but specific rights were often undefined or circumscribed by law and, in any case, conceived from the top down. The restrictive nature of these legal formulations and the constraints of local practices severely inhibited the growth of an active and genuine citizenship.

This was particularly the case with political rights and representation. In Egypt the British occupation of the country in 1882 and the defeat of Ahmad 'Urabi's movement had represented, among other things, a defeat for Egyptian constitutionalism. Now under British occupation, the new constitution of 1883 laid down provisions for a consultative body although with weak powers. Subsequent developments, the setting up of a Legislative Council, General Assembly and

---

[25] B. L Carter, *The Copts in Egyptian Politics, 1918-1952* (Cairo: American University on Cairo Press, 1986), 133-142.

Provincial Councils, put in place a complex system of indirect elections that in theory were popularly elected but which in reality were dominated by the notability. This strategy became characteristic of British policy in the Middle East. Writing in his annual report presented to the British parliament, Cromer drew deeply from the well of orientalist imagery and made clear the paternal principle at work, that the majority of the Egyptian population was not yet qualified, and not even willing, to exercise full political rights,

> …the interests of the masses must continue to a great extent to be
> represented by European officials or by Egyptian officials who have
> assimilated European ideas. No paper constitution, however ably conceived,
> can suddenly give voice and representation to a people who have for
> centuries been voiceless and unrepresented, and who have not as yet given
> any practical proof that they wish to be represented, although the
> opportunity for expressing the wish is afforded to them.[26]

This self-serving position of a contained political class was further exemplified in its attitude towards political parties. The first formal political parties in Egypt were established in 1907, the same year Cromer was writing, predominantly as vehicles for nationalist sentiment. Before long they were dissolved amidst British concerns of mounting political opposition and social unrest. The rise of the Wafd after the First World War, followed by a number of smaller parties under the constitutional arrangements of 1923, demonstrated that political life was dominated by elements of the traditional landowning elites with limited input from the party membership even if it did at times attract a mass following.

In Iraq during the 1920s party political life was similarly restricted in scope, programme and levels of participation. Already in 1922 the late Ottoman pro-Arab groups of al-'Ahd al-'Iraqi and Haras al-Istiqlal had given way to a series of new political organisations formed largely in response to the question of Iraqi

---

[26] Parliamentary Papers, *Egypt. No. 1*, *Reports by His Majesty's Agent and Consul-General on the Finances, Administration, and Condition of Egypt and the Soudan in 1906*, No. 1 (1907), 29.

independence and its ongoing relationship with Britain but they offered little diversity in their domestic political programmes.[27] Moreover, the scope for political opposition was limited, a point made clear by the banning of political parties and the dissolution of parliament in 1922 by the British High Commissioner, Percy Cox, following public protest against the Anglo-Iraqi Treaty.[28] When party political life resumed later in the decade it once again revolved around an elite circle of notables and their personal followings. New parties, such as the 'Ahd Party of Nuri al-Sa'id, formed at the beginning of the 1930s on a common platform of ending the mandate, demonstrated the weakness of party political life by dissolving themselves soon after Iraqi independence was recognised in 1932; they had lost their raison d'être. [29] The emergence soon after of the Ahali Group, a coalition of intellectuals and professionals, signalled a new and progressive vision that articulated a democratic programme based on liberal, even socialist, ideas such as freedom of speech, human rights, equality and justice. Hemmed in by repressive government, these ideals were compromised by Ahali's relationship with the military after the coup in 1936.[30] Not until after the Second World War did organised political life revive but the pattern established in the 1920s of personalised organisations subsequently suppressed by government seemed set. A number of parties were closed down in 1948, then, after a period of relative freedom, were again dissolved in 1954 in response to their opposition to the Baghdad Treaty. The potential for a citizenry actively engaged in political life suffered accordingly.

In Palestine, party political life was also limited. Until the early 1930s Arab political activity centred around the Arab Executive Committee, an umbrella body that convened a series of congresses.[31] The establishment of the Istiqlal Party in 1932 marked the beginning of a period of more formal party organisations but those that followed again served more as vehicles for the traditional elites and their followers

[27] Khadduri, *Independent Iraq*, 29-30.
[28] Tariq Y. Ismael, *The Rise and Fall of the Communist Party of Iraq* (Cambridge, New York, N.Y.: Cambridge University Press, 2008), 13.
[29] Khadduri, *Independent Iraq*, 29-30.
[30] Tripp, *History of Iraq*, 84-86.
[31] *Peel Commission*, 176.

rather than any real ideological programme.[32] In the mid-1930s all but the Istiqlal Party united to form the Higher Arab Committee but were subsequently banned by the British in October 1937, following the outbreak of the Arab Revolt. Zionist party life represented a greater range across the political spectrum on the left and right but all ultimately shared an exclusive nationalism.

In the Gulf participatory politics was governed as much by a restricted franchise as political space. Municipal government provided the forum for the exercise of political rights, at least for the local merchant class. In Bahrain this was established at the beginning of the 1920s and progressively acquired authority from the British political agent.[33] In Kuwait, the establishment of the municipality in 1930 the biennial elections provided a regular platform for a political contest among the mercantile notability. This political momentum culminated in the Majlis movement of 1938 where elements of the merchant class sought to challenge the authority of the ruling family and speak in the name of the people. [34] The formation of the National Bloc as the first political party in Kuwait and the convening of an Assembly in July over the next six months saw the drafting of a basic law. Ultimately, however, the movement collapsed, after initial British encouragement was withdrawn when it felt its interests threatened.[35]

One important exception ~~across the region~~ where a ~~genuine~~ political ~~activism~~ organisation emerged from beyond the realm of traditional fiefdoms or, ~~as~~ in Palestine, ~~outside~~ apart from~~of~~ the ~~bipolar~~ contest between Jewish and Arab nationalisms, was the communist movement. First evident with the establishment of the Egyptian Communist Party in the early 1920s, the movement was quickly repressed. Egyptian nationalists who had been critical of the British suppression of political life before 1914 were quick to show that they were just as willing to

---

[32] *Peel Commission*, 87. Among these parties were the Palestine Arab Party (Husseini family); the National Defence Party (Nashashibi family) and the Arab Reform Party (Khalidi family), all set up in the 1934-35 period.
[33] Nelida Fuccaro, *Histories of City and State in the Persian Gulf* (Cambridge: Cambridge University Press, 2009), 124-125.
[34] Crystal, *Oil and Politics*, 46-47.
[35] Crystal, *Oil and Politics*, 48-51.

suppress the challenge of radical reform perceived in the Bolshevik threat. The trial and imprisonment of communist leaders in Cairo in 1924 was the first significant blow in the campaign that continued throughout the decade and drove the movement underground until its reappearance during the Second World War.[36] A similar phenomenon occurred in Iraq and Palestine over the following decade, with the Iraqi elites in the former and British authorities in the latter case, imprisoning or expelling communist activists.[37]

The Press and Freedom of Speech

If party political life tightly circumscribed by law and dominated by elite factions, freedom of speech and particularly the press offered greater potential as a forum for the promotion of new political and social ideas, the criticism and debate of government policies, and the demands for citizen rights. Here Britain showed itself willing to consolidate and expand the Ottoman strategy of restricting the acceptable spectrum of free speech.

By the middle of the nineteenth century the press in the Middle East had begun to emerge as a medium for more than government notices and carry public news and political opinion. The promulgation of the Ottoman press law of 1865 launched a tradition of press regulation that would seek to control this outlet by stipulating certain qualifications for newspaper ownership (30 years of age and no criminal record) and in time increasingly constrain the freedom to express political opinion. In Egypt the Publications Law of 1881 provided greater restrictions on freedom of speech and brought in imprisonment as a judicial punishment for transgressors. By contrast the British occupation the next year was followed by a period of relative freedom until the reinstatement then reinforcement of the press laws in early 1909 formed part of a general crackdown on the insurgent nationalist movement.[38]

---

[36] Anthony Gorman, "Containing Political Dissent in Egypt before 1952," in *Policing and Prisons in the Middle East* ed. L. Khalili and J. Schwedler (London: Hurst, 2010), 162-63.
[37] Ismael, *Communist Party of Iraq*, 23-24.
[38] Gorman, "Containing Political Dissent," 161.

Yet, while the virtues of a free and open press were regularly intoned, and indeed, often endorsed by constitutions, the banning of newspapers and other publications that were (usually) deemed to have exceeded appropriate criticism of government policy or figures was common. The Ottoman press laws were carried over in large part into the interwar period but mandatory administrations and their successors readily added to this regulatory and increasingly punitive regime.[39] Press freedom may have been guaranteed explicitly in the constitution but it was also limited by expressed concerns about safeguarding the 'public order'.[40] During the interwar period in Egypt the changing press law regime required greater financial guarantees for newspaper ownership and afforded less press freedom under an increasingly repressive penal code. The practice of suspending or banning newspapers became a regular practice during the 1920s and 1930s, that included not only oppositional party newspapers deemed to be a danger to the fundamental safety of the state but journalists were imprisoned for criticising in print the government or king.[41]

In late Ottoman era Iraq and Palestine, a press had also begun to forge a tradition of public comment and discourse of rights.[42] After the end of the First World War as new state boundaries were drawn, this tradition continued and with greater energy. In Iraq, newspapers in English, Arabic, Turkish, and Kurdish launched in 1918-19 engaged with the pressing political issues of the day.[43] Beside the sober *Government Gazette* a series of dailies presented a range of opinions on the political future and constitutional regime of Iraq. *Al-Istiqlal*, for example, launched in September 1920, proposed a Hashemite monarchy, while *Al-Djila* called for a republic; all called for democracy in which the importance of freedom of speech should be clearly recognised. The authorities thought otherwise when, for example, after carrying an

---

[39] For a discussion of Ottoman press laws, see Ami Ayalon, *The Press in the Arab Middle East* (New York; Oxford: Oxford University Press, 1995), 65-66, 92-93.

[40] See, for example, the Egyptian constitution of 1922, art.14 ("Freedom of opinion shall be ensured".) and art.15 ("The press shall be free within the limits of the law. Censorship of newspapers shall be prohibited....") http://www.constitutionnet.org/files/1923_-_egyptian_constitution_english_1.pdf (last accessed 30 August 2015)

[41] Gorman, "Containing Political Dissent," 165.

[42] Longrigg, *Iraq,* 44-45.

[43] For details, see Longrigg, *Iraq,* 110.

editorial hostile to King Faisal, *al-Djila* was banned.[44] The practice of state regulation of the press was maintained thereafter and indeed codified in the Iraqi constitution of 1930.[45] The policy continued into the independence era. A Press Bureau was established and the press law of 1954, issued following the hostile response to the Iraqi government's signing of the Baghdad Pact, made clear the limitations of the freedom of speech.[46]

In Palestine likewise an increasingly regulated and restrictive press regime developed in response to growing political agitation. The Shaw Commission's recommendation of "the curtailment of the mischievous activities of the Press" was formalised with a Press Ordinance in 1933 which required a licence for the publication of a newspaper and allowed for the suspension of a newspaper that was "likely to endanger the public peace".[47] In the following years both Hebrew and Arabic language papers suffered suspension and prosecution.[48] In 1936 alone Arab newspapers were suspended 34 times and warned officially on 11 occasions. Responding to what it saw as the continuous negative tone of much of the Arab press ("The Arab Press excelled itself in denunciation of the Government and the Jews"[49]), the Peel Commission recommended a further extension in the powers of the press laws, a strategy that assisted in suppressing the Arab Revolt and was facilitated by the introduction of the Emergency Regulations.[50] The press played a similar role of representing the voice for an increasingly articulate citizenry in the Gulf. In Bahrain from at least the 1940s, it served as an important forum for the discussion of democratic values, the rights of the individual and in the 1950s pro-Arab nationalist ideas, despite the attempts of the British Agency to curb criticism and maintain the political status quo were able to be disseminated.[51]

---

[44] Bashkin, *Other Iraq*, 21-23.
[45] Ayalon, *Press in the Arab Middle East*, 260 n. 25. This was also true of the constitutions of Lebanon (1926) and Syria (1930), and the Organic Law of Jordan (1928).
[46] Bashkin, *Other Iraq*, 107.
[47] *Peel Commission*, 83, 190.
[48] *Peel Commission*, 193.
[49] *Peel Commission* 88.
[50] *Peel Commission*, 132; Ayalon, *Press in the Arab Middle East*, 100.
[51] Nelida Fuccaro, *Histories of City and State in the Persian Gulf* (Cambridge: Cambridge University Press, 2009), 178-180.

The Citizen as Worker

If party political rights remained limited and the right to freedom of expression was often curbed, the demand for social and economic rights could come from other quarters. The labour movement provided one important locus for this struggle where (usually) male workers used the threat or actual withdrawal of their labour to secure an improvement---- in their working conditions, particularly regarding pay, hours of work and safety conditions---- from employers and legal recognition from state authorities within a broader framework of workers' economic rights.

The emergence of an organised modern labour movement in the Arab world begins in Egypt with the industrial action and establishment of workers associations at the end of the nineteenth century.[52] Initially the movement was predominantly led by foreign workers but even before   World War I, the cause of the workers rights had been taken up by the nationalist movement and represented as part of a broader programme of citizen rights. During this stage the state authorities often took little action beyond a policing role during violent confrontations between workers and employers, or at times facilitated negotiations. However, as the movement gained support and power it became a more significant expression of social forces, especially after World War I.

In 1919 the labour protests in Egypt, part of a campaign of widespread resistance to continued occupation, prompted the government to create the Labour Conciliation Board In August 1919 which recognised the principle of the rights of workers and the need to provide official avenues of redress while at the same time offering a means of containing an unpredictable and occasionally unruly social movement.[53] However, largely siding with the employer, the Board proved ineffective at dealing with labour disputes and was replaced by the Labour Office In 1930 (later the Labour Department in 1936), ominously a part of the Public Security Department and

---

[52] For a discussion of this, see Joel Beinin and Zachary Lockman, *Workers on the Nile: Nationalism, Communism, Islam, and the Egyptian Working Class, 1882-1954* (London: I.B. Tauris, 1988), 48-82.
[53] Beinin and Lockman, *Workers on the Nile*, 116.

drawing on staff from security agencies which suggested a tone of repression over concession.[54] It was not until September 1942 that the pro-British Wafd government granted the first legal recognition of trade unions, which had to be registered by the Ministry of Social Affairs.[55] However, the state strategy of cooptation and control of the labour movement that had already been established would characterise the post-1952 approach to state-labour relations.[56]

In Iraq, where the extent of industrialisation and the size of the workforce was less than in Egypt, an organised labour movement was later in emerging. Even at the end of the 1920s, the oil companies (Iraq Petroleum Company and the Khanaqin Oil Company), which employed about 3000 workers between them, and the railways, with about 5700 workers, provided the only significant mass workforces.[57] From the last emerged probably the first genuine labour union, the Artisans (or Mechanics) Association (*Jam'iyyat Ashab al-San'a*), established in 1929 under the leadership of Muhammad Salih al-Qazzaz during a campaign of strike action calling for better conditions and labour laws. Railway workers also launched strikes in 1930-31 calling for a reduction in working hours.[58] In the last full year of the mandate the potential for labour to serve as an expression for the social rights of citizens became manifest. In response to an increasingly difficult economic climate, exacerbated by the imposition of a municipal tax, the union organised the general strike in Baghdad in July 1931. The authorities responded by dissolving the Artisans Association while the workers reacted by setting up the Workers Federation of Iraq the following year. Following an organised boycott against the British-owned Baghdad Electric Light and

---

[54] Beinin and Lockman, *Workers on the Nile*, 194, 206.
[55] Law 85, Beinin and Lockman, *Workers on the Nile*, 293.
[56] Marsha Pripstein Posusney, *Labor and the State in Egypt, Workers, Unions and Economic Restructuring* (New York: Columbia University Press, 1997), 52.
[57] *Iraq administration reports 1914-1932*, vol. 10, 246s,????? [Slough]: Archive Editions, 1992, 245.
[58] *Iraq Administration Reports, 1920-31*, vol. 10, 243, and Ismael, *Communist Party of Iraq*, 312, give slightly differing accounts of these events.

Power Company in 1933-34, the Federation was banned and the labour movement was suppressed for the next decade even if labour disruptions would continue.[59]

This series of strikes had it made clear to some Iraqi politicians that there needed to be some recognition of the rights of workers. In December 1931, a proposal was put before the Chamber of Deputies calling for the limitation of working hours, provision of holiday pay and preference for local over foreign labour in foreign companies. After considerable debate, the proposal was passed and forwarded to the government for consideration.[60] This was the beginning of a formal if limited recognition by the state of the importance of labour and indeed may have been prompted by the establishment of a Department of Labour Affairs, one of the conditions of joining the League of Nations.[61] The Labour Code of 1936 marked another step in workers' protection even if it appears not to have been fully implemented.[62] That same year with the coup of Bakr Sidqi the military took on a leading role in dealing with industrial disputes.[63] Workers' rights remained on the agenda. In 1940 an attempt to amend the electoral law and provide for specific trade union parliamentary representation was blocked by the Minister of Justice, acting on advice of his British advisor, Sir Edwin Drower.[64] In 1942 an amendment to the Labour Code of 1936 legislated better conditions for female workers and a range of other measures, including paid holidays, workers' compensation and a mechanism for arbitrating labour disputes. Before the end of the war various trade unions had been formed and Labour Exchanges established by the government to deal with problems of unemployment. The formation of a "Rights of Workmen" movement during this period showed the labour movement embracing a broader political

---

[59] Hanna Batatu, *The Old Social Classes and the Revolutionary Movements of Iraq*. (Princeton, NJ: Princeton University Press, 1978; reprint. London: Saqi, 2004), 297.

[60] *Iraq Administration Reports, 1920-31*, vol. 10, 245.
[61] Philip W. Ireland, *Iraq: A Study in Political Development* (London: J. Cape, 1937), 449.
[62] Longrigg, *Iraq,* 246.
[63] Marion Farouk-Sluglett and Peter Sluglett, "Labor and National Liberation: The Trade Union Movement in Iraq, 1920-1958," *Arab Studies Quarterly* 5 (spring 1983) 2:149-50.
[64] Drower had been one of the authors of the initial draft of the Organic Law in 1921 and continued as an advisor in the Ministry of Justice until 1946, Majid Khadduri, *Independent Iraq* (Oxford: Oxford University Press, 1951), 14-15, 302; Longrigg, *Iraq*, 166.

strategy. [65] The immediate postwar years witnessed greater union activity while the government sought to respond to workers' demands with the aid of a British labour expert.[66]

In Palestine the struggle for workers' rights was reflected in the contest between the Zionist and Arab nationalist movements. The Histadrut, a federation of Jewish labour established in 1920, defended the cause of Jewish labour and would be one of a number of proto-state Zionist institutions which would form part of the state of Israel. Arab labour began to organise itself during the 1920s with the establishment of the Palestine Arab Workers Society (PAWS) by railway workers in Haifa in 1925, partly a response to the Histadrut's hostile attitude to the establishment of a non-Zionist union.[67] A nationwide Arab labour conference held in January 1930 brought together a broad spectrum of labour activists calling for an eight hour week, the right to strike and the formation of a Palestinian Arab federation, criticising at the same time the British use of Jewish contractors and the anti-Arab character of the Histadrut policies. In response, the Histadrut established an Arab section in May 1932, called the Palestine Labour League, which continued as a separate organisation until 1959 when Israeli Arabs were finally allowed to join Histadrut as full members.[68]

In Palestine, as in Egypt, the British administration sought to recognise and coopt workers' claims by setting up a Labour Department in 1942 and charged it with responsibility for the investigation of working conditions, the regulation of trade unions and labour legislation.[69] In the critical period after the Second World War a number of organisations merged to form the Arab Workers Congress and continued

---

[65] Longrigg, *Iraq,* 312.

[66] Ismael, *Communist Party of Iraq*, 15-16; Longrigg, *Iraq*, 386.

[67] Jane Power, "'Real Unions': Arab Organized Labor in British Palestine," *Arab Studies Quarterly* 20 (Winter 1998) 1: 15.

[68] Zachary Lockman, *Comrades and Enemies: Arab and Jewish Workers in Palestine, 1906-1948* (Berkeley; London: University of California Press, 1996), 197.

[69] Power, "'Real Unions'", 18. R.M. Graves who had served the director of the Labour Department in Egypt was appointed to the equivalent position in Palestine, Lockman, *Comrades and Enemies*, 283.

to agitate for workers' rights, sometimes in collaboration with members of PAWS and the Histadrut but ultimately the looming confrontation of 1948 would see a nationalist terms of reference trump common workers' demands.

The demand for the rights of workers in Egypt, Palestine and Iraq emerged out of a broader political struggle, at times nationalist, at times class-based, which brought attention to various social and economic claims. In the Gulf, workers also fought for social rights but the different dynamics between nationality and worker saw different outcomes. In Bahrain during the 1940s and 1950s workers played an important part in seeking to establish a public space for a genuine and engaged citizen body.[70] By contrast, in Kuwait where the relationship between worker and national was rather different, other considerations came into play. Here Kuwaiti legislation was used to preempt the danger of cooperation between the local and growing foreign work force by separating the Kuwaiti workforce from foreign labour by offering the former specific privileges.[71] In 1959 a labour law gave nationals priority in the hiring of workers in the Kuwaiti Oil Company and legislation regarding the formation of unions provided Kuwaitis, then Arabs, certain privileges before foreign workers. In 1965 two labour federations were formed and subsequently merged in the General Federation of Kuwaiti Workers, now coopted by the state. Similar tactics were used in government employment when the Civil Service Law of 1960 reserved senior posts and pensions for Kuwaitis only.

British Legacies

British power in the Middle East oversaw a process governed by the interplay between its imperial policies, calculated compromises between British authorities and local elites, and a range of responses to popular action determined the forum for the contestation of citizen rights. The constitutions laid down in Egypt, Palestine, Transjordan and Iraq, employed the language of nationality, of representative institutions, of the rights of freedom of association and freedom of speech raised the expectations for an active citizenship. However, the exercise of political rights

---

[70] Fuccaro, *Histories of City and State*, 176-190.
[71] Crystal, *Oil and Politics*, 79-80.

through the ballot box, of freedom of speech through publication and legal recourse, were marginalised and neutralised, often by the very legal system itself. The constriction of party political life, the use of imprisonment to curb opposition voices, and the censorship of the press had become a feature of Egyptian political life even before the First World War and would be taken up elsewhere.

In Iraq, the British vision to create a new state and citizenry rested on the legal foundation of a constitution, nationality law and recognition of minority rights. Yet, the effectiveness of these legal instruments was encumbered by British imperial purpose and its compromise with local elites. Political, social and economic rights often remained abstract without a sufficient local engagement or support for them to be sustained and developed. As Khadduri noted, "The form of the Iraq Government was determined […] under the impact of Western ideals; the forces which affected its working were to be found in existing local conditions." [72] Nor was there an adequate local institutional basis for their implementation.[73] According to Abu Jaber the situation in Jordan was not much different,

> The Organic Law [of 1928] was not meant to advance the cause of democracy, nor did it encourage the Jordanian people along the path of experimentation with democracy. If anything, even the less-than-average voter became cynical and disinterested. The mandatory power, in its preoccupation with stability and its shortsighted self-interest prevented the growth of a healthy opposition.[74]

State institutions were unable to support the emergence of a participatory citizenship resulting in a general failure in nurturing a genuine civic spirit and

---

[72] Khadduri, *Government of Iraq*, 22.
[73] 'The mandate had left Iraq with a democratic form of government on paper, but without the institutions to implement it in practice.', Stefanie K. Wichhart, "During the Second British Occupation of Iraq, 1941-5," *Journal of Contemporary History* 48, no. 3 (2013), 535.
[74] Kamel S. Abu Jaber, "The Legislature of the Hashemite Kingdom of Jordan: A Study in Political Development." *Muslim World* 59, no. 3-4 (July 1969), 225.

allegiance to the state. Commenting on Iraq in the late 1930s some years after the end of the mandate, Ireland noted

> An even greater obstacle was the lack of social consciousness embracing the State. Not yet had a sense of loyalty and duty to the nation arisen to surmount the differences between tribesmen and townsmen, between Sunni and Shi'i, and between Muslims and minority communities or to replace personal opportunism. Patriotism still denoted independence without obligations to the State.[75]

In Palestine the attempt to construct a state and citizen body rested on the obvious tension, if not contradiction, of British support for a Jewish national homeland and Arab claims of self-determination. By the mid-1930s the idea of Palestinian citizenship had proved a manifest failure and the British vision of a common citizenship open to both Arab and Jew was not shared widely.[76] Instead the aspirations of citizenship were largely mediated through the contest between Arab and Zionist for political sovereignty in Palestine. As the Peel Commission stated in 1936: "[...] to maintain that Palestinian citizenship has any moral meaning is a mischievous pretence. Neither Arab nor Jew has any sense of service to a single State."[77] Its recommendation of partition recognised the impasse and subsequent events made the failure utterly apparent. With the triumph of the Zionist movement in 1948, this legacy of mutually exclusive visions laid the basis for the differential citizenship that has since operated in Israel where Arab citizen have been accorded second class status.

The legal protections and the constitutional guarantees notwithstanding, the range of strategies employed by the British government, often with willing local elites, to undermine the citizen rights were embraced by their local successor governments to even greater significant effect after the departure of the British. Martial law was

---

[75] Ireland, *Iraq*, 424-25.
[76] In 1936 only about 57 percent of all Jewish residents entitled to Palestinian citizenship had claimed it, *Peel Commission*, 332.
[77] *Peel Commission*, 371.

favoured means to suspend the civil code readily taken up by the post-independence governments to deal with political disorder. Applied in Egypt by the British from 1914 until 1923, it was later proclaimed by Egyptian governments on a number of occasions, such as in 1947, in May 1948 and again in January 1952, to facilitate state repression without being impeded by legal safeguards.[78] Under the post-1952 regime it became a standard instrument in the guise of the State of Emergency Law, applied through much of the period 1967-2011. In Palestine, a range of security regulations developed during the mandate period qualified or suspended legal rights, such as after the Wailing Wall incident in 1929, and with the introduction of Emergency Regulations during the Arab Revolt of the late 1930s.[79] In Israel martial law was introduced among the Arab population from the foundation of the state until 1966. In Iraq it was employed frequently to deal with episodes of civil unrest from 1935, again in 1948, 1952 and 1956.[80]

With the constraints on the practice of citizenship rights, progressive social forces sought by various means to articulate, demonstrate and remonstrate their claims for rights. In this political organisations (if not formally recognised parties), the press and social movements such as the labour movement played an important part in seeking to counter an increasingly authoritarian state in liberal dress. The record of the freedom of the press and labour activism across these states shows that these avenues of expression and spaces for an engaged citizenship while active were seriously impeded by political, social and economic obstacles and the claims for rights were often compromised, ignored, manipulated or modified. The press as an oppositional voice was often strangled and social actors such as the labour

---

[78] Anthony Gorman, "Containing Political Dissent in Egypt before 1952." in *Policing Prisons and in the Middle East*, eds by Laleh Khalili and Jillian Schwedler, (London: Hurst, 2010), 165-66. The practice of overriding the civil code continues in the present day guise of the Law of the State of Emergency.

[79] The introduction of martial law had been one of the central recommendations of the Palestine Royal Commission, *Peel Commission*, 368.

[80] See, for example, for the 1930s, Longrigg, *Iraq*, 242.

movement were coopted or forced underground. Similar battles were fought by other civil society organisations such as youth groups and women's associations.[81]

At a rhetorical level British policy claimed at laying the foundations of a democratic polity and enfranchised citizenry but in practice this was compromised by its priority for political stability and the defence of its interests. The record of British rule shows that security concerns outranked citizen rights and constitutional freedoms gave way to reasons of state when required. In certain circumstances citizen freedoms were brutally qualified most dramatically with the violent suppression of the Arab Revolt in Palestine, the toppling of the al-Gaylani government and reoccupation of Iraq in 1941, and the February 1942 incident in Cairo where King Faruq was forced to install a pro-British Wafd government demonstrated that the reality of an independent, democratic country governed by its citizens was far from being the case. In due course this pattern of privileging political stability and defending its hold on power practiced by the British authorities was embraced and extended by local elites.

Conclusion

In negotiating its imperial interests, international obligations and engagement with local elites, the British government oversaw the emergence of a model of citizenship in the Middle East that was both limited and qualified. While in principle based on a model of some form of participatory democracy, British policymakers favoured government controlled by a strong executive head, most often a monarch, in which appointed officials and indirect representation through a secondary voting system muffled the potential impact of the popular electorate. Political parties, where permitted, often reflected the interests of traditional elites and rarely represented a

---

[81] For a discussion of the issue of women's suffrage in mandate Palestine, see the chapters of Ruth Abrams, "'Pioneering representatives of the Hebrew people': Campaigns of the Palestinian Jewish Women's Equal Rights Association," in *Women's Suffrage in the British Empire, Citizenship, Nation and Race*. ed. Ian Christopher Fletcher et al. (London and New York: Routledge, 2000), 121-137,and Ellen Fleischmann, "Nation, Tradition and Rights: the Indigenous Feminism of the Palestinian Women's Movement, 1929-1948," in *Women's Suffrage in the British Empire, Citizenship, Nation and Race*, ed. Ian Christopher Fletcher et al. (London and New York: Routledge, 2000), 138-154.

broader public interest. In nurturing this type of political system and citizenry, Britain was more easily able to maintain its control, at least in the short term. Where new organisations or groups sought to challenge the status quo, as did the communist movement, liberal intellectuals and the labour movement, they were marginalised, repressed or coopted by the regime. In this environment the recognition of formal rights or favourable policies to minority communities risked the emergence of a unified citizen body and provided political opportunities that were both exploited by the British themselves and had the potential to be employed by elements among the indigenous elites to scapegoat or favour particular groups.

Whether formally bound by the obligations of the mandate as in Palestine, Transjordan and Iraq, or elsewhere where they were less accountable to the international community, British policies nurtured a calculated compromise between the promotion of a flawed constitutional democracy and its own imperial purpose. In Iraq, balancing the support of the local elites and the ethnic configuration of the state sustained British geopolitical interests, at least for a time, but resulted in an unstable state with an uneven regime of political, social and economic rights. In Palestine, the attempt to construct a stable polity foundered on the incompatibility of two (or three) conflicting national visions where no general sense of common national citizenship developed between Arab and Jewish communities. As the Peel Commission noted in 1937, Palestine had become not a unified state and society but a land of three flags and three governments where "[…] instead of being drawn together by the common forms and symbols of a single citizenship [the two communities] have adopted the forms and symbols of separate nationhood."[82] In the Gulf states the longstanding treaty arrangements between Britain and the local ruling families provided the latter with the ability to constrain the participation of an active citizenry. The political contest between the ruling families and the merchant class that marked much of the interwar period was, with the arrival of oil revenues, reconfigured so that with British compliance the largesse of the state was able to underwrite a generous social entitlement for an exclusive citizenry even as the

---

[82] *Peel Commission*, 138.

exercise of political rights and freedom of speech was circumscribed. These different arrangements and the strategies adopted to counter challenges to them had a clear impact on the development of the body politic and the political culture that would inform the subsequent development of citizenship in the post-colonial age.

Ultimately, the British legacy was of illiberal democracy where limited citizen rights appeared more rhetorical than real and the institutions set up to service them were not properly rooted in local society but compromised by imperial design and local elite interest. The traditional political classes themselves were willing to effectively constrain any sense of active dynamic citizenship, often using the authority of the law to contain opposition, curb criticism and limit activism. In the post-colonial period, the weakness of these liberal institutions and their failure to implant a genuine sense of citizenship and empowerment among the population continued to undermine the state as a genuine vehicle for the expression of the popular will. The undignified British withdrawal from Palestine in May 1948 demonstrated its most dramatic failure in constructing a common citizenship but the toppling of the monarchies by the military of Egypt and Iraq in the 1950s showed that the basis for the republican authoritarian state had already been laid.

Bibliography

Abrams, Ruth, "'Pioneering Representatives of the Hebrew people': Campaigns of the Palestinian Jewish Women's Equal Rights Association." In *Women's Suffrage in the British Empire, Citizenship, Nation and Race*, edited by Ian Christopher Fletcher, Laura E. Nym Mayhall and Philippa Levine, 121-137. London and New York: Routledge, 2000.

Abu Jaber, Kamel S. "The Legislature of the Hashemite Kingdom of Jordan: A Study in Political Development." *Muslim World* 59 (July 1969) 3-4: 220-250.

Ayalon, Ami, *The Press in the Arab Middle East*. New York; Oxford: Oxford University Press, 1995.

Baaklini, Abdo, Guilain Denoeux and Robert Springborg. *Legislative Politics in the Arab World*. Boulder CO, London: Lynne Rienner, 1999.

Banko, Lauren, "The Creation of Palestinian Citizenship under an International Mandate: 1918-1925: Legislation, discourses and practices," *Citizenship Studies* 16 nos. 15-6 (August 2012): 641-655.

Bashkin, Orit. *The Other Iraq: pluralism and culture in Hashemite Iraq*. Stanford, Calif.: Stanford University Press, 2009.

Batatu, Hanna. *The Old Social Classes and the Revolutionary Movements of Iraq*. Princeton, NJ: Princeton University Press, 1978; reprint. London: Saqi, 2004.

Beinin, Joel and Zachary Lockman. *Workers on the Nile: Nationalism, Communism, Islam, and the Egyptian Working Class, 1882-1954*. London: I.B. Tauris, 1988.

Bentwich, Norman. "Nationality in Mandated Territories Detached from Turkey," *British Yearbook of International Law* 7 (1926): 97-109.

Bentwich, Norman. "Mandated Territories: Palestine and Mesopotamia (Iraq)," *British Yearbook of International Law* 2 (1921): 48-56.

Bentwich, Norman. "Palestine nationality and the mandate," *Journal of Comparative Legislation and International Law* Vol. 21, No. 4 (1939): 230-232

Butenschon, Nils A., Uri Davis and Manuel Hassassian. *Citizenship and the State in the Middle East: Approaches and Applications*. Syracuse, N.Y.: Syracuse University Press, 2000.

Carter, B. L. *The Copts in Egyptian Politics, 1918-1952.* Cairo: American University on Cairo Press, 1986.

Crystal, Jill. *Oil and Politics in the Gulf: Rulers and Merchants in Kuwait and Qatar*. Cambridge: Cambridge University Press, 1990.

Farouk-Sluglett, Marion and Peter Sluglett. "Labor and National Liberation: The Trade Union Movement in Iraq, 1920-1958," *Arab Studies Quarterly* 5, no. 2 (spring 1983): 139-154.

Fleischmann, Ellen. "Nation, Tradition and Rights: the Indigenous Feminism of the Palestinian Women's Movement, 1929-1948." In *Women's Suffrage in the British Empire, Citizenship, Nation and Race*, edited by Ian Christopher Fletcher, Laura E. Nym Mayhall and Philippa Levine, 138-154. London and New York: Routledge, 2000.
.
Fuccaro, Nelida. *Histories of City and State in the Persian Gulf*. Cambridge: Cambridge University Press, 2009.

Gorman, Anthony, "Containing Political Dissent in Egypt before 1952," In *Policing and Prisons in the Middle East*, edited by Laleh Khalili and Jillian Schwedler, 157-173. London: Hurst, 2010.

Gorman, Anthony, "Regulation, Reform and Resistance in the Middle East Prison," In *Cultures of Confinement*, *A History of the Prison in Africa, Asia and Latin America*, edited by Frank Dikötter and Ian Brown, 95-146. London: Hurst, 2007.

Iraq administration reports 1914-1932, 10 vols. [Slough]: Archive Editions, 1992.

Ireland, Philip W. *Iraq: A Study in Political Development*. London: J. Cape, 1937.

Ismael, Tariq Y. *The Rise and Fall of the Communist Party of Iraq*. Cambridge, New York, N.Y.: Cambridge University Press, 2008.

Khadduri, Majid. *Independent Iraq*. Oxford: Oxford University Press, 1951.

Khadduri, Majid. *The Government of Iraq*. Jerusalem: New Publishers Iraq, 1944.

Lockman, Zachary. *Comrades and Enemies: Arab and Jewish Workers in Palestine, 1906-1948*. Berkeley; London: University of California Press, 1996.

Longrigg, Stephen. *Iraq, 1900 to 1950: a Political, Social, and Economic History*. London: Oxford University Press, 1953.

Longva, Anh Nga. "Citizenship in the Gulf States: Conceptualization and Practice." In *Citizenship and the State in the Middle East: Approaches and Applications*, edited by Nils A. Butenschon, Uri Davis and Manuel Hassassian, 179-197. Syracuse, N.Y.: Syracuse University Press, 2000.

Maghraoui, Abdeslam M., *Liberalism Without Democracy: Nationhood and Citizenship in Egypt, 1922–1936*. Durham : Duke University Press 2006.

Palestine, The Palestine Order in Council, 10 August 1922
 http://unispal.un.org/UNISPAL.NSF/0/C7AAE196F41AA055052565F50054E656
(accessed 30 August 2015).

Palestine Royal Commission [The Peel Commission]*: Report*, 1937.

Parliamentary Papers, *Egypt. No. 1*, *Reports by His Majesty's Agent and Consul-General on the Finances, Administration, and Condition of Egypt and the Soudan in 1906*, No. 1 (1907).

Posusney, Marsha Pripstein, *Labor and the State in Egypt, Workers, Unions and Economic Restructuring*. New York: Columbia University Press, 1997.

Power, Jane. "'Real Unions': Arab Organized Labor in British Palestine," *Arab Studies Quarterly* 20 (Winter 1998) 1: 13-28.

Salibi, Kamal. *The Modern History of Jordan*. London and New York: IB Tauris, 1993.

Tripp, Charles. *A History of Iraq*. 2nd ed. Cambridge: Cambridge University Press, 2002.

Wichhart, Stefanie K. "During the Second British Occupation of Iraq, 1941-5," *Journal of Contemporary History* 48 (2013) 3: 509-36.

Wilson, Mary C. *King Abdullah, Britain and the Making of Jordan*. Cambridge: Cambridge University Press, 1987.