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Anscombe, Frederick F. (2006). The Ottoman empire in recent international politics - I: the case of Kuwait. *The International History Review* **28** (3) 537-559.

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Citation for this copy:

Anscombe, Frederick F. (2006). The Ottoman empire in recent international politics - I: the case of Kuwait. *London: Birkbeck ePrints*.  
Available at: <http://eprints.bbk.ac.uk/archive/00000576>

Citation as published:

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## The Ottoman Empire in Recent International Politics – I: The Case of Kuwait

GIVEN THAT MORE than 150 years have passed since the tsar of Russia, Nicholas I, first called the Ottoman Empire ‘the Sick Man of Europe’, and that we are not far from the centenary of the Sick Man’s death, the role the empire plays in both regional and international politics is surprising. Governments across much of the territory once part of the empire have used accepted, nurtured images of Ottoman oppression or decadence to boost national solidarity and also, on occasion, to promote controversial policies. While the fate of Armenians in the First World War currently receives the widest public attention, in the recent past other contentious disputes in formerly Ottoman lands, from Yugoslavia to Iraq, also have fed off politicized history. As a rule, the Ottoman history cited by political activists is slanted at best, or pernicious at worst. Yet such histories attract credulous audiences, not only within the countries concerned, but also internationally. The reluctance of the North Atlantic Treaty Organization (NATO) to intervene in the wars of Yugoslavia’s disintegration, to cite one well-known example, arose from belief in Balkan ‘national’ versions of history characterized by ethnic conflict, including oppression under the Ottomans: efforts to halt ‘ancient hatreds’ would be futile, because Muslim, Orthodox, and Catholic always have slaughtered each other in the Balkans.<sup>1</sup> In the Yugoslav case and others, the motives and credibility of the political activists who cited Ottoman history deserved to be treated with greater scepticism than they were.

Although few people alive today have a personal memory of life in the Ottoman Empire, the stark, nationalist reading of its history is readily accepted because many carry in their hearts and minds a strong vision of what it must have been like. School curricula and popular mythology in most post-Ottoman nation states have cultivated an image of the empire

<sup>1</sup> For the effect of Robert Kaplan’s shallow *Balkan Ghosts* (1993) on the president of the United States, William J. Clinton, and his advisers, see, e.g., *Yugoslavia and Its Historians: Understanding the Balkan Wars of the 1990s*, ed. N. Naimark and H. Case (Stanford, 2003), p. xv, and S. Ramet, *Balkan Babel: The Disintegration of Yugoslavia from the Death of Tito to the Fall of Milošević* (Boulder, 2002), p. 395.

that paints 'the Terrible Turk' as the antonym of desired national characteristics and as solely responsible for relative political or economic backwardness.<sup>1</sup> A variation on this tendency can be seen in Turkey, which experienced a revulsion against the imperial legacy following the founding of the republic in 1923.<sup>2</sup> The incontrovertible, widespread misery that accompanied each stage of the empire's break-up makes this negative image easily believable.

Among the most effective tools for working the anti-Ottoman message into the national, and nationalist, histories of the successor states has been their control of education and the media. The state in the Balkans, Turkey, and the Arab lands has tended to control, either directly through finance and administration or indirectly through legislated restrictions, not only schools and television but also the academy (universities, research institutes, and publishing houses), in which state-sponsored national history predominates. Universities in the successor states have produced surprisingly few historians of the empire; the training they offer has been geared to producing specialists in national history during the Ottoman period. The proclivity of such historians to concentrate on the 'national rebirth' and 'independence struggle' phases of their nations' Ottoman past has been one sign of the strength of the national paradigm.<sup>3</sup> The propagandist model of history, pushed by the state, has established effective boundaries to deviation: scholars and literati who have strayed over them have risked public vilification and harassment. The prosecution of Orhan Pamuk by the Turkish government in 2005 for comments about the killing of Armenians in the First World War is a recent, high-profile example.

The stereotype of 'Turkish domination' fostered by nation-builders gives a veneer of historical justification to extremist politics. While the policies promoted by skewed history may face criticism from international law and human rights, the 'history' disseminated to justify them to public opinion has lived on and proved influential abroad as well as at home. Every citation of Ottoman history to explain current events warrants more critical attention.

<sup>1</sup> See C. Jelavich, *South Slav Nationalisms: Textbooks and Yugoslav Union before 1914* (Columbus, 1990); and *Oil on Fire? Textbooks, Ethnic Stereotypes, and Violence in Southeast Europe*, ed. W. Höpken (Hanover, 1996).

<sup>2</sup> See B. Ersanlı, 'The Ottoman Empire in the Historiography of the Kemalist Era: A Theory of Fatal Decline', in *The Ottomans and the Balkans: A Discussion of Historiography*, ed. F. Adamir and S. Faroqhi (Leiden, 2002), pp. 115-54.

<sup>3</sup> M. Todorova, 'The Ottoman Legacy in the Balkans', and K. Barbir, 'Memory, Heritage, and History: The Ottomans and the Arabs', in *Imperial Legacy: The Ottoman Imprint on the Balkans and the Middle East*, ed. L. C. Brown (New York, 1996), pp. 45-77, 100-14; R. Abou-el-Haj, 'The Social Uses of the Past: Recent Arab Historiography of Ottoman Rule', *International Journal of Middle East Studies*, xiv (1982), 185-201; G. Hering, 'Die Osmanenzeit im Selbstverständnis der Völker Südosteuropas', in *Die Staaten Südosteuropas und die Osmanen*, ed. H. G. Majer (Munich, 1989), pp. 355-80.

Manipulation of Ottoman history, which takes several forms, has been applied to a variety of national purposes other than nation-building. The straw man of the 'Terrible Turk' is used to mobilize popular antagonism towards everything Muslim and/or Turkish, most pervasively in the Balkan states. Whereas Arab nationalist regimes, such as Baathist Iraq and Syria, have placed greater emphasis on the anti-Turkish, rather than anti-Muslim, message, the secular regime in Turkey has stressed the weakness of the explicitly Muslim Ottoman state and the problems caused by other ethnic groups, both Muslim and Christian. Similarly, selective evidence from the Ottoman era is used to build support for a specific goal, usually a claim to land. The two manipulations have been most effective when used in tandem. The purposes to which manipulated, politicized, history lends itself include both domestic and foreign policy issues. Five categories of politics in the guise of Ottoman history have recurred regularly since the end of the empire in 1923.

The first category is border disputes arising from the dissolution of the Ottoman Empire. Some cases of politics-as-history claim that territories were wrongfully divided from their natural ethnic, social, or economic hinterlands. The most widely known instances are the long-running dispute over Macedonia and the briefly realized Iraqi claim to Kuwait. In the case of Macedonia, historical and ethnic claims to territory based on Ottoman and pre-Ottoman history have been asserted by Greece, Bulgaria, Serbia, and the Macedonian Slavs; the historical disputes continued long after the Balkan Wars of 1912-13, fought to decide the fate of Ottoman Macedonia.<sup>1</sup> In the case of Kuwait, the Iraqi version of history, since the 1930s, claims that Kuwait was an integral part of Ottoman Iraq until the British in 1899 bought the allegiance of a Kuwaiti sheikh with a secret treaty. Other territorial disputes have included those between Turkey and Britain and Iraq over Mosul; Turkey and Syria over Alexandretta; Qatar and Bahrain over the Hawar islands and Zubara; and over the status of Lebanon as a historically legitimate entity independent of Syria.<sup>2</sup> While the idea of historic oppression by the Ottomans plays a part in these disputes, the salient form of historical distortion is the avowal of claims 'legitimated' by manufactured, misinterpreted, or anecdotal evidence from the Ottoman era.

<sup>1</sup> B. Jelavich, *History of the Balkans: The Twentieth Century* (Cambridge, 1983), pp. 89-95; M. Mazower, *The Balkans: A Short History* (New York, 2000), pp. 98-106. On recent historical disputes, see Ramet, *Balkan Babel*, pp. 176-7, 184-8; L. Danforth, *The Macedonian Conflict: Ethnic Nationalism in a Transnational World* (Princeton, 1995); *The New Macedonian Question*, ed. J. Pettifer (New York, 1999).

<sup>2</sup> For Syria and the Lebanon, see D. Pipes, *Greater Syria: The History of an Ambition* (Oxford, 1990); P. Khoury, *Syria and the French Mandate: The Politics of Arab Nationalism, 1920-45* (Princeton, 1987); and N. Weinberger, *Syrian Intervention in Lebanon: The 1975-6 Civil War* (Oxford, 1986). For Iraq, see C. Tripp, *A History of Iraq* (Cambridge, 2002).

The second category is claims to sacred land. The most obvious cases of the use of Ottoman 'history' to assert rights to 'historic heartlands' not inhabited predominantly by members of the group making the claim are Kosovo and Palestine. Serbs have treated Kosovo as crucial to their national identity, despite having been a minority of its inhabitants since at least the nineteenth century.<sup>1</sup> According to their version of their history, the Ottoman Empire stripped them of control over Kosovo following the battle of Kosovo Polje in 1389, in which the Serbian king, Lazar, chose a heavenly kingdom over the preservation of his earthly one. Later, in 1690, the Ottomans supposedly drove Serbs out of Kosovo and resettled the land with Albanians to ensure that the evicted Serbs could not return.<sup>2</sup>

In the dispute over Palestine, the first generations of Zionists expressed their idea of the area under Ottoman rule with the slogan 'a land without a people for a people without a land'. They implied that Palestine was sparsely populated in the late Ottoman period, impoverished by government incompetence, corruption, and inability to stop Bedouin banditry.<sup>3</sup> Immigration by Zionists could only benefit Palestine, by making the desert bloom, an idea developed by later propagandists who assert that a Palestinian state would implode, as it could not develop a sustainable economy. Palestinians have responded by highlighting the vibrancy of the Arab communities in Palestine before the onset of significant Zionist immigration.<sup>4</sup> The debates over the history of Ottoman Palestine have led recently to research in quantities unusual in the successor states; more unusual has been the freedom to challenge the nationalist history enjoyed by Israeli scholars, among whom are some of the best Ottomanists at work today.<sup>5</sup>

The third category is the origins of the communities of Muslims in

<sup>1</sup> Determination of the ethnicity of Ottoman populations before the nineteenth century is a practical impossibility, for reasons to be discussed in the second article of this series.

<sup>2</sup> On the importance of Kosovo to Serbia's sense of history, see A. Dragnich and S. Todorovich, *The Saga of Kosovo: Focus on Serbian-Albanian Relations* (Boulder, 1984), and D. Bataković, *The Kosovo Chronicles* (Belgrade, 1992).

<sup>3</sup> B. Netanyahu, *A Place among the Nations: Israel and the World* (New York, 1993), pp. 36-45; J. Peters, *From Time Immemorial: The Origins of the Arab-Jewish Conflict over Palestine* (New York, 1985). See also the standard-setting H. Sachar, *A History of Israel: From the Rise of Zionism to Our Time* (New York, 1976), p. 20, and M. Gilbert, *Israel: A History* (London, 1998). Gilbert writes of vibrant Jewish communities living in Palestine 'despite the dull hand of Turkish bureaucracy' (p. 19). He asserts that the Jewish population had risen to roughly one-quarter of the Arab population already by 1914 (p. 30), even though research in Ottoman population statistics has shown this figure to be false. On Ottoman Palestine, see J. McCarthy, *The Population of Palestine: Population History and Statistics of the Late Ottoman Period and the Mandate* (New York, 1990), pp. 5-24.

<sup>4</sup> B. Doumani, 'Rediscovering Ottoman Palestine: Writing Palestinians into History', *Journal of Palestine Studies*, xxi (1992), 5-28. See also idem, *Rediscovering Palestine: Merchants and Peasants in Jabal Nablus, 1700-1900* (Berkeley, 1995).

<sup>5</sup> On Ottoman Palestine, see, e.g., H. Gerber, *Ottoman Rule in Jerusalem, 1890-1914* (Berlin, 1985), and *Palestine in the Late Ottoman Period*, ed. D. Kushner (Jerusalem, 1986). Gerber and other Israeli scholars have shown unusual interest in Ottoman subjects unrelated to their homeland's past.

Europe. Balkan states have repeatedly wished to solve a 'problem' inherited from the Ottoman Empire: the continued existence of large Muslim minorities. At root, this is a product of an enduring desire to be recognized as 'European', rather than as 'Oriental' and thus dim, decadent, and despotic. Significant Muslim populations are blemishes on the Balkan nations' self-image. To determine the exact origins of Balkan Muslim populations is impossible, but they include local converts, Turkish-speaking settlers, relocated refugees, and migrants. While nation-builders in the Balkans have preferred to view Muslims as descendants of local converts, rather than of Turkish settlers, the issue of conversion presents its own ideological problems. How could members of the nation 'turn Turk'? Forced conversion has been one ready explanation.<sup>1</sup> Bulgaria, faced with economic and political sclerosis in the 1980s, initiated a programme designed to Bulgarize its large Turkish minority that took previous attempts to 're-nationalize' both Bulgarian- and Turkish-speaking Muslims to a more brutal level. Official history claimed that the large Turcophone Muslim minority was not ethnically Turkish but descended from Bulgarians forcibly converted to Islam in the seventeenth century. This *ersatz* history was hardly to the taste of Bulgaria's Turks, tens of thousands of whom fled the country to escape the renunciation of their religion and the acceptance of Bulgarian names forced upon them at gunpoint.<sup>2</sup>

The issue of the origin of Muslim populations also played an obvious role not only in Kosovo, but also in the war in Bosnia. Serbs (and to an extent Croats) portrayed Bosnian Muslims as descendants of Serbs (or Croats) whom the Ottomans forced or enticed to convert. Thus, the absorption of Bosnia into Serbia and Croatia would right an anomaly inherited from the Ottoman Empire. Bosnia's Muslims traced their roots to the independent medieval kingdom of Bosnia, which, supposedly, had been a stronghold of non-Catholic, non-Orthodox, Bogomil Christianity.<sup>3</sup> Even in Albania with its Muslim majority, national history tends to explain conversion as a simple issue of convenience, as Albanians supposedly never cared much about religion.<sup>4</sup> On these grounds, Enver Hoxha's

1 For modern attitudes to conversion, see A. Zhelyazkova, 'Islamization in the Balkans as an Historiographical Problem: The Southeast European Perspective', in *Balkans*, ed. Adanur and Faroqhi, pp. 223-66. See also M. Todorova, *Imagining the Balkans* (Oxford, 1997), pp. 162-8 for historiographic tendencies in south-eastern Europe, including the issue of conversion.

2 On Bulgaria's Turkish minority, see M. Neuburger, *The Orient Within: Muslim Minorities and the Negotiation of Nationhood in Modern Bulgaria* (Ithaca, 2004). On the anti-Turkish policies of the Bulgarian government during the 1980s, see *The Turks of Bulgaria: The History, Culture, and Political Fate of a Minority*, ed. K. H. Karpat (Madison, 1991).

3 For a review of these tendencies, see N. Malcolm, *Bosnia: A Short History* (New York, 1996) and idem, *Kosovo: A Short History* (New York, 1999). The claim of Bogomil roots for Bosnia's Muslims is challenged effectively by J. Fine, *The Bosnian Church: A New Interpretation* (Boulder, 1975).

4 S. Skendi, *Balkan Cultural Studies* (Boulder, 1980), pp. 151-67.

regime enforced atheism. Political campaigns to obliterate Muslim minorities in the Balkans have made little use of even selective documentary evidence. In the case supported by the clearest evidence – that of the forced conversions of Bulgarians in the seventeenth century – the documents cited proved to have been nineteenth-century forgeries.<sup>1</sup>

Related to the issue of the origins of Muslim communities is the fourth category: the nature of the relationship between religious and ethnic communities under Ottoman rule. While Arab nationalists assert that ethnicity separated Arabs from their Turkish overlords, the most notable case of disagreement about intercommunal relations in the Ottoman period involves Cyprus. Greek Cypriots, who seek the reunification of the island, and independence, cite a history that stresses the unity of the island and its people (in resistance to Istanbul's 'oppression'), and claims that many Turkish Cypriots are descendants of local converts to Islam during the Ottoman period. Turkish Cypriots cite a history of separation of Christian and Muslim communities on the island and claim descent from immigrants from Ottoman Anatolia.<sup>2</sup>

The fifth category is state brutality, the political condition often associated with the word Ottoman, the negative image at its purest. Relations between two members of NATO, Greece and Turkey, have been bedevilled by animosities inherited from the Ottoman period, when brutal unconventional war was waged by both sides from the Greek revolt of the 1820s to the Greek occupation of western Anatolia in 1919-22. Similarly, in the politicking over the fate of the Armenians during the First World War, Armenians charge the Ottomans (Turks) with genocide and Turks reject the charge.<sup>3</sup> Every nationalism to arise in the post-Ottoman states has claimed that 'the Turks' oppressed the nation: the 'Turkish Yoke' became a generic explanation in Balkan states for lack of economic development in comparison with Germany, France, and Britain.<sup>4</sup> The idea that the nation had sacrificed itself to save 'Europe' from the heathen horde survived into the Communist period, when nationalism might have been subverted as incompatible with class ideology. The 'Turkish Yoke' became the most

<sup>1</sup> M. Kiel, *Art and Society in Bulgaria in the Turkish Period* (Assen, 1985), and Zhelyazkova, 'Islamization'.

<sup>2</sup> See, e.g., S. Panteli, *A New History of Cyprus* (London, 1984), pp. 26-32; C. Kyrris, *History of Cyprus* (Nicosia, 1985), pp. 253-91; A. Gazioğlu, *The Turks in Cyprus, a Province of the Ottoman Empire (1571-1878)* (London, 1990), ch. 9; H. Salih, *Cyprus: An Analysis of Cypriot Political Discord* (New York, 1968), chs. 1-2.

<sup>3</sup> J. McCarthy, *Death and Exile: The Ethnic Cleansing of Ottoman Muslims, 1821-1922* (Princeton, 1995); V. Dadrian, *The History of the Armenian Genocide: Ethnic Conflict from the Balkans to Anatolia to the Caucasus* (Providence, 1995).

<sup>4</sup> Kiel, *Art and Society*, pp. 33-5, offers a good critique of what he terms the dominant 'catastrophe theory' of the cataclysmic effects of Turkish conquest and rule.

acceptable explanation for the lack of both a significant capitalist class and a true proletariat, and hence the lack of enthusiasm for progressive totalitarianism.<sup>1</sup> It also helped to demonize Turkey, the powerful anchor of NATO's eastern flank. Only in Yugoslavia did the danger from old-style nationalism outweigh the benefits, given the patched-together multi-ethnic character of the state. Even in the Middle East during the post-1918 nationalist struggle for independence from British and French control, Arabs adopted the notion that Ottoman internal repression and external weakness had left them vulnerable to European imperialism.<sup>2</sup>

Several characteristics of such intersections of history and politics are worth noting. The first is the anachronism of the modern nationalists' vision. Shaping policy in the present to address a perceived problem of the past is hardly wise, even if fairly common. If the military have long been lambasted for getting ready to fight the last war, in which senior commanders held junior rank, what should be said of politicians who want to rewrite a history of which they have had no personal experience? To use 'the Turks' as justification is to betray ignorance of the nature and interests of the Ottoman state, its relationship with its subjects, and the attitudes and beliefs of the population. Such actions exaggerate the immutability of group identities, and assume that the nation state is timeless, without beginning, end, or significant evolution. This assumption, accepted unconsciously by many, became the worldwide standard only in the twentieth century, often after much bloodshed.<sup>3</sup> Officially sanctioned histories treat Muslims in the Balkans, for example, as descendants of members of the nation (be it Bulgarian, Serbian, or Albanian) who were urged or forced to convert, not only because of their membership in a nation that resisted oppression, but also because the Ottoman oppressors were as intolerant of heterogeneity among their subjects as present-day Balkan nationalist states. In Cyprus, Greek Cypriots can no more conceive of Ottoman Istanbul as having been the ultimate source of redress against misdeeds by local notables, than Turkish Cypriots can imagine a society characterized by regular interaction across communal lines (let alone passage through the lines by conversion): both groups read current nationalist norms back through the centuries. Yet the evidence for less violent, routine relations in the pre-national age is there for anyone who cares to look.<sup>4</sup>

<sup>1</sup> For a socialist view of the Balkans under Ottoman rule, see N. Todorov, *The Balkan City, 1400-1900* (Seattle, 1983).

<sup>2</sup> For the path-breaking version, see G. Antonius, *The Arab Awakening* (London, 1938).

<sup>3</sup> Although focused on the suffering of Muslims, McCarthy's *Death and Exile* conveys the level of violence that accompanied each stage of the Ottoman Empire's dissolution into nation states.

<sup>4</sup> See R. Jennings, *Christians and Muslims in Ottoman Cyprus and the Mediterranean World, 1571-1640*



Closely related to anachronism is the lack of domestic debate about these versions of national history. The successor nations to the Ottomans have no monopoly on the use of history to buttress arguments over current policy. The vindication of historical claims is one of the few remaining justifications for the offensive in international disputes that holds much credibility.<sup>1</sup> China and Japan have turned a dispute over history books used in schools into an expression of their rival political and economic ambitions in Asia. For variations on the theme of mythologized history in the United States, one can look to Washington in 2002, where supposed parallels between Saddam Hussein's aims and the Cuban missile crisis of 1962 were drawn repeatedly by those in favour of firm action in defence of freedom in the Middle East. Comparisons between post-war Iraq and the Allied occupations of Japan and Germany after 1945 also became fashionable among pundits, as did citations of lessons from Britain's struggle to control Iraq in the 1920s; they distracted attention from the debate over the extent to which US plans suited present-day conditions. Yet at least the analogies were debated in the media, particularly in newspapers such as the *New York Times*, the *Los Angeles Times*, and the *Washington Post*. In most of the Ottoman cases, dissenting voices have been weaker; populist myths have been allowed to set the parameters of debate. History is assumed to prove the justice of a claim to a territory or people.

Such myths have been constructed with impunity because Ottoman history is an orphan, lacking a guardian state able and determined to rebut derogatory assertions. The Ottoman Empire is gone, and modern Turkey is far from being its reincarnation: neither can tell Ottoman tales. Ottoman Turkish is a language as dead as the empire that used it, which makes the investigation of Ottoman records laborious and time-consuming. Nonetheless, the research proves worthwhile. Some claims have weakened in strength – those concerning Bulgarian conversion and unpopulated Palestine – partly owing to the critical mass of published scholarship.<sup>2</sup> In other cases, arguments that rest upon other than Ottoman sources leave unanswered the question: what information have we inherited from the

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(New York, 1993). For the social interaction of mixed communities elsewhere in the empire, see also U. Makdisi, *The Culture of Sectarianism: Community, History, and Violence in Nineteenth-Century Ottoman Lebanon* (Berkeley, 2000); M. Greene, *A Shared World: Christians and Muslims in the Early Modern Mediterranean* (Princeton, 2000); and A. Marcus, *The Middle East on the Eve of Modernity: Aleppo in the Eighteenth Century* (New York, 1989). For an overview of intercommunal relations throughout the empire, see D. Quataert, *The Ottoman Empire, 1700-1922* (Cambridge, 2000).

<sup>1</sup> A. B. Murphy, 'Historical Justifications for Territorial Claims', *Annals of the Association of American Geographers*, lxxx (1990), 531-48.

<sup>2</sup> See, for Palestine, A. Schölch, *Palestine in Transformation, 1856-82: Studies in Social, Economic, and Political Development*, trans. W. Young and M. Garrity (Washington, 1993); Doumani, *Rediscovering Palestine*; and T. Philipp, *Acre: The Rise and Fall of a Palestinian City, 1730-1831* (New York, 2002).

Ottomans themselves?<sup>1</sup> The Ottoman records, by adding shades of grey to the black-and-white history of nationalist policy makers, reveal the folly of (mis)using history to justify policy.

This article and another to follow examine in detail the complementary cases of Kuwait and Kosovo. The former involves an attempt to erase a modern border and add territory to a nation state, whereas the latter, which focuses on the ethno-national character of one region in a nation state, has evolved into a question of secession. The two cases draw on different elements of Ottoman history: the argument over the status of Kuwait, which attracted attention shortly before the First World War, is also part of European imperial history, while that over the ethnic status of Kosovo, which dates back to the fourteenth century, belongs to the history of Ottoman domestic affairs. Although the case of Kuwait draws on the nationalist imagery of Turkish oppression, it hinges upon the interpretation of empirical evidence for a few crucial events. The arguments over Kosovo, which are less sharply focused, rely heavily upon crude images of Ottoman oppression. The two cases thus represent the range of issues involved in employing historical justifications drawing upon the Ottoman past to warrant present-day claims.

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ON 2 AUGUST 1990, the president of Iraq, Saddam Hussein, attacked Kuwait, and within twenty-four hours the Iraqi army had conquered the country. By the time the occupying forces were driven out in February 1991, Kuwait had been systematically looted, and about six hundred Kuwaitis taken to Iraq by Saddam's secret police are thought to have been executed. While many fellow Arabs were jealous of Kuwait's oil wealth, the brutality for which Saddam's regime was well known should have aroused sympathy for anyone falling under his control. Yet Saddam's actions proved surprisingly popular in some Arab countries, and his gamble that the contravention of international law would go unchecked almost succeeded. His near-success is explained in part by his successful disguising of his motives.

The attack on Kuwait arose from Saddam's failure to defeat Iran in the Gulf war of 1980-8. Once Iraq's inept attempt to seize Iran's oil-rich province of Khuzistan had been checked, Iraq's access to the Persian Gulf was impeded as the war zone moved in 1982 to the former border between Iraq and Iran, the Shatt al-Arab waterway and the Faw peninsula. Before risking another attack on Iran, Saddam aimed to secure his supply route by

<sup>1</sup> Malcolm's *Bosnia* and *Kosovo* are excellent examples.

seizing Kuwait's excellent port. He also needed money. With Kuwait's petroleum reserves added to Iraq's, Iraq would become the dominant voice in OPEC: the other leading producer, Saudi Arabia, would appease him once he had annihilated their mutual neighbour. Saddam made no secret of his wish to see world oil prices rise. Kuwait, which had funnelled money to Iraq to keep the Iraqi military supplied with the advanced weaponry it needed to stave off Iran's 'human wave' offensives, made the mistake of asking for repayment. By seizing the country, Saddam hoped not only to pillage the Kuwaiti treasury but also to erase one of Iraq's biggest debts. Such reasons could hardly be proclaimed publicly.<sup>1</sup>

Several months before the invasion, Iraq began to complain that Kuwait was stealing petroleum from an oil field that straddled their border. Squabbles between states well endowed with hydrocarbons usually excite little interest from those in lower-income brackets. Saddam's attempt to justify violence by reference to Ottoman history tacitly acknowledged the need for a more stirring public-relations message. That later still he added the promise to spend some of the newly acquired wealth on supporting the Palestinian cause only sweetened the propaganda (and prompted the Palestine Liberation Organization to support him, although it had received more aid from the Gulf states, including Kuwait, than from Iraq). Saddam drew upon a version of history well known to Iraqis, and it resonated with them and with other Arabs.<sup>2</sup>

Iraq's claim to Kuwait derived from the inclusion of both in the Ottoman Empire. Although Iraq, as a country, was only created after Britain's victory over the Ottoman Empire in the First World War, in the late nineteenth and early twentieth centuries, the Ottomans had treated much of the territory that became Iraq as a unified military frontier, the 'Hitta-i Irakiye'. The notion that Iraq itself was simply the creation of the British following their victory over the Ottomans in the First World War exaggerates the artificiality of the state's territorial boundaries. While pre-First World War Kuwait was not part of the military frontier, it was part of the vilayet (province) of Baghdad and, later, Basra. Saddam alluded to that apparently shared history by claiming that Kuwait had historically been an integral part of Iraq (the 'Nineteenth Province').

Saddam was not the first ruler of Iraq to make such a claim: the Hashem-

<sup>1</sup> For standard accounts of the prelude to the Iraqi invasion, see M. E. Yapp, *The Near East since the First World War: A History to 1995* (Harlow, 1996), and M. Kamrava, *The Modern Middle East: A Political History since the First World War* (Berkeley, 2005).

<sup>2</sup> See W. Khalidi, 'The Gulf Crisis: Origins and Consequences', *Journal of Palestinian Studies*, xx, 2 (1991), 5-28. Less satisfactory, despite its clearer emphasis on the efficacy of Saddam's 'anti-imperialist' policy regarding Kuwait, is G. Joffe, 'Middle Eastern Views of the Gulf Conflict and Its Aftermath', *Review of International Studies*, xix (1993), 177-99.

ite monarchy had done so in 1938, and the republican regime of 'Abd al-Karim Qasim echoed it in 1961. The latter caused a brief war scare that brought British forces back to defend the newly independent state of Kuwait, Britain's protectorate since 1914. Iraq repeatedly stated that the territories that composed Kuwait and Iraq had been acknowledged internationally in the late nineteenth century as belonging to the Ottoman Empire, and that the Ottoman imperial government had treated one as part of the other.

The readiness of successive Iraqi regimes to cite Ottoman precedent when it suited them does not imply a serious interest in the pre-independence period of history. As an Arab nationalist, Saddam never hid his hatred for Ottoman imperialism: in 2002, he even wrote an autobiographical novel that featured his grandfather fighting heroically against 'the Turks'.<sup>1</sup> They were a curse upon the Arab world, not only for their oppression, but also for their failure to fend off European advances. In Saddam's version of history, when 'the Arabs' saw the 'opportunity to be liberated from the darkness of the Ottoman era ... malicious westerners' intervened.<sup>2</sup> In his view, by then the established view in Iraq, Britain separated the Kuwaiti 'branch' from the Iraqi 'trunk' in 1899, when the government of India made a secret agreement with the sheikh of Kuwait, Mubarak al-Sabah. The agreement was the first step towards a British protectorate over the sheikhdom, out of which the post-Ottoman state of Kuwait was created in 1961.

As Saddam's claim was baseless in international law, owing to Iraq's formal recognition in 1963 of Kuwait's independence, he appealed to the court of public opinion, both in Iraq and abroad. By casting the attempt to absorb Kuwait as the righting of a historical wrong perpetrated by immoral European imperialists acting illegally, he tapped deep reserves of popular resentment among those, both inside and outside the Middle East, who attribute present-day problems to yesterday's actions by the imperialist West.

The evidence adduced by both sides in the dispute between Iran and Kuwait was culled largely from British archives. It is symptomatic of the Baathist regime's contemptuous attitude towards the Ottomans that Iraqi historians interested in the pre-national period are unable to read Ottoman documents. The state's lack of interest in promoting Ottoman studies is lastingly regrettable, as much of Iraq's collection of Ottoman-language

<sup>1</sup> On this and others of Saddam's flights of fancy, see N. Kristof, 'An Iraqi Man of Letters', *New York Times*, 8 Oct. 2002, p. A31; H. Fattah, 'Banned, Then Bootlegged, Saddam Hussein the Literary Lion Roars Again', *New York Times*, 30 June 2005, p. A16.

<sup>2</sup> Saddam's 'Victory Day' message, 7 Aug. 1990, in O. Bengio, *Saddam Speaks on the Gulf Crisis: A Collection of Documents* (Tel Aviv, 1992), pp. 113, 120, 125, 146.

documents will remain forever unread, reportedly having been destroyed in the arson and looting that plagued Baghdad after the fall of Saddam's regime in 2003. Although the claims made by Iraq and Kuwait cannot easily be reconciled, neither's may be dismissed as fabrication. Working from similar sources, Iraqis and Kuwaitis draw different conclusions, because the British records they rely on are ambiguous about the status of Kuwait in the period preceding the expulsion of the Ottomans from the Persian Gulf during the First World War. The ambiguity resulted from the shift in Britain's interests in the region and the shifting interests of its local informants. The British, who lacked a permanent representative at Kuwait before 1905, had to rely on hearsay for intelligence. The result was a plentiful supply of contradictory anecdotal evidence, available to both Iraqis and Kuwaitis.

Each side had to make the best use of a handful of uncontested facts, drawn from British records, about the last half-century of Ottoman rule in the Gulf region. The events of three years stand out in significance. The first was 1870-1, when 'Abdallah al-Sabah (sheikh of Kuwait from 1866 to 1892) accepted the position of *kaymakam* (governor) of the newly created Ottoman *kaza* (district) of Kuwait. The *kaza* and the new *mutasarrıfluk* (sub-province) of Nejd (comprising what is now eastern Saudi Arabia and Qatar) were added to the vilayet of Baghdad in 1871. Upon 'Abdallah's death, his brother and successor, Muhammad (1892-6), assumed the position of *kaymakam*, as did yet another brother, Mubarak (1896-1915), in 1897, a year after he had assassinated Muhammad. From 1870-1 until the First World War, the sheikh of Kuwait held a formal title and received (intermittently) an official stipend, and the Ottoman flag flew over Kuwait and on Kuwaiti ships. Iraq and Kuwait agree that Kuwait was tied politically to the Mesopotamian provinces of the Ottoman Empire.<sup>1</sup> They disagree about the nature of the tie.

The second year was 1899, when a representative of the government of India made a secret agreement with Mubarak that gave Britain a veto over the admission of other foreign agents accredited to him and the granting of concessions that might enable foreigners to gain effective control over any Kuwaiti territory. In return, the government of India paid Mubarak 15,000 rupees and promised him Britain's 'good offices'. Although the agreement was kept secret until 1911, it marks the first formal international recognition of Kuwait's autonomy.<sup>2</sup>

<sup>1</sup> The facts as revealed in British records are presented in the standard-setting accounts of the period: J. B. Kelly, *Britain and the Persian Gulf, 1795-1880* (Oxford, 1968), and B. C. Busch, *Britain and the Persian Gulf, 1894-1914* (Berkeley, 1967).

<sup>2</sup> 'Exclusive Agreement: The Kuwaiti Shaykh and Britain, 23 Jan. 1899', in *Diplomacy in the Near and Middle East: A Documentary Record, 1535-1914*, ed. J. C. Hurewitz (Princeton, 1956), pp. 218-19.

The third year was 1913, in which a draft Anglo-Ottoman convention recognized Kuwait to be an 'autonomous' *kaza* of the Ottoman Empire. It also delimited Kuwait's boundaries along a line that the present-day Iraq-Kuwait border generally follows. The convention was ratified by the Ottoman government, but not by the British government, before the outbreak of Anglo-Ottoman hostilities in November 1914 halted the British ratification process.<sup>1</sup>

These events are difficult to reconcile. Scholars from outside the Gulf expert in modern legal theory, who have tried to reconcile them, also have relied almost exclusively on British sources. David Finnie, who sympathizes with Kuwait's claims but acknowledges that the Kuwaiti-Ottoman relationship remains obscure, devotes most of his study to the post-1914 period.<sup>2</sup> Majid Khadduri, who tries to establish the nature of the relationship,<sup>3</sup> comes to the odd conclusion that the agreement of 1899 was probably legally valid because the Ottoman claim to Kuwait was 'the legacy of various legal transactions made at a time when the Ottoman territories ... were considered outside the pale of International Law.'<sup>4</sup> Thus, the niceties of international law could be ignored. Such an argument failed to satisfy British officials who worried about the legal status of Kuwait in the early twentieth century. They were well aware that the Ottoman Empire had been recognized formally as part of the Concert of Europe, with the full legal rights under international law enjoyed by other European states, in the treaty of Paris of 1856.

Iraqi historians, who naturally highlight the events between 1871 and 1899 – when Kuwait was formally incorporated into the vilayet of Baghdad until 1875, when it passed into the newly formed vilayet of Basra, itself reabsorbed in 1880 into Baghdad until reconstituted in 1884 – challenge the legitimacy of everything that happened later.<sup>5</sup> They stress the use of the Ottoman flag, the acceptance of the office of *kaymakam* and its subservience to the *valis* of Baghdad and Basra in the provincial chain of command, and Kuwaiti participation in Ottoman military expeditions to eastern Arabia in 1871 and Qatar in 1892. In their view, the agreement of 1899 was illegal and, not having been recognized formally by other parties,

<sup>1</sup> Anglo-Ottoman Draft Convention on the Persian Gulf Area, 29 July 1913, *Diplomacy in the Near and Middle East*, ed. Hurewitz, pp. 269-72.

<sup>2</sup> D. Finnie, *Shifting Lines in the Sand: Kuwait's Elusive Frontier with Iraq* (Cambridge, MA, 1992), p. 17.

<sup>3</sup> M. Khadduri, 'Iraq's Claim to the Sovereignty of Kuwait', *International Law and Politics*, xxiii (1990), 5-34.

<sup>4</sup> Khadduri, 'Iraq's Claim', p. 18.

<sup>5</sup> M. al-Dawud, M. al-Najjar, and 'A. al-'Ani, *Al-Huwiyya al-'Iraqiyya lil-Kuwayt: Dirasa Ta'rikhiyya Watha'iqiyya* (Baghdad, 1990), especially pp. 28-30; M. al-Najjar and N. al-Hadithi, *Suqut al-Tajzi'a: Dirasa Ta'rikhiyya 'an 'Awda Qada' al-Kuwayt ila al-'Iraq* (Baghdad, 1990), especially pp. 18-20.

is irrelevant to the issue of the degree of Kuwait's autonomy. The convention of 1913 confirmed that Kuwait was part of the vilayet of Basra, with autonomy limited to municipal affairs. That Britain failed to ratify the convention negated its validity as a legal precedent for establishing the border between Iraq and Kuwait. Feroz Ahmad, who is not Iraqi, questions the legality of the agreement of 1899 without endorsing Iraq's territorial claim.<sup>1</sup>

The counter-argument presented by Kuwaiti and other Arab historians belittles the events between 1870 and 1899.<sup>2</sup> In their view, Kuwait's tie to the Ottoman Empire was religious, not political. In an echo of a medieval European ruler's allegiance to the pope, Kuwait flew the Ottoman flag as a symbol of spiritual rather than political allegiance. The title of *kaymakam* was not functional but honorific, and Kuwait's forces joined Ottoman military campaigns only when it suited the sheikh's interests, when they served as allies, not as subordinates. These historians argue that the nature of Kuwait's relationship with the Ottoman Empire was understood by the British, whose agreement with Mubarak would have been worthless had he not been, in effect, independent. The convention of 1913 demonstrated that Kuwait's autonomy was recognized by both Ottomans and British, even if administrative snags prevented the British from ratifying it before the outbreak of war. This version is accepted by Peter Sluglett, in an earlier article in this journal, who, like Finnie, relies largely on the same British sources as both Iraqis and Kuwaitis.<sup>3</sup>

The crux of the disagreement is the nature of the relationship between Kuwait and the vilayets of Baghdad and Basra, in particular the view of the relationship held by Kuwaitis and the Ottoman state at the time. The British view of it varied. Before 1899 and the rumours about first Russian, and then German, plans to terminate the railways they were building in the Middle East at the Gulf, British officials either ignored Kuwait or acknowledged it to be Ottoman territory. As late as April 1893, the ambassador at Istanbul, Sir Clare Ford, stated explicitly to the Ottoman foreign minister, Said Pasha, that Britain recognized Ottoman sovereignty over the territory between Basra and Qatif, a port on the coast of Arabia slightly to the northwest of the Qatar peninsula.<sup>4</sup> The British volte-face in 1899 is best

1 F. Ahmad, 'A Note on the International Status of Kuwait before November 1914', *International Journal of Middle East Studies*, xxiv (1992), 181-5, which bases its comments on Busch, *Persian Gulf*.

2 *Al-Kuwayt Wujudan wa Hududan: al-Haqā'iq al-Mawdu'iyya wal-Iddi'a'at al-'Iraqiyya* (Cairo, 1991), esp. pp. 51-63. A paraphrase of this work appeared in English as *Kuwait: Statehood and Boundaries* (Kuwait, 1992), see esp. pp. 56-65.

3 P. Sluglett, 'The Resilience of a Frontier: Ottoman and Iraqi Claims to Kuwait, 1871-1990', *International History Review*, xxiv (2002), 783-816.

4 Government of India, Foreign Department: *Precis of Koweit Affairs, 1896-1904*, ed. J. A. Saldanha (Simla, 1904), p. 7. An extract of the ambassador's report is in Government of India, Foreign Depart-

illustrated by the viceroy of India, Lord Curzon, who had stated in a book he published in 1892, *Persia and the Persian Question*, that Kuwait belonged to the territory over which 'the Ottoman dominion is established without dispute', words Germany used against Britain in later disputes over the Berlin-to-Baghdad railway.<sup>1</sup> Three months after he took office, in January 1899, Curzon, with the approval of the India office and support of the foreign office, directed the political agent in the Gulf to conclude an agreement with the sheikh of Kuwait.

The shift in Curzon's, and Britain's, attitude was a matter of political expediency, not reasoned legal argument. The uncertainty about Kuwait's legal status, and the government's unwillingness to address the problem, are revealed in the minutes of a subcommittee of the committee for imperial defence from March 1908. To the question of 'how we stand jurisprudentially in Koweit', the under-secretary of state for India, Sir Richmond Ritchie, replied: 'Whenever we (in the India office) write to the foreign office we always say, "The sheikh of Koweit, with whose status the secretary of state for foreign affairs is acquainted;" and similarly when the foreign office write to us they adopt a similar form.'<sup>2</sup> By default, it is left to Ottoman documents to define the nature of Kuwait's relationship with the Ottoman Empire.

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KUWAIT'S POSITION WITHIN the Ottoman state can only be understood by recognizing the pressure to change (be it termed 'modernization', 'Westernization', or 'secularization') applied to the empire. Since the end of the seventeenth century, every major European state except Prussia/Germany had seized direct or indirect control over lands and populations that formed part of the Ottoman domains. The threat of partition continued until the dissolution of the empire in 1923, in spite of the formal recognition of Ottoman rights in 1856. Conscious of the need to use the legal tools formally accorded to it, the Ottoman Empire sought, after 1856, to mark its territory with the symbols used by the European powers: flags and legally defined administrative structures that demonstrated effective control. The difficulty lay in finding a way that did not destabilize social structures that still operated according to traditional practices unaffected by modern ideas of international law and the centralized state.

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ment: *Precis of Turkish Expansion on the Arab Littoral of the Persian Gulf and Hasa and Qatif Affairs*, ed. J. A. Saldanha (Calcutta, 1906), p. 143.

<sup>1</sup> G. N. Curzon, *Persia and the Persian Question* (London, 1892), ii. 462. On Germany, see Busch, *Persian Gulf*, p. 210, and J. Plass, *England zwischen Rußland und Deutschland: der Persische Golf in der Britischen Vorkriegspolitik, 1899-1907* (Hamburg, 1966).

<sup>2</sup> Quoted in Plass, *Der Persische Golf*, p. 243.



The *vali* of Baghdad in 1870-1, Midhat Pasha, found a method acceptable to both the central government and the Kuwaitis. On 9 February 1870, he sent to Istanbul the following report on Kuwait and how it came to fly the Ottoman flag:

The place known as Kuwait is a merchant port of two or three thousand houses lying on the coast twenty-four hours south of Basra. While in the early days it was one of those areas attached to Basra, it later somehow gradually won the status of an independent community, because geographic barriers prevented its supervision and it thus was left on its own. The Franks [Christian Europeans] considering it a 'Republic', it is so marked on [their] maps and is recognized as completely separate and independent. The people of this place, an old part of the well-protected [Ottoman] domains, all belong to the Sunni *madhhab* [the collective body of four schools of tradition-based Islamic law, the Hanafi, Maliki, Shafi'i, and Hanbali] and, all of them being traders, they fly a special form of the Ottoman flag on most of their seven or eight hundred ships. Nevertheless, because they did not want to obey Basra in the past, [Kuwait] remained in an isolated and independent condition and administration. In spite of that, given the current condition of Bahrain under British domination and foreigners' schemes to send ships to seize the Hasa and Qatif coasts lying between Kuwait and Bahrain [by this Midhat refers to suspected British schemes to seize what is now the Gulf coast of Saudi Arabia, following the government of India's intervention in Bahrain in 1869 to install a sheikh of its choosing], correspondence was initiated through various channels for the purpose of finding a means to bring Kuwait under [Ottoman] control and administration. It is clear that, once foreigners become entrenched on the [Hasa-Qatif] coast, they will come in turn to Kuwait. Were we to bring this Kuwait under proper administration, it would smooth the way to saving the area beyond it through the naval force now being organized in Basra, and it is probable that [then] a solution for even the Bahrain problem could be found. Since the sheikhs of Kuwait have long received income from 150 *kare* of dates [from Faw, south of Basra in Iraq], worth 50-60,000 *gurus*, this income was cut off, in order to ease the proposition [that Kuwait come under Ottoman control].

During my most recent trip to Basra, [Kuwait's] sheikhs and elders were brought there. Regarding their comments and the wishes and desires which they showed, [they said that] while they are proud to be subjects of the Sublime [Ottoman] State, their basic fear is to come under impositions such as customs duties and taxes. Since it is the case that the Sublime State in no way needs them, and its basic goal is [to establish its] patronage and protection, the requirements of the situation on this subject were explained to them at length. Then they drew up and submitted a protocol, which included the request that the current sheikh be given the title and office of *kaymakam*. It also asked for the official appointment of judges with permission to exercise their authority as before according to the Shafi'i *madhhab*, since most of the people of the said town are followers of the Shafi'i practice – although there are also some followers of the Maliki and Hanbali *madhhabs* as well – and sharia judicial authority is organized according to the

Shafi'i school of law. The protocol requests also that imperial warrants be given to five *khutbi* mosques [the main mosques in which congregants gathered for the Friday midday prayers and sermon, during which the sultan's name presumably would be invoked thereafter, the customary acknowledgement of political legitimacy] from among the sacred mosques [of Kuwait]. The necessary decrees have been given in writing, and the matter of the letters of appointment and imperial warrants has been sent by telegraph to the illustrious interior ministry. It has been decided in accordance with current needs that, in order to give [Kuwait] a greater show of order, one hundred military gendarmes should be stationed there, with their salaries paid by [the Kuwaiti leaders]. This, too, should be mutually agreed and brought into effect immediately upon the imminent return of the current *kaymakam*, who is at present in the Hijaz.<sup>1</sup>

The year after writing this report, Midhat called at Kuwait in November 1871, on his way to inspect newly conquered Ottoman territory in eastern Arabia. The sheikh-*kaymakam* 'Abdallah had come to Faw to meet Midhat, who then went out of his way to visit him in Kuwait and to tour the town with its magnificent harbour. His description of the visit embellishes, and alters, parts of his previous report.

First, Midhat justifies the detour to Kuwait by noting the attention and services rendered by the sheikh of Kuwait:

As for 'Abdallah al-Sabah, who was appointed *kaymakam*, he has faithfully and zealously provided good service in support of the military [expeditionary] force from the beginning of the Nejd affair [the occupation of eastern Arabia], without recompense, by sea with more than eighty boats, and his brother Mubarak al-Sabah likewise by land with a large force. [Midhat then remarks upon the pleasant and healthy climate of Kuwait, which has 5-6,000 houses but no water supply or cultivated land] ... The inhabitants have lived in security until now. The territory's harbour being very nice and wide, it is protected from attacks that Arab [tribesmen] might launch from the sea; by land it is surrounded by a number of tribes that are under its patronage and control. The community and its prosperity improve day by day. As for the people of the town itself, most are of the Shafi'i *madhhab*, but there are a few of the Hanafi, Hanbali, and Maliki *madhhabs* as well. There are no Jews or Christians, nor any Wahhabis or Shi'is. All of the place's people being engaged in trade or maritime crafts, they have [a fleet] consisting of more than one thousand boats, the smaller of which are used for pearl hunting and for transport to nearby ports such as Basra and Bender Bushire [on the coast of Iran]. They use the large boats to trade with the coasts of India and Baluchistan, with Zanzibar and the ports of Yemen. The Kuwait *kaymakamlık* [office, or as implied here the territory under the control, of the *kaymakam*], which is attached to the Basra *mutasarrıflık* [sub-provincial governorship], is in the charge of the

<sup>1</sup> *Vali*, Baghdad to g[rand] v[izier], 9 Feb. 1870 [Istanbul,] B[aşbakanlık] O[smanlı] A[rşivi], U[sul-i] I[rade] D[osya] 77.

aforementioned ‘Abdallah al-Sabah, and for legal affairs there is a [religious court] judge. Although issues of organization and security are conducted under the supervision of the *kaymakam*, and legal affairs under that of the judge, there are in the territory no [Ottoman] officials or employees such as officers or gendarmes or guards, other than the *kaymakam*, because there is not even one [penny] of revenue due to, or expenditure by, either the central government or the *kaymakam*, and because the incidence of complaints and disputes that would involve the [Ottoman] government is rare, the inhabitants really all being like members of a family.<sup>1</sup>

Several points leap out from the two documents. Geography made Kuwait neither politically dependent upon, nor answerable to, Basra. It not only had socio-economic ties to southern Iraq but also ties throughout the Gulf and Arabia that reached as far as India and East Africa. Owing to its autonomy, Midhat had to apply financial pressure to persuade Kuwait’s leaders to come to Basra, acknowledge Ottoman suzerainty, and recognize the legal symbols of Ottoman control: the Ottoman flag and an Ottoman administrator (the sheikh-*kaymakam*). In turn, the Ottoman authorities recognized the limits of what the Kuwaitis would accept, and their own inability to control the town of Kuwait; an earlier Ottoman scheme to collect customs duties had been dropped in 1867 owing to the certainty of Kuwaiti resistance.<sup>2</sup> The Ottoman state thus granted Kuwait a number of exceptional privileges, seen to be in operation, and confirmed, during Midhat’s visit. Unlike every other part of the vilayet of Baghdad (including the *mutasarrıflık* of Nejd after 1871), Kuwait never was liable for customs or other Ottoman taxes, its inhabitants were not subject to military conscription, and no Ottoman official other than the sheikh-*kaymakam* resided there. Two *kaymakamlıks*, Kuwait and Qurna, now a town in Iraq, were dependent on Basra; in the Basra provincial gazette of 1890-1, twenty-two officials are listed as serving in Qurna, where normal Ottoman direct administration had been introduced, whereas only the *kaymakam* is listed under Kuwait.<sup>3</sup> Although Midhat’s first report suggests the desirability of posting a detachment of gendarmes in Kuwait, no such force was ever raised. Next, again unlike the Ottomans’ conduct in any other part of the empire except perhaps the Hijaz,<sup>4</sup> the Ottomans made no attempt to alter the judicial system or to appoint judges learned in Hanafi law, the *madhhab* followed by the Ottoman state. This is particularly remarkable given Midhat’s statement in the second report that a few Hanafis lived in

<sup>1</sup> *Vali*, Baghdad, to gv, 3 Jan. 1872 [BOA], İ[rade] D[ahiliye] 44930, encl. 2.

<sup>2</sup> Gv to *vali*, Baghdad, 27 May, 21 Oct. 1867 [BOA], Ayniyat 851/20, 27.

<sup>3</sup> *Basra Vilayeti Salnamesi* (Basra, 1890-1), pp. 76-7.

<sup>4</sup> On the Ottoman Hijaz, see W. Ochsenswald, *Religion, Society, and the State in Arabia: The Hijaz under Ottoman Control, 1840-1908* (Columbus, 1984).

Kuwait. Even in mid-nineteenth-century Tunis, a territory only loosely controlled by the Ottoman state but with a small Hanafi population, a Hanafi court operated in parallel with the Maliki, the *madhhab* of the overwhelming majority of Tunisian Muslims.<sup>1</sup> The exemptions that Kuwait enjoyed demonstrate that the Ottomans did not intend fully to incorporate it into the administrative system of Baghdad and Basra, even to the extent that they incorporated the *mutasarrıfluk* of Nejd.

Having granted the sheikhs and inhabitants of Kuwait a special status within the Ottoman Empire, the imperial government proved unwilling for almost thirty years to try to alter it. This hesitancy may be attributed to consciousness within imperial government circles that the loyalty of a fragmented, tribal society depended upon treating the population in a straightforward manner by upholding agreements made with them.<sup>2</sup> When provincial officials in Basra suspected the Kuwaitis in the 1880s and 1890s of being heavily involved in the illicit arms trade that supplied the Bedouin tribes with ever-better means of challenging Ottoman authority in the Arabian and Iraqi deserts, the imperial government rejected their requests to be allowed to send gunboats and troops to Kuwait to control the gun-running and anticipate a British occupation.<sup>3</sup> After Muhammad al-Sabah was murdered in 1896, a petition to be allowed to assume direct control over Kuwait contributed to the dismissal of the *vali* of Basra, Hamdi Pasha, since the position and duties of *kaymakam* had always been left in the hands of the sheikhs of Kuwait.<sup>4</sup>

Only after a year of turmoil in Kuwait and the surrounding areas following the assassination in May 1896 of the second *kaymakam*, Muhammad, by his half-brother Mubarak (who had taken part in the Ottoman expedition to Arabia in 1871) did the imperial government decide with reluctance to intervene directly in Kuwaiti affairs; but only to the extent of replacing Mubarak, the cause of the turmoil, with a member of the al-Sabah family likely to prove more amenable to Ottoman advice.<sup>5</sup> The decision was not carried out, owing to the administrative turmoil afflicting the vilayet of Basra: instead, Mubarak was himself appointed *kaymakam* in December 1897. Despite the imperial government's worries after 1899 about the extent of British influence in Kuwait, it failed to persuade

1 On Ottoman Tunis, see L. C. Brown, *The Tunisia of Ahmad Bey, 1837-55* (Princeton, 1974), and J. Abu Nasr, *A History of the Maghrib* (Cambridge, 1975).

2 On the need for straightforward administration in the Gulf, see memo, vice-consul, London, 5 March 1898 [BOA], Y[ıldız] E[sas] E[vrakı] 14/255/126/8.

3 Memo, naval commander, Basra, 6 Jan. 1884 [BOA], Yıldız Bab-i Asafi Resmî 27/19; memo, *mutasarrıf*, Nejd, 20 Jan. 1889, YEE 14/366/126/9; report of Qatar uprising investigation team, 22 Sept. 1893, YEE 14/250/126/8, pp. 16-17.

4 Min[ister of] int[erior] to gv, 12 May 1896 [BOA], B[ab-i Ali] E[vrak] O[dası Gelen-Giden] 66196.

5 Memo, min. int., 6 April 1897, BEO 70267; memo, council of ministers, 25 May 1897, BEO 71844.

Mubarak to allow it to post at Kuwait any other Ottoman official, such as a harbour master. Such success in withstanding the imperial government's intermittent pressure may have led British officials to suppose that Kuwait was independent.

In Ottoman eyes, the Ottoman flag and the title of *kaymakam* were not meaningless: they were meant to establish beyond reasonable doubt that Kuwait was Ottoman territory. The successive sheikh-*kaymakams*, 'Abdallah, Muhammad, and Mubarak, who received stipends from the imperial government, were expected, in return, to maintain order and to uphold Ottoman rights in their territory.<sup>1</sup> Even though Mubarak made the agreement with the government of India in 1899 before he began to receive the stipend, he had already accepted the position of *kaymakam*, with its rights and responsibilities, which he confirmed by accepting the stipend when it was offered. He had acknowledged most clearly in assuming the office of *kaymakam* in 1897 that Kuwait was Ottoman territory, and he reaffirmed his loyalty to the sultan in 1905 and 1911, despite signing the agreement with the government of India. According to Britain's understanding of constitutional relationships, he had given up the right to make agreements with foreign states. Thus, Kuwait's claim that Mubarak was an independent ruler not tied to the Ottoman state is doubtful.

Mubarak's actions followed from the nature of political power in nineteenth-century Arabia,<sup>2</sup> where nothing resembled the impersonal, corporate state familiar to Europeans. Such political authority as was recognized by most of Arabia's inhabitants was held by the leading families that provided the sheikhs of tribes or towns, like the Al Sabah in Kuwait. Allegiance to an individual was revocable. As authority rested with the family, not the individual, a sheikh who failed to serve the community, or was not politically astute, could be displaced by a relative. This happened in 1896, when Mubarak murdered Muhammad and another half-brother, Jarrah. The imperial government recognized customary familial authority when debating whether to replace him with another member of the Al Sabah in 1897. The limits to the authority of any single member of the Al Sabah, even when recognized as sheikh, is illustrated by Midhat's comment that no taxes were collected in Kuwait. Mubarak's position was

<sup>1</sup> Imperial decree, 16 Aug. 1892, ID 1310-M-31; gv to *vali*, Baghdad, 30 Sept. 1872, Ayniyat 851/164; *vali*, Basra, to min. int., 12 Feb. 1900, UID 77.

<sup>2</sup> See P. Lienhardt, 'The Authority of Shaikhs in the Gulf: An Essay in Nineteenth-Century History', in *Arabian Studies*, ed. R. B. Serjeant and R. L. Bidwell (London, 1975), ii. 61-75. On Gulf sheikhs' ability to improve their status by manipulating Anglo-Ottoman rivalry, see F. F. Anscombe, 'The Ottoman Role in the Gulf', in *The Persian Gulf in History*, ed. L. Potter (New York, forthcoming 2007). For particulars on Kuwait, see F. F. Anscombe, *The Ottoman Gulf: The Creation of Kuwait, Saudi Arabia, and Qatar* (New York, 1997), ch. 5-6, and J. Crystal, *Oil and Politics in the Gulf: Rulers and Merchants in Kuwait and Qatar* (New York, 1995), pp. 15-35.

exceptionally vulnerable, under threat not only from followers of his murdered brothers, but also owing to the probable displeasure of the Ottoman state, whose representative the late sheikh-*kaymakam* had been.

Mubarak's actions are explained by the need to buttress his authority. The office of *kaymakam*, which he worked hard to be appointed to by Kuwait's Ottoman overlord, nullified the threat of Ottoman action over the murder of his predecessor. The agreement with the government of India provided insurance not only against the Ottomans but also local rivals, who might have offered privileges to the British in return for recognition once Mubarak was overthrown. The agreement had the second advantage that, in binding his descendants, it increased the likelihood that his line would squeeze rival lineages of the Al Sabah out of contention for the leadership of Kuwait. With the backing of a European great power accustomed to dealing with centralized states and preferring to work with one ruler rather than a family or group of families, Mubarak extended the customary rights of Al Sabah sheikhs over Kuwait's inhabitants.<sup>1</sup> In 1899, he introduced a system of tax collection, for the first time. Nonetheless, in 1905, he explained to an Ottoman army officer who had deserted, Hüseyin Hüsni, that he had accepted the government of India's protection only for himself and his personal rights; the land and other property of Kuwait belonged to the Ottoman state.<sup>2</sup> In his own eyes, he maintained multiple allegiances.

If Kuwait's claim always to have been independent seems doubtful, Iraq's claim that Britain carved Kuwait out of *Iraq* during the late Ottoman period is more so. Ignoring the fact that the state of Iraq is a post-Ottoman creation, it is clear from the Ottoman records that Kuwait never was fully incorporated into any of the vilayets later incorporated in Iraq by Britain and the League of Nations after the First World War. The imperial Ottoman government recognized the autonomy of the sheikh in managing Kuwait's internal affairs: it ratified the Anglo-Ottoman convention of 1913 so quickly because the terms both confirmed the relationship between Kuwait and the imperial government settled in 1870, and formally recognized Kuwait as Ottoman territory, a step both the foreign office and government of India had avoided taking since 1899.

The Anglo-Ottoman convention also settled the territorial extent of Kuwait. Iraq, even when not contesting Kuwait's claim to have been independent since 1918, has claimed that Britain, under the convention, delimited the border between Kuwait and the remainder of the vilayet of Basra along a line that was too generous to Kuwait.<sup>3</sup> That delimitation set

<sup>1</sup> See, in particular, S. Alghanim, *The Reign of Mubarak Al Sabah: Shaikh of Kuwait, 1896-1916* (London, 1998).

<sup>2</sup> H. Hüsni, *Necid Kıta'sının Ahval-i Umumiyesi* (Istanbul, 1910), pp. 266-7.

<sup>3</sup> See Finnie, *Kuwait's Frontier with Iraq*, esp. chs. 8, 10-11.

the border of today. The Ottoman records ignore the issue of the border's correct location. The area in question was an economic wasteland, without permanent settlements: running a line through it, on one side of which the sheikh of Kuwait would exercise 'authority', on the other the *vali* of Basra, would have seemed strange to those familiar with the area before 1913. The settlements closest to the frontier – Zubayr, Umm Qasr, and Safwan – were placed on Basra's side of the line because they had been administered from Basra, to the extent that they were administered at all, at least from the beginning of the twentieth century.<sup>1</sup> Although Midhat's second report states that Kuwait was surrounded by tribes 'under its patronage and control', the point south of Zubayr, Umm Qasr, and Safwan at which Mubarak's influence became paramount (if it existed) had to be guessed. The imperial government's repeated requests to officials in Basra for information about such spheres of influence show that it did not know of any areas under Basra's control that were placed in 1913 on Kuwait's side of the frontier.<sup>2</sup> The border's placement in 1913 cannot be said to have been unjust at the time.

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THE NATIONAL HISTORIES of states formerly part of the Ottoman Empire written by all sides in the Iraq-Kuwait dispute are flawed. The Ottoman records show that Kuwait, though not independent in the late nineteenth and early twentieth centuries, was autonomous. It was not directly controlled by the vilayet of Baghdad or, later, Basra, even between 1870 and 1913, the period of most effective Ottoman authority in the Gulf.

If the extent of Ottoman territorial sovereignty or the structure of Ottoman provincial administration in the late nineteenth century were valid grounds for redrawing present-day frontiers, Iraq would have a better claim to the Eastern Province of Saudi Arabia and to Qatar than to Kuwait. They formed part of the *mutasarrıflık* of Nejd, which first the vilayet of Baghdad and then the vilayet of Basra administered from 1871 to 1913. Such a claim would count for little in the court of public opinion, not only on account of geography, given the distance separating Qatar and the Eastern Province of Saudi Arabia from Iraq, but also because British imperialism could not be blamed. Basra lost control of Nejd in 1913 when 'Abd al-'Aziz ibn Sa'ud (founder of the kingdom of Saudi Arabia) and his Arab followers evicted the Ottomans by force, the sort of activity attributed implausibly by Saddam Hussein to his grandfather. An Iraqi historical claim to Saudi Arabia would be derided; the Iraqi historical claim to

<sup>1</sup> Chief imperial secretary to gv, 23 Dec. 1901, UID 77.

<sup>2</sup> Gv to *valis*, Basra and Baghdad, 23 March 1912, BEO 301361; gv to *vali muavini*, Basra, 14, 25 Feb., 1 March 1913, BEO 310745, 311041, 311104; *vali muavini* to gv, 23 Feb. 1913.

Kuwait deserves the same treatment. To justify the execution by force of a claim based upon history requires the production of impossibly indisputable historical evidence in order to outweigh the wishes and recent experience of the target population. Kuwaitis, who have lived their entire lives in a country separated politically from Iraq for nearly a century, have shown to date little sympathy for the Iraqi claim. Nor should anyone else. Iraq's claim to Kuwait merits inclusion in the ranks of policy positions masquerading as Ottoman history.

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