

**HYBRID SOVEREIGNTY IN THE ARAB MIDDLE EAST:
THE CASES OF JORDAN, IRAQ AND KUWAIT**

GÖKHAN BACIK

SEPTEMBER 2005

**HYBRID SOVEREIGNTY IN THE ARAB MIDDLE EAST: THE CASES OF
JORDAN, IRAQ AND KUWAIT**

**A THESIS SUBMITTED TO
THE GRADUATE SCHOOL OF SOCIAL SCIENCES
OF
THE MIDDLE EAST TECHNICAL UNIVERSITY**

BY

GÖKHAN BACIK

**IN PARTIAL FULFILLMENT OF THE REQUIREMENTS
FOR
THE DEGREE OF DOCTOR OF PHILOSOPHY
IN
THE DEPARTMENT OF INTERNATIONAL RELATIONS**

SEPTEMBER 2005

Approval of the Graduate School of Social Sciences

Prof. Dr. Sencer Ayata
Director

I certify that this thesis satisfies all the requirements as a thesis for the degree of Doctor of Philosophy.

Prof. Dr. Atilla Eralp
Head of Department

This is to certify that we have read this thesis and that in our opinion it is fully adequate, in scope and quality, as a thesis for the degree of Doctor of Philosophy.

Assoc. Prof. Dr. Meliha Altunışık
Supervisor

Examining Committee Members

Prof. Dr. İhsan Dağı	(METU, IR)	<hr/>
Assoc. Prof. Dr. Meliha Altunışık	(METU, IR)	<hr/>
Assoc. Prof. Dr. Nuri Yurdusev	(METU, IR)	<hr/>
Prof. Dr. Mustafa Aydın	(Ankara U, IR)	<hr/>
Assist. Prof. Dr. İlker Aytürk	(Bilkent U, Pol Sc)	<hr/>

I hereby declare that all information in this document has been obtained and presented in accordance with academic rules and ethical conduct. I also declare that, as required by these rules and conduct, I have fully cited and referenced all material and results that are not original to this work.

Name, Last name: Gökhan Bacık

Signature:

ABSTRACT

HYBRID SOVEREIGNTY IN THE ARAB MIDDLE EAST: THE CASES OF JORDAN, IRAQ AND KUWAIT

Bacık, Gökhan

Ph. D., Department of International Relations

Supervisor: Assoc. Prof. Meliha Benli Altunışık

September 2005, 405 pages.

This thesis analyses the issue of sovereignty in the Arab Middle Eastern context with a special reference to three cases: Jordan, Kuwait and Iraq. The basic argument of this thesis is the inapplicability of Western sovereignty in the related cases. The thesis will discuss that Western sovereignty which was brought to the region has been limited by certain facts. Instead, what we have is a hybrid sovereignty model in which both modern and primordial patterns co-exist. The thesis will also trace the history of Western sovereignty in the region since the early periods of colonization and modernization, and will seek to answer such questions as how the failure of colonially brought Western sovereignty affects Arab politics in different levels.

Keywords: Sovereignty, hybridity, Iraq, Jordan, Kuwait

ÖZ

ARAP ORTADOĞU’SUNDA MELEZ EGEMENLİK: ÜRDÜN, IRAK VE KUVEYT ÖRNEKLERİ

Bacık, Gökhan

Doktora, Uluslararası İlişkiler Bölümü

Tez Yöneticisi: Doç. Dr. Meliha Benli Altunışık

Eylül 2005, 405 sayfa.

Bu çalışma egemenlik kavramını Ürdün, Kuveyt ve Irak örnek olaylarına özel olarak atıfta bulunarak Arap Ortadoğu’su bağlamında analiz etmektedir. Bu çalışmanın temel argümanı batılı egemenlik kavramının sözü edilen örnek olaylarda ancak sınırlı olarak var olduğudur. Sömürge yönetimleri ya da modernleşme döneminde bölgeye getirilen batılı egemenlik kavramının uygulanışı bazı nedenlerden dolayı sınırlandırılmıştır. Dolayısıyla, bugün karşı karşıya olduğumuz egemenlik uygulaması içinde hem modern, hem de önceki yerel unsurları içeren melez bir egemenliktir. Bu çalışma aynı zamanda batılı egemenlik anlayışının sömürgeleşmecilik ve modernleşme dönemlerinden beri bölgede nasıl kurumsallaştığını tarihsel olarak ele alacaktır. Ayrıca, batılı egemenliğinin bölgede sınırlandırılmasının çeşitli alanlarda sonuçlarının açıklanmasının öneminin altı çizilmektedir.

Anahtar Kelimeler: Egemenlik, melezlik, Irak, Ürdün, Kuveyt

TABLE OF CONTENTS

PLAGIARISM	iii
ABSTRACT	iv
ÖZ	v
TABLE OF CONTENTS	vi
CHAPTER	
1. INTRODUCTION.....	1
1.1 Setting the Scene: The Hypothesis and the Arguments	1
1.2 Defining the Cases	13
2. THEORETICAL FRAMEWORK: ARAB STATE AS	
HYBRID SOVEREIGN.....	24
2.1 Introduction.....	24
2.2 Defining Sovereignty in Two Realms: The International and the Domestic.....	26
2.3 The Expansion of the State-System: Westernization in the Arab World.....	38
2.4 Theorizing Sovereignty in the Middle East: Hybrid Sovereignty and Arab State	56
2.5 Conclusion.....	76
3. THE EMERGENCE OF WESTERN MODEL IN JORDAN, KUWAIT AND IRAQ	77
3.1 Introduction.....	77
3.2 Jordan	79
3.3 Kuwait.....	96
3.4 Iraq	110
3.5 Conclusion.....	124

4. CONCEPTUALIZING THE PROBLEM OF SOVEREIGNTY IN JORDAN, KUWAIT AND IRAQ	126
4.1 Introduction	126
4.2 Re-emphasizing the Domestic Approach: State-Society Level Boundaries	130
4.3 Sampling Sovereignty Crisis in Domestic Realm	140
4.3.1 The Failure of Central Authority	143
4.3.2 The Problem of Minorities	146
4.3.3 The Failure of Citizenship	147
4.3.4 The Failure of National Identity in Foreign Policy	152
4.3.5 The Dominance of Bureaucratic Rationality in Economic Realm	156
4.3.6 Electoral Agenda	164
4.3.7 Primordial Quotas in Official Recruitment	166
4.3.8 The Instrumentalization of Power	169
4.3.9 The Lack of an Impersonal Political System	174
4.4 Conclusion	176
5. JORDAN AND THE CRISIS OF SOVEREIGNTY	178
5.1 Introduction	178
5.2 The Palestinian Question: A General Framework	181
5.3 The Failure of Citizenship	188
5.3.1 The Problem of Citizenship and Islamists	194
5.4 The Failure of Central Authority	198
5.5 Tribalism as a Political Instrument	203
5.6 The Problem of Palestinians Today: The Continuing Crisis of Sovereignty	207
5.7 Political and Economic Liberalization: A Search for a New Social Contract	216
5.8 Conclusion	227
6. KUWAIT AND THE CRISIS OF SOVEREIGNTY	232
6.1 Introduction	232
6.2 Political and Social Consequences of Rentierism: A Different Social Contract	237

6.2.1 Foreign Policy and Rentierism.....	252
6.3 The Problem of Defining People: Domestic Sovereignty Crisis	257
6.3.1 The Expatriates	262
6.3.2 The Bedoons: Being a Kuwaiti without a Citizenship	271
6.4 Conclusion.....	275
7. IRAQ AND THE CRISIS OF SOVEREIGNTY	281
7.1 Introduction	281
7.2 Defining the Problem	285
7.3 The Limits of Nation Building and State Formation	294
7.4 The Official Tribalism.....	311
7.5 The Sunni-Shi'i Split	315
7.6 The Kurdish Problem	326
7.7 The Transformation of Sovereignty Crisis.....	341
7.8 Conclusion: The Continuing Hybridity.....	352
8. CONCLUSION	355
BIBLIOGRAPHY	362
APPENDICES.....	383
APPENDIX A: CURRICULUM VITAE	395
APPENDIX B: TURKISH SUMMARY	397

CHAPTER 1

INTRODUCTION: THE INAPPLICABILITY THESIS

1.1 Setting the Scene: The Hypothesis and The Arguments

The expansion of the modern state system in Arab countries caused great changes. Many Western institutions and forms were brought into the region mainly through colonial rule and Ottoman modernization. The historical Arab region to a great extent was re-created according to Western imaginaries. Meanwhile, a Western understanding of sovereignty was transplanted into the region.

In general, the Westernization of the region should be understood in two forms: (i) re-organization of the regional political geography according to the new Western-like borders and (ii) the re-organization of people, social structures and forms of authority in the region. New territorial states came out as the ultimate consequences in this process. Arab regions, which had included medievalistic overlapping authorities, were turned into a region in which modern territorial states act on the basis of national boundaries. The injection of Western imaginaries was not limited to the border delineation. The traditional sociopolitical configuration was challenged. Therefore, new forms of power, authority and social organizations were created. To generalize, new characteristics of statehood came out in the region. The colonial project, different than the traditional patrimonial structure, attempted to establish a sort of political association with legitimate and adequately financed administrative and military capabilities.¹ However, this process was not the same everywhere. Westernization in some places transformed the current political structure

¹ Lisa Anderson, "The State in the Middle East and North Africa", *Comparative Politics* 20(1), (October 1987), p. 2.

to some extent, but it also created typical artificial states in other places.

Nevertheless, the Arab state is still problematic in terms of modern statehood. While the introduction of Western sovereignty weakened old authorities, it did not immediately create reliable replacements.² On one level, it acquired all structural components of modern statehood. Arab countries are members of the modern international system with territorial borders, a modern apparatus of administration and official diplomatic relationships with other states. In this account, no difference can be shown, for example, between Denmark and Kuwait. However, at a different level, it is far from realizing the structural components of the modern state. The nominal/ formal institutionalization of many components of statehood is not matched with parallel realization. It is a fact that “modern bureaucratic states do not appear full blown with implanted at formal level, but at operational level it is not working but, instead, producing problems. The incompatibility between the model and the region is felt in all fields. Even, the clash between tradition and Western sovereignty has been nowhere greater than in post-Second World War Middle East.”³ New state structures are not congruent with the scope and boundaries of tribal, Islamic, imperial, or feudal domains. Eventually colonially created Middle Eastern states are not modern states but they are “like western states”.⁴ In sum, these states, in terms of a Westphalian model, are less sovereign than other states in the system. They are only nominal nation-states.⁵ Given all these facts, *the major thesis of this study seeks to demonstrate the inapplicability of a Western type of sovereignty in the Arab Middle East. The importation/injection of Western forms into the region, either through colonial rule or local reformation movements, encountered and clashed with*

² Michael C. Hudson, *Arab Politics The Search for Legitimacy* (New Haven and London: Yale University Press, 1977), p. 394.

³ Ibid.

⁴ Sami Zubaida, *Islam, the People and the State* (London and New York: Routledge, 1989), p. 121.

⁵ Mohammed Ayoob, “Unraveling ‘National Security’ in the Third World” in Bahgat Korany, Rex Brynen and Paul Noble (eds.), *The Many Faces of National Security in the Arab World* (New York: St. Martin’s Press, 1993), p. 49.

traditional forms, which gave way to a hybrid-model of sovereignty. This model recognizes a limited applicability for a colonially injected Western sovereignty.

However, the inapplicability thesis here does not suggest that these states are not sovereign. This study argues that the process in which sovereignty is institutionalized and practiced is different in comparison to Western states. Despite some similarities to Western states, Arab states have practices originating from different traditional and historical processes. Therefore, Arab states are usually named as semi-sovereign, quasi-sovereign⁶ or less sovereign.⁷ Such definitions like *semi*, *quasi* or *less* are used in order to underline a different situation in terms of sovereignty. But according to which sovereignty are states provided different labels? There must be a point of departure, or point of comparison; otherwise all such studies would theoretically be just metaphysical discussions. It is common to compare Arab states to Western states. Thus, labels like *semi* or *less* originate from the comparison/difference between Arab and Western states. Another critical point is why is the Western model the basic point of departure/comparison? Of course, such a model is not for its universal correctness. The Western model is the product of its own historical background. No value-oriented –good, effective, wealth generating– fact can be attributed to the Western model in order to legitimize why we compare other models with it. In this study, the Western model assumes the point of comparison for a simple historical reason: Arab regions were re-organized according to Western imaginaries in the last three centuries. These regions were run by colonial rules. Furthermore, the Western model was adopted by the post-colonial nationalist regimes. To conclude, since the colonial era, these lands have been in nation building and state-formation processes in line with the Western model. Therefore, it is methodologically important to analyze to what extent this Westernization is realized.

Several points are highlighted in this thesis: It is a fact that Western influence was experienced in many Arab states. “Apart from Iran, Saudi Arabia, North Yemen,

⁶ Robert Jackson, *Quasi-states: Sovereignty, International Relations and The Third World* (Cambridge: Cambridge University Press, 1996), p. 1.

⁷ Ayoob, op cit., p. 49.

and Turkey, all the countries of the region experienced decades of European rule.”⁸ As previously stated, Westernization, or the re-organization of traditional structures according to the Western model, took place at different levels and forms in the Arab Middle East. Therefore, scholars have usually classified modern Arab states from this perspective. For example, we have five types of state models in the Middle East, according to Iliya Harik: The Imam-chief system, the alliance of chiefs and imams, the traditional secular system, the bureaucratic-military oligarchy type and the colonially created state system.⁹ Such classifications refer to the above-mentioned difference among modern Arab states in terms of their historical background. Thus, the hypothesis of this dissertation is constructed on three cases: Jordan, Kuwait and Iraq due to their colonial background in terms of state formation.¹⁰ As typical states which were affected by long and intensive Western influence in different forms, Jordan, Kuwait and Iraq stand as appropriate cases (crucial cases) in studying the limits of Western injected sovereignty in colonially created states. Thus, this study aims to present how Western sovereignty has been inapplicable with a special reference to state-society relations in each state.

Western sovereignty as inapplicable in colonially created Arab states is the fundamental and essential rubric of investigation in this study. This hypothesis acts as a tentative explanation or a "true statement" for the purpose of this investigation. This hypothesis argues that Western sovereignty that was colonially brought to the region is inapplicable because of indigenous reasons. And as mentioned, the scope of this study is limited to three colonially created states. In other words, this hypothesis will be studied in the context of those three cases. However, the analysis of the inapplicability thesis will use the hypothetico-deductive method. According to this

⁸ Anderson, op cit., p. 3.

⁹ Iliya Harik, "The Origins of the Arab State System", in Giacomo Luciani (ed.), *The Arab State* (Berkeley-Los Angeles, University of California Press, 1990), pp. 5-6.

¹⁰ Reasonably, there is no consensus on classifying modern Arab states according to their background. In this study, I focus on Jordan, Kuwait and Iraq for they stand as typical colonial creations. This

method, a hypothesis is first devised from certain explicit and observable predictions. Then, observations, which run contrary to those predicted, are taken as evidence against the hypothesis. However, following the hypothetico-deductive method, the hypothesis to be refuted is not the basic hypothesis of this study. Instead, this study aims to find several observations, which run contrary to the Westphalian hypothesis. This hypothesis argues that, like other nation-states, modern Arab states act on the basis of classical Westphalian principles of statehood and sovereignty. In order to realize this methodology, different observations will be tested to determine whether a Western sovereignty has been applicable in the related cases or not. Thus, this thesis aims to find out certain evidences that show how Western sovereignty is not applicable. Naturally, any evidence contrary to the Western sovereignty will be taken as evidence confirming the inapplicability thesis.

At this point there are two further issues: First are the auxiliary (secondary) arguments of the study. Like any other study, this thesis also depends on different secondary arguments. The first auxiliary argument originates from a definition of Western sovereignty. In this study, "the injection of Western sovereignty" signifies the re-organization of traditional Middle Eastern landscape according to the Western nation-state form. Consequently, the injection of a new type of political unit--the modern state--entailed two important consequences: First, the re-definition of relations among equal units and, second, the re-definition of relations with these units and their people. In other words, the rise of Western state-systems introduced new forms in foreign and domestic politics. To begin with, the well-known Western model of an anarchical structure composed of centralized, territorial and sovereign nation-states came out in the Middle East.¹¹ Certainly, this model came out in a long process, which entailed new patterns in foreign policy of regional actors. On the other hand, the injection of a Western nation-state also introduced new patterns of power,

approach, which is shared by several other scholars such as Zahlan and Anscombe, differs from that of Harik in depicting Kuwait as a colonial creation. On this discussion see: Chapter 3.

¹¹ For this definition of Western state-system see: A. Nuri Yurdusev, *International Relations and the Philosophy of History: A Civilizational Approach* (New York- Hampshire: Palgrave-Macmillan, 2003), p. 148.

authority and relations in terms of state-society relations. Nation-state refers to the uniformity in political organization, economic activity and any other related processes such as culture and education. This uniformity is daily reproduced by the rational organization of one army, one police force, one bureaucracy, and one law supervising and governing all citizens enjoying equal rights and duties. By so doing, all barriers, be they social or religious, were removed, and a new political space was created so that citizens could compete according to their different merits rather than inheritance or any primordial origin.¹² Defined in this way, the Westernization of the region ended up with new forms and patterns both in domestic and foreign politics. Thus, a study on the limits of such sovereignty should focus on both levels, as the case of inapplicability may exist at both levels. Sovereignty in this dissertation is not taken as a concept concerning foreign policy. Instead, it is used as key concept that refers to the statehood in general. Therefore, sovereignty in this study focuses on a state-society relations level, which points out how sovereignty is important in the domestic realm in a related case. Thus, when it is written “sovereignty crisis,” it does not mean a specific international crisis. A specific focus on important domestic problems such as the failure of a functioning citizenship or the lack of an effective central authority is considered. Equally the lack of tax-based economic contract between state and society is a typical sovereignty crisis. Sovereignty crisis may also take place in the domestic realm as an ethnic uprising against central authority. Similarly, the supremacy of tribal or sectarian loyalty over citizenship is another sample for sovereignty crisis. In the same way, the discrimination of women is also an apt case to display sovereignty crisis in a state. However, the problem of sovereignty in the Arab context has generally been studied within the context of foreign policy. Scholars, as a reflection of a realist approach, have frequently analyzed high politics in order to analyze the application of sovereignty in the Arab world. Therefore, sovereignty-related studies have automatically focused on foreign policy developments such as Arab unionism, political unification projects, and

¹² Youssef M. Choueiri, *Arab Nationalism A History Nation and State in the Arab World* (Oxford: Blackwell, 2001), p. 2.

territorial conflicts. This gives rise to an important methodological reductionism. It is therefore normal to see several well-known questions: Does the Gulf War show that the state systems consolidated in the region? Does the end of pan-Arabism mean the final consolidation of Westphalian principles in the region? Or more recently, does the invasion of Kuwait show that sovereignty has been settled? No doubt, such questions refer to important indicators. However, it is a fact that all the presented questions deal with the international aspects of sovereignty. While they are important, the cited problems cannot themselves be adequate to test the consolidation of sovereignty at all levels. Also, a pure foreign policy approach may produce mistaken conclusions depending on reductionist findings in terms of state-state relations. But, this dissertation recognizes state-society relations in investigating the applicability of Western type of sovereignty as basic point of departure. In sum, a study on sovereignty necessitates a complex investigation of statehood in the relevant cases. Therefore, this study focuses on sovereignty in the context of state formation in the Middle East by juxtaposing sovereignty and statehood. By so doing, this study aims to present how sovereignty is realized in a Western format imbued with primordial patterns. Therefore, the distinction “between the historical patterns of patrimonialism and the more recent legal-bureaucratic norms” in the Arab world is critical.¹³ It is a fact that most of the countries of the Arab world fall somewhere along a spectrum between those well-established states and those which are virtually statelets.¹⁴ The distinction between *well established* and *virtually statelet* is between the historical patterns of patrimonialism and the more recent legal-bureaucratic norms. States still under the influence of historical patterns of patrimonialism are named as *weak-states*.¹⁵ In other words, despite the formal injection of legal-bureaucratic norms,

¹³ Anderson, op cit., p. 3.

¹⁴ Ibid.

¹⁵ Ibid., pp.2-3. Logically, the idea of weak state reminds the strong states in the Middle East. Is there a strong state in the form of modern-state according to Anderson? Anderson presents Turkey and Egypt as “relatively well-established states.” What is more, she also adds that even in such “relatively well-established states”, “Personal ties and political patronage are important in the politics and

primordial and traditional patterns of behaviors continue in the region. This continuity is the origin of sovereignty crisis at domestic and international levels.

The second auxiliary argument originates from how this study explains the encounter between the Western model and traditional political forms. In this vein, it is important to define how one can explain the encounter of two different models of sovereignty and statehood. On the one hand, new Western-like forms and practices were injected and carried out, on the other hand traditional forms continued within these Western forms. This mixture of Western and the traditional has continued so far. Hypothetically what would happen if an alien model were injected into another region? It happened in the Middle East. It is the imposition of the ‘made-in-Europe’ model of the nation-state. And it resulted in a contradiction between national pretensions and historical structures.¹⁶ As the same process took place in different non-European lands, how Clapham summarizes the general features of such combinations in the African case is also instructive for this study:¹⁷

The encounter between African and the Westphalian assumptions of sovereign statehood built into the practice of European powers and the international system that they created underlies the entire modern history of the continent. It has been awkward, ambiguous, unsatisfactory; and often indeed tragic combination.

The same “awkward, ambiguous, unsatisfactory and tragic combination” came out in the Arab world as well. In this dissertation, the word *hybrid* depicts the similar process that took place in the Arab world. Hybridization is not limited to several countries or several aspects of life. It is a reality at all levels of Arab societies. Thus, the second auxiliary argument of this study is *hybrid-sovereignty which can be defined as the continuity of traditional patterns within the colonially injected Western*

administration.” Therefore, in any way Anderson underlines the problematic state structure in all cases in the Arab world. See: Anderson, op cit., p. 7.

¹⁶ Bahgat Korany, Rex Brynen and Paul Noble, “The Analysis of National Security in the Arab Context: Restating the State of the Art” in Bahgat Korany, Rex Brynen and Paul Noble (eds.), *The Many Faces of National Security in the Arab World* (New York: St. Martin’s Press, 1993), p. 13.

¹⁷ Christopher Clapham, *Africa and the international system the politics of state survival* (Cambridge: Cambridge University Press, 1996), p. 267.

format. Thus, this study aims to present certain cases that display how traditional patterns and forms have continued within the colonially injected Western format in Jordan, Kuwait and Iraq. In so doing, how hybrid sovereignty refers to the limitation of sovereignty in certain ways will be presented.

In a broader context, Arab states were hybridized in history. They have been under the influence of competing trends and models for more than two centuries. But change is a difficult issue and formal changes in the institutions and functions of the state and government do not necessarily reflect or imply serious structural and conceptual changes. This simple problem can be taken as the basic origin of the hybrid nature of Arab states. When different projects and models have interacted with each other, neither the injected model nor the traditional forms could dominate each other totally. Arab states would have been inconceivable without the European system. They originated from the European system. But, though they have such origins, Arab states have another wish which is to “go their own way”.¹⁸ As no society gives the way for a total change, the same happened and the colonizers could not unilaterally impose a system of rule in the Arab world. Colonialism involved constant negotiation of power relationships and identities. Given the huge influence of the Western model in the region, it is unlikely that the solution appropriate for such an entity is a simple cut-and-dried formula borrowed from foreign cultures with a vastly different political experience.¹⁹ In consequence, multiple levels of identity coexist, albeit in varying ways in Arab world today.²⁰

Hybrid-sovereignty refers both to the inapplicability of the Western type of sovereignty and the consequences of the Arab state’s position between modernity and tradition. The hybrid-sovereignty approach argues that the Western understanding,

¹⁸ Bassam Tibi, *Conflict and War in the Middle East From Interstate War to New Security* (London: Macmillan, 1998), p. 13.

¹⁹ Charles Issawi, “The Bases of Arab Unity”, *International Affairs* 31(1), (January, 1955), p. 47.

²⁰ Raymond Hinnebusch, “The Middle East Regional System”, in Raymond Hinnebusch – Anoushiravan Ehtashami (eds.), *The Foreign Policies of Middle East States* (Boulder- London: Lynne Rienner Publishers, 2002), p. 31.

considered as a whole, is inapplicable in the Arab Middle East. However, at the same time, it recognizes the constructive clash between the Western model and local forms. In detail, hybrid means the co-existence of modern and traditional practices, which recognizes the *limited* realization of Western sovereignty. For example, Arab states were demarcated according to the national borders, which were injected by colonial rules. Certainly, this Western legacy has been successful to a large extent. But, primordial identities and patterns co-existed with citizenship within these Western-like borders. Even in many places, the central governments employ tribal or sectarian policies. In this respect there is a failure: (i) According to hybrid-sovereignty, a Western type of sovereignty is inapplicable given the continuity of the traditional and local forms and values. (ii) Due to the constructive clash between the Western model and the local context, certain parts of Western legacy have been successful and a hybrid situation resulted in which both modern and traditional patterns co-exist. The Middle Eastern epistemologies, traditions, cultures undoubtedly have processed sovereignty within their code. The intercourse between two completely different models has produced a hybrid notion of sovereignty which is neither completely Western nor traditional. Hybridization is the inevitable production of colonial presence in a different culture. The injected European model thus was processed within a Middle Eastern configuration. To reemphasize, a hybrid-sovereignty approach recognizes a limited range of realization of Western understanding.

Compared with others, the word hybrid--*semi*, *quasi* or *less*--does not refer to a hierarchy among different models. Hybrid-sovereignty criticizes a pure Eurocentric methodology in which non-Western states have been depicted such as semi-states, unsuccessful states, or failed states. There is no reason to believe that the west has a monopoly of constitutional wisdom.²¹ It was the dominating European force that injected the Western model in different cultural zones. There have always been different local traditions of statehood in non-European lands. Thus, in no way has the Western experience been the only basis of statehood. Rather, the researcher should

²¹ James Mayall, "Sovereignty, Nationalism, and Self-determination", *Political Studies* 47(3), (Special Issue, 1999), p. 499.

recognize an encounter model between Western and non-Western beliefs. Thus this study does not suggest that the Arab state fails in becoming a Western state. What we have is not a failure, but a difference due to the different cultural and traditional conditions. They are just reflecting their nature. Therefore, this study portrays the consequences of an encounter between two models. Arab nationalist leaders or elites have been in search of a modern-bureaucratic state on the basis of citizenship. Indeed, the failure or success of these elites and their projects can be discussed which suggests a two level analysis: At a theoretical level, one can *not* propose that one model is better than any other; or one model should evolved into another. There is *no* pre-ordained teleology that shapes the relationship between cultures, models or civilizations. One cannot label an Arab state, or any other, as failed, while proposing the Western model as the correct model. As stated, non-Western Arab, samples reflect their cultural and traditional culture. But, at practical level, leaders, elites and projects aiming to construct a specific type of model can be evaluated in terms of failure or success. It is clear that there are many cases in the Arab world that confirms such failures. For instance, the failure of the Iraqi project is a recent case like the failure of creating a Jordanian citizenship to encompass all different groups in the country. This distinction is methodologically important. Thus, we have failed projects and leaderships for *they* undervalued how traditional forms survived along with the Western model.

In sum, different terms such as *quasi* or *semi* imply a kind of teleology as if all non-Western states are in a process of becoming Western. Opposing the cited teleological perspective, hybrid-sovereignty approach recognizes the importance of Western influence but rejects that the Arab states, in spite of their elites, are in a historical march to become a Western state. They merely reflect their conditions and nature. Because of differences between Western and non-Western models, a hybrid outcome is inevitable. Thus the emergence of this hybridity is normal, not a failure. They are under the influence of two contending models. The inapplicability of several parts of the Western sovereignty in developing states is the outcome of natural limits/

differences in those areas. Accordingly, only several aspects of the Western format have ability to function in these regions. It is impossible to expect the successful application of several components of the Westphalian format to encompass the presence of several complex traditional forms and practices.

In general, this study with its basic and auxiliary arguments may contribute to the relevant literature in different ways. To begin with, a hybrid-sovereignty approach may serve in understanding these societies since it refers to the basic structural problem in their political systems: the co-existence of traditional and modern patterns. By so doing, a hybrid-sovereignty approach helps the reader in analyzing how institutions function on dual basis. For example, in line with modern/ Western states, there are parliaments, central bureaucracies, and citizenship codes in many Arab states. However, in a sharp contrast to structural affinity, these institutions mostly operate on the basis of primordial patterns. From a hybrid-sovereignty perspective, it can easily be seen that parliaments are composed of different tribal quotas or religious groups. But, both tribal and sectarian factions defend sub-national and transnational patterns respectively. Thus, politics is not a game on the basis of citizenship but a competition of different primordial patterns. In this context, again, despite the citizenship-based codes, tribal, regional or sectarian patronage has been used as a systemic agenda. Given the failure of national-identity in different parts, central governments have employed such agendas in order to protect regime stability. In short, there are always different types of citizens in hybrid-sovereigns. Given the complex co-existence of the modern and the traditional, the hybrid-sovereignty approach is helpful in presenting the operational logic, behind the formal, in related societies. It should be recalled that hybrid-characteristics influence these societies today. Western and traditional practices co-exist in the same system. Also, as explained above, the hybrid-sovereignty approach is not biased like other approaches, which end up with several well-known conclusions such as semi, quasi states.

Second, this study investigates sovereignty at a state-society level. Unlike the traditional foreign policy-based approaches, this study takes state-society level institutions and forms as basic parameters in order to investigate the limits of Western

sovereignty in related Middle Eastern states. A pure foreign policy approach fails in explaining the domestic sphere of Arab politics. However, the colonially injected Western sovereignty does not introduce new patterns and forms only at a foreign policy level. Thus, this approach inevitably misses the domestic perspectives and developments. This method's fixation on foreign politics besides may bring us to reductionist conclusions such as arguing the consolidation of a Western type of sovereignty given the end of certain developments in foreign policy like Pan-Arabism. Indeed, even though the end of Pan-Arabism is important, it cannot be taken as the ultimate sign for the consolidation of Western sovereignty.

1.2 Defining the Cases

On this theoretical argumentation, this research addresses the issue of sovereignty in the Arab Middle East with a special reference to Jordan, Kuwait and Iraq. Once the structure of the study is presented in this way, there are a number of questions to be considered. These questions also define the scope of the study:

(i) Given the encounter of different models, how can one explain the nature of statehood and sovereignty in the Arab lands? What did this encounter generate? [The puzzle]

(ii) If a consequence is produced, how does this consequence affect the Arab states today? [The theoretical framework]

(iii) If answered in a plausible way, can one find concrete cases in order to confirm these answers? [The cases]

In answering those questions, the data collected in this dissertation includes both qualitative and quantitative information. Different sources of evidence, official public and mass media investigate the same problem. To ensure more validity and reliability, the qualitative data from different kinds of documents, newspapers, legal documents, and parliamentary debates were supported with statistics as quantitative data.

On the other hand, this study in order to elaborate its main thesis, presents three case studies. Therefore, actual data and events are presented from these case studies. R. K. Yin defines the case study as an empirical inquiry that investigates a

contemporary phenomenon within its real-life context; when the boundaries between phenomenon and contexts are not clearly evident; and in which multiple sources of evidences are used.²² According to the definition R. K. Yin gives this research is a case study because it is

(i) Based on empirical investigation of contemporary phenomenon within real context events. After presenting theoretical discussion, relevant concepts will be investigated within real context events in order to present what practical evidence reflects.

(ii) Suggests there is no clear division made between how sovereignty is formalized and practiced in the related political contexts. It is a fact that there are important gaps between formal and operational levels in terms of sovereignty. Therefore, this study tries to analyze the difference between formal and operational (practical) levels by focusing on certain cases such as citizenship, national identity, and an efficient central government.

(iii) Finally, there are multiple sources of evidence used: books, conference papers, scientific articles, statistics, parliamentary debates, newspapers, legal codes and public opinion analyses.

Theoretically speaking, a case is selected for particular purposes. There may be several analytical, strategic or theoretical reasons behind any researcher's selection.²³

The motive for choosing a case may, for example, be that the case is critical in either challenging or confirming a theory. Or it may be that the case is unique as it only occurs as a single case, or typical in that it represents a category of cases, or it might be that the case is sufficiently rich in information that there is reason to believe that there is much to learn from it.

As a result, what counts as a case can be as flexible as the researcher's definition of

²² R. K. Yin, *Case Study Research: Design and Methods* (Newbury Park, CA: SAGE Publications, 1989), pp.17-18.

²³ Rolf Johansson, "Case Study Methodology", www.infra.kth.se/courses/1U1030/lecture3B, p. 2.

the subject.²⁴ It is a fact that certain kinds of cases may be regarded as more instructive for theory building than others.²⁵ At more practical levels, the purpose of a case study differs according to different philosophical perspectives. To begin with, as usually argued, it may be useful to try to select cases, which are typical or representative of other cases. But, as Stake criticizes, a sample of one or a sample of just a few is unlikely to be a strong representation of others. Case study research is not sampling research. Scientists do not study a case primarily just to understand other cases. The first obligation is to understand the case in question.²⁶ By studying and understanding a case, the goal is to develop preliminary concepts at the outset of a case study. The aim of this effort is to place the case study in an appropriate research literature. Finally, this placement present lessons from the case study, which will more likely advance knowledge and understanding a topic.²⁷ In line with these discussions, this study selected Jordan, Kuwait and Iraq as cases for several purposes.

First of all, the scope of this study is limited to the Mashreq countries. The Arab world refers to a very large area from North Africa to the Middle East. For methodological and actual reasons, this study aims to present general theoretical argumentation only for the Mashreq states. This study argues that theoretical conclusions that are drawn from the case studies may help understanding particularly the issue of sovereignty in Mashreq countries. Thus, the selection is made among these countries. As stated in the preceding pages, this study presents its hypotheses for new Arab states created through colonialism and unequal treaties by Western influence. This limitation in terms of scope directly brings us to the Mashreq countries as many colonially created states came out in this part of the region under

²⁴ John S. Odell, "Case Study in International Political Economy", Paper Presented to International Studies Association 41st Annual Convention, Los Angeles CA, 14-18 March 2000. www.ciaonet.org/isa/odj01/, p. 2. Also see: Robert Stake, *The Art of Case Study Research* (Thousand Oaks, California: Sage, 1995), pp. 4-5.

²⁵ Harry Eckstein, *Regarding Politics Essays on Political Theory, Stability, and Change* (Berkeley, Los Angeles: University of California Press, 1992), p. 146.

²⁶ Stake, op cit., p. 4.

²⁷ Robert K. Yin, *Applications of Case Study Research* (Thousand Oaks, California: Sage, 2003), p. 3.

different forms such as protectorate, unequal treaties, and mandate rule

Second, since the basic thesis of the study is the inapplicability of the Western sovereignty in colonially created Arab states, all cases are typical in that they represent a category of cases. These cases have matching historical background in terms of the theoretical and historical details presented in this study. The selection of more than one case is a methodological necessity given the complexity of the subject matter. It is a fact that a study of sovereignty concerning a defined area should deal with different topics. Since it refers to very complex processes and developments, a sovereignty-based study necessitates analyzing different cases, which cannot be observed just in one case. Thus, the researcher needs different cases, which are typical in terms, certain perspectives. Reasonably, the selection of more than one case should be systematic in terms of consistency and similarity of the selected cases.

Third, these three cases are selected for they are taken as more instructive than others. The choice on what type of case study to use depends on the context.²⁸ Notwithstanding this pragmatism, a researcher has no unlimited freedom in selecting its choices. Following Robert Stake, “a case study is not a methodological choice, but a choice of object to be studied”.²⁹ Several facts and developments force a researcher in selecting specific cases rather than others. Similarly, writing on sovereignty, several important developments in Iraq, Jordan and Kuwait present these states as very important “object to be studied” or in other words critical instance cases. Iraq occupied Kuwait in 1990. Then, the US-led coalition forces invaded Iraq in 2003 and established a new regime here by ending Saddam Hussein regime. Now, domestic and international actors are trying to construct a new regime. Undoubtedly, these developments are very significant for sovereignty studies. In the same way, the Jordanian case is very similar. After 46 years, a leadership succession took place in Jordan. As a colonial creation without any natural resources to survive, Jordan, as a dependent state, struggles for complying with the post-Cold War conditions. The

²⁸ Carl Dalhammar, “Case study: Design and Methods”, www.iijee.lu.se/home.nsf/

²⁹ Stake, op cit., p. 9.

recent Bread Riots in Jordan were significant evidences that display the crisis of political system here. Thus, recent developments have pushed these states forward as crucial samples.³⁰

Fourth, the cases in this study are selected for they stand as the most-likely cases. This method is used in different conditions in order to show a theory fails even in a most-likely case. Kuwait, Iraq and Jordan can also be presented as most-likely cases. In each case, the Western model and actors played enormous role in creating and forming the political system. All three states are colonial creations. Colonial actors injected many Western institutions. On the other hand, each case experienced a similar Westernization process during the Ottoman period. Furthermore, problems related to this historical background still continue in each state. Thus it is important to study if Western models are inapplicable or not *even* in these cases, which are typical Western re-creations. The venture of Western type of sovereignty in the most-likely cases in terms of being colonial creations may give important findings in analyzing the Arab state.

Having presented those general points, there are also several specific reasons for each case:

Iraq: In terms of sovereignty Iraq has come to the fore as laboratory in recent decades. Considered several developments, Iraq stands as a *unique* case. Iraqi sovereignty has collapsed due to several reasons. Firstly, this country was occupied by foreign powers. Its domestic regime was changed. A new regime was established with the help of occupying forces. On the other hand, important developments in the last decades also present significant cases: For example, several ethnic and sectarian groups have been ruling different parts of Iraq for more than a decade. Different overlapping regional authorities exist reminding a medievalist structure. Iraq, when these developments considered, stands as a unique case for sovereignty studies.

Along with its uniqueness, Iraq is a typical colonial creation. The implantation

³⁰ According to Eckstein “the essential abstract characteristic of a crucial case can be deduced from its function as a test of theory. It is a case that *must closely fit* a theory if one is to have confidence in the theory’s validity, or, conversely, *must not fit* equally well any rule contrary to that proposed.” Eckstein, op cit., p. 157.

of many Western concepts and institutions were intensively carried here. It was a colonial project created from three former provinces of the Ottoman Empire. These provinces were re-designed according to the Western model on the bases of citizenship and national boundaries. Thus, Iraq also presents rich information in terms of historical background. It is an apt case to analyze several questions as follows: How Western institutions were injected? How did the tribal reaction come out? How was nation state created? What was the tension between primordial identities and citizenship? How did a hybrid structure come out? In sum, beyond presenting a historical case, the Iraqi case presents current evidences and problems in terms of sovereignty.

Jordan: As another colonial creation Jordan's history also presents rich information in order to study the venture of Western type of sovereignty in the Middle East. However there are several other reasons that make Jordan important in sovereignty studies: (i) as an artificial creation, Jordan has lacked needed natural and economic resources since its formation. Consequently, Jordan has been dependent on international system in order to survive. "Budget security" has become an essential determinant of Jordanian domestic and foreign politics.³¹ As creation of the expansion of the system, Jordan's ongoing dependence on the system for economic and strategic reasons presents important evidences to study sovereignty in this context. Given this structure, "the extent to which international and domestic debate produces consensus, and whether these publics spheres reinforce or oppose each other, are key variables for determining the durability of behavioral change" in Jordan.³² The analysis of how international and domestic debate affects Jordan gives also important evidences. (ii) As formulated by Asher Susser, "the Palestinian-Jordan cleavage is a twentieth-century phenomenon. It is a product of state formation and modernization in the Middle East in the aftermath of the dissolution of the Ottoman

³¹ Laurie Brand, *Jordan's Inter-Arab Relations: The Political Economy of Alliance Making* (New York: Columbia University Press, 1994), p. 277.

³² March Lynch, *State Interests and Public Spheres* (NY: Columbia University Press, 1999), p. 6.

Empire.”³³ Thus, a study of sovereignty may benefit much from this system-wide question. Since it is the product of state formation and modernization, the Palestinian problem is important in studying the limits of state sovereignty in the Middle East. It can be argued that the Palestinians, or the Palestinian problem, have been one of the most important obstacles in the realization of a Westphalian type of sovereignty. First of all as a group of people, they have been in different states as an extraterritorial people. Their presence has created many problems in terms of sustaining central authority, formulating a national foreign policy, controlling border control. Undoubtedly all these problems are important obstacles for regional governments in practicing sovereign statehood. Second, the Palestinian cause has slowed down the consolidation of the formation of national identities in the region. Their presences in many Arab states with Arabist extraterritorial and to some extent Islamist transnational identity have unquestionably slowed down the consolidation of national identities in the Arab Middle East. (iii) Finally, in order to cope with the recent developments in the region, Jordan has launched a late nation-building campaign. This campaign is understood as a strong case, which shows that previous methods failed, and a new, modern, programme is needed. The campaign aims to make a new social contract as its basic target. Therefore, several recent developments in Jordan present very rich information in terms of national-identity, social contract. Since these developments are still taking place in Jordan, an analysis of them may present timely and topical inferences on the problem of sovereignty. That is to mean, the late campaign presents a current sample in which it is possible to analyze a recent nation-building project in line with the Western model.

Kuwait: The case of Kuwait since its formation has been an important case for sovereignty studies. Besides, several developments such as the invasion of Kuwait by Iraq has made the case much more problematic. But in a historical context, the formation of a Western type of state in Kuwait is important in different perspectives: (i) the traditional balance of power between the ruling dynasty and merchants was

³³ Asher Susser, “The Palestinians in Jordan: Demographic Majority, Political Minority”, in Ofra Bengio and Gabriel Ben Dor (eds.), *Minorities and the State in the Arab World* (Boulder, London:

transformed into a political contract in a Western form. A piece of land without an identity and boundary became a sovereign member of the state-system. To a large extent change was on paper: The traditional contract between merchants and the ruling family continued within the form of modern state. In this era Kuwait, in fact, had an inadequate population given its limited economic opportunities. Indeed, it was the strategic and economic interests of Britain that was behind the transformation of this land into a new territorial state. (ii) Another very important issue is the rentier economic structure in Kuwait. Actually, the issue of economic structure in terms of sovereignty does merit for all the Arab states. A large section of this study presents theoretical and actual discussions on the role of economic structure in this vein. However, Kuwait is a typical case to analyze how economy and sovereignty is linked: It shows how economic structure may limit the realization of sovereignty and second it also presents how certain economic structure may cause the continuity of traditional patterns within the modern formats. By the oil boom in Kuwait, which had so far been a traditional society without significant population and economy, was turned to be a different place. First, a population boom took place since thousands of foreign workers invaded the country. Second, the rise of oil money rescued the ruling families from the burden of merchants, which then changed the political structure totally. The government facing important problems (traditional merchants, the demographic dominance of foreigners) enhanced its position by means of oil money. By so doing, a different social contract came out. This social contract, the rentier model, is a very relevant case in studying sovereignty. In sum, the case of Kuwait is important to analyze how regional economic structure may limit the success of a Western type of statehood. (iii) Finally, the Kuwaiti case is important from a very different perspective. As a typical outcome of rapid change, there is a large group of *bedoons* (literally meaning either “without nationality” or “without citizenship”) in Kuwait. These people and their status are very important in understanding the venture of sovereignty in the region. These people who have been living here since ages failed in having citizenship. In addition, the government does not want to extend

citizenship to these people. How a group of indigenous people became *bedoon* gives many details about the problems that came out by the injection of alien models into the region. By studying such cases the traumatic injection of alien forms and the problems, which resulted in this process, can be analyzed in detail.

This dissertation is composed of eight chapters. In Chapter 2, I present the theoretical framework of the study. This part underlines that the injection of Western forms and institutions was the product of the state-system's expansion. At a very general level, the Middle East was re-created/re-organized in this process. Many new Western institutions were injected. However, the expansion did not annihilate all traditional forms. Above all, the Western forms were incompatible with the traditional institutions. Thus, the expansion of the state-system can also be explained as a continuing clash between Western and non-Western forms. Given this historical background and the puzzle, Chapter 2 presents the theoretical framework of the dissertation. In Chapter 2, the question, *how can one theorize sovereignty, if alien agents through colonialism, war and un-equal treaties implanted it, how can one explain its position and related problems in non-European lands?* is investigated. In other words, for a different type of sovereignty implanted in the Middle East, a theoretical framework that can explain this historical fact is needed. In parallel with this point, Chapter 2 clarifies two points: (i) As a contingent concept, sovereignty is always related to the relevant context. This point is methodologically important in analyzing how Western type of sovereignty was processed in the Middle East. (ii) Sovereignty is a divisible concept. That is to mean it has different aspects. Once it is taken as a divisible concept, the criteria are changed. Accordingly, the question "who is sovereign?" should be evaluated from different perspectives. In other words, some aspects of sovereignty might be lacking when others exist. In consequence, instead of analyzing actors as sovereigns and not-sovereigns we have a new scale in which we can evaluate our actors according to different aspects of sovereignty. Chapter 2, after presenting related discussions in parallel with the cited two points, concludes with a conclusion on hybrid-sovereignty. In this part, hybrid-sovereignty is presented.

Hybrid-sovereigns are neither Western nor traditional. Colonialism is the historical reason of hybrid-sovereignty. It is the colonized terrain that produces hybridity. In parallel with the divisibility approach, hybrid-sovereigns may have different aspects of sovereignty; in the same way they may not have several aspects. In short, a hybrid-sovereignty approach argues that the Western type of sovereignty has no application ability considering its all components in the several lands. Put it differently, a full realization of Western model is impracticable. However, this is not to claim a categorical impossibility, which claims a full failure of the model. The inapplicability-thesis recognizes the institutionalization of several Western practices. In other words hybrid-sovereignty approach follows a limited perspective.

Chapter 3 is the historical account for Jordan, Kuwait and Iraq. In this part, a historical account is presented in order to depict how Westernization took place in each case. Since the study argues that Arab state was hybridized in a history and the injection of Western forms in the Arab lands was the basic reason of this hybridization, Chapter 3 portrays how this took place. Therefore, how these former Ottoman spaces (land, provinces) were subject to Westernization in different forms such as modernization and colonialism are studied. Thus, the chapter includes many different topics such as the injection of Western understanding of propertyship, the establishment of central bureaucracies, the demarcation of space with national boundaries and the creation of new nationality codes and identities. In sum, the basic aim of this chapter is to answer one question: *How did Westernization take place in these imperial/Ottoman spaces?*

Chapter 4 is an introduction to case studies, Chapters 5, 6 and 7. By presenting a framework, in Chapter 4, it aims to present how cases will be studied. After presenting historical and theoretical arguments, the empirical evidences are presented in chapters 5, 6, and 7. *Is the inapplicably thesis on the basis of hybridity valid for these cases given their present conditions? If so, what are the actual symptoms of hybrid-sovereignty in these cases?* To answer these questions, or in other words to present empirical evidences a detailed analysis of Jordan, Kuwait and Iraq is presented as case studies. Chapter 4 also defines how the cases will be studied.

Thus, Chapter 4 and the case studies (Chapters 5, 6, 7) are connected. Before presenting empirical evidences confirming the inapplicability thesis, or hybridity thesis, Chapter 4 defines at what level and in which forms such problems may come out. It counts down topics, issues and problems. Therefore, Chapter 4 has a kind of prospectus mission before the case studies. Finally, the study concludes with a general conclusions (Chapter 8) in which both basic discussions are summarized and important findings of the study are presented.

CHAPTER 2

THEORETICAL FRAMEWORK: ARAB STATE AS HYBRID SOVEREIGN

2.1 Introduction

This dissertation argues that Western sovereignty is inapplicable in colonially created Arab states. This hypothesis owes its existence to the historical transformations of sovereignty. Western sovereignty, the Westphalian type, is the outcome of a complex European historical background. The crux of the question is the injection (transfer/ implantation) of this European institution to the non-European regions. Certainly, it has been fundamentally the dominance of Western power that has been the motor of the expansion of the Westphalian model. From the 17th century onward Western sovereignty was injected to Arab regions by different methods such as unequal treaties, capitulations, protectorate systems, conventions, contracts, coercion, and imposition.¹ In a system in which the dominant actors were Western, it is not surprising that the concept of sovereignty would be arranged according to a Western paradigm. Non-Western interpretations would unsurprisingly face problem of practice as they have a very poor position with regard to system-level power distribution. It should be noted that an international system has a disciplining effect from a neo-realist perspective. Non-Western interpretations/ models have little, if any, chance of implementation. Western sovereignty, due to the current distribution of power in international systems, has a visible dominance over other types. Non-Western states are expected

¹ G. Gong, *The Standard of 'Civilization' in International Society* (Oxford: Clarendon Press, 1984), p. 8. Stephen D. Krasner, *Sovereignty Organized Hypocrisy* (New Jersey: Princeton University Press, 1999), p. 25.

to follow and adopt Western interpretations of sovereignty as the distribution of power has shaped the system-wide circulation of a specific type of sovereignty. Thus, the worldwide supremacy of Western sovereignty should be analyzed within the context of a lasting struggle between Western and traditional paradigms. Undoubtedly, the expansion of the state-system was also the expansion of Western spatial imaginaries.² Therefore, there has always been a clash between native and European forms. But social change never happens abruptly. Yet, it is impossible to remove the remnants of previous practices and institutions. By and large, traces of past practices remain embedded. Similarly, sovereignty as a Western standard has been in a conflict with the traditional standards in the Middle East. This clash, I argue, has given way to new formats. This chapter focuses on hybrid sovereignty in the Arab Middle East. Hybrid-sovereignty can be defined as the continuity of traditional patterns within the colonially injected Western format. Hybrid sovereignty is not a Western form of sovereignty. Nor is it a traditional one. It came out in different terrains via European expansion and colonization. Hybrid sovereignty is the product of a clash between *de jure* model and *de facto* practices in former colonial lands. This clash has given way to non-Western interpretations of Western institutions. The nominal establishment of Western sovereignty has continued living along with *de facto* practices.³ More importantly, those *de facto* practices have impeded the full realization of Western sovereignty. That the Western project of realizing a full modern sovereignty has never been completely successful, a limited type came out in this process. In this way, non-European ‘units’ faced an anxiety between their traditional and the injected modern models. Therefore, the Westphalian format is not entirely inapplicable. It is a historical and practical fact that many institutions and customs brought by the Europeans have successfully been practiced in the Middle East for ages. A hybrid sovereignty approach argues that the regional conditions in the area allows for a limited realization of Western sovereignty. Thus, we should deconstruct the idea of Western sovereignty in order to analyze how it was experienced in non-Western lands.

² Achille Mbembe, “At the Edge of the World: Boundaries, Territoriality, and Sovereignty in Africa”, *Public Culture* 12(1), (Fall, 2000), p. 283.

³ Bassam Tibi, *Conflict and War in the Middle East From Interstate War to New Security* (London: Macmillan Press, 1998), p. 11.

This chapter includes basic discussions on the conceptual framework of the dissertation. It presents how this study defines several concepts such as sovereignty, hybridity and several processes such as Westernization of the Arab Middle East and the injection of Western sovereignty. In other words, this chapter aims to present the operational logic of the dissertation in constructing its major approaches and assumptions. The theoretical discussions presented here will be detailed in the following chapters according to the relevant cases studied.

2.2 Defining Sovereignty in Two Realms: The International and the Domestic

Since this dissertation argues that Western sovereignty is inapplicable in colonially created Arab states, the idea of sovereignty should be analyzed before studying relevant cases. Only after defining what consequences/ patterns sovereignty does produce at different levels, how these consequences/ patterns are violated as a sovereignty crisis may be studied. Therefore, in this part, sovereignty will be studied with reference to domestic and international level.

The modern international system is the expanded version of a formerly pure Western embryonic model that had come out during the late Middle Ages. It is the latest incarnation of a political-territorial order that has its roots in late-medieval Europe.⁴ Accordingly, the crosscutting jurisdictions of feudal lords, emperors, kings and popes started to give way to territorially defined authorities at the end of the Middle Ages. Step by step, the feudal order was replaced by a system of sovereign states. In parallel with this narrative, the modern conception of sovereignty was first formulated in tandem with the emergence of territorial states. Therefore, the term “international” has had its application only in the post-Medieval era. The Treaty of Westphalia (1648) is the symbol of the cited historical transformation.⁵ With this

4 Alexander B. Murphy, “The sovereign state system as political-territorial ideal: historical and contemporary considerations”, in Thomas J. Biersteker and Cynthia Weber (eds.), *State Sovereignty as Social Construct* (Cambridge: Cambridge University Press, 1996), p. 82.

5 It is a fact that there are several alternative and critical approaches on the origin of modern state system, the Westphalian revolution. See: Bruece Boeno de Mesquita, “Popes, Kings and Endogenous Institutions: The Concordat of Worms and the Origins of Sovereignty”, *International Studies Review* 2(2), (Summer, 2000), pp. 93-118. David R. Loy, “The Spiritual Origins of the West: A Lack Perspective”, *International Philosophical Quarterly* 40(2), (June, 2000), p. 220. Andreas Osiander, “Sovereignty, International Relations, and the Westphalian Myth”, *International Organization* 55(2), (Spring, 2001), p. 251. Benno Teschke, *The Myth of 1648 Class*,

agreement, all of Europe was to be divided into distinct and sovereign states whose boundaries were defined.⁶ The Westphalian model can be depicted as a universal model consisting of sovereign states which recognize no super authority. All states are equal before the law. Also, the processes of law making, the settlement of disputes and law-enforcement are largely in the hands of individual states subject to the logic of the competitive struggle for power. Thus, differences among states are often settled by force. International law is oriented to the establishment of minimal rules of co-existence.⁷ Certainly, the Westphalian revolution created a new model. Sovereignty became an organizing/ constitutive principle of the system. A constitution of international society can be defined as a set of norms, mutually agreed upon by polities who are members of the society that define the holders of authority and their prerogatives. In other words, it helps us in answering several questions: Who are the legitimate polities? What are the rules for becoming one of these polities?⁸ Therefore, sovereignty as new constitutional concept gave way to very important conclusions. The most important was the centrality of territorial state.⁹ Sovereignty determines the structure, say identity, of the basic unit in the system. Sovereignty thereby establishes two important outcomes by defining the identity of the basic unit: First, it determines the nature of the system. Next, it determines the type of relationship between main actors. Relations between states are different when compared to the relations between city-states or empires. Thus sovereignty shapes behavioral forms in modern international systems. Any definition of international systems should also focus on the relationship among the actors involved. Secondly, sovereignty makes states representative. It gives social

Geopolitics and the Making of Modern International Relations (London- New York, Verso, 2003), pp. 1-8, 215-230.

6 Charles Tilly, "Introduction", in Charles Tilly (ed.), *The Formation of National States in Western Europe* (Princeton, NJ, 1975), p. 45.

7 David Held, "The Development of the Modern State" in Stuart Hall and Bram Gieben (eds.), *Formations of Modernity* (Cambridge: The Open University, 1992), p. 86.

⁸ Daniel Philpott, "Westphalia, Authority, and International Society", *Political Studies* 47(3), (Special Issue, 1999), p. 567

⁹ Friedrich Kratochwill, "Of Systems, Boundaries, and Territorially", *World Politics* 39 (1), (October, 1986), p. 27.

status to states as participants within a community of states.¹⁰ Sovereignty, in so doing, produces a form of legitimacy at the system level. It is a kind of admission ticket to the international society.¹¹ Onuf writes *majesty* is distributed formally and equally among states through sovereignty.¹² Sovereignty becomes, therefore, a protection mechanism for states. Any kind of violation is strictly illegitimate, even taboo. Thirdly, sovereignty identifies legitimacy. A sovereign state is an independent state in which no other authority or state can have a role. It has exclusive authority to rule within its own borders. Sovereignty as a legitimacy producing institution also constructs related norms such as self-preservation, independence, equality, and respect. States gain different rights and immunities by having sovereignty since it creates a protection mechanism for them. Thus, despite the anarchic nature of an international system, a system-level order can exist.

Finally, sovereignty also determines borders in the system. It delineates authority according not to function but to geography.¹³ Boundaries of state can be defined as the imaginary lines on the surface of the earth, which separate the territory of one state from that of another, or from inappropriate territory, or from the Open Sea.¹⁴ The demarcation of the land is the basis of international law in that states occupy a definite part of the surface of the globe, within which they are legitimate authorities exercising their jurisdiction over everything.¹⁵ For this reason,

¹⁰ David Strang, "Contested sovereignty: the social construction of colonial imperialism", in Thomas J. Biersteker and Cynthia Weber (eds.), *State Sovereignty as Social Construct* (Cambridge: Cambridge University Press, 1996), p. 22.

¹¹ The formula 'admission ticket' belongs to Clapham.

¹² Nicholas Onuf, "Intervention for the Common Good", in Gene M. Lyons-Michael Mastanduno (eds.), *Beyond Westphalia? State Sovereignty and International Intervention* (Baltimore and London: The Johns Hopkins University Press, 1995), p. 49.

¹³ Janice E. Thomson, "State Sovereignty in International Relations: Bridging the Gap Between Theory and Empirical Research", *International Studies Quarterly* 39(2), (June, 1995), p. 227. Also see: David Newman, "Boundaries, Borders, and Barriers: Changing Geographic Perspectives on Territorial Lines", in Mathias Albert-David Jacobson and Yosef Lapid (eds.), *Identities Borders Orders Rethinking International Relations Theory* (Minneapolis-London: University of Minneapolis Press, 2001), pp. 137-151.

¹⁴ Peter Malanczuk, *Modern Introduction To International Law* (London and New York: Routledge, 1999), p. 253.

¹⁵ Robert McCorquodale and Raul Pangalangan, "Pushing Back the Limitations of Territorial Boundaries", *European Journal of International Law* 12(5), (December, 2001), p. 869. In 1910 the Permanent Court of Arbitration declared, "One of the essential elements of sovereignty is that it is

a kind of logical interdependence between sovereignty and space has been accepted.¹⁶ Geographical organization is one of the most important features of the modern state. Today the assumption that the land surface of the earth should be divided up into discrete territorial units is an inevitable reality. In other words, the demarcation of territory between sovereign-states is a typical outcome of modern knowledge.¹⁷ Boundaries are not even questioned. Gilpin notes that what is called international political change has been primarily a matter of redistributing territory among group of states following great wars of history.¹⁸ Bounded territorial spaces distinguish the modern state from all other types of organization. No previous organizations had such system-wide recognized territorial space. For example unlike the modern states, tribal form of power had a different arrangement and understanding of space.¹⁹ Thus, the modern state appears as the geographical container of modern society.²⁰ The demarcation of territories through boundaries influences all other social and political practices by producing several normative consequences.²¹ By matching state and space, state is put outside of time and elevated.²² To explain in Foucaultian logic, it is only after space has come to be treated as ‘the dead, the fixed, the undialectic, and the immobile’ [that] the

to be exercised within territorial limits, and that, falling proof to the contrary, the territory is co-terminus with sovereignty.” Ibid., pp. 869-870.

¹⁶ Jens Bartelson, *A Genealogy of Sovereignty* (Cambridge: Cambridge University Press, 1996), p. 30.

¹⁷ Ibid., pp. 88-89. John Gerard Ruggie, “Territoriality and beyond: problematizing modernity in international relations”, *International Organization* 47 (1), (Winter, 1993), p. 151.

¹⁸ Robert Gilpin, *War and Change in World Politics* (Cambridge: Cambridge University Press, 1981), p. 37. On the importance of territory in international relations see: Gary Goertz and Paul F. Diehl, *Territorial Change and International Conflict* (London and New York: Routledge, 1992), pp. 15-21.

¹⁹ Stephen D. Krasner, “Compromising Westphalia”, *International Security* 20(3), (Winter, 1995/96), pp. 115-116.

²⁰ Agnew cited in Steve Smith, “Globalization and the governance of space: a critique of Krasner on sovereignty”, *International Relations of Asia-Pacific* 1(2), (December, 2001), p. 204.

²¹ Robert H. Jackson- Mark W. Zacher, *The Territorial Covenant: International Society and the Stabilization of Boundaries*, Institute of International Relations The University of British Columbia, Working Paper No. 15, (July, 1997), p. 2.

²² Steve Smith, op cit., p. 204.

vention of the state is fully accomplished.²³ Besides, the line between domestic and external is clarified by means of drawing boundaries since ‘who is other?’ is marked out by boundaries.²⁴ States naturally perceive the anarchic external as a source of instability and insecurity. In contrast to the anarchic external, boundaries enhance group cohesion within the territorial terrain. As a result, boundaries contribute to the identification process of community.

When sovereignty is explained in international terms, any process violating those specified regulations without the consent of the related sovereign unit (state) means a clear crisis in terms of realizing sovereignty. A sovereign-based system suggests a mutual respect for territorial unity and international boundaries. Therefore, any violation of such sovereignty regulations are taken as a crisis of sovereignty which indicates it is not realized on certain grounds. Therefore, the problem of applicability may very often emerge on the foreign policy level.

In general, sovereignty is contextualised within the context of state-state (the realm of international) relations. Certainly, sovereignty is an organizing principle of international relations in the modern era. However, sovereignty is also very important in terms of state-society (the realm of domestic) relations since the geographical expansion of sovereignty also re-organized the domestic configuration of non-Western people. In other words, the expansion of the state-system did not only create new sovereign units in the international system but also re-organized their domestic configuration according to the Western model. Through this process, social and political modes of relations were also changed. What resulted was the transfer of a Western type of statehood which had been transformed within the Western context to different non-European regions. Therefore, the meaning of sovereignty and how it can be violated in domestic context should be understood.

Historically, in the European context, the concept of “state” has been in transformation since the very beginning. For instance, no state in present

²³ Cited in Alexander B. Murphy, *op cit.*, p. 107.

²⁴ Richard Devetak and Richard Higgott, “Justice unbound? Globalization, state and the transformation of the social bond”, *International Affairs* 75(3), (July, 1999), p. 486.

understanding existed before the modern era.²⁵ Before the emergence of modern statehood, different forms of authorities existed. For example according to the classical narrative, several stages prepared the rise of the modern state. The first stage was the rise of traditional tribute-taking empires. Then, the feudal model came out which depended on the divided authority principle. The third stage was the emergence of the polity of states. The rise of the absolutist state was the fourth stage, which heralded the early signs of the modern state such as centralization and uniformity. The final stage was the emergence of the modern state.²⁶ The historical transformation of the state can be explained as the consolidation of absolute central authority from early tribute-empires to modern state. With this model, absolutist states can be seen as a final transition from medieval system to modern state system. It was the early absolutist states that exercised the first models of early primitive modern statehood in history. In the same way, the development of a new administrative apparatus involving the beginning of a permanent, professional bureaucracy and army were first seen during the rise of absolutist states in Western Europe.²⁷ Not surprisingly, the location of sovereignty changed in each stage. For example, the absolutist monarch was the only location of sovereignty during the absolutist state. This clarity was not the same during the Middle Ages due to the crosscutting structure of the age. Likewise, in the post-absolutist era (the modern era), the location of sovereignty is not very clear. This time the rise of bureaucracy and other related state apparatuses blur the location of sovereignty. The very high complex institutionalization of the state in the modern era creates a problem of location. The modern state has a balancing mechanism within itself. Building bureaus with overlapping functions act to limit the right of any single branch of the state. Then the state has become a labyrinth for public agencies.²⁸

²⁵ Norberto Bobbio, *Democracy and Dictatorship The Nature and Limits of State Power* (Minneapolis, University of Minnesota Press, 1989), pp. 61-62.

²⁶ David Held, *op cit*, p. 78.

²⁷ Perry Anderson, *Lineages of the Absolutist State* (London: Verso, 1979), p. 17.

²⁸ Joel S. Migdal, *State in Society Studying How States and Societies Transform and Constitute One Another* (Cambridge: Cambridge University Press, 2001), p. 79.

This short historical narrative is of importance since it was the form of the modern state that was brought to the other regions through the expansion of the Western state system. Therefore, how sovereignty is defined in the modern state is methodologically important in analyzing the subject matter of the Arab Middle East. In other words, how sovereignty is organized in modern state may help in explaining how it is limited or not realized. As pointed out, the re-organization of the Arab Middle East according to Western sovereignty principles in foreign policy created new patterns of behavior among units. Similarly, the same process introduced new forms, patterns and institutions in domestic politics in terms of state-society relations. Thus, an analysis on sovereignty should also focus on domestic level as sovereignty crisis may take place here.

Anthony Smith defines state as an institution that refers exclusively to public institutions, differentiated from and autonomous of, other social institutions and exercising a monopoly of coercion and extraction with a given territory.²⁹ Smith emphasizes two points in his definition: the state is differentiated from other institutions or groups in society. It is autonomous. Secondly, the state has a monopoly in exercising violence within its territory. This suggests the well-known Weberian discourse on the modern state. State, according to Weber, is a monopoly on the legitimate use of organized power.³⁰ Weber's definition notes that sovereignty is also decisive in state-society relations. In this way, the problem of ruler and ruled becomes therefore the crux of the question.³¹ Despite the limited agential power of the state in the international realm, it has absolute power in domestic politics.³² In other words, state agential power is limited by other states in

²⁹ Anthony Smith, *National Identity* (Las Vegas: University of Nevada Press, 1991), pp. 14-15.

³⁰ Max Weber, *Economy and Society* (Berkeley: University of California Press, 1978), p. 54.

³¹ In 1690 Christian Weise wrote, "State-otherwise called a republic or a commonwealth, signifies a large society in which there are rulers and subjects." Cited in H. Dreitzel, "Reason of state and the crisis of political Aristotelianism: an essay on the development of 17th century political philosophy", *History of European Ideas* 28(3), (Summer, 2002), p. 172.

³² I share Hobson's analysis on state power with regard to the contrast between *domestic* and *international*. He offers *international agential power (IAP)* of the state to analyze how the state is limited in an international system. Following a neo-realist perspective, *IAP* of states is very limited. No state has ultimate capacity to act freely in an international realm. An international system has a disciplining effect on all states. In terms of domestic politics, Hobson uses *domestic agential power (DAP)*. *DAP* of a state is absolute. Thus, any limitation on *DPA* is unacceptable yet

the international realm, whereas such a limitation is totally unacceptable within the national borders/domestic realm. This basic difference is very important in comparing how sovereignty is challenged at domestic and international levels. On an international level, it is other units/states that may challenge a state's sovereignty by different ways such as war or territorial attacks, involving domestic issues. However, at the domestic level, the state's sovereignty can be challenged by different actors by not recognizing the absolute authority of the state within the limits of the domestic realm. This rejection/challenge may exist in different ways such as a rebellion or a protecting of tribal identity against citizenship. Thus, it is methodologically important to analyze how state authority is challenged or opposed in domestic politics. It is, therefore, the relationship between state and society that should be studied in the context of state-sovereignty analysis in a Weberian type of state.

Sovereignty provides unfettered control over internal and external affairs, and notably over the domestic population. This can be traced back to very early ages. Dewey quoting Austin in 1894, in fact, states that "The party truly independent is not the society, but the sovereign *portion* of the society."³³ Sovereignty, hence, is used as an ideology for internal consolidation. Sovereignty provides individual states with a license to purify their domain of opposition, silence alternative voices, and eliminate dissent.³⁴ Once the state is defined as an autonomous institution out of society³⁵, it should be accepted that states have interests, they make decisions and they act in the world.³⁶ In other words, there

means violation of sovereignty. See: John M. Hobson, *The State and International Relations* (Cambridge: Cambridge University Press, 2000), pp. 4-12.

³³ John Dewey, "Austin's Theory of Sovereignty", *Political Science Quarterly* 9(1), (March, 1894), p.36.

³⁴ Naeem Inayatullah, "Beyond the sovereignty dilemma: quasi-states as social construct", in Thomas J. Biersteker-Cynthia Weber (eds), *State Sovereignty as Social Construct* (Cambridge: Cambridge University Press, 1996), p. 50.

³⁵ Giafranco Poggi, *The State: Its Nature, Development and Prospects* (Stanford: Stanford University Press, 1990), p. 20.

³⁶ Alexander Wendt, *Social Theory of International Politics* (Cambridge: Cambridge University Press, 1999), p. 199. In other words, they are like human beings. This anthropomorphic approach might be studied in a broader historical context. Symbolized especially by Hegel, state in this model is explained as a transcendental being. The state is essentially divine in character. Reading Hegel's formulation: "The state is the march of God in the world; its ground or cause is the power

cannot be a perfect match between government and people. The good of individuals and the good of the state are separate things; the state has its own ‘concrete existence’.³⁷ The state should behave as an autonomous actor. It depends on alienation even in the most democratic and pluralist societies. For example rather than calculable facts such as population, the autonomy of the state is important. What is more, the gap is inevitable. An attempt to abolish state autonomy in the name of maximum popularization would without doubt bring the end of the state. Ultimately the state is an imagined structure. Thus, people exercising public authority in the name of the state is an example of perfect alienation. Their authority in no way originates from their individuality but from their attributed/ imagined positions within state authority. Thus the existence of the state naturally creates such imagined categories. This imagined characteristic of the state entails certain borders, forms and patterns between state and people. This suggests Smith’s definition of how the state is differentiated from other institutions or groups in society as referring to certain borders. Therefore, the analysis of sovereignty in the context of state-society relations necessitates the understanding of different boundaries between state and society.

Consequently, this table brings us to a very important conclusion: Sovereignty crisis can also take place in domestic realm. In a sharp contrast to the traditional view which sees sovereignty as a typical foreign policy matter, the domestic realm is equally important. The problem of sovereignty has generally been studied within the context of foreign policy. Therefore, the institutionalization of sovereignty at the international level has been taken as the most important problem. Scholars have frequently analyzed “high politics” (border disputes, wars) in order to analyze the application of sovereignty. This is a typical effect of a pure neo-realist approach. While it is important, a pure foreign policy-centered approach cannot be adequate to test the consolidation of sovereignty at all levels. In other words, parallel with the above state-society discussion, the violations of state-society boundaries are also important issues of sovereignty crisis. It is a fact that the

of reason realizing itself as will.” Georg Wilhelm Friedrich Hegel, *Hegel's Philosophy of Right* (Oxford: Oxford University Press, 1967), pp. 155-160.

³⁷ Darrow Schecter, *Sovereign states or political communities?* (Manchester and New York, Manchester University Press, 2000), p. 38.

injection of a Western statehood in non-European lands also re-organized local structures in line with domestic borders of modern statehood.

Joel Migdal makes this case in his state-in-society approach.³⁸ Migdal defines state as the image of a coherent, controlling organization in a territory, which is a representation of the people bounded by the territory. Once the state defined as an image, this posits that political entity has two sorts of boundaries: (1) territorial boundaries between the state and other states. These political boundaries refer to the classical notion of sovereignty among states. All states should respect each other in terms of territorial unity. Besides, all states should refrain from getting involved in each other's domestic politics. But the state-in-society approach adds another boundary: (2) social boundaries between the state and those subject to its rule. In this way the state is separated, or elevated, from other non-state actors and social forces. Any other social actor or process that does not recognize this elevation means a sovereignty problem at the domestic level like international boundaries. Social boundaries between state and society are the origin of stateness. All state practices such as citizenship, passport and border markers are to reflect the cited social boundaries. These practices serve to recognize, and validate, not only the territorial elements of state control, but also the social separation between the state and other social formations. Therefore, all social actors are expected to organize their life according to such state practices and standards. Boundaries between state and society at the domestic level are essential for creating basic institutions of modern statehood like citizenship. These institutions then create a political structure that is expected to maintain an equality-based relationship between people and state. These institutions are neutral and rational in a modern/ Weberian state. By neutral and rational it is meant that they reject any kind of given (such as tribal or local) preferences and they depend on objective, anticipatable, accountable and transparent principles (such as taxation, law). The actors' relations with the state are organized by these neutral and objective criteria.³⁹ If any social group attempts to validate other forms such as tribalism, it will certainly be

³⁸ Joel Migdal, op cit., pp. 14-21.

³⁹ Patrick Weil, "Access to Citizenship: A Comparison of Twenty-Five Nationality Laws", in Thomas Alexander Aleinikoff (ed.), *Citizenship Today: Global Perspectives and Practices* (Washington: Carnegie Endowment for International Peace, 2001), p. 18.

understood as a crisis of sovereignty. Therefore, as in international relations, states also seek to protect the validity of boundaries in domestic politics. As a result, problems concerning the consolidation of state-society boundaries also refer to the sovereignty crisis in a different level. Institutionalization of sovereignty is the protection of several boundaries that guarantee ultimate state authority against both its people and external actors.

Sovereignty displays the Janus-faced nature of state. The state organizes itself in both external and domestic milieu through sovereignty. Thus, states quickly seek to hinder, and punish when possible, any kind of movement violating its sovereignty from both international and domestic domains. States should protect themselves from all kinds of violation from both external and domestic threats since sovereignty concerns their capacity for statehood.

Thus, *sovereignty is an idea on power that displays how state authority is organized legitimately in a society and in international relations on all levels*. This definition takes sovereignty as a keyword in understanding such authority. Furthermore, sovereignty refers to how power is organized and distributed. Sovereignty is first the distribution of power in a society or in an international system. How power is produced and distributed directly affects sovereignty. When it comes to domestic politics, power is not found in a society without a structure. Each society does structure and organize power. This is called authority. In addition, how sovereignty influences all levels, parts, sectors of a society are acknowledged by the definition. All parts of society should be under the control of the organized authority.⁴⁰ By referring to legitimacy, power suggests how authority is obtained and established in a society. Similarly, in domestic realm the organization of power, the authority, should be taken as legitimate for all related actors. Authority might be established through democratic or anti-democratic ways. Indeed, how it is obtained directly influences the realization of sovereignty.⁴¹ It is

⁴⁰ Mirjan R. Damaska *The Faces of Justice and State Authority: A Comparative Approach to the Legal Process* (New Haven and London: Yale University Press; 1991), p. 18.

⁴¹ Many classical theorists on sovereignty such as Bodin have argued that how sovereignty is obtained is not important. Accordingly, the consent of people is also not important. Bodin wrote, "We thus see that the main point of sovereign majesty and absolute power consists of giving the law to subjects in general without their consent." Jean Bodin, *On Sovereignty (Four Chapters from*

usual that many anti-democratic regimes cannot control all parts of their national territories (penetration crisis) because of different types of regional resistance. Since the only criterion is whether authority is organized in a society at all levels in a legitimate way, there would be more penetration questions in anti-democratic systems. Lack of a penetration means authority is not felt at several levels, which mean sovereignty is violated. When it comes to international relations, sovereignty authorizes the state as an equal member among others in the system. But the legitimacy originates from the system in the form of recognition (international legal sovereignty). It is the guarantee of the state's recognized and equal membership to international society. The system prohibits all acts against members under the title of protection of the member's sovereignty. Sovereignty aims to present the state as an equal member in all kinds of relations such as politics, economics and security issues. Like domestic politics, states are against the violation of their sovereignty in this sphere.

The above-mentioned definition of sovereignty refers to an ideal situation. It is a fact that the case is very different when looked at from different regions, especially from the Western world. Western states may participate in different organizations or process in which several parts of their state sovereignties are "violated". So how can we contextualize our definitions within the current conditions of world politics? The crux of the question is the consent of Western states to permit "violation" of their sovereignty.⁴² As formulated, a state may re-organize its authority in a way in which it may give up protecting its sovereignty in a different area. Thus, such consent-based configurations cannot be named as a violation/sovereignty crisis.⁴³ To clarify this picture, a comparison between the West and the Arab Middle East may be helpful. One can notice that state

the Six Book of the Commonwealth) edited by Julian H. Franklin, (New York-Cambridge: Cambridge University Press, 1992), p. 23.

⁴² In this context, another relevant concept is trust. It "refers to an actor's willingness to place its interest under the control of others based on the belief that those actors will honor their obligation to avoid using their discretion in a harmful manner." Aaron M. Hoffman, "A Conceptualization of Trust in International Relations", *European Journal of International Relations* 8(3), (September, 2002), p. 394.

⁴³ H. H. Gerth and C. Wright (eds.), *From Max Weber: Essays in Sociology* (New York: Oxford University Press, 1958), p. 78.

sovereignty might be violated at the same levels both in Europe and in the Arab Middle East. What differentiates a European state and an Arab state is the lack of consent in the latter. The erosion of sovereignty can be examined in both European and Arab contexts. Even some scholars claim that a new Medievalism is coming to the fore in Europe.⁴⁴ Accordingly, new Medievalistic regulations such as the crosscutting borders, contending authorities in the same domains are re-emerging on the European continent. Since the beginning, similar Medievalistic trends have been existed in the Arab state system. But what differentiates the Arab state is that it permits Medievalistic trends because it cannot stop. More clearly, European states are creating new national and international public spheres, which are clearly deviating from the classical Westphalian principles. In a very sharp contrast, social, cultural and other reasons prohibit the full realization of the classical Westphalian principles in the Arab state system despite the unwillingness of rulers.

In an historical context, the picture of sovereignty is a consequence of the transformation symbolized by Westphalia. Since Westphalia represents the historical transformation from Medieval to the modern era, the venture of modern sovereignty is related to this shift in the international system. In other words, the notion of sovereignty that we use today in analyzing the modern state or the international system is the fruit of the cited Westphalian shift in Western European history. In this context, another very important topic is its venture in non-European lands.

2.3 The Expansion of the State-System: Westernization in the Arab World

The idea and practice of modern sovereignty was injected to the non-European lands through the expansion of Western state system. Here, a brief picture of certain issues should be revisited in order to clarify proceeding discussions: How did the expansion change the traditional political landscape in the Arab Middle East? Through which changes was the Westphalian model

⁴⁴ Jörg Friedrichs, "The Meaning of New Medievalism", *European Journal of International Relations* 7(4), (December, 2001), p. 475. For a more broad analysis see Martin Griffith, *Fifty Key Thinkers in International Relations* (New York: Routledge, 1999), p. 46.

constructed in the region? By focusing on such questions, this part aims to present my own conceptualization of Westernization in the region following a general historical perspective. Another purpose of this part is to underline several issues such as new international boundaries, new legal codes varying from citizenship to property regime, and a new notion of homeland in order to present how Westernization introduced concrete changes in different fields.

The injection of Westphalian sovereignty took place in conjunction with European interest in the Arab Middle East. European powers instrumentalized sovereignty as a means of instituting their claims to imperial authority over the rest of the world. In that way sovereignty initially became a global institution.⁴⁵ The European mind perceived and understood the physical environment from a sovereignty-centered perspective. Thus, the logical solution was to re-organize new physical environment according to the same principle. As a consequence, early Europeans when in contact with non-western peoples, generally perceived them as organized into “states.”⁴⁶ The lack of any Western political structure persuaded Europeans to understand the situation from their epistemological habit.⁴⁷ For those non-European lands had no organizational framework determined by a sovereignty principle, they could be seen as *terra nullius*.⁴⁸ However, though different from European forms, non-European peoples had certainly their own settings and political forms before Europe’s arrival.⁴⁹ There

⁴⁵ Robert Jackson, “Sovereignty in World Politics: a Glance at the Conceptual and Historical Landscape”, *Political Studies* 47(3), (Special Issue, 1999), p. 442.

⁴⁶ David Strang, “Contested sovereignty: the social construction of colonial imperialism”, in Thomas J. Biersteker and Cynthia Weber (eds.), *State Sovereignty as Social Construct* (Cambridge: Cambridge University Press, 1996), p. 31. In this context Strang’s definition of European expansion is worth of mention: “Centralized political structures would partition the globe and its human population.” Strang, op cit., p. 23.

⁴⁷ Christopher Clapham, *Africa and the international system* (Cambridge- New York: Cambridge University Press, 1996), p. 31.

⁴⁸ Robert McCorquodale and Raul Pangalangan, “Pushing Back the Limitations of Territorial Boundaries”, *European Journal of International Law* 12(5), (December, 2001), pp. 873-874.

⁴⁹ For example, the International Court of Justice, in the Western Sahara Opinion affirmed that the related territory before and during the Spanish invasion was not a *res nullius*. According to the court, Western Sahara at the time of colonization by Spain was not a territory belonging to anyone (*terra nullius*). The court also decided that there were legal ties between this territory and the Kingdom of Morocco. *International Court of Justice Western Sahara Advisory Opinion* of 16 October 1975. See: http://www.afrol.com/Countries/Sahara/documents/icj_advice_1975.htm

had been native forms of authority and statehood before the expansion of European statehood. In other words, the encounter did not take place between the Western model and *terra nullius*; instead it took place between a Western format and traditional formats.

Consequently, the expansion of the state-system paved the way for a cultural clash between expanding European culture and other cultures. The European state-system depended on equal units in an anarchic model. This was a totally novel structure for other regions. Undoubtedly, the expanding Western forms represented a specific cultural and civilizational origin. Scholar Gerrit Gong formulates this clash by suggesting that “the concept of standard remains a determining factor in the process by which the modern international society continues to evolve.”⁵⁰ Thus, the expansion of the state-system has never been a value-free course: In general, the standard of civilization reflected the norms of the liberal European civilization.⁵¹ Non-European states that failed in attaining those standards were rejected. Therefore, non-Western societies had to measure up to the Western standard of civilization in order to make a legitimate claim to sovereignty.⁵² Aspiring states had to accept several principles in order to become part of the international system.⁵³ The European standard, though it is difficult to give a precise definition, was a composite idea. Several factors such as Christianity, colonial discourse and Eurocentric ideologies stigmatized it.⁵⁴ It was never easy to implement the European standard without any problem, since non-Europeans had their own historical structures and traditions. The injection of

⁵⁰ Gerrit W. Gong, *The Standard of 'Civilization' in International Society* (Oxford: Clarendon Press, 1984), p. 4.

⁵¹ *Ibid.*, p. 15.

⁵² Robert Jackson, “Sovereignty in World Politics: a Glance at the Conceptual and Historical Landscape”, *Political Studies* 47(3), (Special Issue, 1999), p. 443.

⁵³ Daniel Phillpott, “Westphalia, Authority, and International Security”, *Political Studies* 47(3), (Special Issue, 1999), p. 583.

⁵⁴ Mehdi Muzaffari, “The Transformationalist perspective and the rise of a global standard of civilization”, *International Relations of the Asia-Pacific* 1(2), (August, 2001), p. 251. Colonial legacy is defined by Charles as any narrative be it written or spoken which encompass all expressions aimed at claiming the superiority of a dominant group over another, and at justifying the cited dominance. Asselin Charles, “Colonial Discourse Since Christopher Columbus”, *Journal of Black Studies* 26(2), (November, 1995), p. 135.

Eurocentric standard naturally paved way for a culture-oriented clash between European and native actors. The structural dilemma resulting from this clash can be summarized as follows:⁵⁵

Each non-European country faced the same quandary. Conflicting demands required that it preserve traditional culture (as defined by historical standards of civilization), and at the same time ‘civilize’ its domestic and international practices (according to the prevailing international practices of the day).

The crux of the process was the clash between European standards and local standards. The same clash also took place in the Middle East as alien models were imposed and implanted inside the Arab world, which inevitably created hybrid characteristics. But it was not only the Western colonial administrators that imposed Western models in the region. Indigenous actors under different labels, such as modernization, facilitated the institutionalization of the Western model as well. Thus, it is apt to categorize the Westernization of the Arab world into several categories: The Ottoman modernization, the rise of Western powers and the colonial rule.

At the core of these processes was the injection of many Western institutions by domestic and external actors. By so doing, the traditional political structure was amended according to the Western model. To begin with, through Ottoman modernization, many important reforms were carried out by the Ottoman modernizing elite in the Arab lands during the last decades of the empire. In this respect, the Ottoman system had never been a static one. Though the political developments in early twentieth century finally shaped Arab politics, its historical background took place in the Ottoman period, which is of importance in analyzing the process within a historical context. To cite Doumani,⁵⁶

The key point here is that some aspects of “modernity” surfaced long before they were “initiated” by outside stimuli, while “traditional” modes of organizations survived much longer than is usually admitted. The social formations in the Arab East were not houses of cards easily collapsed from outside. On the contrary,

⁵⁵ Gong, op cit., p. 10.

⁵⁶ Beshara B. Doumani, “Rediscovering Ottoman Palestine: Writing Palestine into history”, in Ilan Pappé (ed.), *The Israel/Palestine Question: Rewriting Histories* (London and New York: Routledge, 1999), pp. 31-32.

they were deeply rooted though flexible and dynamic networks that interacted with externally imposed changes and filtered them into the rhythms of everyday life.

In other words, modernization was not a new word in the region. Recalling the complex changes from daily life to international relations that modernity introduced one can trace this process at least as far back as the eighteenth century, and not to some overnight transformations resulting from foreign occupation or top-down reforms. Thus, the rise of the West in the Middle East took place gradually in a long historical process. No doubt, the current Arab nation-states' territories were carved out of pre-existing administrative entities into new states by the colonial powers.⁵⁷ Though the creation phase is important, the Western influence traced back to a longer background. What is meant by the imposition of Western structures is not the final phase of the creation of nation-states in the region, but the long historical background that had its inception since the first coming of Western powers for economic reasons. In this vein, Ottoman modernization was the harbinger of modern statehood. Thus, it is not correct to read state-formation processes in the Arab world as a project against the Ottoman legacy.

In fact, Ottoman modernization was a long process, which cannot be explained through referencing the Ottoman military and technological failure against Western superiority.⁵⁸ Reform programs gradually became a huge and complex process which subsequently produced several important conclusions in different fields. For example, the Tanzimat reforms altered the appearance of the empire by carrying out Western-inspired reforms in different fields especially outside the military field.⁵⁹ The most important target of Tanzimat was centralization. Therefore, Ottoman reforms can be defined as an agenda of modernization aimed at creating a new system in which all citizens would have equal position according to a new central rationality. The Tanzimat reforms

⁵⁷ Riad El-Ghonemy, *Affluence and Poverty in the Middle East* (London and New York: Routledge: 1998), p. 29.

⁵⁸ İlber Ortaylı, *İmparatorluğun En Uzun Yüzyılı* (İstanbul, Hil, 1995), p. 9.

⁵⁹ Benjamin C. Fortna, *Imperial Classroom: Islam, the State, and Education in the Late Ottoman Empire* (Oxford: Oxford University Press, 2002), p. 2.

elevated hopes of the creation of a strong, European-like state to replace the former administrative system.⁶⁰

In parallel, the Ottoman administrative style in Arab lands changed in the late nineteenth century. The reforms produced an imperial bureaucracy capable of an unprecedented state intervention.⁶¹ As a reference, the classical Ottoman administration system was not centralists in Arab lands. In preceding centuries, the Ottomans had, in fact, even failed in having tight control over them. For example, in the 18th century several local dynasties came out in important centers such as Damascus and Aleppo. Also, due to the limited communication facilities in the empire, the central government had a limited role in the periphery. Given these problems, the Tanzimat reforms aimed to establish a relatively central and effective administrative body. Bureaucrats tried to extend the power of central authority even to the remotest parts of the empire. Despite this classical model, the new administrative system was very complex. Finally, by reforms all administrative cadres were to be assigned by the central government, and they were responsible only to the central rulers.⁶² As a consequence, the rise of a new bureaucracy enhanced the state's capacity in intervening and regulating different lands including the Arab world. The classical Ottoman rule, symbolized by an annual visit by tax collectors, leaving matters of land and security to the more powerful tribes in the plains and to village notables, was changed.⁶³ In this context, several important new legal codes such as the new land code and the new

⁶⁰ "In Turkish, the word Tanzimat means "regulations", and is used to refer to a period of Turkish history (1839-1876) during which a considerable number of Western-inspired political and social reforms were carried out in the Ottoman Empire.", Serif Mardin, *The Genesis of Young Ottoman Thought: A Study in the Modernization of Turkish Political Ideas* (Syracuse, New York: Syracuse University Press, 2000), p. 3.

⁶¹ See: Carter V. Findlay, *Bureaucratic Reform in the Ottoman Empire: The Sublime Porte, 1789-1922* (Princeton: Princeton University Press, 1980), p. 280.

⁶² However, Ottoman modernization could not erase the power of notables in the periphery. The notables were still the key intermediaries between state and society. Had the Tanzimat been successful with all its declared aims, there would not have been any acting notables in any part of the empire. Notables basically adapted themselves to reformist centralization. Guilaain Denoeux, *Urban Unrest in the Middle East A Comparative Study of Informal Networks in Egypt, Iran and Lebanon* (New York: State University of New York, 1993), p. 36.

⁶³ Eugene L. Rogan, "Brining the State Back: The Limits of Ottoman Rule in Jordan, 1840-1910" in Eegene L. Rogan and Tariq Tell (eds.), *Village, Steppe and State The Social Origins of Modern Jordan* (London-New York: British Academic Press, 1994), p. 35.

vilayet code were of importance. These reforms created the earliest forms of modern and central statehood in Arab lands. After the 1858 Land Code (*Arazi Kanunnamesi*), several secular forms such as private property were excessively introduced. Similarly, the *Vilayet* Law of 1864 provided a standard framework of provincial administration to be applied across the empire. By adopting such new laws, the Ottoman Empire aimed to create new administrative units to realize the paper structures of earlier decades.⁶⁴ On the other hand, if a central and capable authority is one of the features of the modern state, new administrative regulations were to be supported by parallel infrastructural investments. Thus, Ottoman modernization also aimed at a general infrastructural reform in Arab lands to enhance its nascent central rule.

In sum, the Ottomans were not passive actors against the West. They pursued different policies to cope with the West. Even if its success was limited, Ottoman modernization contributed to the modern state-formation in the Middle East. It led to the crystallization of local identities. Even late modernization helped to set in motion a process of territorial definition. Despite the reformist programs, Ottoman rule was limited in many places. In addition, most traditional institutions were retained alongside newly created ones.

Similarly, Western influence, under different forms, introduced Western forms in the region. However, Western influence should be analyzed in different categories: Firstly, the political competition between different external powers over Arab lands constituted the historical setting of the problem. Secondly, the creation of new national spaces, during the collapse of the Ottoman Empire, was achieved by the hand of Western powers. Western powers were instrumental in the creation of the modern territorial Arab state. Thirdly and finally, apart from how territorial Arab states were created, it is also important to understand how Western models and institutions were implanted in the region. After delineating the boundaries of new Arab states, colonial rules established a Western form of the modern state. This final phase was more than delineating boundaries, as it required deep and complex social and political transformation. For Massad, the

⁶⁴ Roger Owen, *The Middle East in the World Economy 1800-1914* (London- New York: I.B. Tauris & Co, 1993), p. 38. Also Eugene L. Rogan, *Frontiers of the State in the Late Ottoman Empire* (Cambridge: Cambridge University Press, 2002), p. 161.

colonial imposition of several instructions into another land takes place in colonial moment.⁶⁵ It is the moment when colonialism establishes a state-framework on a colonized territory/country, either replacing an existing state structure or inaugurating one where it had not existed before. This moment constitutes a radical discontinuity with what existed before the colonial encounter.⁶⁶

This inaugural moment establishes the political, juridical, administrative, and military structures of the colonized territory/country, effectively rendering it a nation-state (laws of nationality, governance, and citizenship are codified, borders and maps are drawn up, bureaucratic divisions and taxonomies of the territory and the population are imposed, conscription and/or induction of colonized men into colonial military structures is established).

The colonial moment was experienced in many Arab states. “Apart from Iran, Saudi Arabia, North Yemen, and Turkey, all the countries of the region experienced decades of European rule.”⁶⁷ It was the imposition of European-like rule. Khoury writes that alien governments imposed from distant capitals were set up in *serails* and government houses.⁶⁸ Given its structural consequences, it seriously distorted the traditional forms. Many new Western forms and institutions were brought to the region. By so doing, the colonial moment created early nascent Weberian models in the region. Monroe’s oft-cited sentences on the British case are important in depicting how the presence of Western powers was decisive⁶⁹:

Forty years is only a moment in the life of a region with a recorder history of four millennia. Britain’s time of dominance will seem

⁶⁵ Joseph A. Massad, *Colonial Effects The Making of National Identity in Jordan* (New York: Columbia University Press, 2001), p. 9. “The colonial moment” produced very similar outcomes in different states. As there are important similarities between Arab states, important similarities can easily be found between different British colonies. See: Peter Van Der, *Imperial Encounters* (Princeton: Princeton University Press, 2001), p. 6.

⁶⁶ Massad, op cit., p. 9.

⁶⁷ Lisa Anderson, “The State in the Middle East and North Africa”, *Comparative Politics* 20(1), (October, 1987), p. 3.

⁶⁸ Philip S. Khoury, *Syria And The French Mandate The Politics of Arab Nationalism 1920-1945* (London: I.B. Tauris, 1987), p. 3.

⁶⁹ Elizabeth Monroe, *Britain’s Moment in The Middle East 1914-1956* (Baltimore: The John Hopkins University Press, 1963), p. 11. Monroe also cited Edward Thomson’s *A Farewell to India*: “Haven’t you realized that nothing is ever going to be normal again, as you islanders count normality. The unchanging East has become Vesuvius”, p. 121.

short in the eyes of later centuries. But to those who took part in it, the moment seemed long enough to performance of services useful both to Britain and to certain Middle Eastern people. These British citizens saw their service in terms of their local works: harnessing the Nile, training armies and policemen, teaching tree-planting to halt soil erosion, trying to reconcile Arabs to Jewish settlement, introducing Kurdish highlanders to central government.

In other words, “a development which in Europe took a thousand years is here being compressed into a few decades.”⁷⁰ The social impact of the colonial moment was not confined to commercial or military matters. European advisers, administrators, diplomats, teachers, and missionaries brought with them ideas and policies designed to replace what they saw as the stagnant character of Muslim Oriental culture with modern standards and methods. They both undermined the socio-economic stability of the periphery and destroyed its archaic polities (ancient empires, multinational autocracies and stateless orders), thereby prompting the onset of formal colonialism.⁷¹

It can be concluded that the traditional structure of Arab society and politics were deeply distorted. To begin with, a new territorial demarcation was introduced by Western powers. The idea of fixed territorial boundaries is not native to the region. In the pre-World War I era, there were very few established boundaries existed among Arabs. Thus, all the twentieth century boundaries of the Middle East are artificial.⁷² Western powers imposed their concept of international relations upon the states of the Middle East. Political boundaries were drawn for purposes of colonial convenience or intra-imperial trade-off and cut across ethnic, tribal, religious and linguistic ties, dismembered established political units, and joined more than one pre-colonial political entity into uneasy

⁷⁰ Alfred Bonne, *State and Economics in the Middle East A Society in Transition* (London: Routledge, 1955), p. 3.

⁷¹ Simon Bromley, *Rethinking Middle East Politics* (Austin, TX: University of Texas Press, 1994), p. 70.

⁷² Julian Walker, “Boundaries in the Middle East”, in M. Jane Davis (ed.), *Politics and International Relations in the Middle East Continuity and Change* (Aldershot: Edward Elgar, 1995), pp. 61, 71.

administrative unions.⁷³ It was also a practical need. Western powers drew up the boundaries of the states in relation to external interests and perceptions of the resources of Arab territories.⁷⁴ New boundaries contributed to the formation of the modern state. The history of territorial demarcation refers to a very complex background. Though several events such as the McMahon correspondence, the Balfour Declaration, and the Sykes-Picot treaty are among the well-known, the issue of re-organization of Oriental space was always part of a colonial agenda.

Undoubtedly, the imposition of Western boundaries into the region also created important direct and indirect results. For example a new idea of homeland came to the fore. Disconnected from their historical bonds, the local people were told to live their lives in their new homelands. The previous notion of homeland, *watan*, was parallel to the pre-modern, if not medievalistic, understanding. Accordingly, the Arabic *watana* meant to reside or sojourn in a place.⁷⁵ It can be a town, but it may also be a village. Even it can refer to a province or a local piece of land. The Arabic word is obviously very far from the modern connotations of European counterparts. The colonial injection of new territorial countries first gave way to a clash in the minds of ordinary people. The previous *watan* understanding in Arab society also referred to several big entities such as all Arab people or *Umma*. However, the newly imposed territorial homeland by Western colonial rule has a limited/ defined space and boundaries. The new colonial form set new demarcations on who is and who is not a national, what is and what is not national culture. It is clear that the question ‘who is the other?’ has different answers according to a former *watan*, and to new territorial homeland. In the same way through the imposition of new sense of homeland, the colonially imposed state introduced a new way of apprehending the world, a new epistemology. In parallel with the efforts of creating a territorial homeland, an equally important issue was the creation of a new man, a *homo nationalis*. The modern concept of

⁷³ Mohammed Ayoob, “Unraveling ‘National Security’ in the Third World” in Bahgat Korany, Rex Brynen and Paul Noble (eds.), *The Many Faces of National Security in the Arab World* (New York: St. Martin’s Press, 1993), p. 34.

⁷⁴ Allan M. Findlay, *The Arab World* (London and New York: Routledge: 1994), p. 2, 3.

⁷⁵ Bernard Lewis, “Watan”, *Journal of Contemporary History* 26(3-4), (September, 1991), p. 524.

nation in the Middle East is a colonial fruit of the nineteenth century and the beginning of the twentieth.⁷⁶

In this vein, Western powers created essential features of Western statehood. Creating a new capital, giving a new flag, a legal system, and internationally recognized boundaries.⁷⁷ This gave many of the new states a somewhat artificial appearance, with their new names, new capitals, their lack of social homogeneity and their dead-straight boundaries that were so obviously the work of a British or French colonial official using a ruler.⁷⁸ By the mid-1920s, the British and the French were the masters of the Middle East. They determined almost all of the new boundaries, and they decided who should rule, and what form of governments should be established. Western powers imposed their alien forms and institutions in a different region. The indigenous people had virtually no hand in this process. Therefore, not only their boundaries, but also their governmental structures and indeed their names and identities were in most cases formed by international action, much of it in the shape of European colonialism. For example, Arab monarchies were also typical colonial installations. They were established by colonial powers in order to consolidate state formation in Arab lands. Despite the cultural anthropologist analysis of Arab monarchies, which sees them as the natural outcome of Arab culture, they can be contextualised in the course of colonial rule and interests.⁷⁹ It was not Arab culture but the colonial projects that created monarchy as an instrument of state-formation process in the

⁷⁶ The transformation of the meaning of homeland, in this respect, is very similar to the Western experience. In other words, the notion of boundaries and homeland in the pre-modern Arab world were very similar to the Western perceptions of lands and boundaries in the medieval era. The Middle Ages had a very naturalistic notion of boundary. That is to say, a personal-level understanding of land was dominant. In this “the country was the village or city of birth, the narrow area of origin”. Important was the physical space in which *the action* (birth, marriage, and kinship) takes place. Rather than a political, a natural and daily essence lurks behind this understanding. A medieval man defined his land first according to his place of birth. Birth had enormous importance. That is to mean, the medieval idea of land had also secular content. Ariel Guance, “To die for country, land or faith in Castilian medieval thought”, *Journal of Medieval History* 24(4), (December, 1998), p. 319.

⁷⁷ Roger Owen, *State, Power & Politics in the Making of The Modern Middle East* (London and New York: Routledge, 1992), pp. 11-23.

⁷⁸ Roger Owen, *The Middle East in the World Economy 1800-1914* (London- New York: I.B. Tauris & Co, 1993), p. 13.

⁷⁹ Lisa Anderson, “Absolutism and the Resilience of Monarchy in the Middle East”, *Political Science Quarterly* 160(1), (Spring, 1991), pp. 1-15.

Middle East. Monarchy is no more indigenous than liberal democracy. Arab monarchies reflect the imposition of foreign, largely European, political templates. Surprisingly, despite the regional exceptionalism or cultural anthropologist approaches, what seems traditional to Western eyes is in fact as much western as Middle Eastern tradition. By and large, both the existence and the character of the monarchies of the Middle East reflect British imperial policy in the region. As a matter of practicality, the Western rule installed, retained, and refurbished monarchies because to a greater or lesser degree they served Western imperial purposes. Based on the European state-formation experience, monarchy is particularly well suited to the requirements of state formation, especially in its early stages.⁸⁰

In addition, the colonial moment was also significant in terms of infrastructure. An infrastructural strategy was necessary from a colonial point of view. The colonial powers were interested in infrastructural development of the region even before their arrival. From the European point of view, it was important to build lines in the region in order to be linked to their possessions and interests. Therefore, infrastructural agendas were carried out in different lands at different levels. Besides, they were in the process of creating a new system, a new public sphere in different lands. In order to sustain the infrastructure of power, the mandate administration had to have the physical means to control space. However, this infrastructural reform directly and indirectly challenged the traditional social structure of Arab societies.⁸¹ The consequences of the infrastructural developments were influential. First, central authorities emerged with unprecedented capacities. Secondly, as another unprecedented outcome, the

⁸⁰ Anderson refers here to Bendix's "European theory of rule" as a system depending on aspect of family and property. In the same way, the word in Arabic used today for king –*malik*–, according to Anderson represents an important deviation from the traditional political authority line. Historically political authority has been exercised and justified not as an aspect of family or property but on religious grounds. But, the word king is against the cited tradition. The word *malik* represents a suitable meaning not according to the traditional Arab theory of rule, but instead, it represents a suitable meaning according to the European theory of rule.

⁸¹ It was also a pre-requisite of League of Nations. The infrastructural policies of colonial powers, which they had to carry out because of both their needs and League of Nations obligations, led to the creation of an infrastructure of power, to the elements of a physical and social infrastructure and thus the foundations of a modern state. Vartan M. Amadouny, "Infrastructural Development Under the British Mandate", in Eugene L. Rogan and Tariq Tell (eds.), *Village, Steppe and State The Social Origins of Modern Jordan* (London-New York: British Academic Press, 1994), p. 161.

early forms of domestic markets came out as a national sphere. The construction of new roads gave merchants the mobility they needed to sell their commodities in Arab lands.⁸² Undoubtedly, these developments also changed the traditional center-periphery relations. Before the emergence of modern statehood, there was no modern sense of center and central administration in many Arab lands, which had a full control all over the country.⁸³ The imposition of a Western statehood also aimed at finishing this. The colonial state would reach deeper into society, and spend more on social affairs, than the previous rules ever did.

In the same way, the emergence of the nation-state meant the growth of a different economic structure in Arab lands. The capitalist background of the modern state was also introduced during the expansion of the state system. Before the arrival of Western rulers and powers, Arab lands were mainly part of the Ottoman economic sphere. To contextualise the Ottoman economic paradigm and also to compare it with an emerging and expanding Western counterpart, Wallerstein's perspective may be illuminative. According to Wallerstein, the history of economic development can be categorized in two types of world-systems: world-empires, and world-economies. Briefly, the main distinction between a world-empire and a world-economy relates to how decisions about resource distribution are made. In a world-empire a centralized political system uses its power to redistribute resources from all over the country to the central core area. Thus, in world-empire, economic issues were decided according to bureaucratic rationality. Economy was under the control of bureaucracy. There were certain institutions in the Ottoman economic model that fits with the world-empire model like the institution of *narh*. It is an official price decided by the government on commodities and services. All commodities were subjected to

⁸² Abia M. Amawi, "The Consolidation of the Merchant Class in Transjordan during the Second World War" in Eugene L. Rogan and Tariq Tell (eds.), *Village, Steppe and State The Social Origins of Modern Jordan* (London-New York: British Academic Press, 1994), pp. 162-163.

⁸³ What Coon wrote on North Africa is a good formula to depict the case in many Arab lands in the pre-modern era: "Before the modern age, "in the cities and lowland or flatland villages, the government ruled. Out in deserts, or up in the mountains, authority lay in the hands of tribes...In Morocco, these two zones, the closely and the loosely governed, or the centrally governed and the free, are known by the names of the *Bled al-Makhzen* and *Bled al-Siba* , meaning literally "Government land" and "Land of Insolence". Cited in Lisa Anderson, *The State and Social Transformation in Tunisia and Libya, 1830-1980* (Princeton, New Jersey: Princeton University Press, 1986), p. 42.

narh during the Ottoman Empire.⁸⁴ According to Kütükoğlu one of the basic logics of *narh* was the army-based Ottoman system. It was a kind of security against unwanted speculations. Ottomans paid enormous attention to *narh* as a financial policy. About interventionism Pamuk shares the same views. According to him when compared with other Islamic states, the Ottomans were definitely more interventionist. The practices they used such as the enforcement of regulations (*hisba*) in urban markets and price ceilings (*narh*) had their origins in Islamic tradition but the Ottomans relied more frequently on them.⁸⁵ Interventionism even reached a point where control, and not protection, of merchants became its central administrative task. Economic life was truly under the control of the bureaucratic rationality during the Ottoman system. Pamuk argues that just as Ottoman economic policies reflected the priorities and interests of a central bureaucracy, Ottoman monetary practices were closely linked to the same priorities and interests.⁸⁶ The Ottoman model depended on the autonomy of the state from economic and other factors. Market-based values were not essential. Status-centered values were more important. For Özbudun, the relationship between economical power and political power in the Ottoman Empire was the opposite of that of the European. In other words, no economic leverage could produce political leverage in the empire. Instead, it was political power that could increase one's economic leverage. Thus, this politics-first model failed in creating an economic surplus, which was the key development for many others.⁸⁷ Thus, general features of the world-empire model fit well to the Ottoman economic paradigm. Several institutions such as *narh*, *musadere* and also the general structure of Ottoman land policies can easily be interpreted parallel to the world-empire model. By contrast, in a world-economy there is no single center of

⁸⁴ Mübahat Kütükoğlu, *Osmanlılarda Narh Müessesesi ve 1640 Tarihli Narh Defteri* (İstanbul: Enderun Kitabevi, 1983), p. 3, 6. Officially speaking, *narh* was totally abolished in 1865. See: Birol Çetin, "Osmanlı İmparatorluğu'nda Bir İktisat Politikası Olarak Müdahalecilik", *Liberal Düşünce* 8(32), (Autumn, 2003), p. 159.

⁸⁵ Şevket Pamuk, *A Monetary History of the Ottoman Empire* (Cambridge: Cambridge University Press, 2000), p. 13.

⁸⁶ *Ibid.*, p. 17.

⁸⁷ Ergun Özbudun, "The Ottoman Legacy and the Middle East State Tradition" in L. Carl Brown (ed.), *Imperial Legacy The Ottoman Imprint on the Balkans and the Middle East* (New York: Columbia University Press, 1996), pp. 172-173.

political authority, instead we find multiple competing centers of power. Resources are, therefore, not distributed according to central political decisions (bureaucratic rationality), but rather through the medium of a market, market rationality. According to Wallerstein, a modern international system (a modern world-system) is an example of a world-economy. This system emerged in Europe around the turn of the sixteenth century. It then expanded to other regions of the globe and transferred its institutions and values. Simply, what was brought to the other parts of the globe was a system of production for sale in a market for profit and appropriation of this profit on the basis of individual or collective ownership.⁸⁸ In turn, the expansion of the modern state system was also the expansion of a certain type of economic structure, the European style of capitalism. Therefore, re-organization of Arab lands in line with the Western model also included new economic patterns and institutions. Thus, the expansion of a Western state system (or, the imposition of Western statehood in Arab lands) was a kind of interaction between two different economic structures. Ayubi defines the story of the modern state in the Arab world as the political and institutional expression of an articulation between the Asiatic mode of production and the capitalist mode of production, characterized by a rapid move towards the superiority of the latter.⁸⁹

In this context, another very important issue was the injection of a Western property regime in the Middle East. The rise of Western powers in the Middle East can be seen as the historical origin of the current distribution of Western property rights.⁹⁰ In theory, property regime is a constitutive principle for any social model. In terms of property regime, colonial rule meant a deviation from the traditional forms of land regulations. Land was mainly possessed by the state in the Ottoman model as a typical outcome of the classical land tenure

⁸⁸ Immanuel Wallerstein, *The Capitalist World-Economy* (Cambridge: Cambridge University Press, 1979), p. 66.

⁸⁹ Nazih Ayubi, *Overstating the Arab State Politics and Society in the Middle East* (London- New York: I. B. Tauris Publishers, 1995), p. 100.

⁹⁰ Riad El-Ghonemy, *op cit.*, p. 29.

system.⁹¹ The decision by the Ottomans to hold the majority of the land in trust for the community was the same one made by the earliest Muslim rulers and legalists after the original wave of Muslim conquests. According to this policy it was necessarily required that questions of ultimate ownership, usufruct and transfer of land be thoroughly worked out and institutionalized.⁹² Those referred to as *timar*-holders were only a kind of state representative or servant. They did not possess the land.⁹³ The Ottoman treasury even authorized special agents, known as *mevkufchu*, to retrieve the *timars* of defaulting individuals or of individuals deceased without heirs. The establishment and continuous reassertion of the *mirî* was the indispensable counterpart of prebendalism, the bedrock upon which the original Ottoman land regime was constructed.⁹⁴ However, the *timar* system caused several important outcomes. The classical state-oriented view prohibited the progress of private property in the imperial lands.⁹⁵ In general, land was owned by the state whereas the people used (*usufruct*) the land. For example selling land was very limited, if not impossible. Therefore, the state was, in theory, by far the biggest landlord in so far as that term is applicable to the region.⁹⁶ The Ottoman land system also prevented the emergence of a land-centered noble class from the very beginning since it did not have a private ownership model. The landed aristocracy was defeated, state ownership was established over privately held lands, and power concentrated in the hands of the

⁹¹ Eighty-seven per cent of Ottoman soil was in 1528 legally regarded as within the eminent domain of the state (i.e. as *mirî*). See: Bruce McGowan, *Economic Life in Ottoman Empire Taxation, Trade and the Struggle for land, 1600-1800* (Cambridge-London-New York: Cambridge University Press, 1981), p. 49. According to Yapp in general more than 90 per cent of all land was *mirî* land. By 1914, 80 per cent of land in Iraq was on the old *miri* tenure and only a small part was *tapu*. M. E. Yapp, *The Making of the Modern Near East 1792-1923* (London and New York: Longman, 1987), p. 20 and 143.

⁹² McGowan, op cit., p. 51.

⁹³ This is very clear in one of the decrees of Fatih Mehmet as he says “And the *timars* of those who are using them without my patent or the patent of a general are to be suspended”. Ibid.

⁹⁴ Ibid., p. 49.

⁹⁵ In the Ottoman system “sapan girip ziraat yapılan yerler mülk olmaz”. Sencer Divitçioğlu, *Asya Üretim Tarzı ve Osmanlı Toplumu* (Kırklareli: Vize, 1981), p. 45.

⁹⁶ Yapp, op cit., p. 20.

central bureaucracy.⁹⁷ What is more, the Ottoman system was not depended upon one single principle; instead, there were different forms. Rules of property in the Ottoman Empire represented differentiated and particularistic claims over land defined as a source for revenue and for subsistence.⁹⁸ The enforcement of these rules, however, presupposed the state's coercive apparatus and its moral sanction.⁹⁹ The lack of private ownership and the dominating role of the state in land usage created different practices in different parts of the empire. These rights did not represent absolute claims over a given property but described differentiated and particularistic claims of revenue and subsistence. Thus, rights to revenues, to use and to the title of the land were differentiated and each claim could be assigned to different groups or persons under a different category of property.

Thus, what colonial rule found in Arab lands was the lack of Western type of private ownership-based system. By the arrival of Western powers, the colonial rule carried out land reform almost in all Arab lands. It is a fact that the Europeans encouraged the trend toward private property.¹⁰⁰ For example, in Jordan, the land reform's aims were essentially fiscal and developmental: to

⁹⁷ Pamuk, op cit, p. 10.

⁹⁸ This was similar also in Ottoman currency policies. The existence of many currencies had been a normal practice in the Ottoman system. Even several local budes were prepared according to different local currencies. Given the existence of different currencies of the empire, Pamuk defines the Ottoman Empire as an economic entity as follows: "[The] Ottoman Empire needs to be treated not as a closed and well-controlled unit, but as a porous, sieve-like entity with loosely defined boundaries, especially when dealing with monetary process." With the Law for the Unification of Coinage (*Tevhid-i Meskukat Kanunu*) dated 1916, the government put an end to the circulation of all pre-1844 coinage and accepted a standard. But such centralist monetary policies could not annihilate previous units. Şevket Pamuk, *A Monetary History of the Ottoman Empire* (Cambridge: Cambridge University Press, 2000), p. 88, 100-110, 173, 229, 88, 222.

⁹⁹ Huri İslamoğlu-İnan, *The State and Peasant in the Ottoman Empire Agrarian Power Relations and Regional Economic Development in Ottoman Anatolia during the Sixteenth Century* (Leiden, New York: E.J. Brill, 1994), p. 61.

¹⁰⁰ Lisa Anderson, *The State and Social Transformation in Tunisia and Libya*, p. 103. Like many other cases in different fields it was Ottomans who carried out the early land reform programs in parallel with the Western model. This change was the outcome of other structural changes in social and political fields. 1858 Arazi Kanunnamesi introduced several secular forms such as private property. However scholars interpret the 1858 Land Law in different ways. One school considers the code as resulting from the central state's attempt to regain control over the administration of land lost from the seventeenth century onwards. A second position interprets the law rather as the culminating legal expression of the development of effectively private rights to land over the same two centuries.

increase both agricultural production and tax revenues and thus reduce the country's resource-scarce dependence upon British subsidies. To achieve this, the British decided to change the system of land tenure and the Ottoman model they inherited for the system of land regime.¹⁰¹ The aim of the program was to enforce British conceptualization of law and private property in Jordan and reduce or eradicate indigenous social aspects of land owning.¹⁰² The French mandate in Syria also carried out similar land reform programmes. The French officials declared that the state-owned land model was against their plans in this country. They established a cadastral office, *Regie du Cadastre*. Its aim was to regularize the land registry system according to the French model. To achieve this, the *musha'* system the most common feature of the Syrian land system was to be confiscated.¹⁰³ In 1926, a law reinforcing the compulsory registration of all immovable property was implemented. In 1930, a new land code was accepted to dissolve most of the distinctions between different forms of land ownership in Syria. In Iraq, the 1931 land law aimed for similar reforms. The British launched a new land policy here. In 1928, the Pump-Owners Law was introduced which granted full ownership to install a pump on former governmental lands. In this context, by the 1931-2 Land Settlement Law the British recorded the balance of unregistered land as state property. These laws implied the increasing consolidation and centralization of state power. Similar land reforms were also carried out in other Mashreq states by colonial rule.

To conclude, the Arab world's subjection to the Western form introduced new practices and institutions in different fields. As discussed above, the injection of a Western model had its inception in the Ottoman modernization stage and the rise of Western powers and colonial rules accelerated the process. In consequence, the traditional structures were distorted by the newly injected Western forms in a long historical background. Arab lands were re-organized in the form of territorial nation-states equipped with new nationality laws. In so

¹⁰¹ Michael R. Fischbach, "British Land Policy in Transjordan", in Eegene L. Rogan and Tariq Tell (eds.), *Village, Steppe and State The Social Origins of Modern Jordan* (London-New York: British Academic Press, 1994), pp. 8, 80, 82-83, 105, and 211.

¹⁰² Fischblac cited in Massad, op cit, p. 34.

¹⁰³ Khoury, op cit, p. 51, 61.

doing, the regional people were put under the influence of two different contending forms: the traditional and the modern. Thus, the critical problem here is to formulate the outcome of the encounter of these contending visions/forms.

2.4 Theorizing Sovereignty in the Middle East: Hybrid Sovereignty and Arab State

The clash between the European standard and the traditional cultures of the non-European lands were discussed in detail. As presented above, an extensive Westernization agenda was carried out in the Arab lands too. However, this process created a bifurcated legacy. It inevitably gave way to various clashes. The clash between two different cultural models consists of three different alternatives: (1) a total dominance of one side against other and the reconstruction of other according to the conquering model; (2) two models may completely reject each other; (3) two models after a clash may give way to a hybrid model, which is different when compared to both competing models. Several colonized lands under the Western colonization develop into a Western model in terms of statehood and sovereignty such as Australia and the US. These two models had not been organized according to the Western principles several centuries ago before the arrival of Westerners. However, the process was different in other areas such as the Middle East due to the prevailing traditional forms. Many important institutions of modern statehood including sovereignty were introduced by European colonization. However, it would be incorrect to conclude that the Western model totally replaced traditional forms, values and understandings. Thus, a hybrid model, which is neither pure Western nor traditional emerged in the Middle East.

This problematic encounter between the Western model and certain local models has been studied from different perspectives in relevant literature. In related studies, the incompatibility between the colonially injected form and practice has been emphasized extensively. Scholars have tried to analyze to what extent the injected Western model is realized given the local conditions. For example, Christopher Clapham offers a well-organized table to explain the

exceptional usage of sovereignty.¹⁰⁴ He first stresses that sovereignty is an artificial solution produced by Western colonial powers. With the collapse of European colonialism, sovereignty was used against the problem of incorporating new political areas into the international system. Many new states without adequate capacity of statehood entered into the system. These have had many different problems such as legitimacy, nation-building, economic stability, and democratization. New elites failed solving such problems when using sovereignty to gain international backing for their domestic status. Once they were given the status of sovereignty, they instrumentalized this institution in consolidating their rules in their polities. Third World leaders, in other words, used sovereignty as an ideology of internal state consolidation. In this vein, Robert Jackson also differentiates the Third World states in terms of their statehood and sovereignty. Jackson names those states to differentiate them as quasi-states. Quasi-states are legal members of international system. They are internationally recognized as full juridical equals by other states. However, they lack an adequate capacity to realize the prerequisites of modern statehood.¹⁰⁵ The transformation of international systems created new sovereigns equipped with formal institutions and capabilities. These states have been internationally enfranchised with the same rights and responsibilities and were given full juridical statehood. But, practically many of them lack the needed institutional features of the sovereign state. Scott Pegg presents it thus:¹⁰⁶

States which are internationally recognized as full juridical equals, possessing the same rights and privileges as any other state, yet which manifestly lack all but the most rudimentary empirical capabilities. The quasi-state has a flag, an ambassador, a capital city and a seat at the United Nations General Assembly but it does not function positively as a viable governing entity. It is generally incapable of delivering services to its population and the scope of its governance often does not extend beyond the capital city, if even there.

¹⁰⁴ Christopher Clapham, "Sovereignty and the Third World State", *Political Studies* 47(3), (Special Issue, 1999), pp. 522-537

¹⁰⁵ Robert Jackson, *Quasi-states: Sovereignty, International Relations and The Third World* (Cambridge: Cambridge University Press, 1996), p.21.

¹⁰⁶ Scott Pegg, *De Facto States in the International System*, Institute of International Relations The University of British Columbia, Working Paper No. 21, (February, 1998), p. 1.

As with Jackson and Clapham, Sorensen differentiates third world states too. According to Sorensen, what transpired in Third World states should be referred to as a Post-Colonial game, which differs significantly from the Westphalian game.¹⁰⁷ In view of that, when decolonization extended constitutional independence to the former Western colonies, a new type of player joined the society of states. These states are weak players with severe deficiencies in substantial terms. Many important possessions such as territory, people, and government were more formal than real. Governments became based on weak and underdeveloped institutions most often in the hands of tiny elites that sought to exploit their position to their own advantage. These new actors were very similar to the Western states in terms of structure. They had boundaries, governments and armies. However, all these institutions existed at nominal levels without or national definition. People inside former colonial borders were communities only in the sense that they shared a border drawn by foreign powers. The problem in these states was the nature of the relationship between people and state. As colonially created states lacking legitimacy, their rulers fulfilled this gap by alternative instruments like power. Therefore, the most important function of sovereignty in these states was the instrumentalization of sovereignty against people in consolidating state power.

Given these discussions, how can we theorize the practical situation in the non-Western states? There are several points: the state itself is a constructed phenomenon, which has no fixed essence. Even important aspects of statehood such as space are socially constructed. Similarly, space is not a neutral concept since its meaning is socially produced.¹⁰⁸ In the same way, sovereignty as a contingent concept has been produced and re-produced socially. It can take various forms, depending upon how it is represented or simulated and what its foundations or models are.¹⁰⁹ Thus, sovereignty is under the determining influence of all social and political facts. The drawing lines between inside and outside

¹⁰⁷ Georg Sorensen, "Sovereignty: Change and Continuity in a Fundamental Institution", *Political Studies* 47 (3), (Special Issue, 1999), p. 598.

¹⁰⁸ Steve Smith, *op cit.*, p. 205, 207.

¹⁰⁹ Cynthia Weber, *Simulating Sovereignty: Intervention, The State, And Symbolic Exchange* (Cambridge: Cambridge University Press, 1995), p. 30.

powerfully influence “the semantic field of our various concepts and their interconnection”.¹¹⁰ As an important element of the semantic field sovereignty faces the same destiny.¹¹¹

Today, the flavor of sovereignty depends upon the context in which the word is used. Since different usages are applied in different circumstance, the meaning of sovereignty varies according to the issue that is being addressed or the question that is being asked.

Thus, the meaning of sovereignty changes according to surrounding conditions, and different locales.¹¹² To formulate in solid terms, sovereignty in the European context is different than sovereignty in the Middle Eastern context. The Middle Eastern epistemologies, traditions, cultures undoubtedly have processed colonially injected Western sovereignty within their code. This brings us to the well-known Foucauldian conclusion on regime of truth:¹¹³

Each society has its regime of truth, its ‘general politics’ of truth; that is, the types of discourse which it accepts and makes function as true; the mechanisms and instances which enable one to distinguish true and false statements...Truth is linked in a circular relation with systems of power which produce and sustain it...

Different regimes of truths produce different type of knowledge and type of rationality. In Foucault, truth is the product of a socially constructed system. Society produces its own truth. Therefore truth should be analyzed within the context of a societal framework. “Power produces reality; it produces domains of objects and rituals of truth.”¹¹⁴ In the same way, “power produces knowledge. Power and knowledge directly imply one another.”¹¹⁵ We thereby come within

¹¹⁰ Friedrich V. Kratochwil, “The politics of place and origin: an enquiry into the changing boundaries of representation, citizenship and legitimacy”, *International Relations of the Asia-Pacific* 1(2), (December, 2001), p. 155.

¹¹¹ Michael Ross Fowler and Julie Marie Bunck, *Law, Power, and The Sovereign State The Evolution and Application of the Concept of Sovereignty* (Pennsylvania, The Pennsylvania State University Press, 1996), p. 6.

¹¹² Michael Oksenberg, “The Issue of Sovereignty in the Asian Historical Context”, in Stephen D. Krasner (ed.), *Problematic Sovereignty Contested Rules and Political Possibilities* (New York: Columbia University Press, 2001), p. 85.

¹¹³ Michael Foucault, *Power / Knowledge* (Brighton: Harvester Press, 1980), p. 131.

¹¹⁴ Michel Foucault, *Discipline and Punish: The Birth of Prison* (Harmondsworth: Penguin, 1991), p. 194

¹¹⁵ Foucault, *Power / Knowledge*, pp. 27-28.

reach of the renowned conversation of discourse and power. Discourse is about the production of knowledge through language.¹¹⁶ Society produces knowledge by means of its language. Unsurprisingly, there are different types of societies in that there are different types of reasons, religions and human practices.¹¹⁷ In the same way, each society produces its understanding of sovereignty. In terms of Foucault, truth is a thing of this world, and each society has its regime of truth. In this context, another Foucauldian keyword is power: “Truth isn’t outside power . . . Truth is a thing of this world; it is produced only by virtue of multiple forms of constraint . . . and it induces regular effects of power.”¹¹⁸ When we explain sovereignty in this context, it is a constitutional arrangement of political life and is thus artificial and historical; there is nothing about it that is natural or inevitable or immutable.¹¹⁹ The distribution of power has an overriding role in the formation of sovereignty. To begin with, the injection of Western sovereignty was the direct consequence of Western power. But along with system-level power distribution in world politics or how power is organized in a self-defined society is also decisive in the formation of sovereignty. There is a parallelism between the discourse of sovereignty and that of power.¹²⁰

We should admit rather that power produces knowledge . . . that power and knowledge directly imply one another; that there is no power relation without the correlative constitution of a field of knowledge, nor any knowledge that does not presuppose and constitute at the same time power relations.

How societies name, explain and produce is a pure cultural procedure. As we have many kinds of societies and kinds of cultures, there is a different link in each society between signifier and signified. Historically, the expansion of Western

¹¹⁶ Stuart Hall, “The West and the Rest: Discourse and Power”, in Stuart Hall and Bram Gieben (eds.), *Formations of Modernity* (Cambridge: The Open University, 1992), p. 291.

¹¹⁷ Bartelson, *The Genealogy*, p. 133.

¹¹⁸ Michael Foucault, *Power / Knowledge*, p. 131. Also see: Jenny Edkins, *Poststructuralism & International Relations Bringing the Political Back In* (Boulder-London: Lynne Rienner Publishers, 1999), p. 3.

¹¹⁹ Robert Jackson, “Sovereignty in World Politics: a Glance at the Conceptual and Historical Landscape”, *Political Studies* 47(3), (Special Issue, 1999), p. 432.

¹²⁰ Foucault, *Power/Knowledge*, p. 27.

state-system brought important new institutions and concepts to the other parts of the globe. In this process, Europe brought its own cultural categories, images, ideas and signs to the other lands. Bartelson, in order to portray the problematic nature of the encounter of two different forms and cultures, writes that this confrontation takes place with something radically different from the Christian or European way of life. This encounter as expected raised the question of what kind of relations it is possible to entertain with this other.¹²¹

In this regard, the intercourse between two different models has produced a hybrid notion of sovereignty which is neither completely Western nor traditional. Hybridization is the inevitable production of colonial presence in other cultures.¹²² Norval refers to the emphasis on intervention at this point. The question as to what follows from such an assertion of an original splitting of the subject from itself or from the difference that inaugurates all identity is left open, but it is an openness that marks the space of an “to intervention”.¹²³ Norval’s emphasis on splitting of the subject from itself is the core message of the hybridization process in which both interacting identities are ripped apart from their own identities to give way to another, a hybrid one. In this manner, hybridity refers to the experience take place in-between, in the borderline. It can be understood in a variety of ways, ranging from a mixture of two essentially pure identities to an assertion of the original non-purity of all forms of identification. Therefore, a hybrid understanding is the opposite of the idea of authenticity. Authentic thought constitutes a revolt against both modernity and tradition.¹²⁴ Hybridity claims the impossibility of authenticity in a colonized/-modernized society. Robert D. Lee writes, “the issue of authentic cannot arise in traditional society...” and “the search for authenticity demands stripping away custom and

¹²¹ Bartelson, *The Genealogy*, p. 131.

¹²² Aletta J. Norval, “Hybridization: The Im/Purity of the Political”, in Jenny Edkins, Nalini Persram, and Veronique Pin-Fat (eds.), *Sovereignty and Subjectivity* (Boulder-London: Lynne Rienner Publishers, 1999), 104.

¹²³ *Ibid.*, pp. 104-105.

¹²⁴ Robert D. Lee, *Overcoming Tradition and Modernity the Search for Islamic Authenticity* (Oxford: Westview Pres, 1997), p. 16.

convention.”¹²⁵ Likewise, hybrid sovereignty prevents the possibility of any kind of authenticity in a society be it traditional or modern as the society itself is a product of clashing modern and traditional models.

Geographically speaking, hybrid sovereigns have come to the fore in colonized terrains. Hybrid sovereignty is the product of historical encounter between Western and non-Western models since the beginning of the expansion of the state system. Thus, it was originated in a symbiotic culture/ relationship between colonizers and colonized.¹²⁶ However hybridity emerges in the narratives of the colonized as an essential part of a discourse.¹²⁷ In the formation of colonial discourse, ‘denied knowledges’ enter upon the dominant discourse and estrange the basis of its authority. Bhabba, therefore, mentions that hybridity is a problematic of colonial representation. Therefore, hybridization is first the internationalization of systems, techniques and values for a time located in Europe. And, it is about how deeply changes have taken root in the Third World and about the processes of adaptation, and hybridization.¹²⁸

A hybrid-sovereignty approach criticizes a pure Eurocentric methodology in which hybrid sovereignties have been depicted such as semi-states, unsuccessful states, or failed states. There is no reason to believe that the West has a monopoly of constitutional wisdom.¹²⁹ It was the dominating European force that injected the Western model in different cultural zones. Second, there have always been strong traditions of statehood in non-European lands. Thus, in no way has the Western experience been the only basis of statehood. Rather, the researcher should recognize an encounter model between Western and non-Western forms. Therefore, a value-based comparison between the Western state and non-Western state is flawed. Now we face a world in which multiform

¹²⁵ Ibid.

¹²⁶ Phillip Darby, *The Fiction of Imperialism Reading Between International Relations and Postcolonialism* (London and Washington, Cassell, 1998), p. 222.

¹²⁷ Ibid., p. 223.

¹²⁸ Homi K. Bhabba, *The Location of Culture* (London and New York: Verso, 1997), p. 114, 229.

¹²⁹ James Mayall, “Sovereignty, Nationalism, and Self-determination”, *Political Studies* 47(3), (Special Issue, 1999), p. 499.

sovereign visions exist after long decades of colonial encounter.¹³⁰ Thus, it would be incorrect to say that we have an all-compassing teleology. Sidaway, in this context, criticizes the mainstream studies as follows:¹³¹

The western state, scripted as ‘strong’, ‘successful’, ‘real’ is opposed to the ‘weak’ southern state. In this, the western state is the taken for granted model, the norm. The western state is identical with itself a replica of nothing other than its own model statehood . . . They are compared with sovereignties of the West, measured, weighed and found wanting of the strength, power and effectiveness of western statehood. [Their] formats of...sovereignty might be interpreted differently.

No kind of ideology-based classification between Western and non-Western can be defended. The existence of different formats of sovereignty should be recognized. In other words, the Western teleology, which understands all non-Western states in a kind of struggle for becoming a perfectly Western-like state, is biased. There is no teleology to explain the transformations of Third World states. It is not correct to depict these states as failed, semi or quasi. What they have been experiencing is the inevitable outcome of their nature. The experience of colonization/ modernization did give way to a change in both encountering formats. It is a fact that many Western institutions and concepts (and ideas) came to non-Western lands during the age of colonization. The crux of the question is, therefore, not the debate on the authenticity of any side. As mentioned above, each society has a regime of truth in that no plausible comparison can be produced between two different cultural formats. A hybrid-sovereignty approach recognizes the existence of different discourses on power and state. It focuses on how different formats interact with each other, and how they produce a different format. In order to clarify hybrid-sovereignty, there are several important facts to be reconsidered:

1. It is the colonized terrain that produces hybridity. Colonialism is the historical reason of hybrid-sovereignty. However, modernization process of several countries has given way to hybrid conclusions without the classical context colonization.

¹³⁰ J. D. Sidaway, “Sovereign excess? Portraying postcolonial sovereigntyscapes” *Political Geography* 22(2), (February, 2003), p. 160.

¹³¹ Ibid.

2. Hybrid-sovereigns are neither Western nor traditional. They display a flexible identity. In other words, hybrid-sovereigns are in oscillation between Western and their traditional formats. They sometimes follow typical Western behaviors. Some scholars take this oscillation in a wrong way and claim that they are moving towards a Western replica. Many Western scholars in this context still follow Daniel Lerner's model.¹³² Lerner in the late sixties claimed that all modernizing societies were copying the Western developed models and their process. He asserts that "what the [West] is, in this sense, the Middle East seeks to become."¹³³ An equation emerges between modernization and Westernization. Ignoring several exceptions, many developing states recognized the Western model as the most important, if not correct, source of inspiration. However, the cited Lernerian paradigm created a misleading belief for Western (and Eastern) scholars as if there is a pre-ordained teleology which structurally entails the transformation of Third World states to become Western. Following this teleology, they quickly label these states as failed states because they have never been like a typical Western replica. A point that has enhanced the cited teleological approach is that the Lernerian paradigm has also been shared and confirmed by many Third World political and intellectual elites. It even became another Western deterministic framework to analyze the Middle Eastern politics.

In opposition to the cited teleological perspective, a hybrid-sovereignty approach recognizes the importance of the Western influence but rejects that the Third World states are in a historical march to become a Western state. Because of differences in Western and non-Western models, a hybrid outcome is inevitable. Thus, the emergence of this hybridity is normal not a failure. They are under the influence of two contending models. The inapplicability of several parts of Western sovereignty in developing states is the outcome of natural limits/differences in those areas. Thus, a hybrid-sovereignty approach takes sovereignty as a basket in studying the Third World states.¹³⁴ Accordingly, only several

¹³² Hisham Sharabi, "The Scholarly Point of View: Politics, Perspective, Paradigm", in Hisham Sharabi (ed.), *Theory, Politics and the Arab World Critical Responses* (New York: Routledge, 1990), pp. 10-12.

¹³³ David Lerner, *The Passing of Traditional Society* (New York: Free Press, 1958), pp. 46-48.

¹³⁴ According to the basket approach sovereignty is not a monolithic idea; thus its practice/realization at different levels might be different. Sovereignty, like a basket, has different

aspects of a Western format are practiced in these regions. It is impossible to expect the successful application of several components of the Westphalian format. To conclude, hybrid-sovereigns may have different aspects of sovereignty; in the same way they may not have several aspects. Thus, a hybrid-sovereignty approach is theoretically on the same line with the historical divisibility thesis that perceives sovereignty as a basket composed of several sub-units.¹³⁵

faces. For example, *domestic sovereignty* refers to the authority within the state. It is the ultimate authority of a ruler/government within its borders in which no other power is involved. Any movement, which challenges the existing government, thus is against the domestic sovereignty of government. If government fails in having full control in all parts of the country, this is a clear sign against its domestic sovereignty. Rebellions, terrorist activities, ethnic problems may violate domestic sovereignty. *Interdependence sovereignty* is about how governments control the flow of several things such as information, money etc. As a legitimate ruler, government needs to control its spatial terrain. Some illegal trafficking of goods is a clear violation of interdependence sovereignty. With the rise of mutual interdependence among the world state, interdependence sovereignty has noticeably been eroding. *International legal sovereignty* is directly about foreign policy. It is the recognition of a state by other states. It is a mere political process depending on arbitration. There is no rule to explain how and why states recognize other states. Once obtained, rarely is international legal sovereignty violated. *Westphalian sovereignty* means the well-known principle of non-intervention. In other words, no other external actor can interfere in the domestic affairs of a state. The exclusion of all external actors is a rule. Interestingly, states may violate Westphalian sovereignty without violating international legal sovereignty. Accordingly, a state may have several of the four types of sovereignty and may not have some others at the same time. A state, for example, may have international legal sovereignty but may fail in having domestic sovereignty. This is an expected outcome of being a hybrid-sovereign. Iraq, for example, has no domestic sovereignty today. Neither has Iraq Westphalian sovereignty. However, up till now its international legal sovereignty has kept its recognized condition even by the US. Stephan D. Krasner, *Sovereignty Organized Hypocrisy* (Princeton, Princeton University Press, 1999), pp. 11-25.

¹³⁵ In general there are two competing schools that have dominated the studies on sovereignty. One admits the divisibility of sovereignty, and the other does not. The divisibility thesis depends on two pillars: First, sovereignty is divisible as it is a composed entity. Secondly, it has different aspects, that is to mean some aspects of it might be lacking/ non-existing in some cases. To sum up, sovereignty is a part of the evolutionary process in which its basic nature and components are changing. The divisibility thesis also claims sovereignty is a composed concept. Sovereignty has many faces and aspects in that some of them might be absent in some cases. In other words, for scholars who defend the divisibility thesis sovereignty is like a basket. It includes different sub-entities. For related discussions on two competing approaches see: Bartelson, *A Genealogy*, p. 28, Hans J. Morgenthau, *Politics Among Nations The Struggle for Power and Peace* (New York: Alfred A Knopf, 1973), p. 315, 320, Fowler and Bunck, op cit, p. 68, See James Mayall, "Sovereignty, Nationalism, and Self-determination", *Political Studies* 47(3), (Special Issue, 1999), p. 475, Roxanne Lynn Doty, "Sovereignty and nation: constructing the boundaries of national identity" in Thomas J. Biersteker and Cynthia Weber (eds.), *State Sovereignty as Social Construct* (Cambridge: Cambridge University Press, 1996), p. 143, Alexander Wendt and Daniel Friedheim, "Hierarchy under anarchy: informal empire and the East German state", in Thomas J. Biersteker and Cynthia Weber (eds.), *State Sovereignty as Social Construct* (Cambridge: Cambridge University Press, 1996), p. 247, Harold J. Laski, *A Grammar of Politics* (London: George Allen & Unwin Ltd, 1967), p. 46, Robert Jackson, "Quasi-States, Dual Regimes, and Neoclassical Theory: International Jurisprudence and the Third World", *International Organization* 41(4), (Autumn, 1987), p. 519.

The conclusions of hybrid-sovereignty are as follows: hybrid-sovereignty argues that the Western sovereignty has no application ability considering its all components in the several lands. In other words, a full realization of a Western model is impracticable. However, this is not to claim a categorical impossibility, which claims a full failure of the model. The inapplicability-thesis recognizes the institutionalization of several Western practices. In other words hybrid-sovereignty approach follows a *limited* perspective. Given these discussions hybrid-sovereignty can shortly be defined as model that employs traditional practices within a Western format.

In parallel with this theoretical framework, this study explains the colonially created Arab state as hybrid sovereign. Here, hybrid-sovereignty refers both to the inapplicability of the Western type of sovereignty and the consequences of the Arab state's position between modernity and tradition. In other words, hybrid means the co-existence of modern and traditional practices, which recognizes the *limited* realization of Western sovereignty. For example, Arab states were demarcated according to the national borders, which were injected by colonial rules. Certainly, this Western legacy has been successful to a large extent. But, primordial identities and patterns co-existed with citizenship within these Western-like borders. Even in many places, the central governments employ tribal or sectarian policies. Therefore, the term hybridity may help in explaining this dual structure of colonially created Arab state.

Before analyzing the cases from the theoretical perspective presented so far, an analysis of relevant literature is needed. The aim of this effort is to present the idea of hybridity in the relevant literature on the Arab state. The category of the Arab state today represents a group of different backgrounds from indigenous roots to Western colonial legacy, from Ottoman legacy to the post-independence policies. All Arab states were hybridized in a historical process. They have been under the influence of competing trends and models for more than two centuries. But change is a difficult issue and formal changes in the institutions and functions of the state and government do not necessarily reflect or imply serious structural and conceptual changes. This simple problem can be taken as the basic source of the hybrid nature of Arab states. When different projects and models have

interacted with each other, neither the models nor the traditional forms could dominate each other totally. Tibi claims that Arab states would have been inconceivable without the European system. They originated from the European system. But though they have such origins, Arab states have another wish, which is to “go their own way”.¹³⁶ As no society creates a total change, colonizers could not unilaterally impose a system of rule in the Arab world. Colonialism involved constant negotiation of power relationships and identities. However, multiple levels of identity coexist, albeit in varying ways in Arab world today.¹³⁷ Given the huge influence of the Western model in the region, it is unlikely that the solution appropriate for such an entity is a simple cut-and-dried formula borrowed from foreign cultures with a vastly different political experience.¹³⁸ The problem is very accurate: what would happen if an alien model is injected into another region? It happened in the Middle East, Africa and other regions. It is the imposition of the ‘made-in-Europe’ model of the nation-state. And it resulted in a contradiction between national pretensions and historical structures.¹³⁹ Since a similar process took place in different non-European lands, how Clapham summarizes the general features of such combinations in the African case is also instructive for our case.¹⁴⁰

The encounter between African and the Westphalian assumptions of sovereign statehood built into the practice of European powers and the international system that they created underlies the entire modern history of the continent. It has been awkward, ambiguous, unsatisfactory; and often indeed tragic combination.

¹³⁶ Bassam Tibi, *Conflict and War in the Middle East From Interstate War to New Security* (London: MacMillan, 1998), p. 13.

¹³⁷ Raymond Hinnebusch, “The Middle East Regional System”, in Raymond Hinnebusch – Anoushiravan Ehtashami (eds.), *The Foreign Policies of Middle East States* (Boulder- London: Lynne Rienner Publishers, 2002), p. 31.

¹³⁸ Charles Issawi, “The Bases of Arab Unity”, *International Affairs* 31(1), (January, 1955), p. 47.

¹³⁹ Bahgat Korany, Rex Brynen and Paul Noble, “The Analysis of National Security in the Arab Context: Restating the State of the Art” in Bahgat Korany, Rex Brynen and Paul Noble (eds.), *The Many Faces of National Security in the Arab World* (New York: St. Martin’s Press, 1993), p. 13.

¹⁴⁰ Christopher Clapham, *Africa and the international system the politics of state survival* (Cambridge: Cambridge University Press, 1996), p. 267. The common point between the African and the Arab national states was the imposition of alien structures. This structural sameness created similar outcomes. Thus, several important similarities can quickly be found between new Arab states such as Iraq and new African states such as Ghana. See: Jeffry Haynes, “Power in Ghana From Early Colonial Times to the 1990s”, *Africa* 72(2), (March, 2002), pp. 312-321.

The same “awkward, ambiguous, unsatisfactory and tragic combination” came out in the Arab world as well. Hybridization is not limited to several countries or several aspects of life. It is a reality at all levels of Arab societies. Zahlan for example argues that the emerging bureaucracy of Qatar today is a hybrid of the old tribal world and the new world of management and job descriptions.¹⁴¹ Even though Arab states have been persistent in establishing modern and large bureaucracies, the institutional culture is still under the influence of traditional forms. People in bureaucracy still pay attention to tribal or family links. Glaser and Halliday in their study on institutional culture conclude that in Arab countries, the western-styled state is superimposed on a social-structure which cannot be catch hold of or control, because society overlaid with a network of invulnerable family bonds prevent the creation of impersonal bureaucratic relations.¹⁴² Similar cases of hybridity can be presented in different areas. Therefore, the relationship between traditional and modern is not smooth, nor is it harmonizing. Hudson, for example, defines the problematic relationship between modern and traditional in the region as they intermixed. The relationship between the two is one of tension rather than complete opposition.¹⁴³ It is thus; the crisis of sovereignty has been felt at all levels. Three prominent scholars underlined this methodological problem as follows:¹⁴⁴

The problem of Third-World states’ internal fragility goes deeper than problems of border demarcation and is related to the imposition of an (alien) state structure on a (forged) nation. The result is the impression of a state at war with its own society (the chronic problem of instability), and also that society at war with itself.

¹⁴¹ Rosemarie Said Zahlan, *The Creation of Qatar* (New York-London: Croom Helm, 1979), p. 136.

¹⁴² Stan Glaser and Mike Halliday, “Ideology in organizations – a comparison of East and West”, *The Learning Organization* 6(3), (April, 1999), p. 102.

¹⁴³ Michael C. Hudson, *Arab Politics The Search for Legitimacy* (New Haven and London: Yale University Press, 1977), p. 232.

¹⁴⁴ Bahgat Korany, Rex Brynen and Paul Noble, “The Analysis of National Security in the Arab Context: Restating the State of the Art” in Bahgat Korany, Rex Brynen and Paul Noble (eds.), *The Many Faces of National Security in the Arab World* (New York: St. Martin’s Press, 1993), p. 12.

In other words, we cannot understand the social impact of Western influence (imperialism) confined to high politics. Instead, we see Western influence in many different fields of life such as education, administration, and daily life. Modernization of Arab society refers to a very large and complex process. Modernity is to be defined by changes in agrarian and urban-rural relations due to the growth of commercial agriculture, development of private property in land, and the emergence of a new ruling class based more on wealth than political office.¹⁴⁵ At this stage two important points should be underlined for the Arab case. Given it is such a complex process, no one can claim it can take place in a short time. Thus, the very nature of the process is the source of hybrid characteristics in related societies. No society can change itself, its institutions cultural identity in a short time. A scholarly level of exaggerating the potency of modernization is flawed.¹⁴⁶ Secondly, purely external actors cannot explain modernization. A pure foreign imposition may only help for a caricaturist depiction. This point is another very important theoretical fact in understanding hybridity in Arab society. Along with foreign actors, domestic actors also played important role in the creating of a hybridist composition. According to Doumani, some aspects of modernity surfaced long before they were initiated by outside stimuli, while traditional modes of organizations survived much longer than is usually admitted.¹⁴⁷ The renowned policy of modernization, therefore, refers to a combination of modern and traditional. As a corrective to this, modernization never means a total break from past, instead it implies that their societies are still bound in a complex of traditional relationships and structures.¹⁴⁸ What we have is an in-between society: For modernization provided the basis for a hybrid society and culture, “society is neither modern nor traditional.”¹⁴⁹

¹⁴⁵ Beshara B. Doumani, “Rediscovering Ottoman Palestine Writing Palestinian into history”, in Ilan Pappé (ed.), *The Israel/ Palestine Question Rewriting Histories* (London and New York: Routledge, 1999), p. 31.

¹⁴⁶ Hudson, op cit., p. 231.

¹⁴⁷ Doumani, op cit. , pp. 31-32.

¹⁴⁸ P. J. Vaitkietis, “Dilemmas of Political Leadership in The Arab Middle East: The Case of the United Arab Republic”, *The American Political Science Review* 55(1), (March, 1961), p. 103.

¹⁴⁹ Halim Barakat, *The Arab World: Society, Culture, and State* (University of California Press, 1993). pp. 149, 170.

In this context, Hisham Sharabi's neopatriarchy is an appropriate word to analyze the hybrid nature of Arab states. According to Sharabi, the postwar Arab state is the synthesis of the trend toward modernization and the pull of traditionalism.¹⁵⁰ According to Sharabi neopatriarchy derives its meaning from the two terms or realities which make up its concrete structure; modernity and patriarchy.¹⁵¹ Provided that patriarchy refers to the traditional roots of Arab society, there is a very parallel relationship between neopatriarchy and hybridity. Like hybridity, neopatriarchal society refers to a complex combination of different worldviews or paradigm. Patriarchy refers to a universal form of traditional society, which assumes a different character in each society. However, modernity refers to a unique historical development which occurred in its original form in Western Europe. Most obviously, neopatriarchy is the sum of a combination of tradition and modernity in Arab lands. Why is there a neopatriarchy in Arab lands? Why did Arab societies fail in producing modernity? Metaphorically speaking, the development of modernization in the Middle East has been "unnatural" because important developments in different fields from economics to society in Western Europe never happened in the same way. Arab modernization has been a dependent/ artificial one. Since the Western model was injected, the Arab case must be viewed as the product of a hegemonic modern Europe, not an indigenous one. It always lacked the needed political and economic prerequisites. Sharabi writes:¹⁵²

But, "modernization" as the product of patriarchal and dependent conditions can only be dependent "modernization": dependency relations inevitable lead not to modernity but to "modernized" patriarchy, neopatriarchy.

The hegemonic relationship between Europe and Arabs did not produce modernity but modernized patriarchy. The most important result of this process was not the end, or modernization, of the patriarchal structures of Arab society;

¹⁵⁰ Hisham Sharabi, *Governments and Politics of the Middle East in the Twentieth Century* (London, New York: D. Van Nostrand, 1962), p. 5.

¹⁵¹ Hisham Sharabi, *Neopatriarchy A Theory of Distorted Change in Arab Society* (New York, Oxford: Oxford University Press, 1988), p. 3.

¹⁵² *Ibid.*, p. 4.

instead it was strengthened and maintained in deformed “modernized” forms. Simply, in “modernized” forms, the traditional patriarchal forms are still vigorous. It was, “material modernization” that caused this result. Therefore, the Arab Awakening of the nineteenth century was a failure, as it did not change the traditional forms of patriarchy; instead it focused too much on material changes that ended in remodeling and recognizing former patriarchal structures.

Neopatriarchy from the standpoint of both modernity and traditionality is neither modern nor traditional. The Arab case is a new form, which is neither modern nor traditional but a result of a complex mixture in recent centuries. Neopatriarchy is the result of an attempt which tried to apply European modern forms in a patriarchal society. It has always had its inception as a pure *formal* mode of organization. It could not be *real*, as Arab patriarchal societies never experienced the same economic and social transformations as Europeans. Sharabi also asks “Is modernization possible without capitalist development?” It is a very important problem to explain the causal relationship between capitalism and modernization. This question can be extended so far as to include several other peculiar European conditions that contributed to the emergence of modernization. Indeed, as mentioned, what makes the Arab case different and hybrid outcome is the lack of cited economic and social transformations which never took place among Arabs. For example, the Arab model (Sharabi writes peripheral capitalism) has never produced a full-fledged bourgeoisie and genuine working class. Instead the Arab experience has produced a “hybrid class” which simply the neopatriarchal petty bourgeoisie. Not surprisingly, this hybrid class’ consciousness is neither like the bourgeoisie nor like those of urban workers. This hybrid outcome of Arab experience can also be seen in different fields from economics to foreign policy. Neopatriarchy is the result of a complex encounter between European modernity and Arab patriarchy. Sharabi asserts that, “It can be said that neopatriarchal society was the outcome of modern European colonization of the patriarchal Arab world, of the marriage of imperialism and patriarchy.”¹⁵³ As the word *marriage* denotes the case in an ambiguous way, neopatriarchy includes both the Western and indigenous. Neopatriarchy refers to an indigenous

¹⁵³ Ibid, p. 21.

phenomenon but resulting from contact with European modernity. “Marriage” between the Western and indigenous created a schizophrenic essential. What results has a contradicting shape and essence. It looks modern but it depends on the traditional. In other words, the essence of hybridity is the clash between manifest and latent compounds of Arab society.

Nazih Ayubi’s approach is also helpful to analyze the hybrid nature of the Arab state.¹⁵⁴ For him, no proper understanding of the nature of the contemporary Middle Eastern states can be obtained without reference to colonial legacy. However, Ayubi is also against the idea that the Arab state is purely product of colonialism. It is a fact that the colonial era was most instrumental in drawing up boundaries. Moreover, Arab states were institutionalized in the image of the European pattern. But, in general, the Arab state is the product of both colonial and indigenous factors. In Nazih Ayubi’s words the Arab state’s problematic situation between Western and traditional forms is formulated as “the colonial/indigenous mix”. Ayubi clarifies the word “mix” as follows:¹⁵⁵

No proper understanding of the nature and characteristics of the contemporary Middle Eastern states can be obtained without reference to the colonial legacy in the region.... However, that the existing territorial Arab states have not been manufactured purely by colonialism.

Ayubi’s approach recognizes the two competing formats over the Arab state. Following Ayubi, the historical reason of its hybridity is the Western presence in different forms in the Middle East. Following the divisibility approach, each Arab state has a different format of sovereignty that has been shaped by its own cultural and political contexts.

In the same way, how Michael Hudson explains the crisis of legitimacy in Arab societies presents important findings for studying its hybrid nature.¹⁵⁶ As with Robert Gurr, he defines the role of legitimacy with regard to state-society relations. Regimes are legitimate to the extent that their citizens regard them as

¹⁵⁴ Nazih Ayubi, op cit, pp. 86-87. Also see, Timur Kuran, “The Vulnerability of the Arab State. Reflections on the Ayubi Thesis”, *The Independent Review* 3(1), (Summer, 1998), pp.112-113.

¹⁵⁵ Ibid., p. 86.

¹⁵⁶ Hudson, op cit., pp. 2, 4, 7, 11, 14-15, 17-19, 21-23, 25, 30, 56, 83-84, 103-106, 123, 165, 207, 217, 230, 232, 392, and 394.

proper and deserving of support. He then concluded that the central problem of government in the Arab world is political legitimacy. But this is not specific to the Arab case; it is the same as that in many newly independent states in a process of rapid modernization. Hudson, like Rustow, emphasizes that Arab states are deprived of defined authority, identity and equality, which are the three essential pillars of legitimacy. Hudson then underlies the legitimacy shortage as the basic reason of the problem of community and conflict. The transformation of Arab society has created great social and political problems since the late Ottoman era. Despite the earlier expectations, Hudson finds modernization as a failed process. Political culture remains tenaciously parochial and segmented since modernization could not create a modern society in which all parts are represented on equal principles. Furthermore, Hudson even blames modernization even for its contribution to the continuing separatist tendencies in Arab political culture: It failed because it has always been part of a political agenda as a somehow artificial plan. Needed were several functioning mechanisms such as a domestic market or transparent public sphere and bureaucracy in which modernization might have been successful in creating a national man. Hudson quotes Harik to clarify his theses: "The new states of the Middle East are in need of accommodating particularistic tendencies and by constructive policy channeling them in the service of the civic order with patience and endurance"¹⁵⁷ Suggesting Sharabi's neopatriarchy, Hudson confirms that the end of the traditional order in the Arab system also contributed to the crisis of legitimacy. Modern ideas and institutions are crowding out the traditional model, which was the basis of the legitimate order. However, the chaotic transformation of Arab culture now fails in producing a functioning legitimacy mechanism. Also, Hudson finds revolutionist Arabs incorrect in their ideas about reform, as the implantation of new forms cannot be carried out very quickly. In no way is the elimination of former models easy. Political expectations of Arab reformists and revolutionaries were not correct. Thus, they are rendered as romantic and unrealistic.

However, the problem of legitimacy refers to a very complex historical background. The fragmentation of then Arab nations into separate sovereignties

¹⁵⁷ Ibid., p. 11.

should be analyzed. However, this irreversible process created unusual cases for Arab regimes. One can find both modern and traditional forms of politics in Arab regimes. Hudson formulates this as the overlay of modern authority values on traditional patterns. For example, he puts emphasis on the modernizing monarchies as they depend on traditional/ patrimonial structures. He also argues that the traditional authority patterns may have different dimensions such as patriarchal, consultative, Islamic and feudal. Arab political identity, in other words, is in conflict with an unsettled nature. Though the Arab nation is divided into several sovereign states, it is clear that Arabs are in search of an adequate political expression for their nation in the modern international system. Consequently, the incompatibility of traditional and modern values creates the basic reason for legitimacy crisis:¹⁵⁸

Patriarchal, consultative, religious and feudal norms basically are not compatible with the liberal, rational-legal, secular, democratic, and socialist ideologies now having such a significant impact on elites and masses alike. Because this revolution is far from complete, *the Arab world is still living under dual systems of authority, and the problem of compability is chronic. It cannot be said that the traditional patterns have given way to the new ones.* [Emphasis is mine]

Hudson's "dual system of authority" is a different expression of the hybrid nature of Arab societies. We see that no Arab state fully exemplifies a pure type of rational or rational-bureaucratic authority (in the Weberian sense). Thus, the Arab state represents a kind of in-between situation. This creates an important dilemma for Arab rulers and societies. Both traditional and modern criteria are practiced. This dilemma arising from the incongruity of primordial and particularistic values with contemporary norms, notably those of modernity, and structures paves the way to the legitimacy crisis.¹⁵⁹

Bahgat Korany is another offers a three-step model to explain the origin of Arab territorial state. His periodization is very precise as it sees the rise of the Westphalian system as the first phase to understand Arab territorial state. In other

¹⁵⁸ Ibid., p. 104.

¹⁵⁹ Hudson also writes, "The new sovereign state structures of the Arab world were not congruent with the scope and boundaries of tribal, Islamic, imperial, or feudal domains. While social modernization weakened the old authorities, it did not immediately create authoritative replacements" Hudson, *ibid.*, p. 394.

words, the historical periodization of the Arab state had its inception from a European development. He writes that “the Arab territorial state is a phenomenon made in Europe.”¹⁶⁰ The second phase is the end and the dismemberment of the Ottoman Empire and consequently its integration into the European system. The phase is the rise of the mandate system to replace the former.¹⁶¹ Similar to Sharabi and others, Korany’s argumentation focuses on the same question: Why does a gap exist between discourse (the modern state system) and reality (the Arab world)? For Korany the cause of this gap is the contradiction between indigenous grass-roots political culture and the imported elite political culture, which emphasizes the nation-state as the frame of reference. Consequently, the contradiction is the basis of the hybrid characteristic of nation-state in the Arab world. Korany writes, “nation-state formation in the Arab world is both hybrid and in transition”.¹⁶² Hybridity is the outcome of the encounter between grass-roots and foreign political cultures. Korany traced the emergence of the Western modern state in the Arab world back to the Ottoman centuries. The Ottoman modernization is among the historical origins of the transfer of several Western standards and practices in the Arab world. In terms of the mandate period, Korany provides different examples to show how the implanted model is alien to the region and how different problems have occurred. Korany’s approach underlines several important points: he clearly emphasizes the contradiction between the model and the reality. However, this contradiction does not lead him to claim a deadlock, instead he recognizes a hybrid outcome. Though Korany recognizes that the territorial state is becoming increasingly naturalized and implanted, he also believes it is not an indigenous phenomenon, yet it no longer seems a foreign import. In sum, “it is thus a hybrid product”.¹⁶³

¹⁶⁰ Bahgat Korany, “Alien and Besieged Yet Here to Stay: The Contradictions of the Arab Territorial State” in Ghassan Salame (ed.), *The Foundations of the Arab State* (London-New York: Croom Helm, 1987), p. 55.

¹⁶¹ *Ibid.*, pp. 48, 49, 50, 52

¹⁶² *Ibid.*, p. 49.

¹⁶³ *Ibid.*, p. 72.

In conclusion, the Arab state's basic characteristic is its problematic position between tradition and modernity. While the Arab state has been in a modernization process for centuries, its problematic position between tradition and modernity has not been solved. Neither tradition nor modernity has become the valid basis/ nature of the Arab state. The uncertain position of the Arab state creates severe crises of sovereignty in different fields. So long as Arab politics oscillates between two poles, it is hardly possible to expect a high level of consolidation in Arab sovereign states in terms of legitimacy, citizenship and democratization. Hybridity refers to competing sources over all existing actors in a defined sphere. As hybrid-sovereigns, all aspects of colonially created Arab states are under the influence of competing traditional and modern influences. The Arab individual, for example, oscillates between citizenship and (tribal or sectarian) kinship. Similar hybridist structures also exist in economics. No hybrid-sovereign has a modern taxation system. Hybrid-sovereigns have a problematic boundary between their domestic and foreign politics. Furthermore, their domestic fault lines challenge the government's foreign policy agendas. In short, a hybrid-sovereign state's position between modernity and tradition creates important outcomes in different fields.

2.5 Conclusion

In this chapter, a theoretical framework is presented. Accordingly, important concepts such as sovereignty and hybridity are discussed. It is also underlined that domestic realm is also important in sovereignty studies. In this vein, hybridity is emphasized since it aptly explains the problematic situation of Western sovereignty in the Arab region. Then, how these theoretical analyses are relevant in terms of the Arab Middle East is also explained. The problematic venture of Western sovereignty in the Arab Middle East is explained with a reference to the expansion of Western state system in the region. As mentioned above, the encounter between local forms and Western model gave way to important political consequences. Finally, a review of related literature is presented in order to display how hybridity is relevant in understanding contemporary Arab societies.

CHAPTER 3

THE EMERGENCE OF WESTERN MODEL IN JORDAN, KUWAIT AND IRAQ

3.1 Introduction

Chapter 2 argues that Western sovereignty was brought to Arab regions during the expansion of state-system. Historical Arab lands were re-organized according to conceptions of Western statehood, i.e. the Westphalian format. How this expansion changed the traditional formation of the Ottoman lands was summarized there. This chapter presents a brief picture indicating how this expansion took place in Jordan, Kuwait and Iraq. In other words, the basic aim of this part is to present a brief historical account for each case in order to show how territorial states were created from historical Arab lands. The formula for an expanded Westernized state-system is very precise: the re-organization of historical Arab lands in line with the Western nation-state model. The logic of this model can be defined as follows:¹

The birth of the nation-state announces and solidifies uniformity in political organization, economic activity and cultural growth. This uniformity is daily reproduced by the rational organization of one army, one police force, one bureaucracy, and one law supervising and governing all citizens enjoying equal rights and duties. All barriers, be they social or religious, were removed, and a new political space was created so that citizens could compete according to their talents and merits rather than inheritance or origin.

Therefore, historical Arab lands dominated by a medievalistic structure in which different overlapping authorities and patterns co-existed was re-organized

¹ Youssef M. Choueiri, *Arab Nationalism A History Nation and State in the Arab World* (Oxford: Blackwell, 2001), p. 2.

according to the above cited nation-state rationality and framework. In this grand process of change, the expansion of the state system in Arab lands introduced different innovative patterns such as international boundaries, new forms of authorities between people and state, new identities, a new land code and central bureaucracy. These developments entailed the replacement of former tribal and local, sectarian patterns with colonially injected citizenship/nation logic. Consequently, Westernization introduced important changes which can be summarized as (i) The creation of Arab sovereign-state on the basis of territorial unity in international system, (ii) and the re-definition of domestic political structure on the basis of Western/ Weberian rationality to replace the previous medievalistic overlapping forms. This nation-state model was a European product and alien to the Arab Middle East. Therefore, local people faced these changes: the preservation of traditional forms and, at the same time, modernized/Westernized domestic and international practices. As stated in the previous chapter, the basic assumption of this dissertation is the inapplicability of Western sovereignty in colonially created Arab states such as Kuwait, Jordan and Iraq. Instead, this study argues a hybrid outcome, which refers to the continuity of traditional forms within the formal modern statehood.

Methodologically, the scope of this chapter is limited with a brief depiction of how the Western model was brought to the region. The analysis of how this alien model clashes with the local conditions will be the subject matter of the following chapters. Since this study is a theoretical attempt to analyze the Arab state with a reference to Jordan, Kuwait and Iraq, the historical discussions are presented for several purposes lest the study will be baseless in terms of historical background. In other words, the methodological purpose in presenting a historical background is not to make a historical case study, but to enhance the theoretical argumentation in this dissertation. As another methodological point, since this dissertation studies the issue of sovereignty at the state-society level, the historical account presented here focuses on general titles in terms of domestic developments. In other words, rather than the diplomatic level, this part analyses how the Western influence transformed power relations in terms of state-society relations. It is a fact that the injection of the Western model changed the traditional patterns of politics and society by introducing different innovative

institutions and practices such as central bureaucracy, new national identity code and citizenship, new land tenure system. Therefore, the following part particularly focuses on how change took place within the domestic realm.

Lastly, the re-organization of historical Arab lands in line with the Western model took place in different periods. Thus, what is meant here by the imposition of Western structures is not the final phase of the creation of nation-states in the region, but the long historical background that had its inception since the first coming of the Western powers for economic reasons. In this vein, the Ottoman modernization was also a very important period. Many important reforms were carried out by the Ottoman modernizing elite in the Arab lands during the last decades of the empire. Though the political developments in early twentieth century finally shaped Arab politics, its historical background, which took place in the Ottoman period, is of importance in analyzing the process within a historical context. It was the era of Ottoman reforms that many of the most remote lands nominally under Ottoman sovereignty first came under direct rule through the modern rational institutions of the Tanzimat state.² Therefore, the following account studies both external (the Western power's influence) and internal (the Ottoman modernization) facts in analyzing the rise of Western models in the historical Arab lands.

3.2 Jordan

Though it is underrated, the emergence of modern state in Jordan can be traced back to the late Ottoman era. Important features of Jordanian society and politics attributed to the Mandate period and Hashemite rule were first introduced in this era. The last decades of the Ottoman rule witnessed intense state involvement in which the basic point of departure was to make parts of Jordan amenable to direct state rule.³ In so doing, the early forms of the modern state were transferred by the Ottoman reformist elite which can be summarized as the

² Eugene L. Rogan, "Introduction", *The MIT Electronic Journal of Middle East Studies* 3(1), (Spring, 2003), p. 1.

³ Eugene L. Rogan, "Bringing the State Back: The Limits of Ottoman Rule in Jordan, 1840-1910" in Eugene L. Rogan and Tariq Tell (eds.), *Village, Steppe and State The Social Origins of Modern Jordan* (London-New York: British Academic Press, 1994), p. 32.

earliest injection of the Western model in the second half of the nineteenth century.⁴

In a historical context, when the Ottomans started loosing important lands in the Balkans, the empire grew to be an Arab-dominated, thus the consolidation and extension of strong and central rule particularly in Arab lands became essential. Also, the financial crisis of the empire in different regions necessitated a detailed reform program on economic concerns.⁵ As a result, the Ottomans attempted to carry out several structural reforms in order to achieve these goals. To begin with, a new administrative reform was launched. In the early 19th century, the Ottoman system had even no notion of well-defined regional units in Jordan. Through administrative reform, professional bureaucrats were sent to the remote parts of the empire.⁶ A new land-tenure system was also implemented. This was expected to help the state both in generating tax revenues and increasing state control. And, finally since improvement of all sorts of communication and transportation was essential to re-organize regional markets and politics, the local Ottoman rulers, despite the very strict economic conditions, tried to enhance communication and transportation facilities. Certainly, these steps symbolized a transition from the traditional medievalistic rule to a new modern/centralist one. As a result, the Ottoman legacy of “stateness” was the historical root of the modern state in Jordan.⁷

In Jordan, the experience of Ottoman rule left those districts amenable to centralized governments –an Ottoman legacy of ‘stateness’ which was to be the inheritance of the British Mandate and the Hashemite state in Jordan.

⁴ Vartan M. Amadouy, “Infrastructural Development Under the British Mandate”, in Eugene L. Rogan and Tariq Tell (eds.), *Village, Steppe and State The Social Origins of Modern Jordan* (London-New York: British Academic Press, 1994). The Ottoman legacy in Jordan was important to the extent that the new Jordanian nation state continued use of Ottoman legal codes until the late 1940s. For example, the first codified Ottoman family law enacted in 1917 continued to be applied in Jordan until 1947. Joseph A. Massad, *Colonial Effects The Making of National Identity in Jordan* (New York: Columbia University Press, 2001), p. 51.

⁵ Eugene L. Rogan, *Frontiers of the State in the Late Ottoman Empire* (Cambridge: Cambridge University Press, 2002), p. 44.

⁶ Stanford J. Shaw and Ezel Kural Shaw, *History of the Ottoman Empire and Modern Turkey (Vol. II)* (Cambridge: Cambridge University Press, 1997), pp. 46-47.

⁷ Rogan, “Bringing the State Back”, p. 57.

In a much broader historical perspective, the classical Ottoman rule was symbolized by an annual visit by tax collectors, leaving matters of land and security to the more powerful tribes in the plains and to village notables, or *za'ims*, in the hill districts.⁸ Accordingly, “the Ottomans left the region to its local rulers, for the better part of two centuries to rule by proxy degenerating into out and local rule.”⁹ Therefore, the two leading characteristics of local government in 1800s were its diversity and its minimality. It was an armed bazaar in which a variety of groups bargained with each other, reinforcing their bids with force or the threat of force in a medieval form.¹⁰ Thus, the Ottoman government in Arab provinces was primarily concerned with the task of maintaining military preparedness, preserving urban and rural security, and raising revenue.¹¹ To carry out these tasks, either a small trained people were regularly sent to the regions or the services of local chieftains and sheiks were utilized. But, a development reversed this situation definitely: the *Vilayet* Law of 1864. The law provided a standard framework of provincial administration to be applied across the empire. By the new law, the Ottoman aimed to create new administrative units to realize the paper structures of earlier decades.¹² The *vilayet* law was an important step in realizing a modern-like statehood since it established a modern-type hierarchy of rule. The empire was divided into provinces ruled by a governor. Each province was divided into sub-provinces named as *sancak* governed by *mutasarrif*. Each *sancak* was composed of a number of *kazas*, or judicial districts, governed by a *kaymakam*. A *kaza* might include a number of *nahiyes*, the smallest unit of administration. Consequently, this hierarchy of rule affected all Ottoman lands. A chain of authority came out in the empire. Each ruler in any cited unit was answerable to the other who was superior in the chain. The law was also functional in terms of bringing the state to the periphery by expanding the scope

⁸ *Ibid.*, p. 37.

⁹ Eugene L. Rogan, *Frontiers of the State in the Late Ottoman Empire*, p. 21.

¹⁰ M. E. Yapp, *The Making of the Modern Near East 1792-1923* (London and New York: Longman, 1987), p. 36.

¹¹ Roger Owen, *The Middle East in the World Economy 1800-1914* (London- New York: I.B. Tauris & Co, 1993), p. 10.

¹² *Ibid.*, p. 38. Also Rogan, *Frontiers of the State in the Late Ottoman Empire*, p. 161.

of central rule to the all parts of the empire.¹³ Eventually, the new chain of authority put all rulers under the central control of Istanbul.

The basic aim of the new vilayet law in Jordan was to create an enduring Ottoman presence through the creation of new administrative units. Within the context of the Vilayet Law of 1864, an extensive reform programme was first launched in Ajlun. The government tried to assure the security of agricultural production and the collection of tax revenues.¹⁴ Therefore, the reform introduced new taxation and administration codes. Also, Istanbul started sending regular governors.¹⁵ In 1868, similar reforms were launched in Ma'an. As expected, the imposition of a central taxation and administrative system challenged the traditional tribal taxation system. Therefore, several tribal and local protests came out in the 1860s in order to re-consolidate the former tribal political and economic system. These reactions were against the homogenizing and disciplining reforms since the new centralist model was weakening the historical autonomous conditions of those groups. Thus, the submission of bedouin tribes to Ottoman rule became the top priority of the regional rulers.

Consequently, over the course of a half-century the Ottomans established permanent administrative and military missions in Jordan stretching from Ajlun to al-Aqaba. The consolidation of new administration system was partially accompanied by related infrastructural reforms in other fields. The Ottoman rulers also constructed new offices and residence for their rulers assigned by the central government in newly created administrative units. Undoubtedly, the construction of such physical spaces contributed to the social imagination and internalization of central power by local people.

On the other had, as the aim of Ottoman modernization was the consolidation of a strong central authority, the rulers were also aware of the importance of land registration. The traditional forms in no way permitted the Ottoman officials to achieve their goals in periphery as the traditional land regime was the basis of prevailing medievalistic overlapping authorities. Given the tribal

¹³ Rogan, "Bringing the State Back", p. 38.

¹⁴ Ibid., p. 34.

¹⁵ Rogan, *Frontiers of the State in the Late Ottoman Empire*, p. 45.

and 'feudal' nature of the traditional forms of land tenure, it was impossible to expect a successful consolidation of state power in local places. As a consequence, the rulers started land registration in 1876. "Each newly created village was registered by a government official who gave titles for specific properties to specific individuals, who were thereafter responsible for paying the designated taxes for the land."¹⁶ With these developments, the earliest legal form of land ownership similar to the Western type of property was established. Also, in this process a large group of local people was invited to cooperate. By this way, the Ottoman rulers aimed to decrease the leverage of traditional notables. Thus, instead of consulting with only notables, the officials preferred consulting with the members of council of elders (village councils) in each village.¹⁷ In doing so, the land reform program tried to abolish the economic basis of prevailing tribal/medieval forms of authority in related lands. Undoubtedly, it was not very easy. The most important difficulty in the land registration process was the changing nature of land ownership. Since, the traditional land tenure system - *musha'* - had a very long historical background, local people who had been satisfied with pre-modern forms of land tenure were naturally against the process.

Another important step in the consolidation of a central rule in Jordan was the communication/ transportation reform carried out by Ottoman governors. A better network of communication and transportation was needed in order to establish an effective central bureaucracy. Besides, it was also needed to assure the security of taxpayers and to provide procedures access to markets. In this vein, new roads were built between important centers. More importantly, several new roads were constructed between Jerusalem and other important centers in order to improve transportation to Jerusalem. In addition, Ottoman rulers stationed regular troops to patrol important trade points around the country. Again, ferries were installed on the Jordan River. The government also organized new boat operations in Dead Sea for local and regional transportation. Important cities were also linked through railways. Also within this context, by expanding the telegraph

¹⁶ Rogan, "Bringing the State Back", p. 48.

¹⁷ Martha Mundy, "Village Land and Individual Title: *Musha'* and Ottoman Land Registration in the 'Ajlun District" in Eugene L. Rogan and Tariq Tell (eds.), *Village, Steppe and State The Social Origins of Modern Jordan* (London-New York: British Academic Press, 1994), p. 63.

system, the central government gained direct access to its outermost territories.¹⁸ Certainly, the infrastructural revolution quickly changed economic and social conditions. All actors in the country had the opportunity of exchanging their products and needs through the newly established networks. A nascent domestic market emerged. The Jordanian cultivators and tradesmen started exporting their most important staple, grain. Thus, the extension of roads opened Jordan to regional markets. In turn, the emergence of a nascent domestic market also contributed to the emergence of a regional/ “Jordanian” consciousness on the basis of a proto ‘national’ economy.

However, the modernization policies were paralyzed after the Young Turk Revolution in 1908. As is known, Abdulhamid’s chief goal was to maintain the territorial integrity of the empire. To achieve this aim he tried to use religion and Islam as a modern instrument in creating a “Muslim nation in the modern sense of the world.”¹⁹ But Young Turks interrupted this process. Despite the official declarations of Young Turks which depicted Arabs as equal members of the empire, they were extremely anti-Arabist. Even Arabs were denigrated as separatists in secret correspondences.²⁰ Thus, the Young Turks revolution was understood as a reflection of Turkish nationalist agenda especially in Arab lands. Finally, a revolt came out in Jordan in 1910, which reflected the limits of Ottoman rule. Along with political turmoil, financial limits of the empire also prohibited the full success of a functioning and centralist rule all over the state. However, the Ottoman legacy in terms of modern state formation was important particularly in terms of introducing early examples of Western central institutions and practices. Also, it was in this era that the first reactions to the centralist administration came

¹⁸ Rogan, “Bringing the State Back”, p. 50.

¹⁹ Kemal Karpat, *The Politization of Islam: Reconstructing Identity, State, Faith, and Community in the Late Ottoman State* (Oxford, New York: Oxford University Press, 2001), pp. 187-188. In parallel with this policy, the Hamidian era schools were organized “as an institutional tool of social disciplining and modernization”. See Selçuk Akşin Somel, *The Modernization of Public Education in the Ottoman Empire 1839-1908. Islamization, Autocracy and Discipline* (Leiden: Brill, 2001), p. 12.

²⁰ According to M. Şükrü Hanioğlu Arabs were described as “the dogs of the Turkish nation” in secret correspondences of the Young Turks. See: M. Şükrü Hanioğlu, “The Young Turks and the Arabs before the 1908 Revoultion”, in Rashid Khalidi, Lisa Anderson, Muhammad Muslih, Reeva S. Simon (eds.), *The Origins of Arab Nationalism* (New York: Columbia University Press, 1991), p. 31.

out. But it should be remembered that the reform program was carried out due to the Ottoman's needs. Thus, unlike the following British era, it was not aimed to create or consolidate an independent Jordanian identity.

Furthermore, the decline of classical Ottoman power already increased the great powers' interest in the region. In fact, Britain had been an important Western power in the region for ages and its presence had influenced local politics and diplomatic balances. Gradually, Britain became the dominant actor behind significant developments that took place in Arab provinces particularly in the last decades of the empire. But another very important problem in the Ottoman system was amplified Arab nationalism. The idea of a united Arab state became an ultimate end for Arab nationalists in the late years of the 19th century. Though they differed in method and principles, their common Arabist values brought them all together.²¹ It was in this context, the modern Jordan as a territorial state with its international boundaries and political regime was created.

Jordan came into existence in 1921 almost by the result of a bargain between Abdullah and Britain.²² Abdullah visited Cairo, where he met senior British official in Egypt in February 1914. His aim was to ensure the British support for a possible revolt against the Turks. As the British position towards the Ottoman Empire was not clear, the British reply was necessarily vague. When the Ottoman Empire had aligned with German forces against Britain and its allies in the First World War, the British position was quickly updated.²³ This time, Britain was to seek Arab people's support against the Ottomans. It was in this context that the famous Hussein-McMahon Correspondence took place. In his letter, Hussein plainly asked for British support for a new united Arab state in July 1915. McMahon's reply was clear in offering British support. But, in need of Arab

²¹ C. Ernest Dawn, "The Origins of Arab Nationalism", in Rashid Khalidi, Lisa Anderson, Muhammad Muslih, Reeva S. Simon (eds.), *The Origins of Arab Nationalism* (New York: Columbia University Press, 1991), pp. 4-6. Also see: Adeed Dawisha, *Arab Nationalism in the Twentieth Century: From Triumph to Despair* (Princeton: Princeton University Press, 2003), pp. 14-48.

²² Christopher Catherwood, *Churchill's Folly: How Winston Churchill Created Modern Iraq* (New York: Carroll & Graf Publishers, 2004), p. 130.

²³ The British Prime Minister commented the Ottoman-German rapprochement by saying "the Ottoman Empire has committed suicide". A. L. Tibawi, *A Modern History of Syria including Lebanon and Palestine* (Edinburgh: Macmillan St. Martin's Press, 1969), p. 209.

support against the Ottomans, the British side did not make them resented totally and replied in a diplomatic discourse. Accordingly, McMahon committed to supporting independence in the areas Hussein had outlined.²⁴

Hussein launched the Arab Revolt against the Ottoman Empire in June 1916. The British financial and military support was with the Arabs during the Revolt. But, the British officials were also in secret contact with the other Western powers. As a fruit of these secret meetings, the Sykes-Picot Agreement was signed in February 1916 in which Britain accepted new plans contrary to the contents of the Hussein-McMahon correspondence projected to partition the Middle East into French and British spheres of control and interest. Under the Sykes-Picot Agreement, Palestine was to be administered by an international condominium of the British and French, whereas Transjordan would come under British influence. Meantime, the British side was aware of the importance of Palestine considered its proximity to the Suez Canal. Therefore, despite the British commitments in the Sykes-Picot Agreement, Britain was determined that Palestine should be part of their zone of control.

The final phase of the war in the region took place in 1917 and 1918. The Ottoman armies were defeated in different wars (Mecca, Jerusalem and Aqabah) by a loose coalition of Arab and British troops. The final war took place between the Ottoman and the British troops in 1918. Between January 1919 and January 1920, the Allied Powers met in Paris to negotiate peace treaties with the Central Powers. Amir Faisal represented the Arabs. However, important parts of negotiations took place in April at a meeting of the allies at San Remo. Here Palestine (including the East Bank and all of present-day Jordan) was awarded to Britain as a mandate. Not surprisingly, Hussein and his sons opposed the mandate's terms. In 1920 for a brief duration, Faisal assumed the throne of Syria and his elder brother Abdullah was offered the crown of Iraq. The land called Jordan had been under the rule of Faisal during 1917-1918. His Northern Arab Army operated here during this period. Technically speaking, Transjordan had been awarded to Britain in the Sykes-Picot Agreement. However, the collapse of Faisal's rule in Syria in 1920 raised the question of what should happen to the

²⁴ Dennis Ross, *The Missing Peace: The Inside Story of the Fight For the Middle East* (New York: Farrar Straus and Giroux, 2004), p. 31.

future of Transjordan. There were two options: either it would be attached to Palestine or be left independent. The British rule in London sent many officials to the region to establish a civil rule in the area. In August 1920, several civil units were established along with a small gendarmerie. The problem this time was Abdullah with his several hundreds men. Abdullah's aim was to help the Arab people in Damascus against French rule. France immediately asked Britain to control him. Britain, instead, saw the situation as advantageous. To dissuade Abdullah from his plan, Churchill offered him an Amirate over the Transjordan under the supervision of Britain in Palestine. He also promised to use his power in influencing the French to reinstate the kingdom of Damascus with Abdullah at its head.²⁵ Shortly afterward, the League of Nations awarded Britain the mandates over Transjordan, Palestine and Iraq.

In March 1921, Winston Churchill convened an international conference in Cairo to consider Middle East policy. As a result of Cairo deliberations, Britain subdivided the Palestine Mandate along the Jordan River-Gulf of Aqaba line. The eastern portion, called Transjordan, was to have a separate Arab administration operating under the general supervision of the commissioner for Palestine, with Abdullah appointed as amir. At a follow-up meeting in Jerusalem with Churchill, Abdullah agreed to abandon his Syrian project in return for the Amirate. As a result, in the Cairo Conference, it was decided to separate Transjordan from Palestine. Faced with the determination of Emir Abdullah to unify Arab lands under the Hashemite banner, the British proclaimed Abdullah ruler of the three districts, known collectively as Transjordan. Confident that his plans for the unity of the Arab nation would eventually come to fulfillment, the emir established the first centralized governmental system in what is now modern Jordan on April 11, 1921.

However, with colonially injected political regime and colonially demarcated international boundaries, Jordan was an artificial creation. This piece of land dominated by overlapping tribes was turned into a Western-like modern state by the mandate regime. It is "a political anomaly and a geographical

²⁵ Hisham Sharabi, *Governments and Politics of the Middle East in the Twentieth Century* (London, New York: D. Van Nostrand, 1962), p. 181.

nonsense”²⁶. For example, no social and political developments such as a nationalist movement did precede the creation of modern Jordan.²⁷ Before 1921, the land today called Jordan had no appearance of a state:²⁸

With a tiny, primarily rural and tribal population, no urban center to speak of, and scarcely any resources –natural or otherwise- this dusty backwater did not appear to have much of a future

Even Emir Abdullah himself was not sure of Jordan’s future in that he used different names during the early years. Moreover, external powers such as Iraq and Saudi Arabia had still geographical and political ambitions over this nascent state. Also many local people found the separation of Jordan from Palestine unacceptable. In short, Jordan had many handicaps in the early years of its existence. With such obstacles, without Britain, neither Jordan nor her rulers in its formative years would have survived. Therefore, the *raison d’etre* behind the independence was Britain. In the words of Mary Wilson when Jordan was created;²⁹

It had a population of only some 230, 000, no real city, no natural resources, and no importance to trade except as a desert thoroughfare. In short, it had no reason to be a state on its own rather than a part of Syria, or of Palestine, or of Saudi Arabia, or of Iraq, *except that it better served Britain’s interest to be so.* [Emphasis is mine]

Therefore, having created modern Jordan in the form of an artificial framework, the British rule quickly launched a detailed colonial agenda in order to consolidate modern statehood. At the beginning, the political system in Jordan was based on a series of alliances between the Hashemite family, tribal leaders and expatriate elites, and was sustained by annual British subsidy.³⁰ In 1923 a formal Anglo-

²⁶ Avi Shlaim, *Collusion Across the Jordan: King ‘Abdallah, the Zionist Movement, and The Partition of Palestine* (Oxford: Clarendon Press, 1988), p. 31.

²⁷ Massad, op cit, p. 27.

²⁸ Asher Susser, *Jordan Case Study of a Pivotal State* (Washington: The Washington Institute for Near East Policy, 2000), p. 5.

²⁹ Mary C. Wilson, *King Abdullah, Britain and the making of Jordan* (Cambridge: Cambridge University Press, 1987), p. 3.

³⁰ Paul W. T. Kingston, “Breaking the Patterns of Mandate: Economic Nationalism and State Formation in Jordan, 1951-57”, in Eugene L. Rogan and Tariq Tell (eds.), *Village, Steppe and*

Transjordan agreement was signed which established a framework for the mandate system which was imposed in the years following the war. On May 26, 1923, the Amirate of Transjordan was declared an autonomous state under mandatory jurisdiction. In 1928, a treaty was signed between Transjordan and Britain which recognized Transjordan's independence while leaving financial control and conduct of foreign relations in British hands.³¹ The treaty stipulated that Transjordan would be prepared for independence under the general supervision of the British high commissioner in Jerusalem, and recognized Emir Abdullah as head of state. In May 1925, the Aqaba and Ma'an districts of the Hijaz became part of Transjordan. The following period was one of consolidation and institutionalization in Transjordan. Earlier Western types of institutions were founded in this era. Abdullah first sought to build political unity by melting the disparate Bedouin tribes into a cohesive group capable of maintaining Arab rule. By so doing he attempted to create a national identity among contending tribal groups. To achieve this, Abdullah realized the need for a capable security force to establish and ensure the integrity of the state in defense, law, taxation, and other matters. He set up the Arab Legion as one cornerstone of the nascent state. It was set up with assistance from British officers. This nascent national army was used in consolidating national identity.³² Although the Arab Legion provided Abdullah with the means of enforcing the authority of the state throughout Transjordan, he realized that true stability could only be realized by establishing legitimacy through representative institutions. Thus, in April 1928 he promulgated a constitution, which provided for a parliament. Elections were held in February 1929, bringing to power the first Legislative Council.

In this vein, the British first attempted to carry out administrative reform in order to create a central authority. An infrastructural reform, for them, could only take place through the creation of the political-administrative, military and judicial institutions. The mandate regime thus reorganized the political geography

State The Social Origins of Modern Jordan (London-New York: British Academic Press, 1994), p. 187.

³¹ *Ibid.*, p. 182.

³² J. Panayiotios Vatikiotis, *Politics and the Military in Jordan: A Study of the Arab Legion, 1921-57* (New York: Praeger, 1967), p. 5.

of Transjordan in such a way as to facilitate the reach of power of Amman across a territory circumscribed within international boundaries. The reordering of political space, by dividing Jordan into several administrative units, created a manageable space.³³

On the other hand, the mandate regime attempted to abolish the most important historical basis of the traditional form of authorities by implementing a land reform. The land reform's aims were essentially fiscal and administrative: to boost both agricultural production and tax revenues and to consolidate central rule. To achieve this, the British decided to change the system of land tenure and the Ottoman model they inherited for the system of land regime.³⁴ The aim of the program was to enforce British conceptualization of law and private property in Jordan and reduce or eradicate indigenous social aspects of land owning.³⁵ According to Mandate officials, the *musha'* system constituted a most serious obstacle to development. The result was the end of corporate social control over landownership and the beginning of the state's massive intervention in the minutest details of tenure. Under the traditional *musha'* system, cultivators owned shares in collectively owned village land rather than specific plots. Each cultivator was periodically assigned several plots of land to farm based on the number of shares he or she owned, which were the reassigned to another during the next rotation period.³⁶ Dowson, a colonial officer, was invited to prepare a report on land reform in Jordan in 1925. He quickly established a department of land registration. Accordingly the main tasks to be carried out centered around four issues: survey, registration, division collectively owned village lands (*musha'*), and taxation. Thus, the most important part of the Dowson plan was the breaking up *musha'* among the shareholders so that each would own his or her own individual plot of land. Put it differently, the reform program aimed to inject

³³ Vartan M. Amadouny, op cit, p.128.

³⁴ Michael R. Fischbach, "British Land Policy in Transjordan", in Eugene L. Rogan and Tariq Tell (eds.), *Village, Steppe and State The Social Origins of Modern Jordan* (London-New York: British Academic Press, 1994), pp. 8, 80, 82-83, 105, and 211.

³⁵ Fischbach cited in Massad, op cit, p. 34.

³⁶ Y. Firestone, "Crop-sharing Economics in Mandatory Palestine", *Middle Eastern Studies* 11(1), (January, 1975), pp. 3-23.

private ownership in land tenure system. The plan also called for an immediate reform in land taxation system. For colonial officials, the traditional Ottoman system was malfunctioning. It was inadequate, contributed to insecurity of title, and thus constituted a serious retardant to efficient agricultural investment. Land reform program had its inception with the first fiscal survey in the country. It was the most thorough mapping campaign ever carried out in Transjordan. It laid the first plank by surveying all agricultural land in Transjordan and assigning it a value for taxation in purpose. Thus, by land reform it was attempted to implement a unified tax system.³⁷ As expected, the tribal groups did not welcome new land tenure system and reactions continued in different forms until the late 30s.³⁸

The land reform program was formative in modern state-formation. Since it meant the re-organization of national space according to the new central administration, it contributed to the emergence of a national consciousness.³⁹ The plan attempted to abolish an existing traditional model. Secondly, the reform program transformed the state's relationship to the cultivators and went far in securing the political base of the new country. Third, the land programme accelerated pure private land ownership and increased the state's involvement in land affairs at the expense of social control over land as had previously existed. Fourth, as the lengthiest part of the land programme was land settlement, the most significant and intrusive state policy ever carried out in Transjordan, the newly established political entity's leverage and capacity was tested. With this reform, as a united political entity, Transjordan tried to impose a truly countrywide plan. Lastly, the reform program represented the symbolic face of new developments in the land. Several important symbolic developments such as driven iron marks into the ground were of importance. New epistemic principles of the modern state became visible for ordinary people.

³⁷ Roger Owen and Sevkett Pamuk, *A History of Middle East Economies in the Twentieth Century* (Cambridge, Massachusetts, 1999), p. 62.

³⁸ M. Abu Nowar, *The History of the Hashemite Kingdom, Vol. I: The Creation and Development of Transjordan, 1920-1929* (Oxford: Oxford University Press, 1989), pp. 58-59.

³⁹ Haim Gerber, *The Social Origins of Modern Middle East* (Boulder, Colorado: L. Rienner, 1987), p. 159.

In creating Western authority, another limit was the tribal problem. The expansion of the central government's authority in bedouin lands was another colonial contribution to the state formation. Nomadic bedouins constituted almost half of the Transjordanian population in 1922.⁴⁰ It was a fact that Amman's authority had a very limited capacity in Jordan. Thus, it became the main British policy to extend the government's authority to the remotest parts of Jordan including the bedouin zones. Nomadic people's mode of production was a self-sufficient, self-perpetuating form of economic appropriation that required geographic mobility and group elasticity and autonomy. This model was enhanced with the elastic kinship structures and decentralized authority structures. Obviously, this nomadic epistemology was unacceptable according to the nascent nation-state epistemology. Thus, during the early 20s, new sets of laws were enacted for bedouins. A new commission was established to oversee the bedouins and to establish full surveillance of their movements. The basic aim of the British rule was to control these people without fear of interference from tribal chiefs.⁴¹

In this context, the mandate rule assigned John Bagot Glubb in 1930 in order to integrate the bedouins within the nation-state. In a very short period, the forts and patrols of Glubb's desert police eliminated raiding and brought a degree of authority the tribes had not known since Umayyad times.⁴² However, a bedouin uprising came out against Glubb's policies of centralization. Indeed, bedouins were not ready for a central rule. Glubb then changed his tactic and attempted to end political and economic reasons behind the bedouins' lawless movements. Glubb instead of using always force tried to implement a politics-first agenda. This "humane imperialism" in the steppe facilitated his success. Glubb's humane imperialism's main principles were "a humane and sympathetic approach to tribal complaints, the provision of employment, subsidies to tribal sheiks, and the application of tribal law wherever possible."⁴³ His main strategy was to end the

⁴⁰ Massad, op cit, p. 56.

⁴¹ Ibid., p. 52 and 57.

⁴² Riccardo Bocco and Tariq M. M. Tell, "Pax Britannica in the Stepp: British Policy in the Transjordan Bedouin", in Eegene L. Rogan and Tariq Tell (eds.), *Village, Steppe and State The Social Origins of Modern Jordan* (London-New York: British Academic Press, 1994), p. 108.

⁴³ Ibid., p. 120.

causes of bedouin unrest. In this context several economic policies were also used such as subsidies given by the mandate regime according to the tribal principles among bedouins. Also, the mandate regime created several employment opportunities for bedouins. These efforts contributed to the emergence of desert control. Consequently, the consolidation of a new domestic market in Jordan already paralyzed the traditional setting of rural areas. The construction of new roads and facilities were great problems for bedouins. In short, the traditional logic was disappearing in the desert. Thus, the bedouins were forced to live a different lifestyle since the desert no longer provided good conditions for them. The only option was to give up the desert life and to become land cultivators. But the inclusion of bedouins within the physical limits of nation-state was the easier step due to the central government's ability of using power. The inclusion of them into the epistemological sphere of nation-state was difficult. In no tribal or nomadic tradition were there similar epistemological forms of knowledge that resembles those of the nation-state.⁴⁴

In constructing a national space, another very important step was infrastructural investments and organizations in the region. As is known, in a Weberian rationality, a modern state should have the ultimate use of power in its territory. Similarly, a new modern state in Jordan launched different projects in order to enhance and extend its control to all parts of the national territory. The colonial rule tried to increase its leverage in all parts of Jordan through communication projects. It was a fact that no central authority could be established with the traditional infrastructure capacity. For that reason, the modernization of transport and communications was a crucial element in the development of the infrastructure of power. Therefore, the mandate officials invested in new technologies in communication and transportations fields. It should be noted that the greater part of the British grant was spent on strategic road building.⁴⁵ In this vein, the mandate regime constructed new roads around

⁴⁴ Though, technically the total inclusion of bedouins in to the 'world of nation-state' was achieved in 1976, a law canceling all previous tribal laws including the Law of Supervising the Bedouins was enacted in this year, the bedouin issue has been part of the Jordanian politics since.

⁴⁵ Tariq Tall, "The Politics of Rural Policy in East Jordan, 1920-1989", in Martha Mundy (ed.), *The Transformation of Nomadic Society in the Arab East* (New York, Cambridge: Cambridge University Press, 2000), p. 92.

Jordan. These new roads contributed to both security and economic concerns. Also, new communication investments were made. As another outcome, new roads and communication facilities gave great opportunities for merchants in local and regional contexts. In short, the infrastructural reforms were done in order to give the central government in Amman command and control of the territory of Transjordan.⁴⁶

It was also another priority of the mandate regime to unify all types of standards in Jordan. As is known, uniformity and homogeneity in certain fields are typical signs of the modern state. Thus, as it happened in land registration, the British aimed similar homogenization in different fields such as economy. To achieve this, the British government established the Palestinian pound as the single legal currency, to replace other currencies in existence at the time, such as the Ottoman pound, Ottoman *mejidi*, the French franc, the Egyptian pound, and the English pound.⁴⁷ It was a very important step in creating a truly domestic market. Besides, the mandate regime also unified all weights and measures. It encouraged the development of financial network/ language by introducing such homogenizing policies. Similarly, many public services such as education and health were subjected to standardization.

Certainly, all these colonial reforms and policies helped the creation of a new man, a *homo nationalis*. Therefore, the modern concept of nation in Jordan is a “colonial fruit” of the nineteenth century and the beginning of the twentieth. In order to consolidate this new model, like other newly created states Jordan struggled to create new myths of origin and historical narratives to for their ‘citizens’ so that this unfamiliar identity could be justified.⁴⁸ With the Nationality Law of 1928, the idea of the Jordanian man (citizen) and a national space were defined. The attempt of defining “who is Jordanian” was also an official process, as this people did not exist before this declaration. Therefore, the Jordanian nation

⁴⁶ Riccardo Bocco and Tariq M. M. Tell, “*Pax Britannica* in the Step...”, p. 159.

⁴⁷ *Ibid.*, p. 163.

⁴⁸ Asher Kaufman, “Phoenicianism: The Formation of Identity in Lebanon in 1920”, *Middle Eastern Studies* 37(1), (January, 2001), p. 173.

was produced through a new legal discourse instituted in 1928.⁴⁹ With the help of new juridical epistemology (i.e. Jordan is different from the rest of the Arab lands); colonial engineering reached its zenith. Nationality laws in Jordan derived from the laws of European nations. Almost everything that came to constitute juridical Jordanian national subjectivity was lifted verbatim from Britain laws.⁵⁰

The British rule also enhanced diplomatic and political competence of Jordan. In 1934 a new agreement with Britain allowed Abdullah to set up consular representation in Arab countries. On the other hand, in 1939 the first council of ministers was formed. These two developments were significant in creating a Western type of modern statehood in Jordan. While Britain retained a degree of control over foreign affairs, armed forces, communications and state finances, Abdullah commanded the administrative and military machinery of the regular government. In a sharp contrast to the previous medievalistic overlapping authorities, a central authority came out in Jordan. Finally, on March 22, 1946, Abdullah negotiated a new Anglo-Transjordanian treaty, ending the British mandate and gaining full independence for Transjordan. Two months later, on May 25, 1946, the Transjordanian parliament proclaimed Abdullah king. In March 1946, Transjordan and Britain concluded the Treaty of London, under which another major step was taken toward full sovereignty for the Arab state. Transjordan was proclaimed a kingdom, and a new constitution replaced the obsolete 1928 Organic Law. A further treaty with Britain was signed in March 1948, under which all restrictions on sovereignty were removed, although limited British base and transit rights in Transjordan continued, as did the British subsidy that paid for the Arab Legion.

In Jordan, it is a fact that with the help of the British, the Hashemite rule was relatively successful in uniting the country both demographically and territorially. A land in which different overlapping authorities and identities had survived was re-organized according to Western lines and principles. The modernization which had its inception in late Ottoman era ended up with a

⁴⁹ Massad, *op cit.*, p. 22, 29.

⁵⁰ *Ibid.*, p. 23.

colonially created Western type of territorial state. In 1948, Jordan entered into the state system as a sovereign and equal member.

3.3 Kuwait

The case of Gulf States defies most of the usual assumptions about how states are formed and how they normally behave. By definition, they are accidental states owing their survival to regional upheavals, British policy, and political convenience.⁵¹ It would be difficult to find another group of states owing so much of their political and economic development to external events.⁵² The case of Kuwait fits well also to this theoretical framework. In this unusual process, the role of Britain was formative in the creation of modern Kuwait in the form of a Western-like state. It was the rivalry between the Ottomans and the British, and later the British policies that produced modern Kuwait. Based on this understanding, the following analysis on the emergence of modern Kuwait refers to the cited facts in a historical perspective.

In the nineteenth century of Kuwait, the traditional tribal ties were the basis of society. There were also several independent groups of families that dominated the social and economic life. Another important group was the Jewish and Indian settlers who were in local trade. The slave trade with Africa also created an important black population in the region. But the richest traders in important ports had no cultivable hinterland. They exported pearls, dates, date syrup, clothing, camels, horses, and hides, importing in turn food, coffee, spices, textiles, and different metals. These traditional trade-based local elites dominated social and political life. Around the cities, peasants were the majority of the population who were vulnerable to bedouin raids.⁵³ This traditional landscape was altered mainly by the competition between the Ottoman and the British powers in the Gulf. Besides, it was from this historical rivalry that modern Kuwait emerged.

⁵¹ Jill Crystal, *Oil and Politics in the Gulf Rulers and Merchants in Kuwait and Qatar* (Cambridge: Cambridge University Press, 1999), p. 2.

⁵² Rosemarie Said Zahlan, *The Making of The Modern Gulf States: Kuwait, Bahrain, Qatar, The United Arab Emirates and Oman* (London: Unwin Hyman, 1989), p.xi.

⁵³ Frederick F. Anscombe, *The Ottoman Gulf The Creation of Kuwait, Saudi Arabia, and Qatar* (New York, Columbia University Press, 1997), p. 11.

Historically speaking, the British presence in Aden since 1839, and the increasing influence of this country in other Arab regions was a clear threat for the Ottomans.⁵⁴ However, unable to control the coast from Aden to Abu Dhabi, the Ottomans could not hope to succeed in eradicating the British presence. The spread of the Ottoman authority to the southeastern Arabian coast was required. When the ruler of Bahrain asked for Ottoman aid against the Wahhabi amir in 1849, this event was taken by the Ottomans as an opportunity to start their plan to stop the British influence in the region. Midhat Pasha, the Ottoman local governor in Baghdad, quickly responded the invitation. But, his real strategy was to make Kuwait and other neighboring lands a permanent Ottoman territory.⁵⁵ The historical fact that Kuwait had been part of Basra was an important source of inspiration for Midhat Pasha. Despite the fact that the Ottoman flag had flown in the region, with the growing British influence, Kuwait became a quasi-independent state. Midhat Pasha meant ending this alarming situation by bringing Kuwait under Ottoman administration. During his presence, Midhat Pasha first tried to re-construct Ottoman rule. To achieve this, he used financial instruments against the local rulers. He cut of the local rulers' traditional revenue that came from Basra-dates in order to force them to negotiate with him. Finally, according to the negotiations, he named the leading sheikh, Abdullah al-Sabah as the *kaymakam* in 1871.⁵⁶ Midhat Pasha also established a well-organized gendarme force in the region to support the rule of *kaymakam*. In this way, Kuwait became part of the new Ottoman hierarchical system notwithstanding with some limits.

Next, Midhat Pasha focused on different regions like Hasa. He proposed an official plan to Istanbul in which he claimed that the emergence of a foreign presence in the region made local people forget the Ottomans. In view of that, a link between these Muslim people and the Port was necessary. In fact, the preference for cheap government, spending no more than necessary to ensure collection of a moderate level of revenue and thereby promoting a shortsighted

⁵⁴ Abdul-Reda Assiri, *Kuwait's Foreign Policy City-State in World Politics* (Boulder, San Francisco, London: Westview Press, 1990), p. 3.

⁵⁵ Peter Mansfield, *A History of the Middle East* (London: Penguin Books, 1992), p. 121.

⁵⁶ Assiri, op cit, p. 3.

squeezing of the populace, had already eroded local attachment to the empire in the previous era.⁵⁷ To restore the Ottoman rule, Midhat Pasha established a new administrative model. It was with his reform program that the government in the region assigned the first regularly paid civil servants. He created new administrative units. In each unit, there were assigned rulers (under different titles such as *kaymakam*, *mutasarrif*, treasurer (*beltülmal müdiri*), and judge. Besides, each unit had an administrative council (*meclis-i idare*). Part of the reform program, Midhat Pasha also forced these newly created institutions that the first language would be Ottoman.⁵⁸ In general, the administrative reforms in the region produced the earliest form of modern patterns of authority.

After that, Midhat Pasha made certain to have the tribes under his control through several methods such as co-opting local tribal leaders. For example he assigned several sheiks as the new official rulers. Again, several other tribal and local leaders became *kaymakam* in newly created *kazas*. In parallel, the Ottoman reformist bureaucrats attempted to turn the bedouins into farmers through taxation and new land registration reforms. Midhat introduced new methods of land using under the title of land tenure reform. He opened *miri* lands to the cultivation and levied new taxes in parallel with the new land tenure regime as well. In this vein, reforms also included other areas such as education and health. It is a fact that since the beginning of the late Ottoman rule in the 1890s, educational opportunities had improved noticeably. However, the empire's financial troubles limited reform agendas.⁵⁹ Also, weak communication and poor conditions of the Ottoman rule in the region were important facilitators for the Kuwaiti local rulers to protect their historical autonomous status.

More important were regional developments and their consequences. Especially, in the late 19th century, several developments, which can be seen as the origin of modern Kuwait, altered the course of developments. In this context, the issue of the local *kaymakamlık* between Muhammad and the Ottomans contributed to the emergence of modern Kuwait. The important development in

⁵⁷ Anscombe, op cit, p. 75.

⁵⁸ Ibid., p. 39-53.

⁵⁹ Ibid., p. 55.

Kuwait took place in 1896 when Muhammad, officially the sheikh-kaymakam of Kuwait, was murdered by his brother Mubarak. Mubarak, after murdering his brother, quickly attempted to win acceptance and appointment as the new official ruler. In this effort, he took advantage of the weakness in the local Ottoman administration. Mubarak, by using his wealth, won the loyalty of several local rulers. Several Ottoman officials in the region rejected his plans and sent reports to Istanbul urging Ottomans to order a military occupation. For Ottomans given the problems in governing this land, leaving it a sheikh would make it vulnerable to local and foreign intriguers. Instead of risking their position in Kuwait, Istanbul was ready to appoint Mubarak. Meanwhile, local notables organized around Mubarak to support his claim over the official post. But the Ottoman hesitancy in appointing him as the new kaymakam forced him to ask for foreign support. Due to the British factor and other developments, Istanbul decided to recognize Mubarak as the new kaymakam. However, the Porte also proposed a simple plan which aimed to increase both Mubarak's and Kuwait's dependence on the Ottoman Empire. To achieve this, Istanbul advised giving Mubarak a regular salary and appointing a qualified member of the Basra *ulema* as canonical court judge. Also a small unit of gendarmes was also to be sent to the region to accompany the official kaymakam.⁶⁰

As expected, Britain took the tension between the local rulers and Istanbul as an important opportunity. British officials and Mubarak started negotiations in 1899. Mubarak thought that a great power protection was the only alternative to counter the most serious continuing threat to his position.⁶¹ In fact, by negotiating with Mubarak, the real aim of the UK was to enhance its Trucial System to include Kuwait.

The Trucial System was the product of the British historical hegemony in the Gulf. In a historical perspective, the British influence in the region can be traced back to the 17th century. Since then, it had been the British priority to prevent the presence of other European powers in the region. More important was

⁶⁰ Ibid., p. 104.

⁶¹ Salwa Alghanim, *The Reign of Mubarak Al-Sabah Shaikh of Kuwait 1896-1915* (New York: I. B. Tauris, 1998), p. 33.

“to work the area into the British division of labor.”⁶² In the early decades of the 19th century, the British influence became very dominant. The British connection with the region arose from the need to protect the East India Company’s trade. During the 19th century, Britain tried to check piracy, maritime warfare and slave traffic. The priority was to prohibit the costal Arabs’ actions against their local trade. In short, the British interest in the region depended on both strategic and economic purposes. “The two went hand in hand; protecting strategic interests meant protecting the seas for maritime trade.”⁶³ Britain was also in search of extending its authority in the region through institutional mechanisms. In 1820, the sheikhs of Bahrain and the Omani coast were persuaded to agree to a General Treaty of Peace, which called for the suppression of piracy and slave trading.⁶⁴ In 1853, another peace treaty was signed which prohibited aggression in Gulf waters. These treaties introduced western practices such as ship registration.⁶⁵ The treaty system marked the beginning of the political supremacy of Great Britain over the Arabs on the Gulf.⁶⁶ These treaties were very similar to the other unequal treaties

⁶² Jackqueline S. Ismael, *Kuwait Dependency and Class in A Rentier State* (Tampa: University Press of Florida, 1993), p. 39.

⁶³ Crystal, op cit, pp. 16-17.

⁶⁴ Alghanim, op cit, p 42.

⁶⁵ Ismael, op cit, p. 40.

⁶⁶ These treaties are typical unequal treaties as I have discussed in the previous chapter. Not only Kuwait but many other Gulf political entities experienced special relations with Western powers in the form of unequal treaties. For example, the case of Qatar displays the impact of the state-system’s expansion in terms of unequal treaties. Qatar entered into treaty relations with Britain in the same way China and Japan did. The ruler of Qatar signed an agreement with Britain in 1916. By this agreement, the ruler of Qatar undertook to enforce anti-slavery regulations in Qatar. See: Rosemarie Said Zahlan, *The Creation of Qatar* (New York: Barnes & Nobles Books, 1979), p. 23. The traditional responsibilities of the ruler in Qatar were changed after Qatar entered into treaty relations with Bahrain. This is a characteristic case that displays the typical consequences of the expansion of the state-system. From this perspective, Qatar’s entry into relations with European powers had a longer historical background. Qatar signed its first treaty with Britain in 1820. From many perspectives, the General Treaty of Peace of 1820 is a typical unequal treaty between a Western power and a non-European power. As a typical unequal treaty, the General Treaty of Peace created new responsibilities for the Qatar ruler. According to the treaty, both sides accepted carrying out several duties in various areas such as slavery, trade and administration. Several clauses from the treaty clearly show the nature of relationship between Qatar and Britain: “I [*the Qatar ruler*] also declare that, without the consent of the High British Government, I will not grant pearl-fishery concessions, or any other monopolies, concessions, or cable landing rights, to anyone whomsoever.” “I, Sheikh ‘Abdullah, further, in particular, undertake to allow British subjects to reside in Qatar for trade and to protect their lives and property.” “Further, I undertake to allow the establishment of a British Post Office and a Telegraph installation anywhere in my territory whenever the British Government should hereafter desire them. I also undertake to protect them

signed between Western powers and different non-European powers. With these treaties, many Western institutions were transferred to these lands in the form of concessions.⁶⁷ In short, such treaties between Britain and local rulers changed the traditional understanding politics in the region. Also, it was again through the same treaties that the local rulers gained an international status for the first time.⁶⁸ The Trucial System also affected Kuwait. Following other regional sample, the first agreement between Britain and Kuwait was formalized in 1841: the Anglo-Kuwaiti Maritime Truce. Like many other treaties with non-European actors, it was supposed to regulate different fields mainly the maritime trade according to the Western standards.

However, this agreement of 1841 was far from satisfying the British needs in the region. Therefore, it was British strategy to sign a new agreement given the new conditions in the region. As mentioned above, by interfering into the political tension between Mubarak and Istanbul, Britain's aim was to revive the terms of the Trucial System with Kuwait. At the beginning, when Mubarak took power in 1896, he followed this neutral position and tried to protect good relations with all external powers including both Ottomans and British.⁶⁹ However, given the rise of British influence in the Gulf region it was not possible for Mubarak to ignore the

when established." See: Zahlan, op cit, pp. 144-147. There were several other treaties between two sides in 1819 and 1806. Not only Qatar's history but also other Gulf States should be studied in the same perspective. Since the beginning of the sixteenth century, the history of the Gulf became linked with the political and commercial competition of western countries. But it is only with the colonial era that state structure appears in Qatar to have consolidated and extended its authority over its entire territory. See: Giacomo Luciani, "Allocation vs. Production States: A Theoretical Framework", in Giacomo Luciani, (ed.), *The Arab State* (Berkeley- Los Angeles, University of California Press, , 1990), p. 66. In this context, Frederick F. Anscombe's argumentation clarifies this thesis; "The latter three [Kuwait, Qatar and Bahrain] were areas with fluctuating frontiers under tribal dynasties of uncertain durability. The Ottoman conquest of the mainland started a process of territorial definition, in the course of which Arab shaikhly families used great power sponsorship to defend themselves against rival [...] Gradually Britain became the preferred protector of these nascent statelets, as it grew apparent that it was more steadfast in support than the Ottoman state while demanding less in return." Frederick F. Anscombe, *The Ottoman Gulf The Creation of Kuwait, Saudi Arabia, and Qatar* (New York, Columbia University Press, 1997), p. 3. Also for a critical approach see: Iliya Harik, "The Origins of the Arab State System", in Giacomo Luciani (ed.), *The Arab State* (Berkeley-Los Angeles, University of California Press, 1990), pp. 3-12.

⁶⁷ Gerrit Gong, *The Standard of 'Civilization' in International Society* (Oxford: Clarendon Press, 1984), p. 8

⁶⁸ Anscombe, op cit, p. 14.7

⁶⁹ Ibid., p. 44.

British factor. On the other hand the antagonistic approach of Istanbul to Mubarak's leadership was another big threat. As a result, by signing a new treaty with the UK in 1899, Kuwait consolidated its position in the Trucial System.

The Anglo-Kuwaiti Agreement guaranteed many different issues in favor of Mubarak including his estates in Iraq. The agreement almost concerted an independent Kuwaiti ideal. Accordingly, Kuwait maintained control over its internal affairs, while Britain assumed responsibility for the country's security and foreign relations. By signing the agreement, Mubarak confirmed that only such a Trucial system would be the best way to preserve Kuwait's independence. By and large, this agreement as a typical unequal treaty marks the point of Kuwait's integration into the British colonial system. A short analysis of the agreement presents typical features of unequal treaties. For example with the agreement the local rulers in Kuwait promised,⁷⁰

Not to receive the Agent or Representative of any Power or Government at Kuwait, or at any other place within the limits of his territory; without the previous sanction of the British Government; and further binds himself, his heirs and successors not to cede, sell, lease, mortgage, or give for occupation or for any other purpose any portion of his territory to the Government or subjects of any other Power without the previous consent of Her Majesty's Government for these purposes.

By this agreement, Kuwait was completely included into the expanding Western State system. Thus, it was a historical turning point in the emergence of a Western type of state in the region since it inaugurated the transfer of many Western forms and institutions. The agreement "facilitated the integration of Kuwait into the emerging world capitalist system of production."⁷¹ It should be noted that it was only after 1961 when Kuwait was proclaimed as a sovereign state; the Anglo-Kuwaiti Agreement of 1899 was terminated. Thus, this agreement ruled Kuwait for almost a century.⁷² With the agreement, the British also provided advisers to staff the country's nascent modern bureaucracy. In consequence, the British

⁷⁰ Ismael, op cit, p. 49.

⁷¹ Ibid., pp. 53-54.

⁷² Mohammed A. Al-Yahya, *Kuwait: Fall and Rebirth* (London and New York: Kegan Paul International, 1993), p. 4.

presence was dominating, and Mubarak became the basic tool of the British policies of realizing hegemony in Arab lands.

Naturally, the rise of pro-British tendency in Kuwait caused several other changes. To begin with, the rise of formal relations with Britain disturbed the established families who had been in good relations with the Ottomans. Important parts of local leading families were still in favor of close relations with the Ottomans. As a homogenous body by social origin these Sunni merchant families were from Basra. These Sunni merchants, comprising Indian, Persian and Ottoman elements, came to Kuwait in the previous century. As conservative people, they were the most important block that had financed political and social life in Kuwait. These merchants promoted the traditional ties between Kuwait and Ottoman Iraq. However, the rise of pro-British stance gradually annihilated this pro-Ottoman societal structure and replaces it with a new notable class. Mubarak after signing the 1899 Agreement, in order to consolidate its position, quickly carried out several economic policies in order to replace the historical pre-Ottoman notables. Especially the Utbi merchants readily accepted Mubarak's *coup d'état*, as his first steps were to impose taxation on imports from Basra and other Turkish ports. In so doing, Mubarak created a loyal class to replace the former. Besides, the rise of British military and economic power in the region forced merchants to seek new alliances. It was also a historical fact that Britain had been consolidating its power in the region. Since the early 1800s, it monopolized the regional trade. It also changed the route for transportation of Indian goods to Europe from the Persian Gulf to the Red Sea. This shift quickly diminished both the maritime and caravan traffic activity in the Gulf region. Inevitably, the rise of British commercial and military power enhanced by the steam engine almost displaced the region's nascent industries. These developments weakened the power of the Kuwait traditional merchant class at a time the Ottoman Empire was attempting to strengthen its position in the Gulf. As a result, this time the local merchants noticed that it was more lucrative for them to be in alliance with the British than the Ottomans. Especially the Utbi merchants of Kuwait saw greater opportunity in the British side. As from several previous cases, this shift was not surprising. According to Jill Crystal regional

balances in Kuwait have always been defined and re-defined according to such regional developments.⁷³

When trade was good, small settlements emerged to rival each other in carrying the traffic. When trade withered, routes shifted, or droughts deepened, then central regulation weakened, alliances changed, rivalries turned to war and tribes moved.

Kuwait protected its position in the Trucial System in the following decade. It was mainly this Trucial relation with the UK, that modern institutions and practices of Western model came out in Kuwait. Under the aegis of this Trucial model, Kuwait was transformed into a new form of political structure in line with the Western model. In 1902, the British control over Kuwait was recognized in Istanbul. The first British political agent was assigned in 1904.

In terms of changes in political structure, Mubarak (1896-1915), the founder of modern Kuwait, used political autonomy under the auspices of the Truce with Britain very effectively in constructing an independent political entity. Kuwait under Mubarak's leadership within the British colonial system became a European-like state. In this era, he appeared as an autocratic ruler, and the traditional form of tribal leadership was declined. Instead, Mubarak created the earliest form of authority/rule equipped with a relatively central bureaucracy and military power. For example, he sent a military expedition to Arabia in order to re-establish system here under his control. In this manner, he emerged as the central ruler which was the only centralized power structure. Like in many other colonized lands, the establishment of a central government empowered with ultimate authority in all parts of the country was essential. In this vein, for example, several new policies such as the levitation of new taxes were the early symbol of modern statehood. To handle new reforms, he also established new institutions including opening schools to educate the needed personal. Mubarak by implementing such new centralist policies created the basis for the earliest centralist state administration.⁷⁴

⁷³ Crystal, op cit, p. 15.

⁷⁴ Crystal, op cit, p. 25.

The British also provided advisers to staff the country's nascent modern bureaucracy.⁷⁵ In this process, Britain exercised an indirect control. Accordingly, British advisers imposed the British policies indirectly and unofficially. Also important technical experts directing the various departments of the local governments were British. In the same way, British officials commanded local forces, too. In this indirect rule, the British Political Resident who acted as an ambassador whom was responsible to protect British interests in the region represented the British indirect rule.⁷⁶ Though there were many British officials and advisors, the British Political Agent developed a tradition of following an informal way of contact with the Kuwaiti rulers. But more important in this process was the consolidation of a central rule in Kuwait thanks to the new doctrine of rule brought by those foreign advisors. The British advisors tried to rule Kuwait by creating typical Western institutions and patterns.

In this vein, Kuwait's modern borders were also the product of the British presence in the region. Despite Kuwait had been known as an important region, for a long time it was not clear to define Kuwait's borders. Since the late 19th century, the area called Kuwait lacked well-defined boundaries. Boundaries had been changed according to either the intertribal conflicts or the traditional rulers' political movements. In 1913, Britain and the Ottoman Empire organized several diplomatic meetings to define the boundary problem in the Gulf region including Kuwait. According to the 1913 Convention, Kuwait was with treaty relations with Britain but it was nominally an Ottoman land. However, political developments at both regional and international level prevented the successes of the pre-War attempts. In 1913, the Ottomans granted Britain important rights including any railway extension south of Basra. Finally, in 1914 Kuwait received from the British as an independent principality under British protection. The virtual loss of Kuwait caused the end of the traditional Ottoman tribal policies in Arabia which had depended on the control of the coast and all major towns. Not ignoring the importance of diplomatic attempts, the rise of boundary issue had been parallel

⁷⁵ As typical symbolic developments in 1915 a flag was adopted to represent local authority. In 1921 Al Sabah family changed it with a new one.

⁷⁶ Hisham Sharabi, *op cit*, p. 258.

with the incorporation of Kuwait into the international system by Britain.⁷⁷ A boundary settlement of the frontiers between Iraq, Kuwait, and Saudi Arabia, for Britain, could be an apt instrument in solving related political problems. Thus, the delineation of the frontiers was decided according to the typical colonial process in the Uqair Protocol of 1922.⁷⁸

Sir Percy took a red pencil and very carefully drew in on the map of Arabia a boundary line...this gave Iraq a large area of territory claimed by Najd. Obviously to placate Ibn Saud, he ruthlessly deprived of Kuwait of nearly two-thirds of her territory and gave it to Najd.

The British major proposal was to limit the Saudi influence in Iraq. To achieve this, the two-thirds of the land claimed by Kuwait were given to Saudi Arabia. Though this angered the Kuwaiti side, it was beyond the capacity of Kuwait to reject the British proposal.⁷⁹ The Uqair Protocol was a typical colonial injection of national boundaries. By the agreement, national-boundaries of Kuwait were created by Britain according to an imperial perspective. Ironically, the geographical limits of Kuwait (national territory; land) were decided by external actors.

Political developments after the 1899 Agreement with the UK tremendously changed the historical configuration of political and social life in Kuwait. Mainly new developments pushed Kuwait to having a more central political structure. As expected, the rise of central authority created social discontent from different circles such as the bedouin groups and local merchant families. The bedouins were the original settlers of Kuwait. Their mode of production produced a specific type of social stratification and structure in these lands throughout the centuries. This kinship based social structure produced a segmented lineage system in which stocks were privately owned, with families representing corporate units of ownership. But all other important items such as pasture were tribally possessed. The basic means of surplus appropriation within the desert was the intertribal raiding. This high level of mobility created a high level of autonomy in history. In other words, they were antagonistic to the settled

⁷⁷ Crystal, op cit, p. 43.

⁷⁸ Dickson cited in Ismael, op cit, p. 70, and Crystal, op cit, p. 43.

⁷⁹ Ismael, op cit, p. 71.

ways of agriculture and trade.⁸⁰ Equally their way of life was antagonistic to any kind of central rule. Indeed, intertribal conflicts were the origin of Kuwait. The migrations of several tribes in the late seventeenth early eighteenth century for different reasons were the main demographic movements behind the formation of Kuwait. However, the rise of new central rule in Kuwait challenged this traditional structure. A mixture of traditional tribal forms and new conditions entailed new political, economic and social arrangements.⁸¹

Tribal traditions were retained, but they now were placed within a more complex occupational and social stratification. Trade, the basis of the economy, became tightly, and hierarchically, organized. A division of labor appeared early on...Divers were distinguished occupationally from rope pullers, captains or merchants. The proceeds from pearling and trade were then divided on the basis of occupation. At the top, a stratum of merchants soon became an elite.

In other words, the transformation of society and economics also altered the ruling notables. The former desert aristocrats turned to be the new ruling class of the town. The rise of new economic means such as regional trade, pearling and fishing created the earliest forms of transition from nomadic to sedentary life. Thus, “the productive forces maintained the tribal character of the desert, providing a tribal pattern to the organization of labor and politics.”⁸²

Consequently, the rise of Western-like central rule created deep resentment among the traditional merchant families. For them, the new political system’s challenge to the historical contract between merchant families and rulers was unacceptable. For ages, a special relationship had been the basic mechanism between the ruling family and the leading merchant families. An informal consultation mechanism was the essence of this relationship. Accordingly, the rulers exerted their skill, power and influence to protect social and political security of Kuwaiti people. On the other hand, the merchants were to pursue their business activities, acknowledged the leadership of the ruling family and made voluntary financial contributions to them from the profits they enjoyed under the

⁸⁰ Ibid., pp. 19-20.

⁸¹ Crystal, op cit, p. 19.

⁸² Ismael, op cit, pp. 23-24.

ruling family's protection. These merchants extracted revenues from pearl divers rather than peasants, and gave a portion of these extracted revenues to the ruler through custom dues, pearl boat taxes, and personal loans.⁸³ In other words, merchants were strong due to their income and to their ability in mobilizing the manpower. This 'contract' between families and rulers can be named as the historical basis of Kuwait.⁸⁴ Believing that the new centralist system might endanger their historical status, the traditional merchant families also challenged the rise of new system.⁸⁵ The traditional balance was broken and some merchants left Kuwait and settled in Bahrain. Aware of the importance of the traditional merchant class, Mubarak tried to call them back. However, the nature of balance between merchants and government was on the eve of a historic change due to one important economic development: The rise of the cultured pearl. The introduction of the cultured pearl paralyzed the status of the merchants in Kuwait. The rise of Japanese cultured pearls in 1930 depreciated the price of pearls. Due to the crisis, the number of boats in operation started to fall. Many of the pearl merchants and captains were bankrupt. Pearl workers and experts started looking for new jobs in other regions. The crisis of the pearl industry quickly gave way to important financial crisis for local governments. The crisis equally increased the leverage of rulers on the merchants. But it was not so easy to dominate them. In 1921, the merchant class once again organized in order to protect their political interests. The aim of the big families in proposing such conditions was to forestall factionalism within the ruling family over the issue of succession. In this way, the merchant class openly asked for a formal position in politics. In so doing, they gradually became the nucleus of the opposition movement. They established different councils to protect their interests in different fields.

Similarly, the merchants once again forced the ruler to establish the National Legislative Council (*Majlis*) in 1938 to undertake economic

⁸³ Crystal, op cit, p. 4.

⁸⁴ Ibid., p. 20.

⁸⁵ Kamal Osman Salih, "Kuwait: Political Consequences of Modernization, 1750-1986", *Middle Eastern Studies* 27 (1991), pp. 46-47.

development and carry out reforms.⁸⁶ To achieve their goals, the members of the council circulated anti-government leaflets and they even openly invited the Amir to step down from the post. Their demands included several improvements and reforms in different fields such as social service, education and administration. The *Majlis* Movement of 1938 also affected the idea and form of political opposition in Kuwait. It was a modern type of opposition as it was not like the traditional modes such as secession. Rather than employing the traditional modes of opposition such as leaving Kuwait, the merchants this time insisted on their demands. “Whereas opponents had once migrated to other Gulf ports, the interwar merchants chose to stay and confront the ruler.”⁸⁷ This change paradoxically enhanced state formation in Kuwait. Apart from the political and institutional outcomes of the opposition, the *Majlis* Movement improved the link between merchants and the state at an abstract level. The legislative council presented themselves as the representatives of the Kuwaiti people. Thus, the council defined their project (which they call *law*) as the basic authority.⁸⁸ On the other hand, with the new law, the legislative council was given the responsibilities of legislating important laws including the budget law, the law of justice, the law of public security, the law of education, and the law of health. The law also endorsed the right of the council in legitimizing all internal and external agreements. According to the law, an assembly was established quickly. In the same way, the law established several new administrative units such as the finance department. Until the establishment of the finance department, there had been no formal distinction between state and ruler’s revenues. Therefore, the fiscal reform during the *Majlis* movement established the first modern understanding of budget. The Assembly also established a new security forces which introduced the first formal distinction between internal and external security. With these two new institutions, the *majlis* movement “led to the expansion of the two pillars of the modern state: the fiscal and coercive apparatus”.⁸⁹ Equally, a new modern type of court system was

⁸⁶ A similar but less strong opposition in a similar format took place in 1921. According to Jill Crystal the 1921 case was a dress rehearsal for the 1938 opposition. Crystal, op cit, p. 42.

⁸⁷ Crystal, op cit, p. 36.

⁸⁸ Ismael, op cit, p. 73.

⁸⁹ Crystal, op cit, p. 58.

developed. Despite the ruler-oriented traditional model, the new administration of justice was created in which several new technical courts were included such as merchant arbitration courts. Even though the British influence was important in legal reforms, the basic aim was not to re-organize the legal system according to British model but make it for state formation.⁹⁰ Thus, a mixture of Western and local practices formed the legal system during the colonial rule.

In general, facing the dramatic changes in society and politics, the competition between merchants and rulers continued until the oil boom. Therefore, it would be the top priority of Kuwaiti rulers to purge the traditional merchant class after gaining their economic independence thanks to the oil income.

To sup up this part, the emergence of modern Kuwait owed its success mainly to its special relations with Britain. Kuwait became an international actor with the help of the British protection. In this regard, many important facts of modern statehood such as a central rule, international boundaries were created in the course of its relations with Britain under different forms such as truce and colonial rule.⁹¹ This political structure continued without any major changes until the oil boom.

3.4 Iraq

During the 16th and 17th centuries, Iraq was incorporated into the Ottoman Empire. Though same lands had been part of the Empire for many centuries, Istanbul had a somehow limited authority like other Arab lands. Despite the formal Ottoman rule, the continuing local networks kept their importance during the following centuries. For example, the eighteenth-century Iraq can be depicted as composed of plural, relatively isolated, and virtually autonomous city-states

⁹⁰ Nathan J. Brown, *The Rule of Law in the Arab World: Courts in Egypt and the Gulf* (Cambridge: Cambridge University Press, 1987), p. 130.

⁹¹ Benjamin Neuberger, "National Self-Determination in the Middle East and North Africa", in Moshe Ma'oz and Gabriel Sheffer, (eds.), *Middle Eastern Minorities and Diasporas* (Portland: Sussex Academic Press, 2002), p. 48.

and tribal confederations.⁹² Thus, the Ottoman rule had never been very effective beyond the symbolic recognition of Istanbul.⁹³ Therefore, the rise of Ottoman power in the early 19th century was formative in understanding modern Iraq. It was after the Ottoman modernization agendas of the 19th century that many forms of modern statehood were brought to the region.

Historically, Istanbul decided to extend its centralist reforms to the Arab provinces, particularly to Baghdad. Several challenging threats such as the rise of European powers and Egyptian power made Ottomans unhappy about the situation in the region. In order to declare their firmness, the Ottomans sent an army to the *mamluk* governor of Baghdad to capture the city. The arrival of a new Ottoman governor in Baghdad in 1881 signaled the end of the Mamluk period and the beginning of a new era in Iraq.⁹⁴ Next, direct rule was gradually imposed over the region. The Ottoman rulers quickly started carrying out important reform programs included landholding, administration, conscription, law and public education.

But most reforms in the region were carried out according to two important regulations: the Land Law of 1858 and the Vilayet Law of 1864. The new land code increased state revenues by introducing new land tenure regulations. The Vilayet law introduced new administrative demarcations also by re-organizing the form of authority between state and people. It established new modes of relations between Istanbul and the periphery as well. But it was especially the reign of Midhat Pasha as governor in Baghdad that energized the reformist agenda. Recall that Ottoman rule was unstable; (Baghdad had more than ten governors between 1831 and 1869), and had regained authority when the reform-minded Midhat Pasha was appointed governor of Baghdad. Midhat Pasha immediately set out to modernize Iraq on the Western model. In general, his reforms fell into three general areas: administrative reform, settlement of the

⁹² Hanna Batatu, *The Old Social Classes and the Revolutionary Movements of Iraq: A Study of Iraq's Old Landed and Commercial Classes and of Its Communists, Ba'athists, and Free Officers* (Princeton: Princeton University Press, 1978), p. 8.

⁹³ Charles Tripp, *A History of Iraq* (Cambridge: Cambridge University Press, 2000), p. 9.

⁹⁴ The mamluk rulers had ruled Arab provinces since the beginning of 18th century. Though they had recognized the Sultan's sovereignty, they were ruling by establishing different coalitions with local and tribal leaders.

tribes and educational reform. Also he attempted to consolidate a regular system of land tenure with legally confirmed rights of owners.⁹⁵ In other words, the primary objectives of Midhat's reforms were to reorganize the army, to create codes of criminal and commercial law, to secularize the school system, and to improve provincial administration. Consequently, he introduced a new, centralized administrative system into the Iraqi provinces and extended it into the countryside. In other words, these reforms meant an expansion of the state bureaucracy and the attempt to control aspects of daily life, which were previously beyond the limits of the state.⁹⁶

Midhat Pasha quickly focused on implementing both the Vilayet Law and the Land Law. He first mapped out the territorial boundaries of all provinces and established a new structure of administration from provincial down to village level. The aim of Midhat's administrative regulation was to bring the central administration systematically down to people who had hitherto been little touched by the apparatus of the state.⁹⁷ Another important outcome of Midhat Pasha's rule was the opening of village councils who were open to both Muslim and non-Muslim people. By opening these councils, he aimed to incorporate normal people in the administrative process. Similarly, as a result of centralization, for the first time, a systematic conscription was extended to various parts of Iraq.⁹⁸

Perhaps the most fundamental changes resulted from Midhat's attempt to apply the Ottoman Land Law of 1858, which aimed to classify and regularize land tenure and registering land titles to individuals who would be responsible for paying the applicable taxes. This law was also important in extending central authority over different parts.⁹⁹ The Ottoman reform in land tenure system introduced several new practices. First of all, landholders were given their first

⁹⁵ Phebe Mar, *Modern History of Iraq*, (Oxford: Westview Press, 2004), pp. 6-7.

⁹⁶ Christoph Herzog, "Corruption and Limits of the State in the Ottoman Province of Baghdad during the Tanzimat", *The MIT Electronic Journal of Middle East Studies* 3(1), (Spring, 2003), p. 36.

⁹⁷ Peter Mansfield, op cit, p. 120.

⁹⁸ Yapp, op cit, p. 142.

⁹⁹ Sevket Pamuk, *The Ottoman Empire and European Capitalism, 1820-1913* (Cambridge: Cambridge University Press, 1987), p. 87.

official papers (*tapu*). As land was the main factor in economic production, the institutionalization of *tapu* system produced important changes in economic and social relations. Though the *tapu* system did not change the state's position as the main possessor of lands, the *tapu* holders now could enjoy virtually complete rights of ownership.¹⁰⁰ But, when the new system prohibited the collective registration of land, registration was possible only in the name of an individual. Paradoxically, this case produced unexpected gains for local notables. Tripp contends that “in areas largely tribal cultivation, it was often the name of the sheikh, as the most powerful or prestigious individual that was placed on the title deed.”¹⁰¹ For many poor people cultivating land, within a land tenure system depended on important rights recognized for years under customary practices. Poor people were afraid of even losing their gained rights. But, in spite of such negative outcomes, the land reform consolidated the link between state and landowners. As it was the official *tapu* that was the basis of their economic power, the new official landowner class became a natural ally of the central government. Moreover, this new link increased the state revenues as the *tapu* system gave way for a primitive socialization of tax system.¹⁰²

Rather than avoid taxation through violent resistance, they came to see that it was more fruitful to engage with the administrative personnel and offices of the state to ensure reduced tax demands or indeed exemptions. They would thereby also hope to enlist the force of the state to help them extract revenues from their tenants.

The reform agenda also introduced important economic and cultural reforms. It was during this era the first newspaper appeared. *Al-Zawra* was published in 1869. Midhat's reforms also created a new educational infrastructure. He laid the groundwork for a secular education in Iraq. He attempted to replace Iraq's clerically run Islamic school system with a more secular educational system. New schools were also public and free for every one.¹⁰³ These new secular schools provided a channel for upward social mobility to children of all classes, and they

¹⁰⁰ Tripp, op cit, p. 16.

¹⁰¹ Ibid., p. 16.

¹⁰² Tripp, op cit, 17.

¹⁰³ Marr, op cit., p. 7.

led slowly to the growth of an Iraqi intelligentsia. They also introduced students for the first time to Western languages and disciplines. In the same vein, new irrigation projects were constructed. A modern telegraphy system was introduced in the 1860s. Several new factories were built around Baghdad. Linking important cities with different communication facilities were another priority of the rulers.

Though not in the same level, Midhat's reforms were continued by the succeeding governors such as Mehmed Reshid Pasha and Namik Pasha. To conclude, the Ottoman reforms paved the way for an unprecedented state authority felt at all levels of life. Beginning with the Tanzimat reforms in 1869, Iraq's subsistence economy slowly was transformed into a market economy based on money and tied to the world capitalist market. Also, after the reform programs, these lands became under the direct and intensive control of governors. Compared with the previous form of government, the reforms introduced the early form of modern statehood. No doubt, the rise of state power to that extent created social resistance. By establishing government agencies in the cities and by attempting to settle the tribes, the Ottoman reforms altered the tribal-urban balance of power, which since the thirteenth century had been largely in favor of the tribes. The expansion of state power naturally restrained the leverage of tribal and religious actors. Therefore several tribal revolts took place in different regions.

However, the reform program in Iraq was negatively affected by the political and economic problems of the empire. The most important obstacle was the financial crisis of the Ottoman Empire. It prevented the continuation of reformist programs. On the other hand, there was a conflict among the Ottoman administrative elite over the methods of reform. Most important to the history of Iraq, the Young Turks aggressively pursued a Turkification policy that alienated the nascent Iraqi intelligentsia and set in motion a fledgling Arab nationalist movement. Encouraged by the Young Turks' Revolution of 1908, nationalists in Iraq stepped up their political activity. The spread of Turkish nationalism also stimulated young Iraqis to question their own identity.¹⁰⁴ Thus, the split in the Ottoman elite was formative in terms of the evolution of Arab political thought: different groups with different ideas developed. A variety of groups emerged in

¹⁰⁴ Eric Davis, *Memories of State: Politics, History and Collective Identity in Modern Iraq* (Berkeley: University of California Press, 2003), p. 50.

Arab provinces, aimed to secure political advantage. In parallel with the split in Istanbul, Arabs were also divided among themselves. But the rising trend was decentralization in Arab provinces.

Meanwhile, the Western influence already became dominating in the region including Iraq. This process was also accelerated by the introduction of Western disciplines in the schools, which accompanied a greater Western political and economic presence. The British had established a consulate at Baghdad in 1802, and a French consulate followed shortly thereafter. Furthermore, the European interest in modernizing Iraq to facilitate Western commercial interests coincided with the Ottoman reforms. Steamboats appeared on the rivers in 1836, the telegraph was introduced in 1861, and the Suez Canal was opened in 1869, providing Iraq with greater access to European markets. On the other hand, at a regional level, Britain had held Aden since 1839. British forces were also in a dominant position in the Persian Gulf since the 1820s. Kuwait, which had long been under the protection of UK, was declared an independent state under British protection in 1914. In late 1914, Egypt became another British protectorate. Britain was also ruling important parts of Sudan in a way to guarantee its control over the Western littoral of the Red Sea. At the same time, there were several contacts between Libya. In addition, it was only Britain that was in a position to pursue contacts with tribal leaders in the Arabian Peninsula. Given the economic and military dominance of Western powers, the disintegration of the Ottoman territorial unity in the Middle East was accelerated.

In this context, very similar to the other regional cases like Jordan, the creation of Iraq in the form a Western territorial state was the outcome of a power politics between the declining Ottoman Empire and Great Britain. Thus, between 1914 and 1932, it was the British power that created the modern state in Iraq.¹⁰⁵ Like many other local actors, the nascent domestic actors tried to secure their positions by sustaining the British protectorate against the Ottomans. Similarly, Abdullah, the son of Sharif Hussein, asked for a possible protection from the British authorities in case of an Ottoman attack to his father's forces in 1914. Though the British officials did not reply in affirmative, they left the door open. It

¹⁰⁵ Toby Dodge, *Inventing Iraq: The Failure of Nation Building and a History Denied* (New York: Columbia University Press, 2003), p. 1.

was a fact that the British authorities were aware of the problems between Sharif and Istanbul. Also, the traditional British policy towards the Ottomans was changing. Britain had for a while backed the Ottoman Empire against other big powers such as Russia. But after the rise of Gladstone this traditional policy was almost changed.¹⁰⁶ In this context, Kitchener persuaded the British government to prepare alternative plans for Ottomans, especially in the Middle East. He sent special envoys to Sharif in order to consolidate the tacit agreement with him. The main aim was to guarantee Sharif Hussein's support. Both sides were in need of each other's force. In fact, the rise of new British strategy was not surprising as many of the geographical pieces needed for this were already in place. Britain throughout the war became the only state to control what became Iraq, Transjordan, and Palestine. Such a dominating role facilitated the British position against Ottoman rule. The Arab revolt, for example, organized around Sharif Hussein had provided military support to General Allenby's successful campaign against the Ottomans in Palestine and Syria.

In 1914 when the British discovered that Turkey was entering the war on the side of the Germans, British forces moved rapidly toward Basra. The pretext was to end the pro-Ottoman (and hence a pro-German) uprising in the Muslim territories stretching from the Persian Gulf all the way to India.¹⁰⁷ By the fall of 1915, British forces were already well established in towns in the south, and the British forces unsuccessfully attempted to take Baghdad. By March 1917 the British had captured Baghdad. Advancing northward in the spring of 1918, the British finally took Mosul in early November. As a result of the victory at Mosul, British authority was extended to the entire Iraqi province with the exception of the Kurdish highlands bordering Turkey and Iran, the land alongside the Euphrates. These British military actions laid the foundations for the establishment of the state of Iraq and it is from this period that the history of that state begins.¹⁰⁸ During the war, events in Iraq were greatly influenced by the

¹⁰⁶ Jocelyn Hunt, *Britain 1846-1919* (London and New York: Routledge, 2003), pp. 192-193.

¹⁰⁷ Malik Mufti, *Sovereign Creations Pan-Arabism and Political Order in Syria and Iraq* (Ithaca and London: Cornell University Press, 1996), pp. 22-23.

¹⁰⁸ Tripp, op cit, 31

Hashemite family of Hussein bin Ali, Sharif of Mecca. Aspiring to become king of an independent Arab kingdom, Hussein had broken with the Ottomans, to whom he had been vassal, and had thrown in his lot with the British. Anxious for his support, the British gave Hussein reason to believe that he would have their endorsement when the war ended. Accordingly, Hussein and his sons led the June 1916 Arab Revolt, marching northward in conjunction with the British into Transjordan, Palestine, and Syria. Anticipating the fulfillment of Allied pledges, Hussein's son, Prince Faisal (who was later to become modern Iraq's first king), arrived in Paris in 1919 as the chief spokesman for the Arab cause. Much to his disappointment, Faisal found that the Allied powers were less than enthusiastic about Arab independence. At the 1919 Paris Peace Conference, within the context of Article 22 of the League of Nations Covenant, Iraq was formally made a mandate entrusted to Britain.¹⁰⁹ This award was completed on April 25, 1920, at the San Remo Conference in Italy.¹¹⁰ Accordingly, a British high commissioner was to be assigned to head the civil government in the post-war Iraq.

Within the colonial model, the British were confronted with Iraq's age-old problems, compounded by some new ones. Villagers demanded that the tribes be restrained, and tribes demanded that their titles to tribal territories be extended and confirmed. Merchants demanded more effective legal procedures, courts, and laws to protect their activities and interests. Municipal authorities appealed for defined powers and grants-in-aid in addition to the establishment of public health and education facilities. Similar demands also existed among tribal people who faced significant problems in terms of economic conditions. Faced with these complex problems, the ultimate task for Britain was the nature of colonial rule to be imposed on Iraq. Because of these challenges, it was mainly the experience of the Arab Revolt that shaped the British way of rule. The difficulty in quelling the Arab revolt and the high number of casualties led the British officials to think on a

¹⁰⁹ Article 22: "To those colonies and territories which as a consequence of the late war have ceased to be under the sovereignty of the States which formerly governed them and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilisation and that securities for the performance of this trust should be embodied in this Covenant." <http://www.yale.edu/lawweb/avalon/leagcov.htm#art22>

¹¹⁰ Christopher Catherwood, *Churchill's Folly: How Winston Churchill Created Modern Iraq* (New York: Carroll & Graf Publishers, 2004), pp. 67-68.

different mode of government in Iraq. Along with the social unrest towards the British mandate, many other reasons such as the rise of Arab nationalism, tribal sheiks' ambitious projects, and social discontent for new taxation policies were triggered the local people. Iraq was in state of revolution during the following three months. (July, August, September 1920) What helped to provoke these three potential reasons was the British occupation.¹¹¹ It should be noted that the tribal conflicts continued during the revolt. But despite the conflicts among local leaders, the revolt was the historical origin of anti-British Arab nationalism. It became a foundational myth.¹¹² Having experienced the Arab Revolt, the British rule noticed that, first, in Iraq they needed to follow an Arabist policy in order to consolidate their presence.¹¹³ Secondly, it was understood once again that the tribal structure was still dominant in Iraq. Finally, the British concluded that a loose colonial rule might help them in ruling Iraq without any further important conflict.

Therefore, the British were to protect their interests, especially from such recurring fatalities. This led them to establish a different rule in Iraq which guaranteed British interests without assuming the costly and heavy burden of directly governing the volatile population. The solution was to deal with Iraq on a treaty basis and to reduce expenses by placing as much responsibility in the hands of the Iraqi government as an imperial power could bear to do.¹¹⁴ According to the cited principles, assigning a loyal leader in Iraq, as British officials had done in Jordan in the Abdullah case, was crucial. British officials chose Amir Faisal, the son of Sharif Hussein. Faisal's name was decided as the new king of Iraq in Cairo Conference in 1920. Amir Faisal became the first king of Iraq in 1921. The British also sided with the more educated Sunni group to consolidate their indirect rule.¹¹⁵

¹¹¹ Tripp, op cit, p. 44.

¹¹² George L. Haris, *Iraq Its People Its Society Its Culture* (New Haven: Hraf Press, 1958), p. 24.

¹¹³ Reeva S. Simon, *Iraq between the Two World Wars: The Creation and Implementation of a Nationalist Ideology* (New York: Columbia University Press, 1986), p. 4.

¹¹⁴ William L. Cleveland, *A History of the Modern Middle East* (Boulder- San Francisco-Oxford: Westview Press, 1994), p. 193.

¹¹⁵ Said K. Aburish, "Cruel Ancestry", in John Miller (ed.), *Inside Iraq: The History, the People, and the Modern Conflicts of the World's Least Understood Land* (New York: Marlowe & Company, 2002), p. 68.

To sum up, the Iraqi state as a new form of power and identity came out because of the British political projects aimed at securing British interests in the region. Although there were, of course, several differences among British officials, their overriding concern was to ensure the establishment of a recognizable state and the development of a social order appropriate to it. The Organic Law of 1925 defined Iraq as a hereditary constitutional monarchy with an elected bicameral legislature. According to the law, Islam was the state religion, the religious courts retained their position. Soon other important institutions were established including the national army in 1921. All such new institutions were the direct outcome of British projects. First, despite their allegedly indigenous names these institutions were a simulacra of Western institutions. Both the imposition of a hereditary monarchy and the recognition of Islam as a “state religion” had never been traditional patterns of the region. But since the beginning, the British-imposed monarchy suffered from a chronic legitimacy crisis: since the concept of monarchy was alien to this country. People saw monarchy as a British creation.¹¹⁶

There were several other official turning points in Anglo-Iraqi relations. The first treaty was signed in 1922. This treaty certified the British presence in Iraq. The following treaty was signed in 1924. The 1924 protocol was an important step that changed the cover of the continuing mandate form. In general, the British sought control here on two different levels: militarily and administratively.¹¹⁷ Through treaties, Britain gained a maximum freedom of maneuver on Iraqi territory. Also they could construct all types of military stations including railways. Most important was the British control on the administrative level. Accordingly, British advisers were assigned to important positions to ministers and to key institutions. Several important administrative units such as irrigation, public work, police, and land registry were thereby under the supervision of British advisers.

After legalizing their colonial status in Iraq by different treaties, as an important part of colonial agenda, a complex land reform program was carried out

¹¹⁶ Sharabi, *The Governments*, p. 154. Also cf. Lisa Anderson, “Absolutism and the Resilience of Monarchy in the Middle East”, *Political Science Quarterly* 160(1), (Spring, 1991), pp. 1-15.

¹¹⁷ Liora Lukitz, *Iraq The Search for National Identity* (London: Frank Cass, 1995), p. 15.

in Iraq. Certainly, to reorganize Iraq in the form of a Western model the traditional relationship between people and the “state”, or authority, was to be re-defined according to Western logic. This colonial task necessitated the injection of Western propertyship. Therefore, the colonial rule aimed at abolishing former forms of land regime. But, it should be noted that the land registration process was also carried out not according to the benefits of local people but according to British interests. Also, faced with social reactions, the colonial rule here did not inject a proper private property regime, instead attempted to protect primordial balances in Iraq. Thus, when confronted with tribal reaction, the colonial rule stopped in extending a universal property principle and kept the Ottoman law system for a while. But as it depended on many different forms of land holding at the same time, the mandate regime realized that with the previous land-regime an effective rule was not possible in Iraq. Thus, the British launched a new land policy in 1926. However, the early British land policy again followed a mediated direction between the traditional and modern land tenure systems. Thus, large groups of people who had small lands or who had been just workers on other’s lands were out of the early land reform agenda. And many people were deprived of any legal rights on their lands. They were just occupants or workers on land.¹¹⁸ The British officials attempted to re-organize land regime in Iraq according to new laws of 1926 and 1928. As it happened in Jordan, a colonial officer was responsible for this schedule: Henry Dobbs, the High Commissioner who had a good experience in India.¹¹⁹ In 1928, the Pump-Owners Law was introduced which granted full ownership to those to install a pump on former governmental lands. In this context, by the 1931-32 Land Settlement Law the British recorded the balance of unregistered land as state property. The land law of 1931-2 implied the increasing consolidation and centralization of state power.¹²⁰ This land mostly was distributed among important notables and families. It created unjust land distribution in Iraq. For example, a small number of people owned large part of all

¹¹⁸ S. Haider, “Land Problems in Iraq”, in Charles Issawi (ed.), *The Economic History of the Middle East* (London, 1966), p. 164 and 166.

¹¹⁹ Lukitz, op cit, p. 53.

¹²⁰ Batatu, op cit, p. 11.

lands in Iraq. In the words of Issawi “the British did not attempt to alter the system for fear of antagonizing the landlords and tribal chiefs, on whose support they were dependent.”¹²¹ As a result, a new land regime as a basis of modern statehood came out despite many negative social and political outcomes.

Undoubtedly, the evolution of political structure was also important amidst all these developments and transformations in Iraq. The political structure created by the 1922 Treaty, which formalized the colonial rule in Iraq, was depended upon the existence of two contending approaches. On the one hand, it was the British initiative existing as the main actor in political life. But on the other hand, the nascent Iraqi state demanded new forms of authorities and responsibilities. In turn this dualist model came out with several structural discords. For example, the 1922 Treaty also accepted the existence of British judges within the Iraqi court system in the name of protecting the rights of foreigners. But their presence like the presence of several British advisers in different fields then became a problem between two sides. The Iraqi rulers latter tried to limit the numbers and responsibilities of foreign advisers. There were also several conflicts between Britain and Iraq on the problem of government funds. It was Iraqi rulers’ priority to carry out important reforms in conscription and to establish a national army as quickly as possible. However, the British side insisted on using government funds in constructing new roads and infrastructural projects.

Apart from these technical discussions, the most important British influence was the attempt of producing a nation from the multiethnic structure of Iraq. The Iraqi “people” were composed of many different races, religions and tribes. Different languages were spoken. Thus, the number one target of the government was to achieve homogenization as quickly as possible in all fields. There were even different schemes of weights and measures in the different towns of Iraq. Therefore, the wide variation in the prices of the same commodity by reason of the dissimilar marketing conditions, and the extensive use of different currencies attested to the latent economic disunity.¹²² In sum, Iraq did not constitute a political community in any sense of the term. These lands were

¹²¹ Charles Issawi, *An Economic History of the Middle East and North Africa* (London: Methuen, 1982), p. 147.

¹²² Hanna Batatu, *op cit*, pp. 16-17.

among the most ethnically and religiously diverse Arab regions of the Ottoman Empire, and their amalgamation into a single country posed exceptionally difficult obstacles to nation building.¹²³ There were overlapping loyalties and identities. Therefore, the early rulers of Iraq wanted to implement a typical nation-building program consisting of different major components: firstly, they tried to centralize all coercive authority in the government's hands by building a national army. This also entailed the abolition of alternative regional power centers. There were still lingering effects of the *millet* system that still determined allegiances, loyalties and identities. The passage from the Ottoman era to modern statehood was in the making, while contradictory influences, values and interests clashed continuously.¹²⁴ The traditional tribal and regional centers had their own military forces. As the traditional Ottoman administration was confined to the major cities, tribal power centers had well-established military units. Logically, the establishment a central coercive power necessitated a nation-based conscription policy. Secondly, given the multiethnic/ multilayer structure of the Iraqi people, the new rulers of Iraq had a program of building an Iraqi identity. This aim also necessitated many further steps including new programs on education. Thanks to such developments, the relations between Iraqis became less and less governed by kinship or religious standing or consideration of birth, and more and more by material possession.¹²⁵ Not surprisingly, several minority groups rejected the new Iraqi citizenship. Minority groups feared that the new citizenship would become a tool for central government in suppressing minorities. Both sectarian and ethnic minorities thus refrained from quickly accepting new citizenship. Their fears were correct as governments in Baghdad quickly stepped forward in applying nationalist policies including new curriculums in public schools. There was a clash between imperial policies and local realities. A colonial officer reported to London that several groups in Iraq demanded to live in Iraq without taking their place as Iraqi citizens. But according to the same officer it was not possible since

¹²³ Cleveland, op cit, p. 191.

¹²⁴ Lukitz, op cit, p. 4.

¹²⁵ Batatu, op cit, p. 11.

“the aim of His Majesty’s Government is to create an Iraqi state and nation.”¹²⁶ Immediately, the use of a central army became an important instrument in nation-building process.

A strong army was seen as vital for a strong central authority. In line with this theoretical framework, military conscription, in Iraq, was used not only as a means to strengthen the army but also as a method to achieve national cohesion. It was believed that a military conscription system would erode the particular loyalties of different ethnic and sectarian groups. The army became an institutional factory for the production of modern men and the overcoming of sectarian and communal divisiveness.¹²⁷ As noted, the national army was established in 1921. Paradoxically, the first Iraqi national army depended on 7, 500 British men. In the following nine years, the number of men in the army reached 26, 000.¹²⁸ In 1934 a universal conscription was introduced. However, conscription was also quickly criticized by different sectors of society. Undoubtedly, the instrumentalisation of the army in the domestic political scene confirmed tribal fears. From the beginning Shi’is saw national conscription as a means for the Sunnis to dominate and to increase Baghdad central authority. Along with Shi’is, other groups as Kurds and Yazidis were against conscription. The basic reason for the tribal unrest against conscription was the social background of military officials in the army. They perceived conscription as a mere Sunni tool for consolidating their dominance over the rest.

In this vein, as Iraq entered into a nation-building process, training government officials became an important task, too. Faisal assigned Sait al-Husri as the supervisor of the national education programs in Iraq. Al-Husri was responsible for both increasing the number of new schools and organizing a new curriculum promoting national culture and identity. According to Husri the only alternative in creating an Iraqi national myth and identity was to imitate the German model. To Al-Husri, German nationalism, with its emphasis upon

¹²⁶ Lukitz, op cit, p. 30.

¹²⁷ Samir al-Khalil, *Republic of Fear The Politics of Modern Iraq* (Berkeley; Los Angeles: University of California Press, 1989), p. 165.

¹²⁸ Cleveland, op cit, p. 194.

language and history as unifying factors, was the perfect model for Arab nationalism.¹²⁹ Al-Husri's educational agenda was a typical implantation of nation-state model in an extremely multiethnic society. He sought to instill a sense of common identity in the Iraqi people by stressing Arab history and culture, promoting standard Arabic over regional dialects and by trying to suppress particularistic identities such as those of the Shi'is, Kurds, Christians, and Jews. From a different perspective, nation building in Iraq necessitated the abolition of former social, economic and political mechanism. In short, it necessitated that Iraqi people were to give up their traditional loyalties, privileges and customs. However, the Iraqi model was not totally limited with an educational process of nation building. In the course of time, the Iraqi leaders preferred coercive instruments rather than persuasive methods.

Since the late Ottoman era, Iraq has been subject to the expansion of the state-system which altered many traditional patterns. This encounter almost created Iraq in the form a Western state equipped with new domestic and international institutions. Undoubtedly, this change was to some extent a formal one given the continuing traditional and primordial facts of Iraqi society.

3.5 Conclusion

After complex Westernization processes, Jordan, Kuwait and Iraq came out as sovereign members of international systems. Undoubtedly, the Western influence produced immense political and social consequences for the Arab people. These lands were turned into Western sovereign states. The injected Western model was an alien form. It was realized thanks to the dominating power of Western states. Thus, the formal injection of the Western model, or the expansion of the state-system in the Arab Middle East, did not mean the full realization of this model. The transformation of international systems created new sovereigns equipped with formal institutions and capabilities. These states have been internationally enfranchised with the same rights and responsibilities and were given full juridical statehood. However, traditional forms continued despite the formal frameworks.

¹²⁹ Mufti, op cit, p. 28.

Along with the fact of being alien to the region, another important point was the lack of the needed economic transformation. As a Western model state was injected by external powers into the Arab world, several essential parts of the term were inevitably skipped. The Western model was the product of complex social, economic and political transformations of Europe. The architects of the projects took for granted that the same historical transformation of the modern state in Europe had also been experienced in the Arab world. This deficiency is one of the basic reasons why sovereignty has not been consolidated in domestic politics in Arab regimes. In Europe, the bureaucratic state with a monopoly of the legitimate use of force in a given territory arose at the same time as the economic and social changes with which it is associated in social theory: the appearance of capitalism, industrialists and working classes, class consciousness, and ideological politics. But in terms of non-European lands, the two historical trends of state formation and capitalist industrialization, which were associated in Europe, were unlinked in the periphery.¹³⁰ Thus, from an economic perspective, the formal structure established by Western powers missed supporting infrastructure.

In sum, the long and complex historical background re-organized these societies in line with the Western model. Thus, what we have in the Middle East is the encounter of Western and local patterns/forms. Undoubtedly, the formal injection of the alien model created several structural problems. These problems are clear evidences that display the inapplicability of a Western model in the Arab Middle East. The consequences of this externally injected model, or the crisis of the Western model, is the subject matter of the following chapters.

¹³⁰ Lisa Anderson, *The State and Social Transformation in Tunisia and Libya, 1830-1980* (Princeton, New Jersey: Princeton University Press, 1986), p. 8.

CHAPTER 4

CONCEPTUALIZING THE PROBLEM OF SOVEREIGNTY IN JORDAN, KUWAIT AND IRAQ

4.1 Introduction

As presented, Westernization included a wide range of changes in Jordan, Kuwait and Iraq. In short, the former imperial spaces were turned into new national spaces. This process led to the emergence of many Western-like institutions such as central bureaucracy, new laws, and new economic model. Consequently, these states entered into the modern international system as sovereign members. Iraq attained its independence in 1932. Jordan became independent in 1948, and finally Kuwait in 1961.

These states were organized in the form of Western state at the time of their entrance: they had international boundaries, central governments and their nations within their jurisdiction. But those formal appearances were not matched with *de facto* realities. Despite intensive attempts, drawing lines on the map, appointing rulers, elaborating structures of bureaucratic administration and taxation, even training and equipping armies failed in creating in durable state forms.¹ In other words, neither the Ottoman modernization nor colonialism has been successful in creating a modern Arab state in a Weberian sense. European colonialists left behind states with little or no history and limited administrative and military capabilities.² The words of a representative in the first Syrian

¹ Simon Bromley, *Rethinking the Middle East Politics* (Austin-Texas, University of Texas Press, 1995), p. 80.

² F. Gregory Gause III, "The Foreign Policy of Saudi Arabia", in Raymond Hinnesbusch – Anoushiravan Ehtashami (eds.), *The Foreign Policies of Middle East States* (Boulder- London: Lynne Rienner Publishers, 2002), p. 444.

Parliament is helpful to understand the problematic beginning of the nation state in the region:³

I look around me and see only a bundle of contradictions...Men whom nothing united, sharing no principles; some were illiterate, others distinguished men of letters; some spoke only Kurdish or Armenian, others only Turkish; some wore a tarbush, others a kafiye.

Since the beginning, these states have been under the influence of primordial and traditional institutions despite the formal structures imposed by Western powers. In other words, many parts of the colonially injected format have never been realized. Thus, the ultimate problem of those newly sovereign states was the accomplishment of colonially created paper structures.

As asserted, the hypothesis of this study suggests that the emergence of sovereign actors in the Arab world with resulting structural problems is the outcome of the long process of the Western state-system's expansion in different non-European regions. Compared with the sovereigns in Europe, these states are different as they lack many of the marks and merits of empirical statehood postulated by sovereign statehood.⁴ The crux of the question is that a development, which in Europe took a thousand years, was in the Middle East compressed into a few decades. The transformation of international systems created new sovereigns equipped with formal institutions and capabilities. These states have been internationally enfranchised by the same rights and responsibilities and were given full juridical statehood. But, practically many of them lack the needed institutional features of the sovereign state. Their populations do not enjoy many of the advantages traditionally associated with independent statehood. Failing in having full control all in state, they cannot protect democratic and civil rights in their territories. As a consequence, important benefits resulting from statehood are only shared by a small group of elites. Whereas those states are primarily juridical, their empirical statehood in large

³ Moshe Ma'oz, "Middle Eastern Minorities: Between Integration and Conflict- An Overview", in Moshe Ma'oz and Gabriel Sheffer, (eds.), *Middle Eastern Minorities and Diasporas* (Portland: Sussex Academic Press, 2002), p. 219.

⁴ Robert Jackson, *Quasi-states: Sovereignty, International Relations and The Third World* (Cambridge: Cambridge University Press, 1996), p. 1, 13, 15, 21, 27, 29

measure still remains to be built. Therefore, even though there is no formal difference between Western states and these states in the system, these states have either limited or no capacity in acting in different fields.

A short discussion of negative and positive sovereignty also clarifies the case much better.⁵ By definition negative sovereignty refers to the freedom from outside interference. Here classical concepts such as non-intervention and recognition are important. In other words, negative sovereignty refers to state-state level relations. When it comes to positive sovereignty, it is one which not only enjoys rights of non-intervention and other international immunities but also possess the ability to provide political goods for its citizens. In other words, positive sovereignty is about how domestic relations between actors are arranged in modern state. In this perspective, Arab states are negative sovereigns and face great problems in terms of consolidating their positive sovereignties. There is an important sovereignty crisis in terms of positive sovereignty in the Arab state. Despite their entrance to the international system as sovereign units, many important domestic institutions of modern statehood have not been realized yet. The discussion so far can be presented in a simple table:

Table 1: Sovereignty Models

	Western model	Hybrid-model	De-facto states ⁶
<i>Sovereignty (Power/Authority/Order)</i>	+	-	+
<i>Legitimacy in international system</i>	+	+	-

⁵ Ibid., pp. 26-31.

⁶ *De facto* states are non-sovereign actors in the system. They “exists where there is an organized political leadership which has risen to power through some degree of indigenous capability; receives popular support; and has achieved sufficient capacity to provide governmental services to a given population in a defined territorial area. The *de facto* state views itself as capable of entering into relations with other states and it seeks full constitutional independence and widespread international recognition as a sovereign state. It is, however, unable to achieve any degree of substantive recognition. In view of that TRNC (Turkish Republic of North Cyprus) is a *de facto* state. There are also several institutions or regimes in which membership can be obtained without having sovereignty. For example, “the Asia-Pacific Economic Cooperation (APEC) membership model and the General Agreement on Tariffs and Trade (now WTO) membership model. Unlike the UN and most other international organizations, these groupings do not base their membership requirements upon juridical statehood. In the case of APEC, members are not

In this table, the first column represents the Western type of modern state in terms of sovereignty. Accordingly, the Western model has a political configuration and these configurations are valid and legitimate both in domestic and international realm. But when it comes to colonially created states (hybrid-sovereigns) we have a quite different case: These states are organized like Western states having the same appearance, organization. They are the legitimate and equal members of the state system. However, many important parts of this organizational framework could not be realized. Thus, they are like the Western model in appearance, but different in practice. Therefore, there were newly created states operating in traditional patterns within Western formats. As explained in detail in Chapter 3, I name this continuity of certain traditional forms within the Western framework as hybrid-sovereignty. Hybridity refers to the limits of Western sovereignty by underlying how certain primordial patterns and institutions survive within the modern state format.

Once the consequences of the encounter between the Western model and the local forms in the Arab world are explained in this way, testing this framework according to the current date in the context of several cases is needed. Therefore, a detailed analysis of present Jordan, Iraq and Kuwait is needed. By so doing, it is aimed to answer several important questions: *Is the inapplicability thesis on the basis of hybridity valid for these cases given their present conditions? If so, what are the actual symptoms of hybrid-sovereignty in these cases?* In other words, to defend a hybridity thesis, one should find out certain cases that confirm the continuity of primordial patterns within the modern state format at different levels. Also by presenting several cases confirming the hybridity thesis, it will be presented that Western/Westphalian sovereignty is not applicable, or in some cases limited. Finally, by producing certain findings from these cases, a more explanatory perspective on sovereignty in the Arab world can be presented.

sovereign states, but rather “economies.” Scott Pegg, *De Facto States in the International System*, Institute of International Relations The University of British Columbia, Working Paper No. 21, (February, 1998), pp. 1, 8-9.

Therefore, a methodological framework is needed to show how this dissertation studies the subject matter before presenting the case studies in empirical data. Accordingly, this chapter is organized around one question: *How can one study the crisis of sovereignty in Jordan, Kuwait and Iraq?* Issues concerning sovereignty and how they may appear in terms of state-society relations will be examined. Similarly, the consequences of these sovereignty crises will be part of the subject matter of the chapter. Methodological findings in this chapter will be used in analyzing the cases in the following parts of this dissertation.

4.2 Re-emphasizing the Domestic Approach: State-Society Level Boundaries

Since sovereignty is a relevant concept both in the domestic and international realm, a study on sovereignty may focus on either, or both, of them. Nevertheless, the problem of sovereignty in the Arab context has generally been studied within the context of foreign policy. Scholars, from a neo-realist approach, have frequently analyzed high politics in order to analyze the application of sovereignty in the Arab world. Therefore, sovereignty-related studies have automatically focused on foreign policy developments such as Arab unionism, political unification projects, and territorial conflicts. This has given to an important methodological reductionism. It is therefore usual to see several well-known questions: *Does the Gulf War show that the state systems consolidated in the region? Does the end of pan-Arabism mean the final consolidation of Westphalian principles in the region? Or more recently, does the invasion of Kuwait show that sovereignty has been settled?* Certainly, such questions refer to important indicators. However, it is a fact that all the presented questions deal with the international aspects of sovereignty. Considering the complexity of the colonially injected modern state, the cited issues concerning foreign policy cannot themselves be adequate to test the consolidation of sovereignty at all levels.⁷

⁷ At this stage, the differences between the nature of international system and that of domestic politics are also obvious. States may easily recognize international legal sovereignty of another state. Recognition quickly assigns new states as equal members of system of states. However, the case is not similar when it comes to domestic politics. Certain formal institutions such as citizenship and national identity do not appear automatically when they are formally declared. The basic reason that differentiates the domestic and international realm is the intervention of the

Since Western statehood, which was created in the Arab world in a long Westernization period, also introduced new institutions and patterns in domestic realm, the issue of sovereignty should also be studied in this level. Thus, it is a kind of reductionism to read Westernization limited to the rise of new diplomatic patterns in the Arab world.

To clarify, I present a discussion on Michael Barnett who provides a perspective on the problematic of sovereignty in the Middle East. He argues that, before 1967, the major source of conflict in the Arab state system was the relationship between Arab nationalism and state sovereignty. Accordingly, he claims that after 1967 the cited conflict solved in favor of sovereignty; thus, Arab state since then has been routinely characterized as having a real existence and basis. Arab nationalism as a political unification is no longer actively entertained, even at the rhetorical level. For him the fact that Arab states have seemingly accepted each other's sovereignty and dispensed with pan-Arabism and the goal of political unification is viewed by many Arab leaders as central to the rules of the game. Although there are different types of inter-Arab rivalries and conflicts still persist, the particularly dead issue of state versus nation no longer exists. This brings Barnett to the basic argument: The emergence of regional order in the Arab world results from the consolidation of state sovereignty.⁸ According to Barnett, domestic and regional practices that led to the consolidation of sovereignty also promoted an interpretation of Arab nationalism consistent with sovereignty. He states that "before 1967 state sovereignty and Arab nationalism placed contradictory demands on Arab states, but now Arab nationalism's meaning is

human factor. Theoretically speaking, states, the actors of international realm, are epistemological categories whereas people, the real actors in the domestic realm, have a truly ontological existence. Simply, a state may easily be declared, as a sovereign unit by other states whereas the adoption and internalization of a new identity by a group of people is tremendously difficult. In other words, in terms of structure and causality domestic and international realms operate differently. In consequence, the realization of institutions in domestic politics is relatively more difficult than that of international relations. See: Michael Nicholson, *Causes and Consequences in International Relations A Conceptual Study* (London and New York: Pinter, 1996), p. 136, Alexander Wendt, *Social Theory of International Politics* (Cambridge: Cambridge University Press, 1999), pp. 79-88, Gary Goetz, *Contexts of International Politics* (Cambridge: Cambridge University Press, 1994), p. 16, 26.

⁸ Michael Barnett, "Sovereignty, nationalism, and regional order in the Arab state system", in Thomas J. Biersteker and Cynthia Weber (eds.), *State Sovereignty as Social Contract* (Cambridge: Cambridge University Press, 1996), p. 149.

more consistent with that of sovereignty”⁹ But is the transformation of Arab nationalism only and adequate criterion to test the consolidation of sovereignty in the Arab world? In presenting his argumentation, Barnett limits his understanding of Arab nationalism within the context of political unification. Thus, Barnett’s indicators are foreign policy-oriented. These are (i) the decline of unity talks and agreements; (ii) the agenda at Arab summit meetings; and (iii) Arab leaders no longer actively promote themselves as the champion of pan-Arabism and political unification.¹⁰ Understandably, another important question here comes out: Does the end of such unification projects mean the consolidation of sovereignty in a way to create a regional order in the Arab world? Undoubtedly, Arab nationalism has been one of the important issues/ criteria in sovereignty studies in the Arab world. However, it has created a kind of simplistic model. This model, following a sharp neo-realist line, claims sovereignty is about the international realm. In view of that, the end of political unification projects among Arabs may be taken as a concrete clue to claim the consolidation of Westphalian sovereignty in the Arab world. But sovereignty is a basket-term. The institutionalization of sovereignty at one level does not necessitate its consolidation at other levels. The end of Arab nationalism and political unification projects can of course be used to claim the consolidation of international legal sovereignty. Yet, this is an important step for the emergence of a regional order. But many important problems about the application of sovereignty originate from state-society relations/ domestic politics. The problem of sovereignty in the Arab world is not a purely foreign policy issue since indicators in this realm cannot be valid in explaining the domestic level issues. Recall that sovereignty also regulates domestic relations between state and society; the institutionalization of sovereignty has been problematic also in other fields. Thus, how certain boundaries at this level are violated or not realized fully should be studied, too.

Indeed, this necessity originates from the nature of the modern state. The modern state, which was brought to the Middle East through the expansion of Western state system, as an institution refers exclusively to public institutions,

⁹ Ibid, p. 151.

¹⁰ Ibid, p. 172.

differentiated from and autonomous of, other social institutions and exercising a monopoly of coercion and extraction with a given territory.¹¹ According to this description, two points are important: (i) the state is differentiated from other institutions or groups in society. It is autonomous; (ii) the state has a monopoly in exercising violence within its territory. Thus, it is differentiated from other actors in the international realm. As a result, two different types of boundaries can be proposed: Domestic and international. In line with those boundaries, I previously defined *sovereignty as an idea on power that displays how state authority is organized legitimately in a society and among nations at all levels*. Since sovereignty has both external and internal faces, its institutionalization depends on the protection of several boundaries that guarantee ultimate state authority against both its people and external actors. Therefore, how state is differentiated or through which borders/ institutions it is differentiated needs more attention since such boundaries and institutions are major pillars of state sovereignty.

In this vein, Joel Migdal's state-in-society approach also presents important methodological conclusions for sovereignty studies in terms of state-society boundaries.¹² Migdal defines state as the image of a coherent, controlling organization in a territory, which is a representation of the people bounded by the territory. Once the state is defined as an image, this posits that a political entity has two sorts of boundaries: (i) Territorial boundaries between the state and other states. These political boundaries refer to the classical notion of sovereignty among states. All states should respect each other in terms of territorial unity and should refrain from getting involving in each other's domestic politics. But the state-in-society approach adds another boundary: (ii) social boundaries between state and those subject to its rule. In this way, the state is separated or elevated from other non-state actors and social forces. Any other social actor, which does not recognize this elevation, means a sovereignty problem at domestic level since social boundaries between state and society are the origin of stateness. All state practices such as citizenship, passport, border markers, and school textbooks are to remind the cited social boundary. These practices serve to recognize, and

¹¹ Anthony Smith, *National Identity* (Las Vegas: University of Nevada Press, 1991), pp. 14-15.

¹² Joel S. Migdal, *State in Society Studying How States and Societies Transform and Constitute One Another* (Cambridge: Cambridge University Press, 2001), pp. 14-21.

validate, not only the territorial elements of state control, but also the social separation between the state and other social formations.¹³ Therefore, all social actors are expected to organize their life according to such state practices and standards. Any challenge to those boundaries would mean sovereignty crisis. Thus, problems concerning the consolidation of state-society boundaries also refer to the sovereignty crisis other than the international realm.

In terms of domestic institutions/ boundaries in the modern state, they create a political structure that is expected to maintain an equality-based relationship between government and people. These institutions are expected to be neutral and rational. By neutral and rational it is meant that they reject any kind of given (such as tribal or local) preferences and they depend on objective, anticipatable, accountable and transparent principles (such as taxation, law). Actors' relations with the state are organized by these neutral and objective criteria. Actors are well informed about the principles of the game. The nation-state model can shortly be defined as follows:¹⁴

The birth of the nation-state announces and solidifies uniformity in political organization, economic activity and cultural growth. This uniformity is daily reproduced by the rational organization of one army, one police force, one bureaucracy, and one law supervising and governing all citizens enjoying equal rights and duties. All barriers, be they social or religious, were removed, and a new political space was created so that citizens could compete according to their talents and merits rather than inheritance or origin.

According to the definition, sovereignty crisis in the domestic realm can be defined as the failure of any part of this rationality. In other words, several cases such as the failure of citizenship, the continuity of tribal loyalty, the failure of central government are typical sovereignty crisis that clearly show the Western type of sovereignty has not been realized.

On the other hand, when these boundaries fail, the state employs other methods, which are non-neutral, non-transparent and unaccountable, in order to rescue itself. In other words, state implements certain substitution policies.

¹³ Ibid.

¹⁴ Youssef M. Choueiri, *Arab Nationalism A History Nation and State in the Arab World* (Oxford: Blackwell, 2001), p. 2.

Substitution refers to the alternative methods used in case of sovereignty crisis in certain fields. For example, governments facing social reaction from different groups may use tribal recruitment in legitimizing their policies and status. This political pragmatism is a typical sovereignty crisis that citizenship, an important boundary/pillar of Western sovereignty, is not realized. Methodologically, how certain boundaries of the modern state fail in terms of realization and how states counterbalance such failures by different substitutions are important in explaining the problematic situation of sovereignty in a related case.

In other words, the failures of formal structure are compensated by certain policies. In so doing, the gap between formal and operational levels becomes wider. It is a fact that formal level is important in order to understand how textual, official, and legal procedures are created. However, it is only at operational level we can understand how those formal systems are realized for regulations at formal level may be far from practice at operational level. Through such methods, states hybridize their political systems by implementing substitution policies. It should also be noted that many subsidiary policies are composed of several primordial patterns.

Table 2: Social, Political and Economic Consequences of the Westphalian Ideal-type¹⁵ Sovereignty

<p style="text-align: center;"><u>State</u></p> <p style="text-align: center;">A legitimate government without any penetration problem</p>
<p style="text-align: center;"><u>Society</u></p> <p style="text-align: center;">National Identity (<i>Other minority identities are also recognized</i>)</p> <p style="text-align: center;">A social contract in which all parts of society are represented</p>
<p style="text-align: center;"><u>Land/ Territory</u></p> <p style="text-align: center;">Internationally recognized borders (<i>And it recognizes other state's borders</i>)</p>
<p style="text-align: center;"><u>Economy</u></p> <p style="text-align: center;">A developed domestic market in which social settlement takes place (Market rationality)</p> <p style="text-align: center;">Private property as the basic economy-policy</p>

In a comparative framework, a legitimate government without any penetration problem is expected to rule the country in a typical Westphalian format. In contrast to the Westphalian ideal-type, there exists a severe legitimacy problem in hybrid-sovereigns. In the same way, hybrid states fail in having full penetration to all parts of society. Either ethnic or regional or sectarian reasons prevent state to practice its full sovereignty in all parts of the country. It is a typical hybrid sovereignty case when a central government fails in extending its control to some parts of the country. A penetration question exists (domestic sovereignty). In addition, the state may play sectarian or tribal cards in a hybrid model in order to counterbalance its failure. This is a typical subsidiary agenda. Nevertheless, in so doing, state itself creates a problematic situation in terms of practicing its own sovereignty. State may also oppress different tribes or sects. Therefore, there cannot be a Western type of social contract in hybrid formats. Instead, certain primordial patterns such as tribalism or sectarianism are practiced

¹⁵ A model is a set of exaggerated characteristics defining the essence of certain types of behavior or institutions observable in the real world. 'Ideal' signifies 'pure' or 'abstract'. See: Tony Bilton et al., *Introductory Sociology* (London: Macmillan, 1996), p. 661. An ideal type provides the basic method for historical- comparative study. It is not meant to refer to the "best" or to some moral ideal, but rather to typical or "logically consistent" features of social institutions or behaviors. See: Gerth, Hans and C. Wright Mills (eds.), *From Max Weber: Essays in Sociology* (New York: Galaxy Books, 1958), p. 60. Also See: Raymond Aron, *Main Currents in Sociological Thought II* (New York: Anchor Books, 1970) and Lewis A. Coser, *Masters of Sociological Thought: Ideas in Historical and Social Context* (New York: Harcourt Brace Jovanovich College Publishers, 1977), pp. 223-224.

again as subsidiary policies within the format of citizenship. On the other hand, minority identity is generally rejected. State tries to compensate the lack of social contract in other areas such as economy, military or cultural policy. As expected, economy is under the strong influence of bureaucratic rationality in all hybrid states. Therefore, hybrid sovereigns use the economic sphere as a disciplining mechanism to protect social cohesion. As a frontier mechanism, hybrid-sovereigns has internationally recognized borders. However, it does not necessarily mean that they don't have different projects/ agendas concerning border change. Hybrid sovereigns thus may see the existing borders as unjust given "the historical realities". So border disputes have always existed among hybrid-sovereigns. Although not always in the form of aggression, they also get involved in foreign territories by manipulating transborder ethnic kinships. It is thus usual to see a hybrid-sovereign trying to keep its citizens from the influence of another bordering state. In sum, hybrid sovereignty refers to the incomplete practice of colonially injected Western statehood. Thus, how such domestic boundaries are violated are important proofs to defend the inapplicability thesis of Western sovereignty. It can be presented in a simple table as follows:

Table 3: Social, Political and Economic Consequences of the Hybrid Sovereignty

<p><u>State</u> Legitimacy crisis A government with penetration problem at different levels</p>
<p><u>Society</u> National Identity is still to be formed/ Nation building process is still ongoing: Citizenship crisis <i>(Other minority identities are not recognized as legal entities)</i> No social contract in which all parts of society is represented, thus the state compensates social contract with other methods with different stick and carrot policies</p>
<p><u>Land/ Territory</u> Internationally recognized borders <i>(But the existing regimes may be revisionist in terms of the current configuration of international borders)</i></p>
<p><u>Economy</u> No developed domestic market in which social settlement takes place <i>(Bureaucratic rationality: Economy is under the absolute control of the state. The state uses economy as an instrument of regime consolidation)</i> Private property faces different problems <i>(States are skeptical of private property)</i></p>

Several points at this point can be concluded: sovereignty has many faces in the modern state format and sovereignty crisis may come out at different levels. Therefore, the inapplicability of Western type of sovereignty may be analyzed at any level where primordial patterns challenge the consolidation of colonially imposed institutions and boundaries. The crux of the question is the difficulty in realizing complex institutions of colonially imposed Western statehood. Therefore, the Western model has been hybridized by the continuing primordial forms. This consequence is a result of the incongruity of the colonially Western model and local conditions. In addition, different political units such as governments, governing elite and people, may violate sovereignty. An ethnic group may reject colonially imposed national boundaries. Similarly, certain religious groups may oppose to the national boundaries. But in the same way, although it seems paradoxical, states or ruling elites may cause sovereignty crisis. For example, a government that employs certain tribal recruitment for political considerations causes severe sovereignty crisis in terms of challenging citizenship.

As an experienced sample, several transnational agendas such as Pan-Arabism structurally impeded the consolidation of citizenship in the Arab world. Therefore, the crisis of sovereignty may be originated from different actors and reasons. In other words, along with several cultural reasons, political elites may be at the origin of sovereignty crisis. Thirdly, when states face certain problems at different levels in terms of realizing sovereignty, they immediately follow several substitution policies. Substitution here means how the crisis of sovereignty is overcome through alternative methods. In general substitution policies mean the revitalization of certain primordial patterns such as tribalism or sectarianism. For example, when there is a crisis of citizenship, governments may follow tribal policies in order to protect their regimes. Similarly, the use of violence is a well-known subsidiary instrument. Also, governments may employ certain sectarian or economic instruments. Indeed, substitution is the origin of hybridity in terms of sovereignty. Different substitution policies create hybrid solutions since they entail the use of modern and primordial patterns simultaneously. In other words, hybridity originates from the primordial patterns that are substituted in order to compensate the failures of different pillars of a colonially imposed Western framework. Thus, substitutions are methodologically important in analyzing the inapplicability of Western type of sovereignty in a case.

Because of a model of Western statehood, like other Arab states, the political instability in Jordan, Kuwait and Iraq arises from the incongruity of primordial and particularistic values with contemporary norms, notably those of modernity.¹⁶ Thus, rulers are entrapped in a discordant duality where they are caught between different traditional forms and *raison d'état* (sovereignty).¹⁷ For that reason, the principle problem is to preserve or enhance their legitimacy in establishing a linkage with modernity. Despite the never-ending attempts to modernize societies, modern standpoint still have to take the past into account. The ambivalent commitment both to tradition and modernity still exists. Equally

¹⁶ Michael C. Hudson, *Arab Politics The Search for Legitimacy* (New Haven and London: Yale University Press, 1977), p. 165.

¹⁷ Raymond Hinnebusch, "Introduction: The Analytical Framework" in Raymond Hinnebusch – Anoushiravan Ehtashami (eds.), *The Foreign Policies of Middle East States* (Boulder- London: Lynne Rienner Publishers, 2002), p. 8.

important is the failure of several important pillars of modern statehood in domestic realm. Thus, what is meant by the inapplicability thesis initially refers to the failure of significant modern institutions such as citizenship or an efficient central bureaucracy. The ongoing problems concerning such institutions since those states became part of the modern international system strengthen the basic argument of this dissertation. Having analyzed how sovereignty crisis may take place in the domestic realm, the following parts aim to deal directly with the consequences of sovereignty crises with a special reference to Jordan, Kuwait and Iraq.

4.3 Sampling Sovereignty Crisis in Domestic Realm

As stated above, given the domestic and international boundaries of the modern state, sovereignty crisis may come out in different forms. In the case of the colonially created Arab state, the realization of Western sovereignty has been structurally problematic on both levels: the incongruity between Western sovereignty and the Middle Eastern structures is important in this vein and the incongruity of primordial and particularistic values with contemporary norms, notably those of modernity and structures, foremost among them the state, is the origin of political instability. New sovereign state structures are not congruent with the scope and boundaries of tribal, Islamic, imperial, or “feudal” domains.¹⁸

In fact, like many other new Arab states, political regimes in Jordan, Kuwait and Iraq quickly after gaining their independence launched nation-building programmes.¹⁹ Whereas the task of state building was achieved in a few days, that of nation building remains unfulfilled until the present day.²⁰ As a result, while social modernization weakened the old authorities, it did not immediately create authoritative replacements.²¹ Patriarchal, consultative, religious and feudal norms basically are not compatible with the liberal, rational-legal, secular, democratic, and socialist ideologies now having such a significant

¹⁸ Hudson, op cit, p. 165.

¹⁹ Amatzia Baram, “Territorial Nationalism in the Middle East”, *Middle Eastern Studies* 26(4), 1990, pp. 425-448.

²⁰ Aruri cited in Hudson, op cit, p. 217

²¹ Ibid., p. 394.

impact on elites and masses alike. The consolidation of the Western model has been distorted by political elites as well. Because this revolution is far from complete, these states are still living under dual systems of authority, and the problem of compability is chronic. It cannot be said that the traditional patterns have given way to the new ones.²² Colonially injected nation-states have no real and functioning consciousness of national self. They are far from dominating the traditional tribal and other types of identities and loyalties. Given such structural problems, since the very beginning, the consolidation of Western type of sovereignty has not finalized yet in Jordan, Kuwait and Iraq. These states have kept facing important sovereignty crises since the very beginning.

When it comes to the practical issues and fields that show how Western type of sovereignty is inapplicable, such an attempt necessitates clarifying how certain boundaries at domestic and external realms are violated or are not applicable. *Sovereignty crisis is defined as the violation or failure of any boundary of modern state, be it domestic or international, between state and other actors.* According to this definition, sovereignty crisis may take place in various forms. For example, the failure of citizenship is a sovereignty crisis. Similarly, an international aggression is also a sovereignty crisis. In the same way, the continuity of “feudal” type of social relations in rural areas despite the formal recognition of private land tenure system is another sovereignty crisis. In all sovereignty crises, the crux of the process is the inapplicability of a certain boundary of modern statehood. The typical consequence of a sovereignty crisis is the substitution of the failure by different ways. Thus, it is also important to present what is substituted when the crisis comes out. Substitution as an origin of hybridity is the result of a necessity since sovereignty crisis originates from a structural deficit. The failure of states in having needed capacity in solving structural deficits force them following subsidiary policies.

However, an exhaustive list, given the complexity of modern state, cannot be presented to enumerate all types of sovereignty crisis and their consequences. Since modern statehood refers to very complex organizational framework, one can make a long list of sovereignty crises. Additionally, it is a fact that the number of boundaries in the domestic realm is more than that of the international realm.

²² Ibid., p. 104.

The international realm depends on a limited list of boundaries among states such as territorial integrity and/or mutual non-intervention.²³ However, there are many boundaries in the domestic realm. Therefore, a study on how sovereignty may be violated or fail in domestic realm needs more attention since it is more complex.

Sovereignty crisis may come out in the domestic realm through several sample cases. However, one should bear in mind several facts before analyzing the following samples. The categories in the following list are typical instances that display apparent sovereignty crisis. All categories refer to obvious situations in which colonially injected Western sovereignty fails in realization. Therefore, these cases are important evidences in observing the limits of Western type of sovereignty in related cases. Secondly, since sovereignty is a basket term one may find out many different samples that show how sovereignty is challenged. Thus, when creating the following list, only several long-lasting problems in terms of state-society level relations are picked up from Jordan, Kuwait and Iraq. In other words, the following sample is presented according to case studies. Lastly, since each case has its own political and social conditions, how Western sovereignty is challenged or violated may be different in each case. Therefore, similar cases may not be found in different states. Undoubtedly, in each Arab state there is a different compensation mechanism, which is created by certain prevailing conditions. Therefore, it is different in an oil-rich Kuwaiti state and it is different in a poor, multiethnic Jordan.

Given these facts, the following list includes several important sovereignty crisis such as the failure of central authority, the problem of minorities, the failure of citizenship, the failure of national identity in foreign policy, the dominance of bureaucratic rationality in economic realm, electoral agendas, primordial quotas in

²³ Sovereignty crisis at the foreign policy level is very typical. Sovereignty as a legitimacy producing institution does also fabricate related norms such as self-preservation, independence, equality, and respect. Sovereign states gain different rights, immunities by having sovereignty. Given such a definition, *aggression* is a clear rejection of territorial integrity of a state. It is the ultimate violation of sovereignty. Another very important, sovereignty crisis at international realm is *involvement in domestic affairs*. A sovereign state is an independent state in which no other authority or state can have a role. It has exclusive authority to rule within its own borders. But despite the principle of “no other external actor can interfere into the domestic affairs of a state,” states may do this through certain different ways such as inciting ethnic or sectarian groups in another state. Also, *transnational agendas* should be mentioned. Some states may be dissatisfied with territorial boundaries and forms, and they may be in a political process of unification. All such sovereignty crises in foreign policy have taken place in the Arab world in the forms of wars, Arab unionism and ethnic provocation.

official recruitment, the instrumentalization of violence and the lack of an impersonal political system. However, before dealing with the details it should also be mentioned that different sovereignty crises might overlap. In other words, the differentiation of various sovereignty crises from each other might be difficult in some places.

4.3.1 The Failure of Central Authority

The failure of central authority is a typical case that shows one state faces structural sovereignty crisis. Unlike previous forms such as empires or tribal units, domestic sovereignty refers to the absolute authority in modern state.²⁴ It is the ultimate authority of a ruler/government within its borders in which no other power be involved. Since domestic sovereignty is an essential pillar of modern state, any movement, which challenges the existing government, is against the domestic sovereignty of government. Similarly, if the government fails in having full control in all parts of the country, this is a clear sign against its domestic sovereignty. Thus, any penetration problem in terms central authority refers to severe sovereignty crisis such as rebellions, terrorist activities, and ethnic problems.

When Western modern statehood was brought to historical Arab lands, such notions of central rule and central bureaucracy were also created in those lands. However, new sovereign states have faced structural difficulties in extending and institutionalizing central rules all over their territories. Central authorities in these lands have continuously been challenged and rejected. Therefore, endemic crisis in extending central authority show that the Western model fails in terms of realization.

When it comes to Jordan, Iraq and Kuwait, as it happened in other places, new national governments were founded in the course of the expansion of state-system. However, despite the formal appearance of central authorities, those states have faced penetration problem since the beginning. As a result, one of the most important pillars of colonially injected form has never been realized. For that

²⁴ Stephan D. Krasner, *Sovereignty Organized Hypocrisy* (Princeton, Princeton University Press, 1999), pp. 11-25.

reason, a study on sovereignty in the context of those cases should refer to domestic sovereignty.

In Iraq, the classical problem of the Kurdish region has been a major risk in sustaining domestic sovereignty, especially since the 1990s. It is a fact that the Kurdish region was changed to a medieval land in which overlapping authorities and groups existed. These groups even established their political systems on sectarian and ethnic lines. But the crisis of sovereignty can be traced back to the very beginning of modern Iraq.²⁵ The Kurdish groups and their political activities have created severe domestic sovereignty crisis in modern history of Iraq. In other words, the will of central authority/government has frequently limited by these groups. There have been conflicts between the Kurdish warriors and the central army. The Kurds even cooperated with Iran against their central government in Baghdad in the late sixties and early seventies.²⁶ And finally, after the post-Gulf War era, these groups have been organized as embryonic states with their constitutions, laws and organs. Similarly, the Shi'is of Iraq has been a major risk in terms of sustaining central authority in the country. As in the Kurdish example, the central rule collapsed almost totally in the southern part of Iraq. Given all such instances, the Iraqi state has faced severe domestic sovereignty crisis during the modern era.

When it comes to Jordan, the existence of Palestinians has created important problems of in terms of domestic sovereignty.²⁷ When the PLO established its main base of operations for the war against Israel in Jordan in the post-1967 War period, it gradually became a state within a state. It challenged the domestic sovereignty of the Jordanian government. Furthermore, it also became an important challenger in foreign policy. Eventually, the Palestinian groups within Jordan even challenged the legitimacy of the Jordanian state. Even, a military clash came out between the government and the Palestinians. Also the

²⁵ Carole A. O'Leary, "The Kurds of Iraq. Recent History, Future Prospects", *Middle East Review of International Affairs* 6(4), (December, 2002), p. 17.

²⁶ Natasha Carver, "Is Iraq/Kurdistan a State Such That It Can be Said to Operate State Systems and thereby Offer Protection to its 'Citizens'", *International Journal of Refugee Law* 14(1), 2002, p. 65.

²⁷ Laurie A. Brand, "Palestinians and Jordanians: A Crisis of Identity", *Journal of Palestine* 24(4), (Summer, 1995), p. 59.

Jordanian government cooperated with the traditional tribal groups in order to overcome this difficult situation. Today, though there are different numbers and estimates, it is clear that more than half of the population of Jordan today is of Palestinian origin.²⁸ Therefore, the problem of domestic sovereignty in terms of the huge Palestinian presence in Jordan continues. These groups still produce important problems in terms of challenging central government in different forms.

In the case of Kuwait, the problematic definition of citizenship has created severe domestic sovereignty crisis. The presence of big groups of people without citizenship creates important problems in terms of domestic sovereignty.²⁹ These people have different loyalties and aspirations. Therefore, they have been under the influence of many different external ideas and developments which has continuously challenged the realization of domestic sovereignty in Kuwait. For example, Nasserist tendencies and groups emerged in Kuwait during the fifties. Despite the unwillingness of the Kuwaiti government, different groups, influenced by Nasser, organized political activities such as strikes and mass meetings. Several other developments such as the Iranian Revolution and the Palestinian cause equally influenced those groups. Lastly, different groups welcomed the Iraqi invasion of Kuwait. Given these factors, Kuwait has faced a domestic sovereignty crisis since the very beginning. Today, facing the same risk, the government pursues a detailed population policy that aims to counterbalance this expected threat.

Similar structural deficits in terms of realizing domestic sovereignties have been experienced in Jordan, Kuwait and Iraq. Thus, how domestic sovereignty of these states fail is an apt case for analyzing the inapplicability of Western sovereignty. Indeed, their failures originate from the simple fact a Western modern nation-state framework is inapplicable due to several reasons. Certainly, the failure domestic authority is a typical case in which an important state-society boundary of Western sovereignty is not working.

²⁸ Curtis R. Ryan, *Jordan in Transition From Hussein to Abdullah* (London: Lynne Rienner Publishers, 2002), p. 9.

²⁹ Ghanim Alnajjar, "The Challenges Facing Kuwaiti Democracy", *The Middle East Journal* 54(2), (Spring, 2000), p. 243.

4.3.2 *The Problem of Minorities*

The failure of Western statehood and sovereignty has produced important problems in the context of minorities, too. Due to the several reasons such as the failure of social contract or the failure of national identity, different minority groups may still want to continue their primordial identities and patterns despite the nation-state framework. This problem would naturally produce several other problems in the long run. But the crux of the question is the failure of the nation-building process or the failure of national epistemology in embracing all different groups in a defined place.

Like other Arab states, Jordan, Kuwait and Iraq have minority problem.³⁰ The problem of minorities in these states is not a unique case. However, what remains essential is the lack of a functioning mechanism between state and society, such as citizenship, to sustain social stability. The failure in consolidating national identity is the main source of minority question. Jordan, Kuwait and Iraq failed in institutionalizing citizenship as the ultimate social boundary between itself and its people. Though their constitutions do not make any categorization in terms of an ethnic framework, the dilemma between ethnicity and nationalism constitutes one of the most important limits of state power.³¹ As a result, the existence of informal tribal and family networks has prevented the creation of impersonal Western-styled official relations. A kind of sectarian and tribal balance can be assumed to exist as a balance of power in domestic politics.³² For example, both sectarian and tribal institutions as a sociopolitical power have been manipulated by the legitimacy-seeking states.³³ Also people still continue to organize their relations according to tribal loyalties. Different minority groups believe that the only logical solution to protect their status and interest is to be

³⁰ It's been an important methodological discussion of how to define minorities in the region. Albert Hourani's definition has been widely used which defines them as those people who differ from the Sunni-Arab majority in their religious affiliation and/or their ethnic-cultural identity. Albert H. Hourani, *Minorities in the Arab World* (Oxford: Oxford University Press, 1947), p. 3.

³¹ Emile Sahliyeh, "The Limits of State Power in the Middle East", *Arab Studies Quarterly* 22(1), (Fall, 2000), pp. 1, 8-9.

³² Sami. E. Baroudi, "Sectarianism and Business Associations in Postwar Lebanon", *Arab Studies Quarterly* 22(4), (Fall, 2000), p. 81.

³³ Amatzia Baram, "Neo-Tribalism in Iraq: Saddam Hussein's Tribal Policies 1991-1996", *International Journal of Middle East Studies* 29(1), (February, 1997), p. 1.

organized around the primordial ties and identities. Because central rule is far from sustaining basic needs in periphery, the only solution for different groups is to protect their primordial identities against dominating groups. As a result, primordial ties gradually appeared in different forms such as group solidarity or communal life in big cities.³⁴ Therefore, these states include certain constituencies rather than a Western type of nation. In this way, political life is dominated by sectarian and tribal loyalties rather than national framework. Automatically, this model creates several sensitive regions/constituencies within the country like the Sunni region, the Shi'i region or the Kurdish region. Consequently, central governments face the classical penetration problem. Alienated masses in such regions (the tribal or the sectarian domestic minorities) become automatically "risky" populations. Many policies of central government have never been applied in such regions without great difficulty. Due to the penetration crisis, many important projects of central governments cannot be applied in the periphery. Central governments can only enforce their plans in periphery through the use of violence.

The failure of the nation-building process is the origin of minority problem which is an important impediment against the realization of Western sovereignty. The continuity of sub-national formats among minority groups still prohibits the consolidation of Western model. Nation-building processes have failed in those states. In addition, none of these cases could produce a functional legal framework in which different minority groups may co-exist with majority groups of society. The failure in developing full-integrated communities along the lines of the Western nation-state is still a structural reason against the consolidation of Western sovereignty.

4.3.3 The Failure of Citizenship

Citizenship, which is a basic pillar of the Western model, was brought to Arab lands during the expansion of the Western state-system. In theory,

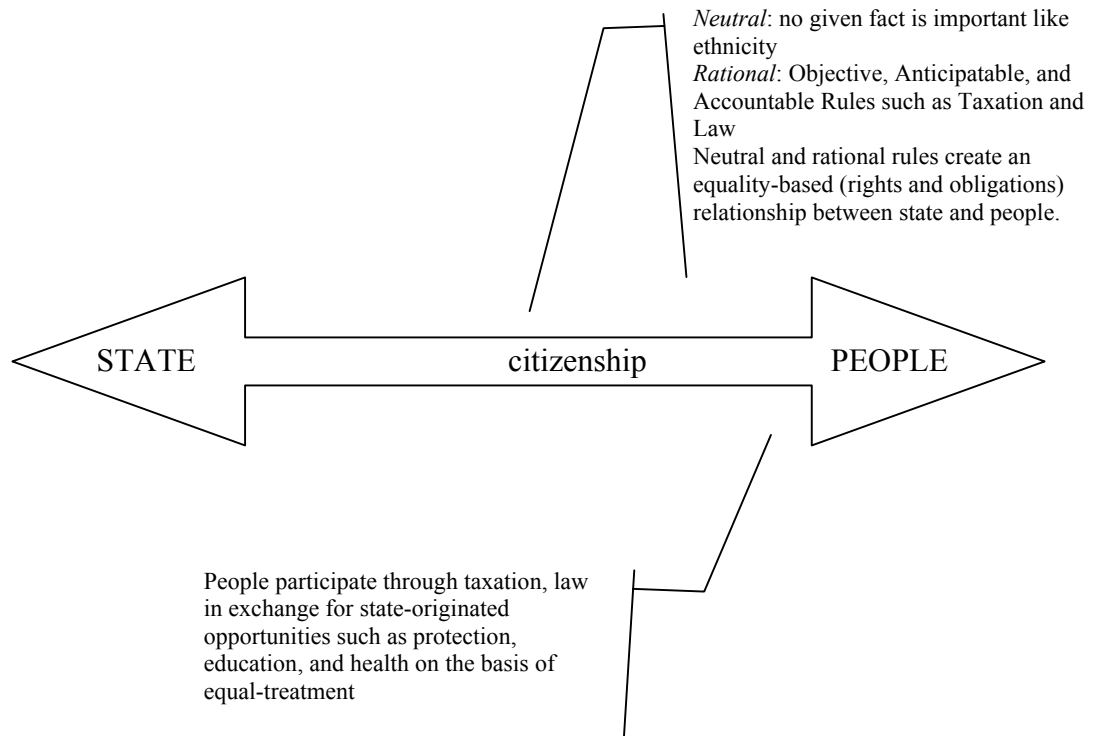
³⁴ Sometimes primordial loyalties in several cases were transformed into a kind of class-consciousness. Michael Johnson, "Popular Movements and Primordial Loyalties in Beirut", in Talal Asad and Roger Owen, (eds.) *Sociology of Developing Societies The Middle East* (London: Macmillan Press, 1983), p. 178.

citizenship is one of the most important components of modern statehood and sovereignty. Thus it is taken as the most important state-society/ domestic boundary. All people in a defined territory as citizens have the same rights and responsibilities. As a legal and social framework, it has been the central axis of Western political philosophy.³⁵ How sovereignty is organized at the domestic level and how state classifies “self” and other at the external level depends on how personality is organized in law. Modern sovereignty and statehood recognizes citizenship as the basic ordering principle. It is one of the most important differences in how modern state is differentiated from previous forms such as empires. Citizenship is a neutral institution which represents neither tribal, racial nor gender-based considerations. It denotes full and responsible membership of an individual in a state. In citizenship model, all nationals are given equal rights. In other words, in the modern state, citizenship is the basis of society, which regulates rights and responsibilities of the individual, society and state following a neutral line without noting differences of race, tribe and sect into account. Sovereignty is the impersonal and invariable of public authority which bestows legitimacy on all governmental measures.³⁶

³⁵ Gershon Shafir, *The Citizenship Debates: A Reader* (Minnesota: University of Minnesota Press, 1998), p. 2. Also see: Patrick Weil, “Access to Citizenship: A Comparison of Twenty-Five Nationality Laws”, in Thomas Alexander Aleinikoff (ed.), *Citizenship Today: Global Perspectives and Practices* (Washington: Carnegie Endowment for International Peace, 2001), p. 18.

³⁶ Elie Kedourie, “The Nation-State in the Middle East”, *The Jerusalem Journal of International Relations* 9(3), (September, 1987), pp. 1-9.

Table 4: Rationality, Neutrality and Citizenship



Naturally, any kind of discrimination among citizens is a typical sovereignty crisis at state-society level since it confirms that the formal Western state is not realized at an operational level. Several primordial patterns such as tribalism and sectarianism clearly show that citizenship has yet been realized. Such instances are taken as clear proofs that displays sovereignty crisis. Therefore, the issue of citizenship is a major subject matter in analyzing the cases in terms of sovereignty crisis. Indeed, when we analyze our cases from this perspective, certain findings can be found. Even though these states are organized according to the principles of the nation-state model based on citizenship, how they operate their domestic politics is quite different. What we see is a typical Western state at a formal/official level. Their constitutions officially underline citizenship and the strong link between citizenship and sovereignty. But, several

primordial and political patterns unlike citizenship are implemented at operational level.

According to Article 1 of the Kuwaiti constitution “Kuwait is an independent sovereign Arab State.”³⁷ According to the Article 7 “Justice, Liberty and Equality are the pillars of Society; co-operation and mutual help are the firmest bonds between citizens.” Also Article 8 notes “the State safeguards the pillars of Society and ensures security, tranquility and equal opportunities for citizens.” In addition, in Article 1 of the Jordanian constitution, it is stated that the “The Hashemite Kingdom of Jordan is an independent sovereign Arab State.” Also, according to the Article 6 of the constitution, all Jordanians are equal before the law, that no one shall be discriminated against on the basis of race, language or religion, and that the government shall ensure for all, education, tranquility, equal opportunities, and work. A short analysis of Iraqi constitutions presents similar conclusions. According to the 1925 Constitution, Article 2 declares, “Iraq is a sovereign State, independent and free”. When it comes to citizenship Article 6 says, “There shall be no differentiation in the rights of Iraqis before the law, whatever differences may exist in language, race or creed.” In the 1990 interim constitution of Iraq, Article 3 defined sovereignty of state. In the same constitution, Article 19 defines citizenship as the basis of society: “Citizens are equal before the law, without discrimination because of sex, blood, language, social origin, or religion” and “Equal opportunities are guaranteed to all citizens, according to the law”. In the same way, the 2004 Constitution of Iraq defines citizenship as the basic principle: “Anyone who carries Iraqi nationality shall be deemed an Iraqi citizen. His citizenship shall grant him all the rights and duties stipulated in this Law and shall be the basis of his relation to the homeland and the State.” (Article 11)

³⁷ All constitutions of Iraq, Jordan and Kuwait refer to sovereignty in their first articles. But interestingly, in each case the first articles also underline the importance of “one Arab nation.” The Kuwaiti constitution says, “The people of Kuwait is a part of the Arab Nation.” (Article 1). The Jordanian constitution says, “The people of Jordan form a part of the Arab Nation” (Article 1). Similarly, the Interim Constitution of Iraq (1990) declared “Its basic objective is the realization of one Arab State and the build-up of the socialist system”. (Article 1) The Iraqi Constitution of 2004, issued by the American led government, refers to the Arab cause in Article 7: “Iraq is a country of many nationalities, and the Arab people in Iraq are an inseparable part of the Arab nation.”

However, the formal regulations of citizenship, due to different historical and political reasons, have never been applied thoroughly at the operational level. The concept of citizenship has been flawed by gender-bias, tribalism, regionalism and sectarianism. Even the governments are akin to violate basic regulations on citizenship for certain political gains.³⁸

In Iraq, the national identity has never encompassed all other ethnic groups. Instead, the modern Iraqi history has been determined by endless clashes between ethnic and sectarian groups and central government. Thus, the crisis of citizenship has created endless domestic sovereignty crisis. Again, the ruling elite, for a long time, tried to rule Iraq on the basis of a tribal identity (Sunni; Tikriti loyalty) instead of enhancing the paper structure of citizenship. In Kuwait, citizenship has been flawed by two endemic crises: (i) the presence of non-citizens as a majority have paralyzed the formation of an all-encompassing Western type of citizenship. Instead, citizenship has been a kind of “privileged position”. (ii) Even for the Kuwaiti citizens the case has never been like the Western model. Given the lack of economic interdependence between citizens and state, due to the oil-boom, citizenship has become a format in which traditional primordial model continues. The re-organization of the Kuwaiti economy in line with a Western national economy did not annihilate the traditional mode of relationship between people and government in which a modern form of citizenship limited chance. Jordan, as a typical artificial creation, has mainly depended on a traditional contract between Hashemites and Sunni tribes for citizenship. The tribal groups have always been dominant in political life. Several times the government even formed alliances with the tribal groups in order to suppress other groups in Jordan. Thus, the historical alliance between traditional actors has been continued in the form of citizenship.

To conclude, each case faces a severe sovereignty crisis in terms of citizenship. Despite the legal principles at the formal level, citizenship has been constituted through membership in religious, sectarian and tribal communities at

³⁸ Suad Joseph, “Gender and Citizenship in the Arab World”, Concept Paper presented at United Nations Development Program/ Mediterranean Development Forum, Amman, 8 April 2002, pp. 11, 23, 24. Also see: Valentine M. Moghadam (ed.), *Gender and National Identity Women and Politics in Muslim Societies* (London: Zen Books, 1994), pp. 1-12.

the operation level.³⁹ The concept of citizenship as a set of contractual relationships between the individual and the state exists only on paper. Furthermore, the central governments have never refrained from playing tribal or sectarian cards to protect themselves in each country. Therefore, the formal citizenship regime was hybridized by embedded tribal or sectarian practices.

4.3.4 The Failure of National Identity in Foreign Policy

The rise of the Western state in the Arab lands introduced new patterns and institutions in terms of foreign policy. The Arab lands, which so far had included medievalistic overlapping authorities, were turned into a region in which modern territorial states act on the basis of national boundaries. This change necessitated important outcomes in the international realm. Accordingly, former Arab lands were re-created according to new national territories. They were introduced with new concepts such as national interest and national foreign

³⁹ Similarly, legal frameworks that prohibit certain basic rights of women in different societies are a typical sovereignty crisis in terms of state-society boundaries despite the rationality of the modern nation state. When they are deprived of many rights, it is correct to define women as a constituency. Typically, like many other hybrid sovereigns in which citizenship has not yet institutionalized in a functional way, women's status is a part of great discussion in Jordan, Kuwait and Iraq. For example, in Kuwait the case is similar. First, along with the citizenship framework the status of women is also ruled by certain traditional principles which clearly clash with the basic rationality of modern statehood. For example, even though, article 29 of Kuwait's constitution says all citizens are equal regardless of race, color, gender, and religion, a 1962 election law torpedoed political rights for women: Only male Kuwaiti citizens aged 21 and above can vote. See: Delinda C. Hanley, "Dr. Rasha Al-Sabah On Women's Rights in Kuwait", *Washington Report on Middle East Affairs* 22(10), (December, 2003), p. 77 and Mary Ann, Tetreault, "Civil Society in Kuwait: Protected Spaces and Women's Rights", *The Middle East Journal* 47(2), (Spring, 1993), pp. 281-286. There are similar other unequal regulations in different Kuwaiti legal codes. For example, many people born to Kuwait women are deprived of citizenship. In Jordan, women are not given the same rights as men to pass on their nationality to their children. The tribal objection claims that such a decision would hand citizenship to hundreds of thousands of stateless Palestinians born to Jordanian-Palestinian mothers. See: Nicolas Pelham, "Jordan Queen's Decree Stirs Tempest Over Citizenship Rights", *Christian Science Monitor*, 17 December 2002. The tribal representatives are not only against such plans envisaged extending citizenship but also against several reforms aiming new regulations especially on the status of women. For example, a recent civil society campaign aiming the abolishing of Article 340 of the Jordanian Penal Code, which regulates honor crimes, was also strongly criticized by tribal groups. Fadia Faqir, "Interfamily femicide in defense of honor: the case of Jordan", *Third World Quarterly* 22(1), 2001, pp. 65-72. This article exempts a male who murders or injures a female relative found committing adultery and reduces the punishment if the victim was found in an adulterous situation. Women cannot benefit from this regulation. Tribal members of the Lower House came against this campaign by arguing such an amendment would lead to "the destruction of the foundation of the Jordanian state". Nanes, op cit., p. 125. The essence of the problem is the existence of several primordial patterns and forms which still regulate women's status in civil life despite the formal recognition of colonially injected Western statehood. Undoubtedly, such cases are clear proofs that display the inapplicability of Western sovereignty.

policy. However, despite their formal appearances as territorial states, it was not such easy to adopt such new concepts.

Realists accept that the modern international system is composed of sovereign states. Each state is equal. States aim to maximize, or protect, their national interests in foreign policy.⁴⁰ In this process, national identity plays a critical role in defining national interest in foreign policy. However, despite the classical motto of realism “one state one voice,” it is normal that some groups may be unhappy about their state’s orientation in foreign relations. People may also support some other states’ agendas on democratic basis. However, what is unacceptable is the cooperation between certain groups and external powers be it state or foreign groups.

In this perspective, the concept of international relation in Jordan, Kuwait and Iraq is quite difficult since the distinction between national and international realms are not strictly separated. Therefore, the analysis of how those states formulate their foreign policies in terms of national identity give important clues in explaining “the degree of stateness”.⁴¹ To begin with, these states are territorial states, not nation states. It is clear that there is no nation at least in a European sense in each case. The formula national interest is very tricky. Therefore the uneasy relation of identity and state sovereignty, immensely complicate foreign policymaking in each case. The concept of state and nation rarely coincide and where regimes more often than not represent narrow sectional interests rather than a broad national consensus on security issues, the formula of national interest is extremely vague. It is normal that people may be in alliance with foreign powers/ governments against their own rulers. Similarly, the governments have made different alliances against their own people. Therefore, the case in Jordan, Kuwait and Iraq is very different in a sharp contrast to the realist picture of international politics. There is a high incongruity between the nation (identity) and the

⁴⁰ Jill Steans and Lloyd Pettiford, *International Relations: Perspectives and Themes* (London and New York: Longman, 2001), pp. 28-29, Paul R. Viotti and Mark V. Kauppi, *International Relations Theory* (Boston and London: Allyn and Bacon, 1999), p. 6.

⁴¹ Mohammed Ayoob, “Unraveling ‘National Security’ in the Third World” in Bahgat Korany, Rex Brynen and Paul Noble (eds.), *The Many Faces of National Security in the Arab World* (New York: St. Martin’s Press, 1993), p. 31.

territorial state (sovereignty). This incongruity creates great problems in theorizing foreign policies. As formulated by Hinnebusch,⁴²

The consolidation of a system of nation-states in the region is obstructed by the profound flaws originating in its largely external imposition: the resulting often arbitrary borders and ill fit between states and national identities mean that loyalty to the individual states is contested by sub state and suprastate identities. The resultant embedding of the state system in a matrix of fluid multiple identities means that the national interest that realism assumes underlies foreign policy is problematic and contested.

Because of the failure of a colonially injected format, the separation between domestic and international has never been consolidated as is the case in the Western world. The fluid international borders in terms of formulation national interests and foreign policies can be interpreted as the outcome of the gap between formal and operational levels in terms of international boundaries. The region was re-organized according to new international boundaries. Because of the artificiality of nations, different minority groups have continued their transnational aspirations.

In Iraq, the priorities of different groups in foreign policy are totally different. There is no one national interest or priority to include all different groups in Iraq such as Kurds, Sunnis and Shi'is. Instead, these groups have competing interests. This incongruity is not a new phenomenon that came out recently in spite of the recent chaotic situation in the country. Since its formation, each constituency has continued a different priority. For example, when Iraq was created by the British, none of the other groups welcomed this development except Sunni Arabs.⁴³ Iraqi Shi'is favored either direct British control or a new independent state. The Kurdish group appealed to London for autonomy. The Assyrians were also in contact with both London and the League of Nations. Even a small Jewish group asked for British citizenship rather than the new Iraqi identity. This crisis has been endemic in Iraq in the following years. For example, Kurds were in contact with different regional states like Iran later in their struggle against the central

⁴² Raymond Hinnebusch, "Introduction: The Analytical Framework" in Raymond Hinnebusch – Anoushiravan Ehtashami (eds.), *The Foreign Policies of Middle East States* (Boulder- London: Lynne Rienner Publishers, 2002), p. 7.

⁴³ Malik Mufti, *Sovereign Creations Pan-Arabism and Political Order in Syria and Iraq* (Ithaca and London: Cornell University Press, 1996), p. 24.

governments. There was significant cooperation between Iran and Kurdish groups before the Algiers Accord in 1975. In parallel with this historical background, a similar situation but more severe continues now. The ethnic problems turned Iraq into a kind of medieval space in which there are overlapping authorities.

In the formation of sovereign Kuwait, it has always been difficult to formulate national interest in foreign policy embracing all groups. With Kuwait, the incongruity is very severe due to the demographic structure of this tiny country. Since the majority of Kuwait is composed of non-citizens, a national foreign policy has a very limited range. Since the oil boom, the Kuwaiti governments have cared about the balance between “nation” and expatriates. In 1956, despite the more cautious stance of the government, expatriates demonstrated their support for Nasser. Similarly, in 1959 the unification between Syria and Egypt were celebrated in Kuwaiti streets. Kuwaiti expatriates welcomed the Algerian independence movement in the late 50s and early 60s. In 1979, this time the developments in Iran influenced the Shi’is in Kuwait. There took place many big mass meetings in Kuwait. Pro-Iranian political sermons were being delivered in many Shi’i mosques. Finally, when Iraq invaded Kuwait different expatriates welcomed this development. Such important cases that came out despite the central government’s unwillingness confirm the problematic nature of a colonially created state form in Kuwait.

Similarly, there is also a problem of incongruity in Jordan. The Palestinians in Jordan has always been an important limit to Jordanian national foreign policy. For example in the late 60s and early 70s the priorities of Jordan and Palestinians clashed. The same clash recurred in different times too. Given the uncertainty of Jordanian international boundaries due to the West Bank question, it was difficult to distinguish between external and internal issues, between domestic and foreign politics and policy in Jordan.⁴⁴ On the other hand, the role of Islamists should be mentioned. The strong Islamist block that rejects the idea of territoriality in terms of national identity has always been problematic in terms of defining national

⁴⁴ Sami Al-Khazendar, *Jordan and the Palestine Question the Role of Islamic and Left Forces in Foreign Policy- Making* (Berkshire: Ithaca Press, 1997), p. xii.

interest in Jordanian foreign policy.⁴⁵ Even though they bear citizenship of Jordan, Islamists from time to time have been a limiting factor in foreign policy.

As a result of the incongruity of national identity and different groups, these regimes should take several publics into consideration in formulating their foreign policy.⁴⁶ Each state has more than one public: one is their national public and the other is big Arab public. Also the sub-national sectarian or tribal publics need more attention which results in the interconnectedness and overlapping, rather than the separation, between internal and international politics. It is, therefore, the internationalization of domestic events.⁴⁷ Indeed, the problems concerning the separation of domestic and international refer to the problems of these states in terms of sovereignty. Their structural problems in terms of realizing Western statehood create such problems in foreign policy.

4.3.5 The Dominance of Bureaucratic Rationality in the Economic Realm

According to the nation state rationality, the nation-state announces and solidifies uniformity in political organization, economic activity and cultural growth. All citizens must enjoy equal rights and duties so that they can compete according to their talents and merits rather than inheritance or origin in every field including economy. Given this rationality, there may be certain violations of sovereignty in economic realm. Instead of constructing an economic field on such rational principles, the state may use economy as a disciplining mechanism. In other words, rather than rational and neutral principles, economy may be organized according to certain normative/ relative principles mainly political loyalty. In this model, the consolidation of modern statehood is impeded by the

⁴⁵ Ibid., p. 136.

⁴⁶ In the Arab state national security might be formulated according to both domestic and external threats. "In the Arab context, national security is a doubly ambiguous symbol. Its invocation tends to mask potential differences not only between state, societal and regime interests but also between the national security interests of individual Arab states (*watani* security) and those of the Arab state system and Arab community as a whole (*qawmi* security)." Bahgat Korany, Rex Brynen and Paul Noble, "The Analysis of National Security in the Arab Context: Restating the State of the Art" in Bahgat Korany, Rex Brynen and Paul Noble (eds.), *The Many Faces of National Security in the Arab World* (New York: St. Martin's Press, 1993), p. 27.

⁴⁷ Ibid., p. 11.

dominance of bureaucratic rationality. This structure may then distort several other important pillars of the modern state such as citizenship.

The analysis of economic realm in sovereignty studies is essentially important for Kuwait. Many structural limits of Western sovereignty originate from the economic structure of this country. Kuwait is a typical rentier state. The abundance of oil revenues in such a tiny state creates important problems in terms of sovereignty by inhibiting the realization of a Western statehood. Instead, the help of oil revenues continues traditional forms. Therefore, an analysis of economic conditions in terms of their influence on sovereignty is needed.

Rentier states are predominantly based on revenue accruing directly from abroad in a sharp contrast to the other states mainly based on domestic revenue and taxation.⁴⁸ In a sharp contrast to production economies, rent economies are an ideal-type of circulation economies in which most economic activities are to be considered a means of ensuring income circulation, rather than production-oriented behaviour.⁴⁹ Undoubtedly, the idea that states based on external sources of income are substantially different from states based on domestic taxation has led to the proposition of the concept of the rentier state.⁵⁰ Rentier states depend on external sources rather than domestic ones such as taxation. It derives a substantial part of its revenue from foreign sources under the form of rent. Oil revenues are also important in terms of state formation. In countries where the process of creating the territorial state was substantially completed before oil became the primary source of government revenues, capital inflows

⁴⁸ Giacomo Luciani, "Allocation vs. Production States: A Theoretical Framework", in Hazem Beblawi and Giacomo Luciani, *The Rentier State* (London: Croom Helm, 1987), p. 69.

⁴⁹ Hazem Beblawi and Giacomo Luciani, "Introduction", in Hazem Beblawi and Giacomo Luciani, (eds.), *The Rentier State* (London: Croom Helm, 1987), p. 10. According to Beblawi a rentier economy by definition depends on several essential features Hazem Beblawi, "The Rentier State in the Arab World", in Hazem Beblawi and Giacomo Luciani, (eds.) *The Rentier State* (London: Croom Helm, 1987), pp. 51-52. A rentier economy should be defined as one where rent situations predominate. According to Beblawi and Luciani rentier states may be defined as states whose revenue derives predominantly (bigger than 40 per cent) from oil or other foreign sources, and whose expenditure is a substantial share for GDP. Third, in a rentier state, as in the case of a rentier economy, only few are engaged in the generation of this rent utilization of it. Fourth, in a rentier state the government is the principal recipient of the external rent in the economy. Also see; Greg Hill, "The immiseration of the landlords: rent in a Kaldorian theory of income distribution", *Cambridge Journal of Economics* 25 (2001), p. 481.

⁵⁰ Beblawi and Luciani, "Introduction", p. 10.

were mediated through existing state institutions and were subject to extensive bargaining between the state and local societies.⁵¹ Therefore, a rentier state is then a sub-system associated with a rentier economy which is either an economy substantially supported by expenditure from the state, while the state itself is maintained from rent accruing from abroad; or more generally an economy in which rent plays a major role.⁵² Rentier theory argues that stability depends on the liberal internal use of rent to maintain clientage networks and to pacify the military. Oil wealth also helps rentier states in freeing its foreign policy of certain economic constraints.⁵³ However, once a regime becomes so dependent on rent, its foreign policy may be driven by the need to preserve it in the long run. Therefore the main feature of a rentier state is its dependence on an external source. As one single commodity whose price fluctuation of oil is largely influenced by the uncertain world market, rentier state's sovereignty is open to international economic changes.⁵⁴

When it comes to the basic characteristics of a rentier mentality, it embodies a break in the work-reward causation. Reward, income or wealth, is not related to work and risk bearing, rather to chance or situation. For a rentier reward becomes an isolated fact, situational or accidental as against the conventional outlook where reward is integrated in a process as the end result of a long, systematic and organized production circuit.⁵⁵ Thus, rentier states will inevitably end up performing the role of allocating the income that it receives.⁵⁶ In this context, economic actors turn to be typical rentiers. As formulated by Beblawi, dynamic, innovative, risk-bearing, Schumpeter's entrepreneur is the

⁵¹ Cited in Lisa Anderson, "A review of recent studies on oil and state formation in the Middle East", *Journal of International Affairs* 53(1), (Fall, 1999), p. 353.

⁵² Beblawi and Luciani, "Introduction", p. 11.

⁵³ Anoushiravan Ehtashami and Raymond A. Hinnebusch, *Syria and Iran Middle Powers in a Penetrated Regional System* (London and New York, Routledge, 1997), p. 18.

⁵⁴ Riad El-Ghonemy, *Affluence and Poverty in the Middle East* (London and New York: Routledge: 1998), p. 55.

⁵⁵ Hazem Beblawi, "The Rentier State in the Arab World", p. 52.

⁵⁶ Giacomo Luciani, "Allocation vs. Production States: A Theoretical Framework", in Hazem Beblawi and Giacomo Luciani, *The Rentier State* (London: Croom Helm, 1987), p. 69.

antithesis of the rentier. A rentier is, thus, more of a social function than an economic category and is perceived as a member of a special group who, though he does not participate actively in the economic production, receives nevertheless a share in the produce and at times a handsome share.⁵⁷ Even, the most important feature is that the vast oil revenues received by the governments of these countries have very little to do with the productive effort of the community as a whole.⁵⁸ Rentier mentality establishes a broad coalition between state, domestic actors and an international economic system.⁵⁹ Consequently, a rentier model is an economy where the creation of wealth is centered on a small fraction of the society; the rest of the society is only engaged in the distribution and utilization of this wealth.

Once such an economic system comes out, getting access to the rent circuit is a greater preoccupation than reaching productive efficiency.⁶⁰ Distribution is treated as a purely market process in orthodox economic theory.⁶¹ But as expected in oil-rent economics, the state becomes the main intermediary between the oil sector and the rest of the economy. It receives revenues, which are channeled to the economy through public expenditure, and since public expenditure generally represents a large proportion of national income, the allocation of these public funds among alternative uses has great significance for the future development pattern of the economy.⁶² Most important is the political configuration created by rentier mentality. As rent held in the hands of the government has to be redistributed among the population,

⁵⁷ Beblawi, "The Rentier State in the Arab World", p. 50.

⁵⁸ Mahmoud Abdel-Fadil, "The Macro-behaviour of Oil-rentier States in the Arab Region", in Hazem Beblawi and Giacomo Luciani, *The Rentier State* (London: Croom Helm, 1987), p. 83.

⁵⁹ *Ibid.*, p. 86.

⁶⁰ Michel Chatelus, "Policies for Development: Attitudes toward Industry and Services" in Hazem Beblawi and Giacomo Luciani, *The Rentier State* (London: Croom Helm, 1987), p. 118. Also see: Kevin M. Murphy, Andrei Shleifer, Robert W. Vishny, "Why Is Rent-Seeking So Costly to Growth?", *The American Review* 83(2), (May, 1993), pp. 409-411.

⁶¹ Milan Z. Zafirovski, "Economic Distribution as a Social Process", *The Social Science Journal* 37(3), 2000, p. 423. Also see: Masudul Alam Choudhury, "Markets as a system of social contracts", *International Journal of Social Economics* 23(1), 1996, pp. 17-36.

⁶² Mahmoud Abdel-Fadil, "The Macro-behaviour of Oil-rentier States in the Arab Region", p. 83.

special social and economic interests are organized in such a manner as to capture a good slice of government rent. Not surprisingly, oil production appears to have a strong influence on the nature of the state. Rentier mentality creates a specific type of political system. In this model, the whole economy is arranged as a hierarchy of layers of rentiers with the state or the government at the top of the pyramid, acting as the ultimate support of all other rentiers in the economy.⁶³ This political system is different compared with the production-based models. Firstly, economic power thus bestowed upon the few would allow them to seize political power as well. A predominantly rentier state will accordingly play a central role in distributing this wealth to the population. The conventional role of the state as provider of public goods through coercion is now blurred in a rentier state by its role as a provider of private favors through the ruler's benevolence.⁶⁴ In addition, it is impossible to expect civil society in a rentier state.⁶⁵ Citizens' loyalties are bought by the state. With virtually no taxes, citizens are far less demanding in terms of political participation. A new social contract appears in a rentier state in which the government's budget in the oil states remains a one-sided document or an expenditure programme, which promises to spend money and distribute benefits to the population with virtually no levy on the terms of taxes or similar impositions. Beblawi writes that citizenship is not only an affective relation between man and his homeland; it is also, or primarily, a pecuniary relation. However citizenship becomes a source of economic benefit rather than a civil status with all types of political rights against the state in a rentier model.⁶⁶ In terms of the state, it is independent of the strength of the domestic economy and does not need to formulate anything

⁶³ Beblawi, "The Rentier State in the Arab World", p. 53.

⁶⁴ Ibid., p. 52-53.

⁶⁵ See: David Skidmore, "Civil Society, Social Capital and Economic Development", *Global Society* 15(1), 2001, p. 60. Also see: Hamid Mohtadi and Terry L. Roe, "Democracy, rent seeking, public spending and growth", *Journal of Public Economics* 87 (2003) 445-466. Michael Ross, "Does Oil Hinder Democracy?", *World Politics* 53 (April, 2001), p. 356.

⁶⁶ Beblawi, "The Rentier State in the Arab World", pp. 53-56.

deserving the appellation of economic policy; all it needs is an expenditure policy.⁶⁷

It should be pointed out that in this model the most essential function of the modern state, its power to tax, declined.⁶⁸ As there is no taxation system, the state increases its financial autonomy and its role in the local economy by controlling domestic credit. In theory, a taxation system must consider several important points such as enhancing the legitimacy of the government and not distorting economic behaviors.⁶⁹ Consequently the state's strength and autonomy becomes invulnerable to its citizens in rentier states. Citizens have been provided with extensive social services, and pay little or no taxes in return.⁷⁰ Here, it is useful to contrast the conduct of governments in resource-

⁶⁷ Luciani, "Allocation vs. Production States", p. 74. DiJohn explains the same process as follows: "The main premise of the rentier state model of governance is that when states gain a large proportion of their revenues from external sources, such as resource rents, the reduced necessity of state decision-makers to levy domestic taxes causes leaders to be less accountable to individuals and groups within civil society." And this model, "identifies a supposed mismatch between jurisdiction and authority, and develops the proposition that such a mismatch generates predatory states, greater distributional conflicts, and the militarization of politics, all of which increase the risk of civil war and humanitarian emergencies." Jonathan DiJohn, "Mineral –Resource Abundance and Violent Conflict: A Critical Assessment of the Rentier State Model", www.crisisstates.com, p. 3.

⁶⁸ Kiren Aziz Chaudhry, "The price of wealth: business and state in labor remittance and oil economies", *International Organization* 43(1), Winter, 1989, p. 103.

⁶⁹ The tax systems of developed and developing countries have followed a divergent evolution. Developed countries succeed in establishing the institutions necessary for the direct taxation of the majority of the adult population during the first half of the twentieth century. Consequently, they were able in the late 190s to raise 17.35 % of their GDP in taxes on persons, through income and social security taxes. The equivalent figure for all developing countries was 3.38 %. More precisely direct taxes accounted for 88 percent of tax revenue in the USA (1983), 73 per cent in Japan (1985), and 57.2 per cent in the UK (1983). John Toye, "Fiscal crisis and fiscal reform in developing countries", *Cambridge Journal of Economics* 24 (2000), pp. 35-36. Beblawi and Luciani, "Introduction", p. 2.

⁷⁰ A Rentier state's economic configuration is also different. First of all civil servant productivity is understandably not very high and they usually see their principal duty as being available in their offices during working hours. (*Al Dawam*) The frequent policy of offering employment to all school graduates, independently of the actual need for them, has created bloated bureaucracies. Large bureaucratic cadres are now a huge obstacle to liberalization and a production-oriented policy. Many Middle Eastern rulers have understood "bureaucratization as development." (According to a report by UNEP, industry in Arab world has suffered from the demands of inefficient and non-qualified government bureaucracies through the region.) What is more a bureaucratic rationality rather than a pure economic one directs the general course of economies. There is a "patron state" in the region which behaves as both a business entrepreneur and a provider at the same time. To Chaudhry, without adequate information, state spending is more likely to be informed by primordial ties and political considerations rather than by economic rationality. On the other hand, at the international level economic competition is highly limited. In many Middle Eastern rentier states contracts are given as expression of royal gratitude. Besides,

rich nations with that of governments in nations less favorably endowed. In both, governments search for revenues; but they do so in different ways. Those in resource-rich economies tend to secure revenues by extracting them while those in resource-poor nations promote the creation of wealth. Differences in natural endowments thus appear to shape the behavior of governments.⁷¹ Another outcome is the consolidation of an authoritarian regime in a typical rentier state. As stated before, a state that economically supports society, while in turn supported by revenue accruing from abroad, does not need to respond to society. On the other hand, a state that is supported by society, through taxes levied in one form or another will, in the final analysis, be obliged to respond to societal pressure.⁷² Thus, it is not surprising to see that abundant resources are used to buy military equipment and personnel to be used against their own citizens in rentier states.⁷³ It is understandable as the priority given to military expenditure and internal security over civilian tasks can be seen as an indicator of the rulers' fear of each other and of their own population, of the need to back their power with military means, and, not last, the effect of foreign manipulation.⁷⁴ Lastly, the rentier system prohibited the establishment of a

merchants are favored by existing laws. It is the law in oil states that foreign companies may sell their products only through local agents. Most states insist that foreign companies should also take local merchant partners if they want to operate on their soil. In any case, foreign companies find it difficult to deal with local bureaucracy without local partners or sponsors. The result is the appearance of a peculiar function, that of the sponsor, *al-kafil*. This is someone, a national of course, who offers his name to expatriates to exercise various trades and professions under his name, in return for a share of proceeds (rent.) Giacomo Luciani, "Resources, Revenues, and, p. 215, Nazih Ayubi, *Overstating the Arab State Politics and Society in the Middle East* (London-New York: I. B. Tauris Publishers, 1995), p. 289, *Industry and Sustainable Development in the Arab Region*, Arabian Gulf University and UNEP Regional Office for West Asia, Report prepared for the UNEP Regional Industry Forum held in Manama, Bahrain, 22 September 2001, p. 18, Iliya Harik, "Privatization: The Issue, the Prospects, and the Fears", in Iliya Harik and Denis J. Sullivan, (eds.), *Privatization and Liberalization in the Middle East* (Bloomington: Indiana University Press, 1992), p. 2, Chaudhry, "The price of wealth ...", p. 114, Beblawi, "The Rentier State in the Arab World", p. 55.

⁷¹ Robert Bates, *Prosperity and Violence: The Political Economy of Development* (New York: Norton, 2000), p. 107.

⁷² Giacomo Luciani, "Resources, Revenues, and Authoritarianism in the Arab World: Beyond the Rentier State?", in Alan Richards- John Waterbury (eds.), *A Political Economy of the Middle East* (Boulder, CO: Westview Press, 1990), p. 211.

⁷³ Mick Moore, "Political Underdevelopment", Paper Presented at the 10th Anniversary Conference of the Development Studies Institute, London, 7-8 September, 2000, p. 4.

⁷⁴ Oystein Noreng, *Oil and Islam Social and Economic Issues* (New York: Wiley, 1997), p. 2.

democratic system. In parallel with the well-known motto “no taxation = no representation,” the rentier society lacks such a functioning mechanism in terms of state-society relations. This view explains the West European democracy as the consequence of capitalist colliding with the absolutist state over the traditional and feudal barriers it posed to capitalist advance. Gradually, capitalist actors mobilized the burgeoning economic power to create parliamentary institutions and impose parliamentary control over the state. This thesis can be explained by another oft-cited motto: “No bourgeoisie, no democracy”.⁷⁵ In sum, economic conditions mainly rentier structure create important problems in terms of sovereignty. Reflecting Jackson’s quasi-sovereigns, Mehran Kamrava depicts the rentier state as a semi-formal state.⁷⁶ Most importantly, rentier model flawed the most important social boundary between state and society: Citizenship. It becomes a financial dependency for individuals in a rentier state.

Given this theoretical framework, the issue of sovereignty in the case of Kuwait necessitates the analysis of economic conditions. The importance of the rentier economy has been so much that it is only with the colonial era and the valorization of oil resources that state structures in Kuwait appear to have consolidated and extended its authority over their entire territory.⁷⁷ But the critical question is whether a modern state form can exist in such an economic environment or it would be distorted by these facts. Historically speaking, without the discovery of oil, it is inconceivable that Kuwait could have existed as a modern sovereign state.⁷⁸ Since 1946, oil has been the dominant feature of

⁷⁵ Eva Bellin, “Contingent Democrats Industrialists, Labor, and Democratization in Late-Developing Countries”, *World Politics* 52, (January, 2000), p. 176. Therefore, no single political regime in the Arab world took place during the oil era. Indeed, in the vast majority of the cases, the same political leaders who ushered in the boom were still in charge. Kiren Aziz Chaudhry, *The Price of Wealth Economies and Institutions in the Middle East* (Ithaca and London: Cornell University Press), p. 3.

⁷⁶ Mehran Kamrava, “The Politics of Weak Control: State Capacity and Economic Semi-Formality in the Middle East”, *Comparative Studies of South Asia, Africa and the Middle East* 21(1&2) (2002), p. 43.

⁷⁷ Luciani, “Allocation vs.”, p. 64.

⁷⁸ Mehran Nakhjavani, “Resources, Wealth and Security: The Case of Kuwait”, in Bahgat Korany, Paul Noble and Rex Brynen (eds.), *The Many Faces of National Security in the Arab World* (New York: St. Martin’s Press, 1993), p. 185.

economy, providing some 93 % of the government revenues.⁷⁹ With a small population, it has a fragile economy with falling oil prices in a single commodity economy and a social obligation to maintain social service for a demanding population. As summarized above, the Kuwaiti political system has been influenced similarly by the rentier structure. Many typical outcomes of rentierism have distorted the modern state structure in this country. Therefore, a specific type of socio-economic structure, which was created by the discovery of oil, is the basic departure of point in analyzing the limits of Western sovereignty in Kuwait.⁸⁰

4.3.6 Electoral Agenda

The Electoral agenda is different evidence that shows how Western sovereignty is inapplicable. Facing potential political threats from different groups or regions, governments may pursue an electoral agenda in order to prevent such threats. By electoral agenda, the government tries to streamline political life by certain official regulations. The aim of an electoral policy is to prevent any unwanted development in the process of elections. Accordingly, political life is manipulated in order to channel all political life in a state-based framework in parallel with the state's preferences and priorities. Certain groups are favored against others on bureaucratic regulations by following this policy. By different electoral manipulations, the political game is run through tribal or similar primordial quotas.

In Jordan, given the problematic demographic structure, the government tries to streamline political life by electoral policies for decades. The aim of an electoral policy is to prevent any unwanted development. What is created is a political system that resembles "an electoral regime embedded in an authoritarian state."⁸¹ This is an indirect disenfranchising of some parts of the population. There

⁷⁹ Kamal Osman Salih, "Kuwait: Political Consequences of Modernization, 1750-1986", *Middle Eastern Studies* 27 (1991), p. 46.

⁸⁰ Peter N. Marber, "Sheiks and Souks: Capital Market Formation in the Middle East", *Journal of International Affairs* 49 (19), (Summer, 1995), p. 91.

⁸¹ Farsoun and Port cited in Quintan Wiktorowicz, "The Limits of Democracy in the Middle East: The Case of Jordan", *Middle East Journal* 53(4), (Autumn, 1999), p. 607.

are two basic reasons why the state tries to regulate election results by employing strict rules which obviously changes consequences: First is the problematic cohabitation of two groups in Jordan. The government does not want to see Palestinians organized and following radical policies. The second reason behind electoral engineering is the fear that a radicalized, especially urban- political opposition, unleashed through parliamentary democracy, might set the nation on a different political course sharply at a variance with that favored by those currently in power.⁸² In short, the failure of nation-building in Jordan is the basic reason of the mistrust between people and the state. Given the cited fears, the government applies typical techniques.

As part of the guided liberalization in Kuwait, an electoral policy has always accompanied the parliamentary experience. For example, in 1981 the emir redistricted the country to increase the number of rural or tribal representatives in the parliament. It was done against the threatening nascent urban middle class. No doubt, tribal traditionalists who have benefited socially and political from tribalisation also advocate state support of religiously sanctioned lifestyles and are among the strongest supporters of the regime.⁸³ Like other cases, electoral policies have been the direct results of the deficits of statehood in terms of nation-building and citizenship in Kuwait.

In sharp opposition to the philosophy of citizenship, hybrid-sovereigns employ electoral policies in order to play one group of citizens against another. What lies beneath such policies is not simple political gains but political distrust for some groups. Because of structural deficits in the nation-building process, governments want to rely especially on certain parts of their societies. Therefore, electoral policies are very significant proofs that display the inapplicability of a Western model of sovereignty. Such agendas show the failure of important pillars of colonially imposed models such as national identity.

⁸² ICG, "The Challenge of Political Reform: Jordanian Democratization and Regional Instability", *Middle East Briefing*, Amman-Brussels, 8 October 2003, www.crisisweb.org, pp. 16-19.

⁸³ Mary Tetreault, "Kuwait's Unhappy Anniversary", *Middle East Policy* 7(3), (June, 2000), p. 73.

4.3.7 *Primordial Quotas in Official Recruitment*

Given the problems of the nation-building process, governments may prefer to depend on certain sectarian or tribal groups. It is a fact that the colonially imposed models failed in encompassing all groups in those states. Faced with this problem, governments try to protect their regimes by depending on certain loyal groups. By so doing, the state reaches some groups of people. However, the use of tribal methods in order to consolidate state power in different parts of the country is a typical example of sovereignty crisis. In no way does a tribal form of power refer to a consolidated modern state.⁸⁴ As rulers failed in building exclusive monopolies of coercive authority and control, largely because they have failed in developing the forms of popular legitimacy, they inescapably have used several sectarian or tribal agendas.⁸⁵ By so doing, rather than citizenship different sub-identities such as tribalism, sectarianism and regionalism have been used.⁸⁶

While they exercise their power through the military and bureaucracy, they lack a stable social base in a dominant class (aristocracy or bourgeoisie) and, therefore, substitute the use of primordial (kinship, ethnic, religion) 'asabiyyah and patronage to assure elite solidarity...

In addition, this tribal mode of behavior has exerted influence on the decision-making processes of states.⁸⁷ Several old forms of loyalties such as 'asabiyya of a tribe or the sense of kinship of a clan remained as a mechanism for the distribution of power and wealth.⁸⁸ Equally, governments have exploited the chronic internal strife among ethnic minorities.⁸⁹ Certainly, such a sectarian or

⁸⁴ Joseph R. Strayer, *On the Medieval Origins of the Modern State* (Princeton: Princeton University Press, 1970), p. 7

⁸⁵ Philip S. Khoury and Joseph Kostiner, "Introduction: Tribes and the Complexities of State Formation in the Middle East", in Philip S. Khoury and Joseph Kostiner, (eds.), *Tribes and State Formation in the Middle East* (Berkeley, LA: University of California Press, 1990), p. 2.

⁸⁶ Cited in Augustus Richard Norton, "Introduction", Augustus Richard Norton, *Civil Society in the Middle East Vol. 1* (Leiden: E. J. Brill, 1995), p. 7.

⁸⁷ *Ibid.*, p. 4.

⁸⁸ Albert Hourani, "Conclusion: Tribes and States in Islamic History" in Philip S. Khoury and Joseph Kostiner, (eds.), *Tribes and State Formation in the Middle East* (Berkeley, LA: University of California Press, 1990), p. 308.

⁸⁹ Ma'oz, p. 38. In this context Richard Davies' "inside out" approach is useful to understand how domestic ethnic strife is abused by anti-democratic regimes. See: Richard Davies, "Ethnicity:

tribal agenda contradicts with the notion of modern statehood. Tribes represent large kin groups organized and regulated according to ties of blood or family lineage.

In contrast, the modern state is a structure that exercises the ultimate authority monopoly of power in a given territory on the basis of citizenship. Therefore, what states require is a more complex loyalty than the traditional kinship.⁹⁰ Modern state-formation necessitates the end of all pre-existing tribal or sectarian ethos. Nation building means both the formation and establishment of the new state itself as a political entity, and the process of creating viable degrees of unity and a sense of national identity among the people.⁹¹ However, despite the nation-building process in Jordan, Kuwait and Iraq, it is a fact that these Arab states faced considerable difficulty bringing central government to all corners of their territories. To use Anderson's classification there is still a problem of *Bled al-Makhzen* and *Bled al-Siba* in these states.⁹² They have been unable to develop full-integrated communities along the lines of the European nation-state.⁹³ Adequate stateness, which can be defined as a balanced combination of the coercive capacity and infrastructural power of the state with a high degree of identification on the part of the citizenry with the idea of the particular state that encompasses them territorially, does not exist in these states.⁹⁴ To counterbalance this structural gap, local governments have used certain policies of tribalism and sectarianism as main substation policies in order to protect the existing regimes. Methodologically, such subsidiary policies are important cases in explaining how Western sovereignty is not applicable in related cases.

Inside Out or Outside In?" in Jill Krause and Neil Renwick, (eds.), *Identities in International Relations* (London: Macmillan Press, 1996), pp. 79-98.

⁹⁰ Ibid., p. 4. Also on kinship see: Danial Bates- Amal Rassam, *Peoples and Cultures of the Middle East* (New Jersey: Prentice Hall, 1983), p. 190.

⁹¹ Bloom, op cit., p. 55.

⁹² Lisa Anderson, *The State and Social Transformation in Tunisia and Libya, 1830-1980* (Princeton, New Jersey: Princeton University Press, 1986), p. 42.

⁹³ Khoury and Kostiner, op cit., p. 16.

⁹⁴ Ayoob, "Unraveling 'National Security' in the Third World", p. 33.

Since the beginning, tribal networks were used in providing loyal social support from different parts of Iraq. The government used tribal-based recruitment policy in different sectors given the ethnic division in the country. For example, many people were employed in different security services including very important bodyguards of the ruling elite. Many important state institutions became a tribal stock. Indeed, the use of such a tribal recruitment was due to the potential domestic threat. In exchange for this loyalty, the government doubled investments and social services to the tribal areas.⁹⁵

Similarly, tribal/sectarian recruitment has been carried out in Jordan. Despite the nation-building process since 1921, the tribal basis of the Jordanian state is still of importance. Since the formation of modern statehood, the Hashemite government gained its most significant political support from the bedouin tribes. Therefore, many important political processes have been shaped by the tribal initiative. Important legislations such as the ones concerning citizenship should be negotiated with the traditional tribes. Thus, in Jordan a hybrid combination of traditional and modern systems of political authority supports the confusion. The Jordanian king has not refused to use traditional mechanisms of dispensing patronage to the sheiks and tribal notables. The King projects himself as a modern leader whose authority rests on modern institutions. The controversial position of the Jordanian rule between modern and traditional poles has several times produced crises. For example, during the legal reform, King Hussein was forced to defend tribalism as a part of Jordanian rich history because of hard criticism of the tribal legacy. The King, by sending a letter to the Prime Minister, criticized the previous attacks on tribal legacy. King Hussein underlined his pride with the tribal heritage in the same letter.⁹⁶ What is important in this context is the tribal recruitment by the government. The government has not hesitated in employing tribal people when needed. For example, when the Palestinian threat became apparent, the government recruited many tribal names

⁹⁵ Amatzia Baram, "Neo-Tribalism in Iraq", pp. 2-4.

⁹⁶ Joseph A. Massad, *Colonial Effects The Making of National Identity in Jordan* (New York: Columbia University Press, 2001), p. 70.

as top officials in organizing the tribal protest against the Palestinians. These security operations were almost ruled by officers with Bedouin background.⁹⁷

In sum, despite the formal organization of political system according to the Western statehood, the tribal recruitment policies are clear evidences that display the crisis of sovereignty in domestic realm. Through such policies, several primordial instruments were allowed to rule the political system.

4.3.8 The Instrumentalization of Power

As stated before, it is certain that governments would promote failure in state-society relations by other means. In other words, when important pillars of modern statehood fail, governments fulfill such gaps by different instruments. Several above mentioned issues are among them such as tribalism and instrumentalization of economic opportunities for political purposes. However, another very important method is the instrumentalization of power. Rather than rational and objective processes, governments establish a system on the use of absolute power. Thus, the authoritarian structure is another indicator of the lack of positive sovereignty in Jordan, Kuwait and Iraq. All these states are authoritarian at different levels. The basic reason for such a system is the failure in penetrating the society in areas such as taxation and law enforcement.⁹⁸ State, according to Weber, is a monopoly on the legitimate use of organized power. But how can a state institutionalize its power on the related territory? The state may use either power-oriented or mechanism-oriented means. The modern state organizes its authority through several social and economic institutions. However, the lack of needed social, economic and other mechanisms make some states power-oriented actors in domestic society. Since they fail in persuading their people through economic and other means, they use violence and power to control them. Jill Crystal argues that “to coerce, you need not convince. Indeed, one of the attractions of repression is that violence needs no justification to be effective: fear is reason enough.”⁹⁹ As a

⁹⁷ Ibid., p. 240.

⁹⁸ Ayubi, op cit, p. 1.

⁹⁹ Jill Crystal, “Authoritarianism and Its Adversaries in the Arab World”, *World Politics* 46 (January, 1994), p. 227.

matter of fact, the organization of state authority through peer power refers to the lack of a functioning social contract between nation and state.

In this line of logic, according to Ayubi, the Arab state is not a natural growth of its own socioeconomic history or its own cultural and intellectual tradition.¹⁰⁰ As a set-up, the Arab state, though it has all elements of statehood at a formal level, fails in realizing them. It is normal that many complex institutions of the Western model could not be realized in a short period. Therefore, the failure in realizing needed institutions such as citizenship, taxation, and domestic authority is normal. Thus, each state has to resort to raw coercion in order to preserve itself without having the needed infrastructural power. Here Ayubi reminds Gramsci in explaining the situation of the modern. Accordingly, Gramsci realized that the state and/or the dominant class do not have to rely solely on the coercive power of the state or even its direct economic power to rule; rather, through its hegemony, expressed in the civil society and the state, the ruled could be persuaded to accept the system of beliefs of the ruling class and to share its social, cultural and moral values.¹⁰¹ In this perspective, each state has failed in producing the cited Gramscian hegemony through different social and economic instruments.¹⁰² The dominant class/state should establish its hegemony by both coercion and persuasion. Through this relationship, the dominant class attempts to use its political, moral, and intellectual leadership to establish its view of the world. According to this perspective, neither of the states here has been successful in creating a persuading space. In terms of the state-in-society approach, the lack of a persuading space failed in creating functional social boundaries between the state and those subject to its rule. Several social and economic problems such as rentier mentality or ethnic problems prohibit the validation of social boundaries between state and people. Instead, different groups gather around alternative boundaries such as tribal loyalties. Thus, the lack of the needed economic and political transformation during the state formation can be shown as the current lack of Gramscian

¹⁰⁰ Ayubi, op cit, p. 3.

¹⁰¹ Ibid., p. 6.

¹⁰² For example, Carnoy defines the Gramscian hegemony as the ideological dominance of the prevailing classes in civil society over the subordinate. Martin Carnoy, *The State and Political Theory* (Princeton: Princeton University Press, 1984), p. 68.

hegemonic instruments. When several important institutions/ boundaries do not function, the use of power, as a subsidiary policy, may logically confirm in order to protect stability or political regime.

Jordan, Kuwait and Iraq as set-ups were never accompanied by economic transformation as was the case in Europe. They were artificially created by colonial powers without having the needed economic infrastructure. To a large extent, the architects of the projects took for granted that the same historical and political transformation of the modern state in Europe was also experienced in Western modeled Arab regions. In other words, the Western model was the product of complex social, economic and political transformations of Europe. However, this model was injected in Jordan, Kuwait and Iraq as if all the same process had previously been experienced here. As a consequence, these states faced the Western model without the needed transformation/ infrastructure. I submit that this deficiency as one of the basic reasons why sovereignty has not been consolidated in domestic politics. Lisa Anderson argues the same:¹⁰³

In Europe, the bureaucratic state with a monopoly of the legitimate use of force in a given territory arose at the same time as the economic and social changes with which it is associated in social theory: the appearance of capitalism, industrialists and working classes, class consciousness, and ideological politics

Having never had the infrastructural instruments (the hegemonic ability in the Gramscian sense), they have to be coercive. There is no Western public sphere in which individuals are persuaded/ incorporated by state. The state has the maximum authority in all sectors. Neither the economic sector nor any other could be able to produce its own independent rationality. The state decides and determines in all spheres. In other words, though these states have a capitalist mode of production in theory, they do not have a hegemonic bourgeoisie.¹⁰⁴ But how does a Western model exist in such a problematic context? Or, if the model lacks the needed pillars, how can one sustain the continuity of political regimes?

¹⁰³ Lisa Anderson, *The State and Social Transformation in Tunisia and Libya, 1830-1980* (Princeton, New Jersey: Princeton University Press, 1986), p. 8.

¹⁰⁴ This references Poulantzas' thesis on Bonapartism wherein he claimed Bonapartism was the consequence of the incompleteness of the bourgeois revolution in France. Nicos Poulantzas, *Political Power and Social Classes* (London: NLB, 1975), p. 178.

The answer is again in compensating deficits. Similarly, rulers in Jordan, Kuwait and Iraq have used sovereignty as an instrument for internal consolidation.

In Iraq, the idea of central state has been used in disciplining different ethnic groups. Ethnic or sectarian demands were rejected in the name of state survival. The use of forces appeared as a basic pillar in such a relative model. All successive Iraqi governments employed high degree of violence. It was not another instrument. Instead, it was *the* instrument of governors in ruling the country. Thus, violence was instrumental, which was institutionalized through particular organs. All security institutions including the army acted as an agent for internal authoritarianism.¹⁰⁵ During the Saddam regime, the Ba'th regime constructed a network of multiple intelligence apparatus that pervaded all aspects of Iraqi society. The violence network became a pillar of regime.¹⁰⁶ The use of excessive violence against different groups of society originated from the failure of nation building process in Iraq. When Iraq was created, many important pillars of the Western model, including a nation, did not exist. Since then, Iraq has suffered the lack of important institutions of modern statehood and resorted several subsidiary instruments.

Similarly the use of force is a traditional instrument in disciplining the different parts of society like *bedoons* in Kuwait. Since 1987, many important civil rights of these people were refused such as registration for automobiles and applications for driving licenses. Even their freedom of movement is restricted. That same year, their children were barred from attending public schools. In 1998, this ban was extended to university level, a ban that has continued since then, depriving thousands of eligible college-age students of university education. The government has also instructed all private clubs and associations to dismiss any bedoon members. Also it is very difficult for them to obtain passports. They can only get passports if they renounced their right to return to Kuwait. Also in 1988, all Kuwaiti professional associations were instructed by the government to dismiss their *bedoon* members. Historically, such restrictions have been normal in

¹⁰⁵ Samir al-Khalil, *Republic of Fear The Politics of Modern Iraq* (Berkeley; Los Angeles: University of California Press, 1989), p. xii, 21.

¹⁰⁶ Isam al-Khafaji, "State Terror and the Degradation of Politics", in Fran Hazelton (ed.), *Iraq Since the Gulf War Prospects for Democracy* (London & New Jersey: Zen Books, 1994), p. 20.

Kuwait. Due the legitimacy question in this country, the government has not refrained in using force when it faces public reaction.

These cases directly bring us to the political origins of hybridity. Political and social consequences of hybridity help current leaders in protecting their offices and regimes. When decolonization extended constitutional independence to the former Western colonies, a new type of player joined the society of states: post-colonial sovereigns.¹⁰⁷ These states are weak players with severe deficiencies in substantial terms. Many important possessions such as territory, people, and government were more formal than real. People inside former colonial borders were communities only in the sense that they shared a border drawn by foreign powers. The problem in these states was the nature of the relationship between people and state. As colonially created states lacking legitimacy, their rulers fulfilled this gap by power. Therefore, the most important function of sovereignty in these states was the instrumentalisation of sovereignty against people in consolidating state power,¹⁰⁸ because it gives one unfettered control over their internal affairs, and notably over their own domestic population. The main security problem in post-colonial states are domestic rather than international; the traditional security dilemma is turned on its head.¹⁰⁹ Sovereignty is used like an ideology for internal consolidation: “Sovereignty provides individual states with a license to purify their domain of opposition, to silence alternative voices, and eliminate dissent.”¹¹⁰

¹⁰⁷ Georg Sorensen, “Sovereignty: Change and Continuity in a Fundamental Institution”, *Political Studies* 47 (3), (Special Issue, 1999), pp. 600-601.

¹⁰⁸ In this vein, Clapham’s question is also important in illustrating the case: “Why did the post-colonial states, since the independence in decades following the Second World War, emerge as the most strident defenders of Westphalian sovereignty in the international order?” The answer lies with the different meaning of sovereignty in the new independent states. Christopher Clapham, “Sovereignty and the Third World State”, *Political Studies* 47 (3), (Special Issue, 1999), p. 522, 525.

¹⁰⁹ Sorensen, op cit, p. 601.

¹¹⁰ Naeem Inayatullah, “Beyond the sovereignty dilemma: quasi-states as social construct”, in Thomas J. Biersteker-Cynthia Weber (eds.), *State Sovereignty as Social Construct* (Cambridge: Cambridge University Press, 1996), p. 50. In this way, the recognition of sovereignty by the international society allows corrupt, irresponsible, and incompetent governments to violate the rights and welfare of their population in the Third World. Ibid, p. 60. This usage of sovereignty for internal consolidation, to Clapham, is analogous to the role of sovereignty during the 16th century in Europe. Medieval territory was coextensive with the ruler’s ability to enforce his authority claims. Clapham, op cit, pp. 525-526 and p. 268.

In sum, since the formal institutions of colonially created Arab states failed in sustaining stable political system, local governments instrumentalized the use of power as a major subsidiary method. However, the use of power produced several important conclusions: Firstly, the colonially injected model could not be consolidated by use of pure violence. Secondly, the centrality of violence prohibited the realization of important institutions of modern state. Rather than creating reliable institutions, local governments preferred depending on the use of power. Thirdly, the most important essential prerequisite of realizing a Western state through nation-building has been dramatically impeded by local government's persistence in using power against their own populations. Fourth, the use of power in domestic politics entailed the domination of security institutions over other public institutions as another impediment in the realization of modern state form. To conclude, the centrality of power in domestic politics has been a clear proof that displays that Western sovereignty has not been realized.

4.3.9 The Lack of an Impersonal Political System

Despite the nature of the formal modern state structure, political regimes in Jordan, Kuwait and Iraq are one-man or one family, one tribe, one clan regimes. All of them lack a transparent system. Since they have failed in producing infrastructural legitimacy or functioning social boundaries between state and society, they have preferred to depend on personal legitimacy. Consequently, a Weberian/ modern type of impersonal system would not exist. As there is no democratic mechanism, leaders come to power either by coups or by different in-group activities such as lineage. Therefore, leaders have technically no grassroots support¹¹¹ which produces the structural legitimacy crisis. In other words, their positions are very fragile. No state has a transparent public or participation mechanism in which several governmental plans can be discussed.

¹¹¹ There are different explanations for this situation. For example, according to Cantori this is basically because of the Ottoman legacy of statehood. In the Ottoman model of administration the ruling class was kept in a dependency relationship to the state. Unlike their counterparts in Europe, the Ottoman rulers were never permitted to establish organic roots in society from which might develop the capacity to challenge the central authority. Louis J. Cantori, et al. "Political Succession in the Middle East", *Middle East Policy* 9(3), (September, 2002), p. 105.

Rulers should 'propagate' their policies in a politically regulated "official public". In the "official public", citizens have no enhanced civil rights. Nor do they have the needed structural rights. The "official public sphere" is a kind of illusion producing mechanism in which regimes try to manipulate their own people. Without opposition and needed democratic rights, a great "as if" game is performed by current regimes.

In this model, the head of state is the final/ultimate decision-maker in each of countries in question.¹¹² As a matter of fact, dynastic families rule Jordan and Kuwait. Therefore, the mechanism of popular representation is very limited. Although there is an experience of parliamentarianism both in Jordan and Kuwait, the ruling dynasties are the final arbiter in politics. Although not ruled by monarchy, the Iraqi system had been person-based. All actors know that it is the leader who has the absolute power; thus all other actors are symbolically presented.¹¹³ In sum the entire system revolved around the leader/the group. Also all relevant institutions such as bureaucracy and army are formed according to the person-based ideologies. But paradoxically, this model constitutes a major obstacle in the development of a modern state apparatus since it lacks an institutionalized process of decision-making. It is difficult to reform the political structure of authoritarian states while preserving their current leader-based structures. In addition, any kind of reform may mean a threat to the current leaders. When there is no legitimacy mechanism for criticism and change, only extreme options can be an alternative. Those systems permit only extreme forms of leadership changes such as *coup d'état* or death. In Jordan and Kuwait death is the only certain way in which a ruler can be brought to an end.¹¹⁴ When it comes to Iraq, change has always been taken place through revolutions or coups.

¹¹² Perthes, in a satiric mode, offers that hagiographic literature to be used in analyzing leadership cult in the Arab world. Volker Perthes, *The Political Economy of Syria under Asad* (London and New York: I. B. Tauris, 1997), pp, 8, 13.

¹¹³ A former prime minister of Jordan, Zaid al-Rifai, once said, "Jordan has a highly personalized system of Government in which decisions are made by the King...It is not an institutionalized process of decision-making". Cited in Al-Khaznedar, op cit, p. 20.

¹¹⁴ Roger Owen, *State, Power & Politics in the Making of The Modern Middle East* (London and New York: Routledge, 1992), p. 45.

Naturally, such systems had obstructed the emergence of a modern type of political system. Instead a system came out without a calculable logic which had employed unpredictable instruments such as tribalism and personal networks which are perfectly relative patterns. How Al-Khalil depicts this structure in the case of Iraq gives important insights about all cases:¹¹⁵

Everything is relative and in the process of becoming; nothing is legitimate that is not made by them [the rulers]; everything has a purpose derived solely from the exigencies of the movement and its goals.

Consequently, the distinction between persons and positions has never been clarified in those states.¹¹⁶ Instead political systems have been organized around the cult of leaders. The lack of distinction between person and position seems as a typical medievalistic pattern of rule. Consequently, all official positions of cadres become contingent in terms of their loyalty to the leader. Therefore, the primordial patterns of rule have continued within the format of colonially imposed Western model.

4.4 Conclusion

In this chapter, several issues attempt to outline a definition of sovereignty crisis in the domestic realm. In theory, the major reason of sovereignty crises underlined so far is the incongruity of Western sovereignty in the Arab political context. Thus, this incongruity has produced several outcomes in different fields. Recalling the complexity of the modern state form, one may list several other crises not listed here in terms of consolidation of sovereignty. For example, several illegal border activities such as smuggling are also clear acts against the sovereignty of a state. However, my purpose in listing these samples is twofold: firstly, in a sharp contrast to the international level, domestic level sovereignty crises are more abstract and intricate. Therefore, I have tried to illuminate this obscurity by presenting several sample cases. Secondly, these samples are used as a methodological framework in the following chapters in which Western

¹¹⁵ Al-Khalil, op cit, p. 74.

¹¹⁶ This indistinct case is contrary to the Weberian rationality see: Max Weber, *On Charisma and Institution Building* (Chicago, IL: University of Chicago Press, 1968), p. 54.

sovereignty is demonstrated as problematic and limited in Jordan, Kuwait and Iraq.

CHAPTER 5

JORDAN AND THE CRISIS OF SOVEREIGNTY

5.1 Introduction

This chapter focuses on the problem of sovereignty in Jordan. In connection with the basic assumption of this dissertation, this section argues that Western sovereignty is inapplicable in Jordan due to several facts caused by colonialism. Instead, a hybrid model, which employs certain primordial institutions within the Western format, exists. In Chapter 4, I have conceptualized how sovereignty could be studied in specific cases when arguing the inapplicability of Western sovereignty in Jordan. By presenting these arguments, this chapter seeks show how Western sovereignty is violated or challenged at the domestic, state-society level level.

Jordan was created by Western powers after the disintegration of the Ottoman Empire as a result of British war commitments.¹ Re-organization of Jordan in line with the western model by external influence in a historical account was presented in Chapter 3. Based on the facts emphasized in that chapter, Jordan is a good example of colonial creationism for all its institutions of statehood are artificial. Its viability has been a renowned debate during important crises. Given its artificiality it's been named by some scholars as "a political anomaly and a geographical nonsense."² Not having substantial matters such as citizens and

¹ Yitzhak Gil-Har, "Boundaries Delimitation: Palestine and Trans-Jordan", *Middle Eastern Studies* 36(1), (January, 2000), p. 78.

² Avi Shlaim, *Collusion Across the Jordan: King 'Abdullah, the Zionist Movement, and the Partition Palestine* (Oxford: Clarendon Press, 1988), p. 31. This idea was also shared by the statesmen of the age. For example in 1958, after the end of the Hashemite rule in Iraq, the British

borders, many have claimed that its creation had no historical justification. It has long been seen as a piece of land to be absorbed by Iraqis and even by Palestinians. Its rulers were brought from another place and its people were named as Transjordanian. For all these developments were artificial, no one, the ruling elite included, was satisfied with the colonial framework at the beginning. Even King Abdullah I was not happy. He followed a pan-Arabist way which he hoped that it might help him in creating a Greater Syria including all Arab lands around. For example, he assigned many Syrian and Iraqi people as ministers in order to emphasize this political agenda.

Since, it was created in the modern era as an imperial creation, there have also been certain problems that prohibit the realization of Western sovereignty in Jordan. The incompatibility between the colonially created territorially state and local conditions have produced important problems. Those structural problems originated from Jordan's colonial make-up. From a historical context, many problems that Jordan faces originated from its modernization and colonization origin that can be traced back to the late 19th century. Since that age, Jordan has been under the influence of different agendas aimed creating a modern territorial state. However this process so far could partially be successful. Undeniably, postulating the existence of a Jordanian nation today, in the sense of a modern Western nation is impermissible.³ Similarly, there is no functional modern state format. Thus, the lack of needed institutions and infrastructures have forced Jordan to follow an in-between way between modernity and tradition, which subsequently necessitates the use of both traditional and modern instruments in order to consolidate authority. As a typical hybrid-sovereign, once the institutionalization of sovereignty failed the state has tried to compensate it by employing traditional methods. Thus, despite the formal appearance of this model, many primordial and other types of facts have been embedded within the modern format. But, like in other cases, such substitution policies have hybridized the

minister of state for foreign affairs said: "However much one may admire the courage of this lonely young king [Hussein], it is difficult to avoid the conclusion [that] his days are numbered." Cited in Susser, Asher Susser, *Jordan Case Study of a Pivotal State* (Washington: The Washington Institute for Near East Policy, 2000), p. 1.

³ Uriel Dann, "The Hashemite Monarchy 1948-88: The Constant and the Changing – An Integration", Joseph Hevo and Ilan Pappé (ed.), *Jordan in the Middle East The Making of a Pivotal State 1948-1988* (London: Frank Cass, 1988), p. 24.

externally injected Western model in Jordan. Besides, these policies are apparent evidences to analyze how sovereignty is limited. Therefore, what we have in Jordan is the amalgamation of certain formal and primordial patterns together. For this reason, Jordan seems as a weak state in terms of an ideal-type Weberian model.⁴ The Jordanian state acts in an overlapping political and social environment in which an obvious sovereignty crisis is normal.

Indeed, the presence of sovereignty crisis in Jordan would mean the inapplicability of colonially injected Western sovereignty in terms of state-society boundaries. In this vein, the samples presented in Chapter 4 are also relevant in studying the issue of sovereignty in Jordan. In terms of practical issues and fields that show how Western sovereignty is inapplicable, such an attempt necessitates clarifying how certain boundaries at the domestic and external realms are violated or are not applicable. Equally important is how states counterbalance such failures by different substations. Meanwhile, which boundaries are not successfully realized and how they are substituted may be different in different states. In order to clarify this problem, one should consider several factors: the failure of citizenship, the failure of central authority, the instrumentalisation of force, tribalism and the minority question, electoral agendas, the failure of national identity in foreign policy, the lack of an impersonal political structure. All such instances are important evidences that show Western sovereignty is problematic in a certain case since they display how certain boundaries are violated. These boundaries definitely are the sole criteria of the state's strength from a Weberian perspective. What is important here is the extent to which a centralized and fully rationalized Weberian (bureaucratic) model works efficiently and without effective social opposition.⁵ However, when analyzed, Jordan has many of the problems listed in Chapter 4 such as electoral agenda, the problems concerning citizenship, the failure of central authority. Thus, this chapter will focus on such

⁴ Lisa Anderson, "The State in the Middle East and North Africa", *Comparative Politics* 20(1), (October 1987), p. 7.

⁵ Peter B. Evans, Dietrich Rueschemeyer and Theda Skocpol, "On the Road toward a More Adequate Understanding of the State", in Peter B. Evans, Dietrich Rueschemeyer, and Theda Skocpol (eds.), *Bringing the State Back* (Cambridge: Cambridge University Press, 1985), p. 351.

topics in order to evaluate the venture of Western type of sovereignty in the Jordanian context.

In this line of logic, this chapter will focus on the issue of sovereignty in terms of state-society relations in Jordan. In this respect, Jordan's history is full of different sovereignty crises. However, the presentations in this chapter are built around two major issues: the Palestinian problem and the recent nation-building agenda carried out by the government. The Palestinian question is an apt case for analyzing many important sovereignty crises in Jordan. Many of the facts that show the inapplicability of Western sovereignty such as the failure of central authority, the failure of citizenship and its substitution with certain tribal policies can be studied through the lens of this historical problem. In other words, the Palestinian issue gives important clues to analyze the problem of sovereignty in Jordan. On the other hand, the recent nation-building process, which was carried out under the title of "Jordan First", is another very appropriate case in analyzing many important issues in terms of sovereignty. The recent discussions around this project sheds light unto the important concepts such as citizenship, Jordanian identity which are methodologically important in analyzing to what extent basic institutions of colonially Western model have been realized.

5.2 The Palestinian Question: A General Framework

Before analyzing the case of Palestinians, it should first be remembered that it is quite different in many respects from other minorities in the Arab world. To begin with, in terms of their numeric representation Palestinians are not demographic minorities as they represent more than half of the population. Secondly and most importantly like Jordanians they are Arab and Sunni people. Even though they share common characteristics in terms of tribal, ethnic and religious identities, they are political minorities.⁶ Therefore, how a group of people with the same ethnic, linguistic, religious and tribal background might be minority is a proper case for an analysis of sovereignty crisis in the Arab system. In other words, how a group of Arab people can be minority in another Arab

⁶ Asher Susser, "The Palestinians in Jordan: Demographic Majority, Political Minority" in Ofra Bengio and Gabriel Ben-Dor (eds.), *Minorities and the State in the Arab World* (London: Lynne Rienner Publishers, 1999), p. 91.

society is the result of the problematic evolution of sovereignty in the Middle East. Thus, it is a twentieth-century phenomenon, which is a product of state formation and modernization in the Middle East.⁷ Therefore, as mentioned above, the issue of Palestinians, which is a typical legacy of colonial background of the region, is an appropriate case that displays how institutionalization of sovereignty is difficult in a hybrid-sovereign state. In Jordan, many important facts that impede the consolidation of Western type of statehood originate from the Palestinian problem.

To begin with, the presence of Palestinians has limited Jordan's ability to implement its foreign policy objectives. Its demographic make-up, i.e. the existence of Palestinians, paralyzes the Jordanian elite in decision-making process concerning foreign issues. The presence of a large Palestinian group blurs the most important pillar of a sovereign state: the boundary between the domestic and external. Thus, a critical dilemma for the Jordanian government in its relationship with the Palestinian-Jordanians has been how to gain their political support whilst maintaining its independent and pragmatic policy. Their existence has always been an important problem in terms of defining Jordanian national-interest and national policy. Jordan has always felt itself trapped between its national interests and that of Palestinians. The leadership should take all groups' interests into consideration even though the interest of different groups may not be parallel every time. The Palestinians have often challenged the government in terms of pursuing a national foreign policy. There are many cases that refer to the Palestinian constraint in Jordanian foreign policy such as the Anglo-Jordanian Treaty, rejection of the Baghdad Pact, the relations with PLO, the Gulf War. Moreover, the Palestinian's openness to different external ideas such as left, Nasserism and the Arab cause has worsened the situation. Therefore, it is extremely difficult to define a number of issues such as national interest or national for policy in such a configuration.

But the main methodological approach of this study is that the same issue has created important problems in terms of state-society relations. The Palestinian factor has prohibited the consolidation of a Western bureaucratic statehood. The

⁷ Ibid., p. 91.

central issue of citizenship should be noted. Because of the presence of Palestinians, the definitions of both people and land are problematic in Jordan. “Who is Jordanian?” and “Where is Jordan?” have been unclear. Such ambiguities have prohibited the consolidation of a very important institution of modern state. Despite the historical alliance between Jordan and Palestinians, it is not possible to extend citizenship to all Palestinian people. Therefore, Jordan has been a state with two peoples since the beginning. Naturally, this also blurs the boundaries between state and society, domestic and international. On the other hand, the problems related to the consolidation of citizenship are also important in terms of the historical contract between tribes and state. As is known, the Jordanian political system has depended on a historical alliance between Hashemites and tribes. In this model, the monarchy has acted as their ultimate protector with allegiant regiments recruited from bedouin tribes and supporter families.⁸ Thus, any regulation or step on the citizenship issue has caused a tribal anger. Tribes have always been so keen on protecting their historical position and skeptical about naturalizing Palestinians. They are against the rise of Palestinian’s civil and political role in Jordan, which will inevitably limit their role this time. Therefore, the historical tribal alliance has been protected due to the continuing Palestinian threat.

And finally, the existence of Palestinians has created important problems in terms of domestic sovereignty which refers to the consolidation of an efficient central authority. The presence of big Palestinian group in Jordan has impeded the central governments in extending central rule all over the country, especially, when the PLO established its main base of operations for the war against Israel in Jordan in the post-1967 War period, it gradually became a state within state. It challenged the domestic sovereignty of the Jordanian government. This structure has never been solved completely. Similarly, the role of Palestinian groups continues in Jordan in different forms. Thus, their existence is still an important threat to the domestic sovereignty.

To sum up so far, the Palestinian issue is a keyword in understanding the issue of sovereignty in Jordan. How certain domestic boundaries have failed and

⁸ Lawrence Tal, “Is Jordan Doomed?”, *Foreign Affairs* 72(5), (November/December, 1993), p. 47.

how central government have tried to counterbalance such failures by subsidiary policies can easily be analyzed within the context of the Palestinian problem. However, before analyzing those cases, a historical analysis is needed in order to present the origin of the problem and its complexities

In a historical perspective, the 1948 War and the 1967 conflict created the most serious problems for Jordan. In 1948, Abdullah extended Hashemite control into the West Bank. The expansion of Jordan brought about 2000 square miles to Hashemite control. Moreover, the expansion added half a million refugees. Palestinian's route to Jordan continued in the post-1967 period as well. It was truly a rapid and traumatic transformation:⁹

After the annexation of the West Bank the Palestinians had a two-thirds majority in the kingdom. Palestinians constantly migrated from the West Bank to the East Bank (the administrative and economic center), and in the wake of the 1967 war another 300,000 Palestinians left the West Bank and Gaza for the East Bank. In the East Bank alone the Palestinians totaled approximately half of the population.

Jordan was transformed, in other words, demographically overnight from a country of 375,000 people to one of over a million, a rise of almost 300 percent. Certainly, such a development was unprecedented and truly shocking in a state which did not yet realize its nation building. Thus, Jordan faced a chaotic situation before it finalized and accomplished its state formation. More important was the social and political features of the West Bank Palestinians. First, they were more literate, more enterprising. Second, thanks to the longstanding struggle against Zionism, they were more sophisticated in the ways of politics and opposition.¹⁰ With such differences, two different constituencies, rather than a nation, came to existence in Jordan with the amalgamation of two different groups.

Given that the Palestinians were represented more than half of the Jordanian population, a liberal naturalization procedure seemed rational at the beginning. The Arabist euphoria was behind such optimistic policies against new comers. In consequence, following the first influx of Palestinians into Jordan and

⁹ Susser, op cit., p. 93.

¹⁰ Robert B. Satloff, *From Abdullah to Hussein Jordan in Transition* (Now York- Oxford: Oxford University Press, 1994), p. 8.

the annexation of 1950, Jordan extended full citizenship to Palestinians. It was believed that a nation could be constructed from two different groups. However, the 1950 citizenship code might risk the political stability by registering more Palestinians as new citizens, the naturalization law was amended and a four-year residency requirement became a necessity in 1954. Gradually, the naturalization process became harder. Consequently, when it was understood that extension of citizenship was far from the solution, the Hashemite dynasty under King Abdullah had tried to bind diverse peoples and tribes into a cohesive whole through traditional methods. Therefore, the regime began to treat the Palestinians as but one more group or tribe (or a new *constituency*) that would contribute to the process of the Jordanization of the country.¹¹ In so doing, rather than citizenship, the government started using different patterns as *modus vivendi* in dealing with those groups. This was nothing but the re-instrumentalisation of former loyalty mechanisms. Even so, such different agendas were not enough. For example, the new comers were too politicized a group. Secondly, they had very complex problems that could not be solved by several well-known discourses such as Arabism or religious brethren. The failure in constructing a nation from two different groups paved the way for very important problem: Loyalty. Thus, given the circumstances in Jordan the problem was obvious:¹²

Where precisely did the affinities of former Palestinian, newly Jordanian citizens lie? With most of the members of the Palestinian National Council holding Jordanian citizenship, the spectre of “double allegiances”, and the suspicion that a significant proportion of the population were indifferent or, indeed, antipathetic to the ‘host’ country, were inevitable.

As expected, the differences between two communities quickly created certain problems. It was natural through the decision of annexation, two important aspects of state, people and territory, were re-defined. King Abdullah in his speech on unification noted that after unification Jordan became “a bird whose wings are its East and its West, and who has a natural right to have its people and

¹¹ Baruch Kimmerling and Joel S. Migdal, *Palestinians The Making of a People* (Cambridge-Massachusetts: Harvard University Press, 1994), pp. 188-189.

¹² Heather Deegan, “Democratization in the Middle East”, in Haifaa A. Jawad (ed.), *The Middle East in the New World Order* (London: Palgrave, 1997), p. 20.

relatives come together.” However, this analogy was wrong, as it had no concrete geographic correspondence. In other words, with unification Jordan was abstracted into a concept with no geographic correspondence.¹³ Thus, how the ruling elite approached Jordan confirms the artificial basis of Jordan. Here Jordan appears as a project, a metaphor, rather than a political and geographical reality. No doubt, such political imaginations were far from matching the social realities.

Meanwhile, several required administrative steps were taken. At the beginning, the term “Palestine” was protected. But in time, the Jordanian official discourse replaced it with the phrase “West Bank.” In a postal ordinance issued in 1950, the third article defined that “the word Palestine is hereby abolished as a reference to the West Bank of the Hashemite Jordanian Kingdom wherever it appears in the ordinances and decisions and instructions”.¹⁴ In 1949, the Jordanian *dinar* became the only currency all over the country. In December 1949, all tariffs and customs between two banks were abolished. Finally, it was in 1953, two banks were put into a common juridical unity. Given new difficulties in the process of naturalization, such steps were of course contradictory.

Undoubtedly, the unification, which came out with a strong campaign launched by the monarchy to establish itself as the sole representative of all Palestinians, changed the foundations of political life in Jordan. Many important concepts such as citizenship, and political participation were re-organized. As expected, the incorporation of new Palestinians opened a new era: New Transjordan. The Palestinian group became an important actor. Finally, this distinction between Jordanians and Palestinians came out as an important political fact in different political levels.¹⁵ For example, in the new parliamentary system, the lower house (*majlis al-nuwwab*) was composed of equal numbers of elected representatives from East and West Banks. Elected representatives from West Bank quickly became a strong block against the Abdullah’s governments. Similar contradictions came out in other fields as well. It was the beginning of political

¹³ Joseph A. Massad, *Colonial Effects The Making of National Identity in Jordan* (New York: Columbia University Press, 2001), p. 224.

¹⁴ *Ibid.*, p. 229.

¹⁵ Robert B. Satloff, *From Abdullah to Hussein Jordan in Transition* (Now York- Oxford: Oxford University Press, 1994), pp. 10-11.

competition of two *constitutiencies* in Jordanian political system. In short, the basic problem, before the inclusion of Palestinians, had been how to realize a Western institution and citizenship, in a Jordanian context. The arrival of Palestinians added another problem: The realization of citizenship and national identity in a society in which two different *constitutiencies* coexist.

As mentioned above, Palestinians were more urban, more educated, and more experienced in political participation, and they had more exposure to the mass media. Palestinian merchants brought with them their capital as educated Palestinians brought with them their expertise and skills. But they, especially workers, also brought with them their political experience. These differences placed new economic, social, and political demands on the Jordanian state and on Jordan's pre-war population more generally.¹⁶ To overcome these problems, different political and social projects were executed in order to consolidate the authority over Palestinians. In this context several congresses were organized in order to plan their future. An intensive educational policy was implemented in West and East Banks in order to create a harmonious Jordanian social whole. In spite of such intensive efforts, two communities have had different interests and projects over different issues. Thus, it has been the central problem in Jordanian politics to bring together the state and the Palestinians. However, the Palestinians were not really fully integrated as Jordanians. Also their demographic weight has never been accorded proportional representation in the institutions of state.¹⁷

To summarize, after the annexation, the crux of the question was how to define important pillars of modern state such as territory, national identity. Furthermore, it was not clear how to realize Jordanian citizenship in this chaotic environment. Jordan, an artificial state, by inclusion of West Bank, faced unprecedented conditions before it finalized its nation and state building process. A nascent modern state with its own structural problems this time was perplexed by new problems. As expected, since then, the presence of Palestinians has created structural problems that prohibit the realization of Western type of sovereignty in terms of state-society relations.

¹⁶ Massad, *op cit.*, p. 234.

¹⁷ Susser, *op cit.*, p. 93.

5.3 The Failure of Citizenship

As previously suggested, citizenship is one of the most important components of modern statehood and sovereignty. Modern sovereignty and statehood recognizes citizenship as the basic ordering principle. As a legal and social framework, it has been the central axis of Western political philosophy.¹⁸ Accordingly, all people in a defined territory as citizens have same rights and responsibilities. Therefore, the issue of citizenship stands as an important litmus test in analyzing the success of Western sovereignty brought by colonial rule. Historically, modern citizenship was institutionalized in the Arab world under the influence of Western powers. The early legal forms were copied from different Western models. Western colonial rules introduced citizenship at least at legal level. However, despite that many Arab states formalized this colonial legacy, citizenship has never been fully accomplished. Similarly, the issue of citizenship is an important keyword in analyzing the problem of sovereignty in Jordan.

In this context, the most important problem is the issue of citizenship which is generated by the presence of the Palestinians. In fact, Jordan as an artificial creation had a serious citizenship problem at the beginning. This problem was complicated by Palestinians. It can be noted that the consolidation of citizenship has been impeded by the presence of Palestinians. As noted before, because of the presence of large Palestinian groups, Jordan was turned into a state composed of two different peoples. However, the tribal reaction to their presence is equally important. Despite the citizenship code, the historical Hashemite-tribal alliance has been the essence of the political system. In other words, the historical loyalty mechanism between the monarchy and tribes has been favored. Therefore, those tribal groups have discarded the Palestinians. However, the tension between two groups is a different sign of citizenship crisis in Jordan. It was this historical alliance more than citizenship that has shaped the political structure in Jordan. Tribes, which are technically “official citizens”, have also impeded the consolidation of citizenship. In other words, apart from traditional Palestinian problem, the realization of citizenship was already problematic between the government and its official citizens. Moreover, the Palestinian threat has

¹⁸ Gershon Shafir, *The Citizenship Debates: A Reader* (Minnesota: University of Minnesota Press, 1998), p.2.

rejuvenated the tribal loyalty mechanism. Faced this risk, the tribal groups did not give up tribal networks and patterns which produced important limits in front of the consolidation of citizenship. It was believed that the Palestinian threat could only be counterbalanced through intertribal cooperation. In so doing, the consolidation of citizenship has been prohibited even among “official” citizens.

In this context, a comparative study of formal and operational levels might shed light upon to our analysis of citizenship in Jordan. The Jordanian constitution (Article 6) explicitly stipulates that: “Jordanians shall be equal before the law. There shall be no discrimination between them as regards to their rights and duties on grounds of race, language or religion.” Therefore, Jordan seems as a modern nation-state at formal level. It was created on the basis of territorial statehood by the British influence. Recall, however, the complex demographic structure in Jordan, the presence of Palestinians with different legal statuses, which Article 6 defines, seems quite infeasible. In fact the constitution is quite contradictory in terms of defining Jordanian nation. It considers the people and the territory in different contexts. According to Article 1, “the Hashemite Kingdom of Jordan is an indispensable sovereign state”.¹⁹ Ironically the same article defines the people of Jordan “forming a part of the Arab nation.” Thus, the Jordanian nation is defined as a branch of great Arab nation according to the constitution.

As a consequence, Jordan is not a nation-state in the sense that France or Germany are nation-states. There is no single ethnic group associated throughout history with the piece of territory created in 1921 by imperial Britain.²⁰ Therefore, the state should establish different *special* relations with different groups of society. This is the historical reason of the failure of citizenship. The lack of a Jordanian nation necessitated the instrumentalisation of certain primordial patterns and political methods in order to protect political stability. In other words, certain primordial patterns have been employed within the colonially injected modern state format. In so doing, the government aimed to create a national consciousness from tribal groups depending on primordial loyalty.

¹⁹ www.mfa.gov.jo/uploads/const.pdf

²⁰ Tal, op cit., p. 46.

As stated above, given this fragile political environment, an important reason in terms of citizenship is the presence of Palestinian groups without citizenship in Jordan. Even though a majority of refugees acquired Jordanian citizenship under a 1950 nationalization law, there are still big groups deprived of important political and civil rights without citizenship. The government prefers short-term solutions such as issuing five-year passports instead of extending citizenship. For example, in 1999 the government accepted issuing five-year passports to Gazan (they are not considered Jordanian citizens since they were citizens of Egypt before the war) refugees in Jordan. They have neither Jordanian citizenship nor Jordanian passports, and they were dispersed from their houses since 1967.²¹ The fear behind such short-term solutions rather than extending citizenship is the threat of Palestinian challenge to the Jordanian stability. For Jordan, if citizenship were extended to all Gazans, it would mean settling them in Jordan that which would inevitably harm the Palestinian cause.²² Thus, even though the danger of ruining Palestine for Israel has frequently been referred, the real motive is the fear of a new Palestinization of Jordan. By referring the Palestinian cause, the Jordanian government defended its policy against criticism. In relying on certain facts, the government seems consistent in terms of fearing a Palestinian challenge. Given the new risks from the Palestinians, the only option was to deal with them on the basis of diverse institutions different than citizenship. Consequently, the employment of such different institutions inevitably hybridizes Jordanian political system. In so doing, the co-existence of traditional and modern patterns is permitted in a hybrid format. In a wider context, there are several reasons to explain why the ruling elite in Jordan is highly critical on the issue of Palestinians.

Undoubtedly, this would change all balances within the country. As stated above, the presence of Palestinians is problematic in terms of the historical alliance between Hashemites and local tribes. When Jordan was created in 1921, those who inhabited the East Bank of the Jordan River were considered

²¹ "Gaza Palestinians to Receive 5-Year Passports", *London Al-Sharq Al-Awsat*, 15 February 1996, pp. 1, 4. [FBIS Document Number: FBIS-NES-96-033]

²² "Government Studying 5 Year Passports for Gazan Refugees", *Amman Jordan Times*, 21 July 1999. [FBIS Document Number: FBIS-NES-1999-0721]

Jordanians, but demographic movements in the region blurred the definition in time.²³ Therefore, there has always been a tribal skepticism towards the naturalization of Palestinians. It is a fact that, despite the nation-building process since 1921, the tribal basis of Jordanian state is still of importance. Since the formation of modern statehood, the Hashemite government gained its most significant political support from the bedouin tribes. When Jordan was created, as formulated by Ayubi, it was “a corridor country without a distinct history, or focal point, or even a native royal family.”²⁴ Therefore, the rulers first focused on creating a homogenous class on which to institutionalize their legitimacy. To realize this, they promoted indigenous, elite officials and dignitaries to replace the multi-Arab elite that surrounded the Hashemite kings when they first arrived. In short, Jordan was created on the basis of a social contract between tribes and state/Hashemites. And especially during the crisis periods in the mid-70s, their help was essential. To restate this link, King Hussein had intensive personal ties with the bedouins. He always emphasized these ties by visiting tribal villages, socializing in their tents. In a sense King Hussein tried to present himself as the chief tribal sheikh. The same way has been continued by his follower as well. In conjunction with this royal policy, bedouins are officially supported. They form a big part of the army including several higher officials. It is possible, therefore, to see the tribal influence at all levels of social and political life. The same tribal effects continue in the post-Hussein era as well. For example, the tribal candidates won most of the Lower House seats in the country’s first general polls under the reign of King Abdullah in 2003. According to the official numbers, tribal figures won around two-thirds of the seats in the assembly, leaving little room for party candidates. As the Kingdom’s most prominent tribal representatives carried a large majority of the seats in the country’s 45 constituencies, party allegiances failed against tribal loyalty. This development clearly showed that what moved people was mainly tribal loyalty.²⁵ The lack of a Western citizenship opens the

²³ Tal, op cit., p. 48.

²⁴ Nazih Ayubi, *Overstating the Arab State Politics and Society in the Middle East* (London- New York: I. B. Tauris Publishers, 1995), p. 114.

²⁵ “Tribal, Independent Candidates Win Most Parliament Seats”, *Amman Jordan Times*, 19 June 2003, [FBIS Document Number: FBIS-NES-2003-0619]

political sphere for tribal influences. In sum, primordial patterns have been important in Jordan even between official citizens and the government. Thus, the tribal groups want to use citizenship as a new form in which their historical privileges and patterns can be endured. Since its extension to all groups would damage such historical concessions, they forced the government not to extend citizenship to Palestinians.

A recent discussion on extending citizens highlights Jordan's fragile state in such matters. The Palestinian-born Queen Raina's recent attempt to reorganize the citizenship law has been strongly criticized by traditional tribal sectors. According to Queen Raina's campaign Jordanian women would be given the same rights as men to pass on their nationality to their children. The tribal objection claims that such a decision would hand citizenship to hundreds of thousands of stateless Palestinians born to Jordanian-Palestinian mothers.²⁶ The tribal representatives are not only against such plans envisaged extending citizenship but also against several reforms aiming new regulations especially on the status of woman. For tribal groups, a new law, which may open the naturalization door for many Palestinians, is unacceptable. In another example, a recent civil society campaign aiming the abolishing of Article 340 of Jordanian Penal Code, which regulates honor crimes, was also strongly criticized by tribal groups.²⁷ This article exempts a male who murders or injures a female relative found committing adultery and reduces the punishment if the victim was found in an adulterous situation. Incidentally, women cannot benefit from this regulation. Tribal members of the Lower House came against this campaign by arguing such an amendment would lead to "the destruction of the foundation of the Jordanian state".²⁸ Such cases display that tribal groups still want to protect the tribal essence of the regime instead of consolidating a neutral citizenship model.

²⁶ See: Nicolas Pelham, "Jordan Queen's Decree Stirs Tempest Over Citizenship Rights", *Christian Science Monitor*, 17 December 2002.

²⁷ Fadia Faqir, "Intrafamily femicide in defense of honour: the case of Jordan", *Third World Quarterly* 22(1), 2001, pp. 65-72.

²⁸ Stefanie Elieen Nanes, "Fighting Honor Crimes: Evidence of Civil Society in Jordan", *Middle East Journal* 57(1), (Winter, 2003), p. 125.

A second reason behind the government's fears about the Palestinian issue is that it is a continuing problem. Jordan still faces the problem of new Palestinians. Since 1949, the flow of Palestinians has been an important nightmare of Jordanian state. It should be noted that another 230,000 to 300,000 Palestinians from the Gulf came back to the Jordan in 1990-1991. Thus, during political crises it is the priority of Jordanian government to control border-checks to curb any new refugee flow. For example when Israeli forces attack Palestinian cities, the government takes precautionary measures in anticipation of a large-scale influx of Palestinians into Jordan. Immediately, the bridges and crossings are closed. Jordanian officials report that they could not under any circumstances allow the entry of more refugees. The Jordanian stance is very clear on the issue. Apart from the economic limits of the state, it is the fragility of the demographic make-up that forces the government. A member of the Senate noted, "Jordan has offered a lot to the refugees residing on its territories, despite the scarcity and lack of resources. However, the current circumstances are different from the previous circumstances in that there is no capacity to accommodate any people."²⁹ Thus, the official policy is to refuse any new refugees and insists that the refugees who live on Jordanian territories return to their land. Given the complex problems created by Palestinians in Jordan, the government officially defends that the refugees registered with the UN should use their right of return.

To conclude, the problem of Palestinians has been a great obstacle in front of the success of Western sovereignty in terms of state-society relations. Their presence which, negatively affecting several important pre-requisites of modern statehood such as the consolidation of citizenship, national-identity and the idea of territorial homeland, has impeded the consolidation of a Western statehood in Jordan. To summarize, there is still no functional citizenship that includes all parts of society. Consequently, the relationship between some groups and the state is organized by alternative institutions.

²⁹ "Jordanian Government Takes Precautionary Measures To Prevent Palestinian Influx", *Amman Al-Ray*, 22 December 2001, p. 3. [FBIS Document Number: FBIS-NES-2001-1222]

5.3.1 The Problem of Citizenship and Islamists

Before analyzing several other samples of sovereignty crisis within the context of the Palestinian problem, one should also consider the status of Islamist groups in Jordan. A short discussion of Islamists is methodologically important as well in order to show how hybridism in state policy produces crisis of sovereignty in terms of citizenship. As mentioned above, the hybrid nature of Jordan forces the monarchy to employ certain primordial instruments. In this vein, the government has not hesitated to employ religious networks in order to consolidate its authority despite the fact that such policies have been unfavorable to the institutionalization of citizenship.

There has been a well-balanced game between Islamists and the state in Jordan. The government has benefited from the Muslim Brotherhood because as a moderate reform movement it checks other more confrontational social movements and channels Islamic activism in a non-violent agenda.³⁰ It is expected from the Brotherhood that it is not to challenge the legitimacy or power of the ruling regime. However, it is not easy to protect the fragile balance between state and Islamists. Even though the government uses them in terms of sustaining legitimacy, the politicization of these groups has always been taken as unwanted.

In a historical perspective, the government allowed Islamists, mainly the Brotherhood, to operate under charity rules in the 1940s and in the 1950s. Legally recognized as an organized group, the Islamists/Brotherhood was active when other political parties were banned. They helped the state to counter the influence of the then-banned pan-Arab and communist movements. This cohabitative relationship had a simple logic: King Abdullah provided political and financial patronage for the brotherhood in exchange for their political and economic support. For example, important opportunities such as employment were given to the Brotherhood members. Several important names served in the higher echelons of the government. In exchange for this, during the crisis of the 1970-71 civil war, the Muslim Brotherhood supported the King against all internal and external opposition. The government used the brotherhood as a functional instrument for stabilizing the refugee camps. Similarly, the government used the same groups in

³⁰ Quintan Wiktorowicz, "Islamists, The State, And Cooperation in Jordan", *Arab Studies Quarterly* 21(4), (Fall, 1999), p. 2.

countering radical Islamic groups. Even Islamist groups were used as an instrument in foreign policy. In this context, the government allowed the Brotherhood to organize and launch attacks against the Asad regime from Jordanian territory in the mid-1980s.³¹

This cooperation has continued at many critical stages over the years. But, it has been also the priority of the government to keep these groups within the limits of the game. Thus, several developments have been seen worrisome by the government. For example, when an Islamist candidate was elected as president of Jordan Engineers Association, the government criticized what it described as the politicization of the profession unions.³² Such tensions clearly show the red lines of the political balance between the state and Islamists. In terms of relations with Islamists, the most important aim of the government is to prevent any movement against its domestic authority. To realize this, the officials have interrogated important Islamists several times, including deputies on charges of illegal assembly and rioting. Officials see such meetings by Islamists as illegal threats to government authority. It is the priority of the government to have these groups under tight control.³³ However despite such efforts, it has not been possible to stop Islamist activism on different issues. In fact, the Islamists are well organized enough to pressure the government on important issues including issues of a foreign political agenda. They always declare their support or protest on important issues. For example when the Jordanian government expressed its support for the US-UK coalition and offered its assistance to combat international terrorism, Islamist students staged a rally at university campuses and burned American and Israeli flags.³⁴

In sum, there is a controlled game between Islamists and the state. What the government offers to them is a limited range of political space in return for

³¹ Ibid., p. 6.

³² "Islamist to Head Jordan's Engineer's Association", *Amman Jordan Times*, 2 March 1998. [FBIS Document Number: FBIS-NES-98-061]

³³ "IAF Criticizes Interrogation of Two Islamist Deputies", *Amman Jordan Times*, 7 April 2004, [FBIS Document Number: FBIS-NES-2004-0407]

³⁴ "Islamist Students Stage Rally to protest US Strikes at Afghanistan", *Amman Jordan Times*, 17 October 2001, [FBIS Document Number: FBIS-NES-2001-1017]

their support and loyalty to the regime. But the use of religious ties clearly shows that citizenship, as an institution of modern statehood, has not yet been realized in Jordan. This relationship is different in terms of conventional state-society relationship. Normally, all citizens recognize the state's ultimate sovereignty in regulating their affairs in a modern/ Weberian state. However, they have to participate through different mechanisms such as taxation. The very principle of citizenship is the shortest formulation of a conventional model between state and society. But in the Jordanian model, the government has developed a different model, which extends the limits of citizenship. Islamists, beyond the definition of citizenship, have another link or identity, which is congruent to Jordanian political life. This *modus operandi* between state and Islamist is something different than citizenship.³⁵ It is not neutral since it cannot be extended to all people. Similarly it is not rational since it lacks a legal and institutional basis. Rather, it merely depends on political preferences and priorities. As a rule, the existence of citizenship should have been enough in establishing an ultimate state authority at all levels. However due to the sovereignty crisis, the government in Jordan should use other instruments such as the cited *modus operandi* in order to protect its authority.

How it happens is very clear. Islamists who defend an *umma*-based political ideology instead of citizenship have unquestionably impeded the consolidation of sovereignty. Their transnational doctrines have distorted the

³⁵ However, paradoxically, the privileged position of Islamists as a historical and well-organized bloc has contributed to the venture of democracy in Jordan. As an organized group they have always recognized democratic process as legal methods to maximize their interest. Therefore, their contribution was great, especially during the liberalization programmes. Even though they had different issues to debate with the monarchy, their participation enhanced the functioning of democracy. In this context, their pragmatic approach to human rights, liberalization and democratization should be remembered. Instead of being ideology-oriented, Islamists participated in the monarchy's efforts of reform in such fields. See: Glen E. Robinson, "Can Islamists Be Democrats? The Case of Jordan", *Middle East Journal* 51(3), (Summer, 1997), pp. 373-387. But it should also be mentioned that they never gave up their several traditional reservations in different issues like reforming the status of women. For example during the recent honor crimes debate, Abdul Latif Arabiyat, secretary general of the Islamic Action Front Party, explained their position as follows: "We feel that whoever is leading all these campaigns to change is aimed at demoralizing our society, and the women's issue has been used by the West against the Arabs and the Muslims to push Arab women to abandon their honor and values and start acting like animals." See: Stefanie Elieen Nanes, "Fighting Honor Crimes: Evidence of Civil Society in Jordan", *Middle East Journal* 57(1), (Winter, 2003), p.125. Given these differences, according to Lisa Taraki democratization processes, to a great extent, excludes Islamists on cultural issues. Lisa Taraki, "Jordanian Islamists and the Agenda For Women: Between Discourse and Practice", *Middle Eastern Studies* 32(1), (January, 1996), p. 141.

modern statehood project. In theory, Islamists have been skeptical about the idea of a nation. Instead they support the idea of Muslim brethren/*umma*. For instance, they theoretically challenge the idea of Jordanian nation state by Islamicizing the Palestinian issue. Accordingly, the distinction between Palestine and Jordan is unacceptable. For them, without any respect to citizenship all Palestinians and Jordanians should have the same rights as part of one *umma*, regardless of their citizenship or origin. The Islamicizing of any political issue means challenging the state or a nation-based state system. It should be mentioned that having witnessed colonially injected/imposed borders and institutions Muslims still experience the trauma of dealing with post-Caliphatic world order. They are still in the process of adjusting to the post-Caliphatic world order.³⁶ This difference is challenging in other ways as well. For example, another relevant issue is the definition of aims and methods. Islamists understand the Palestinian issue within the context of their ideology, which consists of mutual respect by all Muslims. In other words, the Palestinian issue engenders additional burdens, which cannot be bargained. By so doing, Islamists present an alternative worldview in which human reason is strictly limited. "This land [Palestine] can never be subjected to bargaining since it is a thrust whose preservation is the responsibility all Muslims generations until the Judgment Day".³⁷ With a sharp contrast to this Islamist view, the modern state protects its ultimate autonomy in defining its interests depending on human reason. Thus, there is a philosophical clash between Islamist ideology and modern statehood. This clash is also visible in foreign policy. For example, Islamists on different occasions blamed Jordanian elites for betrayal. Different Islamists, therefore, criticized the treaty signed with Israel in 1994.

Even though the cited opposition between Islamist and statehood apparent, given the structural deficits, Jordan has been forced to cooperate with these groups. So long as citizenship fails in being the basic form of institution between state and people, such tribal and religious forms/ *modus operandi* will no doubt play an important role. This is a typical case, which is frequently seen in hybrid-

³⁶ Naveed S. Sheikh, *The New Politics of Islam Pan-Islamic Foreign Policy in a World of States* (London and New York: Routledge, 2003), pp. 20-29.

³⁷ Sami Al-Khazendar, *Jordan and the Palestine Question the Role of Islamic and Left Forces in Foreign Policy- Making* (Berkshire: Ithaca Press, 1997), p. 140.

sovereigns. Having failed in different fields, the state cooperates with some actors, while hindering some Islamists and/or tribal sovereignty projects in the name of protecting sovereignty. In consequence, the governments may be successful in realizing its short-term goals but inevitably falls short in achieving its long-term goals such as nation building.

5.4 The Failure of Central Authority

Having discussed the problem of citizenship, another very important sovereignty crisis in terms of state-society relations is the failure of central authority in Jordan. Since the creation of modern Jordan, the Palestinians have created important problems in terms of an efficient central rule. In this way, a very important institution of modern statehood, domestic sovereignty, has been violated. As previously explained, domestic sovereignty refers to the authority within the state.³⁸ It is the ultimate authority of a ruler/government within its borders in which no other power be involved. Therefore, domestic sovereignty can be named as an essential pillar of modern state. For that reason, any movement that challenges the existing government is against the domestic sovereignty of government. If government fails in having full control in all parts of the country, this is a clear sign against its domestic sovereignty. In this vein, how Palestinian problem turned to be a crisis of domestic sovereignty is a suitable case to study how state building project faced different obstacles in Jordan.

In a historical context, during the reign of Abdullah, the official policy was to establish a Greater Syria. All aspects of Abdullah's policies were under the influence of this great aim. Transjordan, for Abdullah, was a stepping-stone to Greater Syria. Therefore, new Palestinians were perceived as normal citizens thanks to the Arabism which had been state policy at that time. Paradoxically, the most important obstacle of the Jordanian national identity was Abdullah's policies. Abdullah urged his followers not to identify themselves by geographical region but rather as members of the Arab nation.³⁹ In other words, the idea of a Jordanian nation-state was challenged by the existing regime's agenda of Arabism

³⁸ Stephan D. Krasner, *Sovereignty Organized Hypocrisy* (Princeton, Princeton University Press, 1999), pp. 11-25.

³⁹ Susser, op cit., p. 94.

which was definitely a transnational project. In parallel with his Arabism, King Abdullah appointed many different Arabs from Palestine even Syria for important posts. He also nominated a new Senate with half of its membership was drawn from Palestinians and the appointment of a new Government which also included Palestinian refugees and non-refugees.⁴⁰

Despite the Arabist agendas, it was understood that the differences between Palestinians and Jordanians were obvious. Thus, it was during the reign of King Hussein that the early clashes came out between Palestinians and Jordanians. For the Jordanian state the post-1948 situation was more than satisfactory, as it was clearly understood that the Arab block had no capacity to dislodge Israel.⁴¹ However, the drift between the state and Palestinians over the problem of Arab cause increased the influence of different pan-Arabist ideologies over the Palestinian groups. Similarly, the revolutionary effects of Nasserism can be explained from the same perspective. All such developments created a trust problem between two communities. Gradually, the Arabist discourse that had been defended during the reign of Abdullah was abolished. Instead, King Hussein defended a Jordanian brand of Arab nationalism. According to Hussein, it was only Jordanian nationalism that could protect stability against different regional effects like Nasserism. In one of his speeches he said, “He [Nasser] believes that Arab nationalism can only be identified by a particular brand of Arab unity...I disagree...Arab nationalism can only survive through complete equality.”⁴² This shift of course upset the Palestinians. Palestinian groups several times took part of important anti-government movements. Especially between 1967 and 1970, the PLO became a serious threat to the King Hussein’s policies and authority. As the limits of nation state in Jordan prohibited the realization of a mixture identity to

⁴⁰ The Palestinian community can be divided into the three groups: the Palestinian-Jordanian who immigrated into Jordan before 1948, the *Nazihin* (those who left Palestine for Jordan during 1948 and before the 1967 War), and the ‘refuges’ those who left the Occupied Territories during and after the 1967 War. See: Al-Khazendar, op cit, p. 35.

⁴¹ Susser, op cit., p. 96.

⁴² Cited in Michael Barnett, “Sovereignty, nationalism, and regional order in the Arab states system” in Thomas J. Biersteker and Cynthia Weber (eds.) *State Sovereignty as Social Construct* (Cambridge: Cambridge University Press, 1996), p. 149-172.

encompass both Palestinian and Jordanian identities, certain clashes dominated the relationship between two groups.⁴³

A development that complicated this situation was PLO's decision of establishing main base of operations for the war against Israel in Jordan in the post-1967 War period. At the beginning Jordan had opposed any Palestinian body claiming to represent Palestinians. Certainly, the rise of PLO directly brought about the Palestinian challenge to the Hashemite identity of Jordan. Similarly, the existence of PLO created serious problems for the Jordanian state: the clash between Israel and PLO jeopardized the fragile situation in Jordan. In addition to inviting Israel's anger, so causing reprisals against vital Jordanian economic projects, breaching Jordan's sovereignty and polarizing the Jordanian population. Second, within a short time, the PLO succeeded in building a state within a state with different types of social institutions.⁴⁴ It was after 1967, a separate Palestinian identity came out which replaced the previous political discourse that had referred to the principle of coexistence of two banks.⁴⁵

During the following years, several Palestinian guerilla attacks were organized from Jordanian territory. Israeli military forces retaliated by attacking several Jordan villages. Immediately, guerrilla attacks put major strain on Jordan's relationship with the US and other Western countries. Jordan realized how such movements were harmful to its international position. What is more, Palestinian's free maneuvers within the Jordanian territory created several other authority problems. As expected, the Palestinian leadership did not welcome Jordan's opposition to guerilla attacks. Both sides became skeptical over each other's political intension. Given the huge numbers of Palestinians in the country, Jordan's capacity to counterbalance the Palestinian movements was highly limited. Worse, there were tens of thousands Palestinian warriors and guerillas

⁴³ Laurie A. Brand, "Palestinians and Jordanians: A Crisis of Identity", *Journal of Palestine* 24(4), (Summer, 1995), p. 59.

⁴⁴ Ilan Pappé, "Jordan Between Hashemite and Palestinian Identity", in Joseph Hevo and Ilan Pappé (ed.), *Jordan in the Middle East The Making of a Pivotal State 1948-1988* (London: Frank Cass, 1988), p. 72.

⁴⁵ Uriel Dann, "The Hashimeti Monarchy 1948-88: The Constant and the Changing – An Integration", Joseph Hevo and Ilan Pappé (ed.), *Jordan in the Middle East The Making of a Pivotal State 1948-1988* (London: Frank Cass, 1988), pp. 20-21.

having their training on Jordanian territory. They were not simply having military training but also controlling the places they stay. Palestinian movement became a kind of *de facto* government.

Regional developments in other Arab states accelerated the Palestinian military actions in Jordan, too. The Arab state's failure against Israel made Palestinians believed in merely their actions. Rather than expecting an Arab front attack they decided to defend their rights by attacking directly to Israel. Consequently, Palestinian guerilla attacks from Jordanian territory intensified in the early 70s. Whereas Hussein was not happy of what was happening, by means of necessity he sought accommodation with those groups, yet he kept providing training places. Nevertheless, this accommodation policy did not guarantee the Jordanian state's ultimate authority in all parts of the country. There immediately emerged an open struggle between the government and the guerrilla organizations for political control of the country. The government was in a typical domestic sovereignty crisis, as it could not control some parts of its land and people. Based in the refugee camps, the Palestinian guerillas (*fedayeen*) virtually developed a state within a state. They were also obtaining financial support from other countries. Having their own financial resources they were buying arms and military tools as well. Besides, the heavy Israeli reprisals that followed each guerilla attack became a matter of grave concern to the state. All these developments were obviously jeopardizing Jordanian sovereignty and legal system.

Meanwhile, several attacks of Jordanian army to disarm refugee camps failed. While King supported new political solutions for the problem, the army attempted to suppress guerrilla activity. These attempted could not end the *de facto* rule of some parts of Jordanian territory by the fedayeen. On the other hand, the guerillas were in search of extending their influence over the population. To achieve this, they carried out several public agendas. For example, they called for a general strike of the Jordanian population and were organizing a civil disobedience campaign. Nearly a condominium rule appeared in the country. The fedayeen not only organized military attacks but also carried out different social and political programmes.

However, when several Palestinian groups launched an airplane hijacking campaign, Jordan decided to put an end to the fedayeen's role on its territory. Several Israeli and American airplanes were hijacked by Palestinian guerillas, which quickly became an international crisis. The fedayeen declared that they aimed to undermine the peace talks between Arab states and Israel. The hijackings were viewed by Jordan as a direct threat to their authority. King Hussein quickly declared a martial law and designed a new cabinet in which there were army officers. But most important symbolic development was the appointment of a famous pro-royalist bedouin soldier as the new commander in chief of the armed forces. Besides, he was given full powers to implement the martial law to suppress the guerillas. The fedayeen were asked not only to lay down their arms but also to evacuate the cities. This launched the civil war between Jordan and Palestinian guerillas. The uneasy relations collapsed in September 1970, when guerilla forces of the PLO fought the royalist forces of the Hashemite government. This war resulted in a bloody Hashemite victory and the expulsion of PLO guerilla forces from Jordan. Even though Jordan launched the war to restore its authority, it was understood that the case was extremely internationalized. On the one hand, there were Arab states like Syria ready to support the fedayeen. Syria then sent military power to Jordan to help fedayeen. Upon the developments in Jordan, Syrian forces attempted for a military movement in northern Jordan in support of the PLO. Paradoxically, it was the US and Israel (both the US and Israel threatened to intervene, signaling their support for the Hashemite regime) that were scared about the end of Hashemite regime in Jordan and were ready to help to restore regime here. It was mainly the international pressure that forced Syrian to withdraw its forces from Jordan.

Finally, the fedayeen were defeated by the military and a ceasefire was signed in September. Backed indirectly by international powers, the Hashemite forces ultimately defeated the PLO forces and continued the military campaign against them through the summer of 1971.⁴⁶ Accordingly, the guerillas admitted a rapid withdrawal from Jordanian cities and towns to positions appropriate for continuing the battle with Israel and for the release of prisoners by both sides.

⁴⁶ Curtis R. Ryan, *Jordan in Transition From Hussein to Abdullah* (London: Lynne Rienner Publishers, 2002), p. 9.

Moreover, the fedayeen were to recognize Jordanian sovereignty and to withdraw their armed forces from towns and villages, and to refrain from carrying arms outside their camps.

The struggle between the government and the fedayeen is a typical sample that shows how domestic sovereignty, an essential part of modern statehood, was violated in Jordan. Even though, the Palestinian groups were put under control, similar cases in different formats continued in the following years although not in the form of domestic war. As they have never been incorporated into the Jordanian nation through needed legal and political processes, Palestinians have continued their separate constituency. This separateness has created certain sovereignty crises in different forms.

5.5 Tribalism as a Political Instrument

Some non-military methods employed against the Palestinian guerilla were also important in studying the limits of Western sovereignty in modern Jordan. In this context, another very important practical sample in analyzing how sovereignty crisis comes out is the use of tribalism. As explained above, the colonially imposed model failed in encompassing all groups in Jordan. A domestic war came out between the government and the fedayeen. Especially, to counterbalance the threat of Palestinian, the government as a typical hybrid sovereign has also made use of tribal policies. In theory, when colonially imposed models fail in encompassing all groups, they try to protect their regimes by depending on certain loyal groups. As rulers failed in building exclusively monopolies of coercive authority and control largely because they have failed in developing the forms of popular legitimacy, they inescapably have used several sectarian or tribal agendas.⁴⁷ By so doing, rather than citizenship different sub-identities such as tribalism, sectarianism and regionalism have been used. Undoubtedly, the tribal mechanism within the format of modern statehood is unacceptable. Therefore, the use of tribal methods in order to consolidate state

⁴⁷ Philip S. Khoury and Joseph Kostiner, "Introduction: Tribes and the Complexities of State Formation in the Middle East", in Philip S. Khoury and Joseph Kostiner, (eds.), *Tribes and State Formation in the Middle East* (Berkeley, LA: University of California Press, 1990), p. 2.

power in different parts of county is a typical example of sovereignty crisis, as tribal form of power does not refer to a consolidated modern state.⁴⁸

Having defeated the Palestinian guerilla, the government launched a detailed political program in order to annihilate the source of the problems faced in the previous years. The struggle against the Palestinian guerilla was not limited within the context of military methods. The popularity of the guerillas was such a serious challenge to the Jordanian state and regime that a whole campaign was unleashed by the military and political leadership of the country against the guerilla. A systematic agenda was conducted which aimed at annihilating the popularity of guerillas. Even several rumors like blaming them as atheists or collaborating with Zionists were put on air by officials. Finally, the crisis of guerillas led the government prepare a much socially shared programme. The government decided to provoke tribal groups against the Palestinians. This paved the way for the first tribal meeting between state and tribal groups in order to scheme out how to deal with the problem in 1970. The mobilization of the Bedouin tribes was one of the most important elements in the government strategy. It was not surprising remembered that the monarchy had always relied on their support in society and on their members in the military. The plan was put into practice especially with the help of high-ranking army and police officers as well as high-ranking intelligence officers who themselves hailed from Bedouin tribes. Many important names from tribal origin were enlisted by the government in order to be employed in this domestic war against the Palestinians. Retired officers, tribal chiefs and high-ranking government administrators of Bedouin origins were found out for this governmental service. Finally, this campaign was coupled with financial donations, taken from the military budged and made to the tribes for the purpose of arming tribal members.⁴⁹

Following the tribal agenda, the government organized the first convention on February 20, 1970. More than two hundred tribal Bedouin chiefs and notables were ready here. They called for a much harder method in punishing the unlawful

⁴⁸ Joseph R. Strayer, *On the Medieval Origins of the Modern State* (Princeton: Princeton University Press, 1970), p. 7

⁴⁹ Massad, op cit., p. 240.

guerillas.⁵⁰ Expectedly, mass military attacks quickly intensified after the tribal conventions. These security operations were almost ruled by officers with bedouin background. A well-organized tribal recruitment followed anti-guerilla attacks. Faced such crisis, the government understood that only the substitution of citizenship by tribal loyalty might help in rescuing political stability and central authority.

Several other conventions in different scales took place in this process as well. Even under the support of governmental policy different local groups organized their own conventions to declare their support for such policies. In parallel with security operations, a well-organized arrest campaign was also carried and important officers blamed for having sympathy for Palestinians were detained.

The victory of state-tribe collation launched a new era. Al-Tall government even embarked on a new programme aimed re-organization of Jordanian political structure. Many Palestinians officers were dismissed from their positions. Similar measures were carried out in different fields such as media. Al-Tall government closed down some newspapers. After the general purge, with the order of the King the government declared a new National Union program. The programme targeted rejuvenating the “one Jordan family” on the basis of “liberty, unity, and the better life”.⁵¹ But after 1971, the Palestinians were regarded *en masse* as a fifth column, and many Palestinians lost their senior positions in the administration and in the new army. Even though this early storm did not continue in the same way, the drift took place between two sectors of the society.⁵² The removal of Palestinians from bureaucracy and the military naturally reduced their representation in the state. In a different sense the former slogan “Jordan is Palestine, Palestine is Jordan” was replaced by a new one: “Jordan is Jordan,

⁵⁰ Ibid.

⁵¹ Ibid., p. 246.

⁵² Ilan Pappé, “Jordan Between Hashemite and Palestinian Identity” in Joseph Nevo and Ilan Pappé (eds.), *Jordan in the Middle East 1948- 1988: The Making of a Pivotal State* (Essex: Frank Cass, 1984), p. 85.

Palestine is Palestine.” Quickly after the end of Arabist discourse, in order to consolidate a Jordanian consciousness a new programme came to the fore.⁵³

Jordanian territorialism was projected from a secular vision of history that appropriated equally the pre-Islamic and the Islamic and modern Arab history of the land that became Jordan, all embraced as vestiges of a specifically Jordanian heritage.

Many archaeological excavations were carried out in order to support the thesis of Jordanian identity. Eventually, after several years of its establishment, the Jordanian state started creating its identity and nation. In a sharp contrast to the Abdullah’s model, for Hussein “Jordan is not a stepping-stone of last resort to other, greater domains, but a model in its own right for Jordanians to be proud of and for other Arabs to follow”.⁵⁴ The Jordanization process naturally changed the characteristics of state machinery. Jordanians dominated bureaucracy in a very short time. Palestinians could only attain predominance in private sector.⁵⁵

Certainly, the use of tribal stocks by state against the Palestinian guerillas was important in analyzing how Western sovereignty was challenged in Jordan. The tribal loyalty came to the fore as an important link between tribes and state in this process. The provocation of tribal groups against Palestinians was thus clear evidence that Jordanian political system was mostly depended on primordial patterns at that time. In so doing, it was understood that it was against the primordial loyalty mechanism that rescued the government from a domestic threat.

The role of tribal stocks is still very important in political life. Therefore, the government follows a balanced policy towards them. The Jordanian Kings juxtapose images of tradition and modernity in artful ways. This can easily be seen from different contending labels they have displayed so far: liberal democratizer, monarch, descendant of the Prophet, secularist, and sheikh of all

⁵³ Susser, op cit., p. 98.

⁵⁴ Susser, *The Palestinians*, p. 99.

⁵⁵ Even though given their predominance, Palestinians has never converted their economic might into political power. For a detailed study on this, see: Yitzhak Reiter, “The Palestinian-Transjordanian Rift: Economic Might and Political Power in Jordan”, *Middle East Journal* 58(1), (Winter, 2004), pp. 73-93.

tribal sheiks.⁵⁶ The existence of so many different identities in Jordan (Jordanians, Palestinians, Islamists...) forces monarchy to follow such a multifaceted way. Nevertheless, there is no shared sense of Jordanian identity among these groups. There are still different constituencies in Jordan. The government is in need of developing and following a different way to control these different constituencies. So, it is not every time similar how the government deals with different groups. For example, King Hussein did not hesitate to declare his support for the tribal basis of society. In 1998, the King defended the tribes against media criticism by underlying that whatever harms tribes was considered harmful to Jordan and it would continue so forever.⁵⁷ Along with such discourses, the king also projected himself as a modern leader whose authority rests on modern institutions. Therefore a hybrid combination of traditional and modern systems of political authority supports the confusion in the country.

5.6 The Problem of Palestinians Today: The Continuing Crisis of Sovereignty

Currently, the Palestinian constituency is still very important in terms of state-society relations. It is a fact that regional and local developments transformed the problem of Palestinians in the Jordanian context. Although no domestic rebellion seems realistic, the Palestinians are still important in terms of Jordanian sovereignty. Several important issues such as the consolidation of citizenship and the consolidation of central rule are still at stake.

In this context, an important development came out in 1998. When it was understood that an independent Palestine state was to be established, Jordan announced that it would give up its administration of the West Bank. It was the end of Jordan's claim to the sovereignty over the area. Also the Jordanian parliament, which had had West Bank representation, was dissolved along the Jordan's West Bank development scheme. After the announcement, the Palestine National Council declared that it would take over the administrative

⁵⁶ Andrew Shryock, "Dynastic Modernism and Its Contradictions: Testing the Limits of Pluralism, Tribalism, and King Hussein's Example in Hashemite Jordan", *Arab Studies Quarterly* 22(3), (Summer, 2000), p. 58.

⁵⁷ Ibid., p. 63.

responsibilities of the West Bank. Similarly, in the following August Jordan stopped paying the salaries of many officials in the region including civil servants and teachers.⁵⁸ The end of Jordanian rule over the West Bank gave way a dramatic citizenship problem. According to the Royal Decree of 31 July 1988, Jordan nullified the Jordanian citizenship of an estimated three quarters of a million Palestinians.⁵⁹ As it had happened in 1948, the idea of Jordanian nation was re-defined once again. But in no way this decision mean the end of all types of relations between two different parts. Thanks to the geographical, historical and social facts, it is still vital to the Jordanian politics.

Though there are different numbers and estimates, it is clear that more than half of the population of Jordan today is of Palestinian origin.⁶⁰ Even though it is only Jordan that extended citizenship to Palestinians, and there are many Palestinians who are in different offices, there is still a divide between Jordanians and Palestinians.⁶¹ Furthermore, important offices are limited for Palestinians. Thus, they have traditionally been few Palestinians in the upper decision making echelons. In other words there is a well institutionalized discrimination in Jordan

⁵⁸ Ritchie Owendale, *The Origins of the Arab-Israeli Wars* (London- New York: Longman, 1992), p. 257.

⁵⁹ Today, given the historical clashes between Jordan and the PLO, it is not difficult to understand the roots of mistrust. The 1993 Oslo Accords triggered the tension once again. The secret negotiations between Israel and PLO even opened the door to a key departure point in Jordanian foreign policy. In the same way, when Jordan signed a formal peace treaty with Israel, this quickly angered many Palestinians. This tension appears as a criticism of leadership sometimes. In the past, the Palestinians accused the Jordanian monarchy for several reasons such as betrayal, not working hard for the Arab cause. In the same way, Jordanians have criticized the PLO leadership. For instance, Fahed Fanek, a Jordanian journalist, claimed that Arafat became an impediment to the Palestinian people's cause. Accordingly, Arafat has always been a political and public relations burden on the Palestinian people. Also Arafat was blamed for corruption and one-man rule. Fahed Fanek, "What is more important for the Palestinians?", *Jordan Times*, 5 August 2002. [FBIS Document Number: FBIS-NES-2002-0805] Also see: Fahed Fanek, "What would happen if Arafat was reelected?", *Al-Ray*, 20 July 2002, p. 22. [FBIS Document Number: FBIS-NES-2002-0720]

⁶⁰ Ryan, op cit., p. 9.

⁶¹ However, among Arab states Jordan offers the best conditions to the Palestinian refugees. Hundreds thousands of Palestinians were scattered through several Arab states in 1948. Since then they have faced different problems in host countries such as freedom of movement, employment, access to government services, family reunification and property ownership. Thus, the venture of Palestinians in different Arab states emerged as an important factor in determining nascent Palestinian identity. See: Abbas Shiblak, "Residency Status and Civil Rights of Palestinian Refugees in Arab Countries", *Journal of Palestine Studies* 25(3), (Spring, 1996), pp. 42-45. Also for the complex traumatic experiences of Palestinians as refugees in different Arab states see: Rosemary Sayigh, *Palestinians: From Peasants to Revolutionaries* (London: Zed, 1979), pp. 98-108.

in which the key personalities of the royal court are disproportionately drawn from the Hashemite family itself and from prominent Transjordanian Muslim families, tribes and clans. Several Palestinians served as Prime Ministers but this took place in general during crisis with the Palestinians. This distribution is very apparent, especially in security forces. For example, after the civil war the number of Palestinians in the army was radically reduced. Several new regulations again increased their representation in the army. But in principle there is an apparent desire to keep suspect Palestinians out of the armed forces.⁶² Similarly a large purge took place against Palestinians in different offices.

On the other hand, the developments in Palestine have become a natural part of Jordanian political and social life. Therefore, it is a duty of Jordanian government to rule Palestinian problem at all levels. What makes the process troublesome is the trans-territorial feature of the Palestinian question. It is a problem for Jordanians to be seen as a natural space by Palestinians. Therefore, the Palestinian question has also negatively affected the idea of national homeland in Jordan. What Jamil al-Tarifi, minister of civilian in the Palestinian Authority, once said reflects how the case is thorny for Jordanians: “While we live under the Israeli blockade, Jordan will always remain a warm place to seek refuge in.” Besides, according to al-Tarifi the relation between Jordan and Palestine is a unique one, which is governed by historical bonds.⁶³ Because half of the Jordanian population is Palestinian, the cited discourse used by al-Tarifi is alarming. It aims to de-contextualize the problem from its route and tries to put it in a historical, if not a metaphysical, plane. As governed by historical bonds, no option is left to the Jordanian decision-makers initiative.

Because of its unique role and position within the Palestinian problem, Jordan remains a territory in which to take up refuge. And because of ongoing tension in Palestine, new groups continue to move to Jordan. Similarly, hundreds of thousands of Palestinians moved to Jordan after the Iraqi-Kuwaiti War. As mentioned above, such practical cases transform Jordan into a transnational space. To protect Jordan from such threats, the government carries out strict border

⁶² Susser, op cit., pp. 93-94.

⁶³ “PA Minister Views Palestinians’ Travel to Jordan, US Role, Syrian Ties”, *Amman Al-Dustur*, 20 June 2001, p. 8. [FBIS Document Number: FBIS-NES-2001-0620]

regulations. Jordan has defended such border-restrictions by use of different pretexts such as preventing Israeli threat. For example, in June 2001, the Jordanian government once again put strict restrictions into force to stop any Palestinian refugee influx. The Jordanian minister of interior defended this decision by saying that such decisions were temporarily and were aimed at preventing the Israeli government from achieving its objective, namely to force Palestinians to leave their homeland.⁶⁴ On the other hand, transnational and trans-territorial characteristics of Palestinians make Jordan vulnerable to Israeli intervention. Israel very often uses border closing as an instrument. Such closures may cause great problems for Jordan. The closure of border by Israel means huge number of Palestinians stuck in Jordan ranging from 5000 to 15000. For example, when Israel closed the border after a religious holiday in 2001, thousands of Palestinians could not go back to their home.⁶⁵ As cited before, many Palestinians describe the problem as a unique one, which is governed by historical bonds. This claim, which depicts the Palestinian problem as border-less, has a perplexing essence in terms of state sovereignty. Given the territorial essence of the modern state and sovereignty, a neighborhood with such a border-less issue, which is governed by historical bonds, is a great problem. Depicted as such, the Palestinian problem has become a threat in terms of Jordanian sovereignty. Many Jordanians have criticized this. Underlying the link between the Palestinian problem and Jordanian sovereignty, Jordanian journalist Fahd Al-Fanik wrote,⁶⁶

The Jordanian government was right to decide that 250 mass demonstrations and marches, plus 100 political rallies, did the job if the intention was to express how the Jordanian people felt toward their brothers across the Jordan River. The government did the right thing to order a halt to such marches, especially given that it had felt that more such forms of expression carried a risk to state security. *The measure meant to say that Jordan's security is well served by there being a powerful central government that can keep any transgressions in check.* (Emphasizes is mine)

⁶⁴ "Jordanian Government Begins Enforcing Entry Restriction on Palestinians", *Amman Jordan Times*, 15 June 2001. [FBIS Document Number: FBIS-NES-2001-0615]

⁶⁵ "Israeli Closure Leaves Some 6,000 Palestinians as Stuck in Jordan", *Amman Jordan Times*, 10 January 2001. [FBIS Document Number: FBIS-NES-2001-0110]

⁶⁶ Fahd al-Fanik, "How the Intifadh is Impacting Jordan", *Amman Al-Ra'y*, 2 January 2001, p. 18. [FBIS Document Number: FBIS-NES-2001-0102] Al-Fanik criticizes Intifadah also for harming Jordanian economy.

Al-Fanik's final words, which construct a direct link between Jordan's sovereignty and controlling border transgressions, display the problem succinctly. As formulated by Al-Fanik, how Jordan reacts to the issue of Palestinians stands as a measure that shows how the government stands as a powerful central authority that can rule efficiently its territory. To conclude, the Palestinian issue still creates sovereignty crisis from different perspectives. To begin with, there is still a serious domestic sovereignty crisis. The Palestinian groups are still well organized and they frequently challenge central authority in different forms such as street protests or civil disorder in certain cities. On the other hand, the government faces structural limits in terms of controlling its border transitions which refers to a very important interdependence sovereignty crisis.⁶⁷ Theoretically, it is about how governments control the flow of several things such as information, money etc. As legitimate ruler, government needs to control its spatial terrain. Thus, the Palestinian affairs along the (and also within) Jordanian borders create important problems in terms of domestic and interdependence sovereignty.

When it comes to the domestic politics, despite the intensive care of officials in keeping the stability of population, several developments may easily create important tensions. Therefore, the monarchy still presents itself as the supporter of the Palestinian cause to gain the loyalty of Palestinians. However, the problem of dual loyalty among Palestinian population does still exist. A parliamentary discussion in 1998 triggered a recent debate between two sides of the Jordanian community. A nationalist deputy, (Ahmad al-Abbadi) during a budget discussion in the parliament, accused the Jordanians of Palestinian origin for dual loyalty.⁶⁸ Not only he attacked on three ministers in the cabinet of Palestinian origin but he also accused all Palestinians. Though, all officials quickly reacted to what al-Abbadi said the tension abruptly become the number one issue in Jordanian public.

⁶⁷ Stephan D. Krasner, *Sovereignty Organized Hypocrisy* (Princeton, Princeton University Press, 1999), pp. 11-25.

⁶⁸ "Report Vies Jordanian Deputy's Statement on Unity", *Amman The Star*, 22-27 January 1998. [FBIS Document Number: FBIS-NES-98-022]

The problem of Palestinians, for example, came out once again in the context of the Iraqi-Jordanian relations. Public support for Iraq was extensive across the country and encompasses large portions of society. It was such a paradoxical case that Jordan, which had always been in danger of splitting along demographic lines, was united by the gulf crisis.⁶⁹ Pro-Iraqi, anti-American demonstrations and rallies started on the first day of Iraq's invasion of Kuwait, and continued throughout the American military operations up in Saudi Arabia. The King condemned the Allied forces air strikes against Iraq as Saddam Hussein's immense popularity among the population further complicated Jordanian policymaking. By defying Western powers, Saddam had instantly become a hero to the masses, and this popular sentiment certainly influenced the king's decision to continue supporting reluctance. Saddam Hussein's popularity in the kingdom was a limiting factor on Jordan's maneuverability. Nevo and Pape described the pro-Saddam euphoria as follows:⁷⁰

The vast majority of the Jordanian population readily embraced Saddam with the announcement of the invasion of Kuwait. As a matter of fact, Saddam became the uncontested idol and hero of the Jordanian masses when a few months before the invasion he threatened to set half of Israel ablaze with his unconventional weapons. This yearning was manifested in the Jordanian newspapers that applauded Saddam as the new Salah al-Din.

Eventually, public support and meetings in favor of Iraq confirmed once against the fears of Jordanian government in terms of the difficulties in consolidating an effective central rule. In this vein, apart from the demographic presence of Palestinians, another important point to be considered is the burden of history. The Palestinian issue has created a social, if not a psychological, influence over the Jordanian elite. For example, King Hussein had an extreme sensitivity to his

⁶⁹ Stanley Reed, "Jordan and the Gulf Crisis", *Foreign Affairs*, p. 23.

⁷⁰ Joseph Nevo and Ilan Pape, "Introduction", in Joseph Nevo and Ilan Pape (ed.), *Jordan in the Middle East The Making of a Pivotal State 1948-1988* (London: Frank Cass, 1988), p. 10. On the other hand, the position of Palestinians in the Middle East should not be explained in a reductionist way. According to Rashid I. Khalidi "the Palestinian position on Iraq's invasion was profoundly ambivalent because virtually all Palestinians judged the invasion according to their own interest." And it was not possible to take all Palestinians living in different places as a homogenized group. Rashid I. Khalidi, "The Palestinians and the Gulf Crisis", *Current History* 90(552), (January, 1991), p. 18.

own image before the opponents of pan-Arabism and of Arab historiography. In the past, the Hashemites had been the object of Arab nationalist hate for their seeming conciliatory posture toward British imperialism and Zionism.⁷¹ This troubled Hussein, who desperately hoped to correct the record. During this reign, the king consciously sought whenever possible to adopt positions that would conform to the patriotic pan-Arab consensus. Due to its history, the existence of Palestinian minority produces two important conclusions for the Jordanian foreign policy: commitment to and expression of Arabism, commitment to Palestine.⁷² Arabism has been strongly related to Jordanian foreign policy since the early years of King Abdullah.⁷³ Jordan therefore opposed the deployment of foreign forces in Saudi Arabia from the outset and accordingly refused to join the coalition against Iraq.⁷⁴ Jordanian rulers defended a diplomatic solution rather than a military one. King Hussein expressed his sympathy for Saddam at the Arab summit convened in Cairo. According to King, the Arab nation was indebted to Iraq after the latter spent eight years in war defending it against Iran.⁷⁵ These developments show that Jordan could not totally rescue itself from the Arab community and history.

The importance of the Palestinian constituency is still beyond any doubt. They frequently organize different activities to declare their point of view. Such movements are of course important for Jordanian decision-makers. The government in Jordan should care about the balance between its interests and that of Palestinians. The fragile balance with the Palestinians can easily be broken down by any development. For example, after the killing of Al-Rantisi, the Hamas leader in Gaza, thousands of Palestinians marched to express their anger.

⁷¹ Avi Shlaim, "The Debate About 1948", in Ilan Pappé (ed.), *The Israel/ Palestine Question Rewriting Histories* (London and New York: Routledge, 1999), pp. 183-186.

⁷² Laurie A. Brand, "Palestinians and Jordanians: A Crisis of Identity", *Journal of Palestine Studies* 24(4), (Summer, 1995), p. 51.

⁷³ Mary C. Wilson, "King Abdullah and Palestine", *Bulletin (British Society of Middle Eastern Studies)* 14 (1), 1987), pp. 37-41.

⁷⁴ Asher Susser, *Jordan Case Study of a Pivotal State* (Washington: The Washington Institute for Near East Policy, 2000), p. 52.

⁷⁵ Nevo and Pappé, "Introduction", in Joseph Hevo and Ilan Pappé (ed.), *Jordan in the Middle East The Making of a Pivotal State 1948-1988* (London: Frank Cass, 1988), p. 10.

Palestinians refugees in important camps such as Al Buqqa also supported such demonstrations.⁷⁶ Similar demonstrations are ordinary events of Jordanian political life. Any serious development between Palestine and Israel directly influences the Jordanian political life. Especially, the Palestinian resistant against Israeli forces quickly triggered Jordanian society.⁷⁷ The Jordanian Palestinians even though they live in Jordan do not perceive themselves out of the Palestinian context. This transnational and transterritorial dimension of the problem creates important problem for Jordanian side. Similarly, Israeli side has carried out such attempts in order to influence the Jordanian political structure. For example, Israel forces Jordanian holders of yellow cards to obtain Palestinian passports. As these people can hold temporary passports, this means the naturalization of somewhat 200,000 people in Jordan. This, according to Jordanian officials, move is a part of a long-term plan to turn Jordan into an alternative homeland for Palestinians.⁷⁸ The problem of Israeli interference through Palestinians is a typical sovereignty problem for Jordan. Therefore, it is normal to witness frequent crisis between the two states. Several Israeli attempts of expelling Palestinian from West Bank on the pretext that they are Jordanians have been rejected by Jordan. The Jordanian side claimed that as West Bank is their homeland, Palestinians should stay there.⁷⁹

Under the fear of new Palestinian flows and non-naturalization of Palestinians, Jordan still expects international community to rule the return of Palestinians to their homeland. The legal framework of this argumentation is the UN General Assembly Resolution 194, which stated the refugees wishing to return to their homes and live at peace with their neighbors should be permitted to do so at the earliest practicable date. The resolution was passed in December

⁷⁶ "Palestinians in Jordan March to Condemn Al-Rantisi Killing", *MENA*, 17 April 2004. [FBIS Document Number: FBIS-NES-2004-0417]

⁷⁷ It is now ordinary to see Palestinians in Jordan protesting Israel. See: "Palestinians in Jordan Demonstrate in Support of Return Right", *Amman Al-Ra'y*, 20 January 2001, p. 1. [FBIS Document Number: FBIS-NES-2001-0120]

⁷⁸ "Interior Minister on Israeli Palestinian Passport Measures", *Amman Jordan Times*, 24 February 2004, [FBIS Document Number: FBIS-NES-2004-0225]

⁷⁹ "Jordan Refuses to Take in 30 Palestinian Deportees From West Bank", *Amman Al-Ra'y*, 23 November 2002, [FBIS Document Number: FBIS-NES-2002-1123]

1948.⁸⁰ The right of return has been an important discussion in Jordan. According to Jordan, all Palestinians have the natural right to return to their homeland. This issue has been important both in terms of Jordanian-Palestinians and Jordanian-Israeli relations. In October 2003, several reports were published claiming that a secret accord (named Geneva Accord) signed between Israelis and Palestinians in which the Palestinians would renounce the right of return to areas in the State of Israel.⁸¹ This case was strongly criticized by Jordan.⁸² Having recognized the potential and ongoing problems created by the existence of many Palestinians, it has been Jordanian's top priority to defend right of return in diplomatic process. While it is highly open to discussion whether such a claim has any validity, why Jordan appeals it is quite clear: by emphasizing the right of return of Palestinians, Jordan can protect its domestic balances from potential new flows.

Today, Jordan is a state in which different constituencies exist. The balance between different constituencies still creates important implications in domestic and foreign politics. As a pivotal state, which has constructed its foreign policy according to the regional balances, there is no quick solution that can reconcile different groups. Such a high level of dependence on the system is itself origin of a difficulty, for different constituencies have different perceptions of foreign policy. Besides, one of the biggest constituencies, the Palestinians, is *de facto* ruled by the historical Palestinian question. Jordanian political maneuvers, which aim to maximize state revenues in the context of Peace Process, are strictly criticized by this constituency.

In conclusion, several important structural sovereignty crises can be witnessed in the context of the Palestinian problem. Such crises are clear evidences that show the Western model has yet to be consolidated. In addition, structural deficits within the Jordanian monarchy substitute those failures by several typical instruments such as tribalism. Those substitutions are clear

⁸⁰ United Nations General Assembly Resolution 194 (III), 11 December 1948, <http://www.mideastweb.org/194.htm>.

⁸¹ "Israel, Palestine on Geneva Accord", *FBIS Report*, 14 October 2003. [FBIS Document Number: FBIS-NES-2003-1015]

⁸² "PA's Abbas on Suicide Attacks, Elections, Arab Initiative, Ties With Jordan", *Jerusalem Al-Quds*, 19 July 2002, pp. 1, 23. [FBIS Document Number: FBIS-NES-2002-0719]

evidences that show how Western sovereignty is still inapplicable in terms of state-society relations in Jordan.

5.7 Political and Economic Liberalization: A Search for a New Social Contract

Given important social and political problems, the government has tried to initiate a new political agenda which is expected to solve such problems. The traumatic years during the Gulf War and the following developments forced Jordan to re-organize political structure including several important concepts such as social contract, political system. However, Jordanian economy's structural problems stand as the greatest obstacles in front of such agendas.

Historically, economic problems have played important roles in Jordan in terms of state-society relations. As I have summarized in the previous chapter, the modern format as a new set-up has never been accompanied by economic transformation as it had happened in Europe. It was artificially created by colonial powers without having the needed economic infrastructure. To a large extent, the architects of the project took granted that as if the same historical transformation of modern state in Europe was also experienced. In other words, the Western model was the product of complex social, economic and political transformations of Europe. However, this model was injected in Jordan as if all the same process had previously been experienced here. As a consequence, new state faced the Western model without the needed transformation/ infrastructure. This is a very important deficiency as one of the basic reasons why sovereignty has not been consolidated in domestic politics.

The importance of this issue can be presented as follows: firstly, the lack of an economic basis has naturally impeded the consolidation of many other institutions of modern format such as citizenship, identity and national cohesion. Without a national market, national boundaries inevitably fail in creating a national cohesion. Central governments may incorporate certain groups into the national unity through national market. Thus, economic problems directly limit central governments leverage in dealing with such agendas. In Jordan, this theoretical framework has been realized for years. Economic problems have limited Jordan's success in dealing with the problems of Palestinians and

tribalism. Secondly, the same economic problems impeded the consolidation of separation of domestic and international spheres in Jordan.

In more detail, Jordan's industrial and economic base is extremely narrow. Only 5 per cent of the total land area is arable. The contribution of phosphates, the only natural resource, to the national income is only 3-4 per cent.⁸³ Besides, Jordan located in the midst of regional hostilities has a big military spending budget. As expected, such an economic structure caused important problems in terms of sovereignty as economic sovereignty is a fundamental component of national sovereignty. In practical terms, economic dependence implies political dependence.⁸⁴ As mentioned above, this economic deficit is a remnant of colonial background. As a colonially injected form, statehood has lacked an economic infrastructure in Jordan. The lack of this infrastructure led to the emergence of state-based limited economic realm. But this structure has given to the emergence of a totally bureaucratic model. After all, Jordan has never had a national market, and the state has had to impart substance to an otherwise artificial state that lacks any really distinct geographical or human base.⁸⁵ As referred in previous parts, in no Arab hybrid-sovereign state has there been a Western model, which entails a dynamic relationship between economy and society. In the Western model, the economic transformation produced its own social classes like bourgeoisie, which shaped state formation *vice versa*. However the lack of an economic basis is so extreme in Jordan. There is a serious need to consolidate the socio-economic base in Jordan.⁸⁶ Thus, the state should always find some exogenous resources to survive. It acts as an agent, which formulates its foreign policy according to the circulating opportunities in international system. This point is methodologically important to explain the drastic shifts in Jordanian foreign policy since its formation. Ryan asserts that, "given its minimal endowments, the Hashemite Kingdom of Jordan has throughout its history been dependent on foreign

⁸³ Muhammad Azhar, "Phosphate Exports By Jordan", *Arab Studies Quarterly* 22(4), (Fall, 2000), p. 60.

⁸⁴ Samir Makdisi, "Economic Interdependence and National Sovereignty", in Giacomo Luciani (ed.), *The Arab State* (Berkeley, Los Angeles: University of California Press, 1990), pp. 341-342.

⁸⁵ Ayubi, *op cit.*, p. 367.

⁸⁶ *Ibid.*

assistance to keep its economic afloat”.⁸⁷ Exogenous factors have been determining as economy depends on a large service sector, remittances of workers in other Arab states, and foreign aid.⁸⁸ Given the structural deficits of Jordan, a well-balanced mechanism between domestic and international systems is essential.

Thus, the main weakness of Jordan’s economy is its very dependence upon to economic and political developments outside its borders, with no control over what occurs. Such an economic structure also necessitates a certain type of foreign policy. The Jordanian foreign policy aims to mobilize and utilize foreign aid and resources for economic and social development.⁸⁹ Therefore, the history of Jordanian foreign policy includes many radical changes aimed maximizing economic benefit. These radical changes in Jordan foreign policy originated from the cited problematic background in terms of state building. Here Laurie Brand’s formula of budget security is instructive in understanding the essential logic behind all Jordanian foreign policy decisions. Accordingly, budget security can be defined as a state or leadership’s drive to ensure the financial flows necessary for its survival.⁹⁰ In other words, one of the critical factors in the Jordanian alliance from the mid-1970s until the 1991 Gulf War was the Hashemite regime’s concern for budget security and the requirement to meet budgetary needs and thus ensure survival. Thus, Jordan’s relations with other Arab states were ultimately shaped by the regime’s need to avoid domestic budgetary crisis. Such crises could have limited Jordan’s ability to distribute jobs and services and finance the state’s security apparatus.⁹¹ The basic logic behind important foreign policy decisions

⁸⁷ Ryan, op cit., p, 48.

⁸⁸ Gil Feiler, “Jordan’s Economy, 1970-90: The Primacy of Exogenous Factors”, in Joseph Hevo and Ilan Pappé (ed.), *Jordan in the Middle East The Making of a Pivotal State 1948-1988* (London: Frank Cass, 1988), pp. 55-56.

⁸⁹ Al-Khazendar, op cit., p. 17.

⁹⁰ Laurie Brand, *Jordan’s Inter-Arab Relations: The Political Economy of Alliance Making* (New York: Columbia University Press, 1994), p. 277. (Chapter 8: Budget Security and its Broader Applicability)

⁹¹ Michael R. Fischbach, (Book Review), Laurie A. Brand, “Jordan’s Inter Arab Relations: The Political Economy of Alliance Making”, (New York: Columbia University Press, 1994), *Middle East Journal*, 50(2), Spring, 1996, p. 277. Bassel F. Salloukh names the cited strategy of Jordanian foreign policy as *Husseinism*. Accordingly it is “a multi-level, interactive strategy that exhibits the role domestic determinants in shaping regime foreign policy and consequently, the regime’s

has been Jordan's need in sustaining exogenous political and economic factors for its survival. The economic deficit has been always Jordan's aim of protecting its state political and economic autonomy that has shaped its foreign policy behavior. In theory, what Jordan tried was to compensate its deficits by external alignment, or was to import exogenous benefits. Lacking important substantial needs, Jordan tried to fulfill these gaps by external alliances.

To reaffirm itself as a product of international system, Jordan tries to protect its sovereignty by depending on the system. The colonial gaps in its formation entail these necessities. As a colonial creation without needed substantial mechanisms such as a functioning market, a national identity, in the system is the essential guarantee of its sovereignty. This is the legacy of its historical background. When Jordan was created, "it had no reason to be a state on its own rather than a part of Syria, or of Palestine, or of Saudi Arabia, or of Iraq, except that it better served Britain's interest to be so".⁹² Therefore, since its creation, Jordan has tried to present itself as important to the system. Like many other colonial creations, when the colonial rule injected a Western type of state, neither the economic nor the political conditions in Jordan were ready to support the realization of this project. Therefore, it should focus on the balance between itself and the system. It should maximize its benefits from the system. But this dependency may create problems as well. Jordan has been the target of system-originated endemics such as Arabism or different international regional and economic problems. However in any way, a colonial creation is the product of the expansion of international system thus the system can protect it from its contradictory sides with regard to its domestic and regional problems. To some extent, colonial creations therefore need international system behind them against challenging traditional and indigenous facts. Laurie Brand's conclusion for

instrumental use of extra-regional and regional policies to consolidate and legitimize its rule." Bassel F. Salloukh, "State Strength, Permeability, And Foreign Policy Behavior: Jordan in Theoretical Perspective", *Arab Studies Quarterly* 18(2), (Spring, 1996), p. 44.

⁹² Mary C. Wilson, *King Abdullah, Britain and the making of Jordan* (Cambridge: Cambridge University Press, 1987), p. 3.

Jordan's relations with Iraq and Syria between 1975 and 1981 is also definitive for our case:⁹³

Although various regional factors, particularly developments in the Arab-Israeli conflict, have long been used to explain Jordanian foreign policy behavior, the timing and the nature of the Jordanian alignment behavior this period is best explained in terms of the drive to ensure state-revenue sources.

In other words, faced structural political and economic deficits Jordan adopted a basic course of action, which focused on survival. Not only in domestic realm but also in international realm it has been state priority to arrange all political actions according to this policy. Jordan's shifting foreign policy of Iraq in the context of the Gulf war and its aftermath can also be explained from this perspective. As mentioned above, when he felt a new regional configuration was to emerge which might endanger Jordan's position, King Hussein quickly shifted its stance in the aftermath of the Gulf War. Given this perspective, whether cited shift in Jordanian policy represent a similar shift from Arabism to realist-Jordanian foreign policy behavior or not can be explained.⁹⁴ This was not unique, as similar other shifts had taken place in the Jordanian foreign policy in the 60s and 70s. The basic reason behind such motives has been the regime's primary goal to secure regime stability and survival.⁹⁵ Thus, the basic logic behind the shift in Jordanian foreign policy over Iraq and the shift and the signing of the peace accord with Israel in 1994 is the same. Jordan should conduct both its domestic and foreign policy within the context of its traditional state-societal dynamic on the basis of two realities: Economic deficits and the existence of different constituencies. In sum, the colonial deficit makes Jordan dependent on external economic and political

⁹³ Laurie A. Brand, "Economic and Shifting Alliances: Jordan's Relations with Syria and Iraq, 1975-81", *International Journal of Middle East Studies* 26(3) (August, 1994), p. 409. Karla J. Cunningham depicts this as follows: "Jordanian foreign policy decisions have been directed toward offsetting its vulnerability to external actors and their ability to instigate or exacerbate internal challenges to the Hashemite monarchy." Karla J. Cunningham, "The Causes and Effects of Foreign Policy Decision Making An Analysis of Jordanian Peace with Israel", *World Affairs* 160(4), (Spring, 1998), p. 193.

⁹⁴ Marc Lynch, *State Interests and Public Spheres* (New York: Columbia University Press, 1999), p. 231.

⁹⁵ Karla J. Cunningham, "The Causes and Effects of Foreign Policy Decision Making An Analysis of Jordanian Peace with Israel", *World Affairs* 160(4), (Spring, 1998), p. 195.

support. This is a structural problem. Unlike other states that give up their sovereignty in order to maximize their economic interests, Jordan should do this in order to survive. It should be underlined that Jordan's policies are intended not just to ensure the security of Jordan as a state, but also to ensure the survival of Jordan as a Hashemite monarchy.⁹⁶ This deficit influences major issues of foreign policy. Not only the Iraqi case, but also relations with PLO, and Jordan's role in the Peace Process are directly influenced by Jordan's dependency on external aid.

Such economic deficiency is important in understanding the failure of the Western model in Jordan. The Jordanian elites concluded that without creating a functional market, it is hardly possible to accomplish nation state formation. Thus, recognized the structural limits given the poor economic background, the government launched an economic liberalization programme in 1989.

This program was a real turning point in the history of the kingdom for it attempted to eradicate many traditional and established structures. Instead, the program tried to enhance political liberalization and democratization that was expected to foster civil society. The economic liberalization programme by aiming enhancing political participation based on citizenship and loosening central government's control on different areas such as politics, media and economics has tried to create a modern politico-economic basis for the state. Certainly, this programme was a typical attempt aimed at changing the status quo. It was meant to be a new social contract between state and society. It can be argued that Jordan's limited capacity in continuing its traditional social contract necessitated major changes in domestic and foreign politics. It was understood that previous methods failed and a new, modern, programme is needed: "Jordan's political opening emerged based on the political economy of Hashemite regime survival."⁹⁷ These measures are intended to ensure the long-term survival of the regime in a post-Cold War, post-Gulf War, and even post-King Hussein world.⁹⁸ Also this program included an economic pillar. For example, Jordan started

⁹⁶ Ryan, op cit., p. 82.

⁹⁷ Ibid., p. 16.

⁹⁸ Curtis R. Ryan, "Peace, Bread and Riots: Jordan and the International Monetary Fund", *Middle East Policy* 6(2), (October, 1998), p. 55.

cooperation with IMF. Since the IMF's main concern was with Jordan's enormous budget deficit (Jordan stopped making payments entirely on bilateral government loans), the IMF plan included in its key provisions steps to cut government expenditures as radically as possible.⁹⁹ The decline of subsidies and expenditures quickly caused big riots in important cities like Ma'an. The sharp rise in prices of basic items such as bread and oil were protested by thousands of people. Such public reactions continued during all reforms in 1989 and in the 2000s.

However the social reaction to this programme is significant. Surprisingly, the riots had broken out in areas that were traditionally most supportive of the monarchy. The protests had not come out from areas that were largely Palestinian or Islamist, but rather from Transjordanian communities usually seen as unalterably loyalist.¹⁰⁰ I argue that this reaction of loyalists is a clear evidence to reveal the crisis of modern statehood in Jordan. Since the formation of Kingdom, the monarchy has tried to create a modern and sovereign state based on a new nation. State projects have tried to devise a national identity. But several reasons have always impeded this plan. Thus, the regime was forced to apply different pre-modern instruments such as tribalism and regionalism. However, it was understood that this hybrid project, which envisages the use of both modern and traditional instruments, could not guarantee survival. "Economic constraints pressed the regime to open up the political system in order re-establish its own basis for legitimacy and survival."¹⁰¹ The economic liberalization programme thus is another attempt to consolidate modern statehood with a liberal market, civil participation on the basis of citizenship. By so doing, the government confirmed that the use of traditional ways could no more be useful. In other words, the reform program was an attempt to replace former authoritative bargain model with a new liberal bargain. It was aimed to restructure relations between the monarchy and major actors of the society.¹⁰² It is thus the liberalization efforts are

⁹⁹ Ryan, *Jordan in Transition From Hussein to Abdullah*, p, 52.

¹⁰⁰ Ibid., p, 15.

¹⁰¹ Ibid., p. 110.

¹⁰² Scott Greenwood, "Jordan's 'New Bargain': The Political Economy of Regime Security", *Middle East Journal* 57(2), (Spring, 2003), p. 249.

part of a survival strategy designed to ensure the long-terms survival of the existing regime.¹⁰³

However, this attempt in constructing a new social contract (from a hybridist to modern) was first criticized by loyalist citizens. This clearly shows that apart from Palestinians or Islamist, loyalist citizens still defend the protection of traditional hybrid mentality. Why? The traditional model in Jordan had depended on a simple semi-rentier mentality that protected citizens in different fields such as recruitment and economic opportunities. The traditional authoritative bargain model has always been in favor of Transjordanians as it was a political game between state and these groups. Moreover, the traditional threat of Palestinians has frightened the traditional tribal groups. In a sharp contrast to the traditional model, the new one envisages a model on the basis of citizenship. But the traditional semi-rentier model, which had depended on the state-centered distribution of opportunities, became ineffective in the late 80s in keeping economic and social balances together in an era of global finance.

In order to promote nation-building process in social and cultural context, the government launched a new official program. Accordingly, the government initiated a massive public relations effort, plastering the phrase *Jordan First* on billboards, banners, posters and bumper stickers across the country in October 2002.¹⁰⁴ It is a working plan that seeks to deepen the sense of national identity among citizens. The campaign was also used for different political purposes. For example, "Jordan First" was surely chosen so that no Jordanian could oppose the campaign without appearing unpatriotic. Thus, anyone expressing support for Palestinians or Iraqis, for example, does not promoting the state of Jordan. Some Jordanians express support for the campaign, both publicly and privately. They claim that even though the problems of Palestinians and Iraqis certainly warrant

¹⁰³ Ibid., p. 250.

¹⁰⁴ See: Ministry of Foreign Affairs official homepage: <http://www.mfa.gov.jo>, Ministry of Planning and International Cooperation official homepage: www.mop.gov.jo. For a critical discussion on the project see: "Jordan First? Internal Politics and the Approaching Iraq War", The Saban Center for Middle East Policy At The Brookings Institution, January 23, 2003, (Transcript by: Federal News Service Washington, D.C.) www.brookings.edu/comm/events/20030123saban.htm

attention, but Jordan needs to attend to its own needs first. Others, however, see the campaign as a means of suppressing political dissent.

According to the official information, the agenda targets a generation of young Jordanians who pride themselves in their homeland and the monarchy. This late nation-devising project was expected to complete the liberalization efforts. Thus, it is a kind of late nation-building project which tries to create “a melting pot that fortifies the national fabric for all Jordanian men and women and respects the diversity of their propensities, origins, attitudes, races and feelings.” The project seeks to integrate all constituencies nationally and socially. The motto “our Jordanian pluralism” was put forward. Also several other ideas such as “a modern, coherent civil society that prospers in climates of freedom, parliamentary democracy, supremacy of the law, social justice, and equal opportunities” were used similarly. The pride to homeland is especially emphasized. Thus, it aims to re-define the Jordanian reality independent of any other issue or problem such as the Palestinian. It emphasizes the supremacy of Jordan's interests over all other considerations. The basic target of making a new social contract is the essence of the campaign. The campaign is officially introduced as “a social accord between Jordanian men and women, individuals and groups, the government and the opposition.” The agenda, therefore, presents citizenship as the basis of new social contract: “Jordan First consecrates the concept of citizenship as a basic Constitution-guaranteed right that cannot be violated.” It is also clearly declared that no one is more privileged than others except in what he/she offers to his/her homeland and people. Such points clearly display that the government is seriously aware of the main deficits in Jordan in terms of statehood and state-society relations.

Nevertheless, despite such late nation devising agendas, the monarchy has still got doubts about the relationship between people and state. Along with many other anti-democratic measures, the government additionally uses electoral policy in order to engineer political life. Given the problematic demographic structure, the government tries to streamline political life by electoral policies for decades. The aim of electoral policy is to prevent any unwanted development. Political life is manipulated in order to channel all political life in a state-based framework in

parallel with state's preferences and priorities. By so doing what created is a political system as an electoral regime embedded in an authoritarian state.¹⁰⁵

There are two basic reasons why the state tries to regulate election results by employing strict rules which obviously changes consequences: first is the problematic cohabitation of two groups in Jordan. The government does not want to see Palestinians organized following radical policies. The second reason behind "electoral engineering is the fear that a radicalized, largely urban, political opposition, unleashed through parliamentary democracy, might set the nation on a different political course sharply at a variance with that favored by those currently in power".¹⁰⁶ In short, the failure of nation building in Jordan is the basic reason of the mistrust between people and the state. Given the cited challenges, the government applies typical techniques. The under-representation of urban centers on electoral lists is the major technique to realize this aim. For example, Amman and Zarqa accounted for 54 per cent of its population in 1999. Yet, the 2001 Electoral Law gives these two electoral districts only 32 per cent of the seats. The towns of Mafrqa, Karak, Tafileh and Ma'an, only 12 per cent of the population, are allocated 22 seats (21 per cent).¹⁰⁷ The motive behind it is very simple: the largest groups of Palestinian-origins live in Amman and Zarqa. The places like Mafrqa, Karak, Tafileh and Ma'an, for they have historically produced the strongest support for the Hashemite rule and have a greater share in representation. This is an indirect disenfranchising of some parts of the population. No doubt, such methods again refer to the failure of citizenship project in Jordan. By such electoral policies, the government distorted the neutral and rational process between state and society. In so doing, tribal and regional patterns dominate political process. Another technique used within the context of electoral policy is the one-person-one-vote system. The government thus introduced one-person-one-vote system in 1993. In previous elections, a multi-

¹⁰⁵ Farsoun and Port cited in Quintan Wiktorowicz, "The Limits of Democracy in the Middle East: The Case of Jordan", *Middle East Journal* 53(4), (Autumn, 1999), p. 607.

¹⁰⁶ I use extensively ICG report, ICG, "The Challenge of Political Reform: Jordanian Democratization and Regional Instability", *Middle East Briefing*, Amman-Brussels, 8 October 2003, www.crisisweb.org, pp. 16-19.

¹⁰⁷ *ICG Report*, p. 17.

voting system was applied. Accordingly, each voter was granted as many votes as the numbers of seats in their constituencies. However, it led to the unprecedented victory of opposition, mainly Islamists. But this system has also produced its problems as produced patterns that privilege tribal types of ties rather than political or ideological affiliation. It should be noted that an election process in Jordan is a typical tribal affair in most respects. Tribes organized their own local conventions to specify their candidates or to whom they would vote for. Indeed, many candidates present themselves as tribal candidate rather than political party. In line with tribal solidarity, voters prioritize family and clan allegiances over their political and ideological inclinations. In the June 2003 elections an estimated 18,000 voters traveled from Amman to their tribal hometowns to vote for their tribal contender.¹⁰⁸

In this context, the question to be asked is: “Has the electoral process [within the context of political and economic liberalization] indeed provided meaningful avenues for political participation in the kingdom?”¹⁰⁹ Or, despite the reforms is political life still under the influence of traditional networks like tribalism or the “authorities bargain” contract between the Hashemites and traditional elites? Analyzing elections between 1989 and 2003, a conclusion can be drawn: Even though to some extent political life was liberalized for the elections allowed for a greater civil participation, the traditional influence of different groups such as Islamists and tribes continued. In many elections, the tribal candidates quickly won seats. The tribal reality in Jordanian politics is key evidence that reveals the problems around citizenship. For example, the 1997 elections were especially clear step back. Even though there were boycotts from different actors, the new “parliament was a virtual sweep for political centrists, pro-regime conservatives, and tribal candidates.”¹¹⁰ In sum, the government through electoral manipulations has protected the influence of its traditional loyalists.

¹⁰⁸ *ICG Report*, p. 18.

¹⁰⁹ Curtis R. Ryan, *Jordan in Transition From Hussein to Abdullah*, p. 17.

¹¹⁰ *Ibid.*, p. 34.

To sum up, the liberalization reform programme aimed to create a Western type of civil and economic formation in Jordan. The government proposed that enhancing civil rights and liberating economy might achieve a modern system on the basis of citizenship. Rather than following the previous tribal or religious alignments and political maneuvers, a citizenship-based social contract was to be constructed. In other words, the ultimate aim is to make a new social contract, which is expected to give way for a Western type of state-society model. In parallel, to complete the reform program, a cultural and social project, Jordan First, was also launched. However, this process has included many paradoxical practices like the cited electoral manipulations.

5.8 Conclusion

In this chapter, in parallel with the methodological framework presented in Chapter 4, the issue of sovereignty is analyzed in the Jordanian context. Since its formation Jordan has faced with typical sovereignty crises in terms of state-society relations. Despite the colonial creation of modern statehood, the government has faced the traditional problem of attaining an efficient central authority. Also the most important pillar of modern statehood, citizenship, has not to be consolidated so far as to include all different groups in Jordan. As a typical hybrid-sovereignty, faced with such problems the government has substituted certain primordial patterns in order to protect political stability such as tribalism, electoral agenda and the use of force. Such subsidiary instruments are important as they display how there is a sovereignty crisis in Jordan. Finally, I have referred to the economic and political liberalization agenda. This program is a recent attempt to complete important gaps of modern state project. Nevertheless, this late nation and state formation project also suffers from typical traditional problems. Several important primordial patterns such within this project confirm the continuing hybridity in Jordan.

For Gudrun Kramer Jordan, unlike several Arab states, offers a more complex set-up, in which Islamic activism and communal loyalties (Palestinians) are to a certain extent connected or interrelated.¹¹¹ Even though the government

¹¹¹ Gudrun Krämer, "The Integration of the Integrists: a comparative study of Egypt, Jordan and Tunisia", in Salamé, G. (ed.), *Democracy Without Democrats? The Renewal of Politics in the Muslim World* (I.B. Tauris, London, New York, 1994), p. 219.

quelled the riots in Ma'an in November 2002, the cited complex setup is still prone to produce important problems. Thus, from a Weberian perspective, Jordan seems as a weak state in sustaining ultimate state control in different fields. The colonially injected Western format still fails in important ways. Despite the previous policies and attempts in devising a territorial nation-state, traditional problems of Jordan still prevail. In order to meet such deficits, Jordan has employed several traditional ways and, by so doing, has appeared as a hybrid sovereign or a model between Western and traditional practices. How Jordan is defined by ICG (the International Crisis Group) is a typical description of a hybrid sovereign:¹¹²

The regime's Achilles heel is the feeble bond of trust between most citizens and the state. Meaningful relationships are based primarily on family or tribal loyalties, being broadly perceived as non-transparent, unresponsive and unaccountable. This extends from the omnipotent security services, through the police, to civil servants protecting the state's interests at all corners of the bureaucracy. Curbs on freedoms of expression and association have discouraged peaceful dissent outside the narrow limits of parliamentary debate and the political discourse of small political parties, a moderate and acquiescent Islamist movement and disparate civil society groups.

Such a depiction of Jordan of course refers to a typical hybrid case in which all apparent modern statehood institutions like citizenship have functionality problem and state tries to compensate its failures by employing different traditional and pre-modern methods like tribalism. What has been experienced in Jordan is a kind of crisis management policy that is to mean rather than creating a modern system the state tries to cope with each crisis with different instruments. As a result, the fragile nature of the political system is protected. So long as a nation-building project in Jordan fails in creating trust between people and a system based on rational and neutral institutions, a hybrid model will be the outcome.

There are two competing camps in Jordan: one group argues that the status quo should be continued given the instable international environment and economic problems. For them any political and economic liberalization may risk country's survival. This group is akin to use violence or any extraordinary

¹¹² *ICG Report*, p. 2.

methods like controlling politics and media to control the country. With the support of this group, the monarchy has introduced many different restrictions on the media. According to them, democratic process could be achieved only after other problems solved. To focus on 'real' problems, the domestic opposition would be silenced and political liberalization should only realize after a certain economic achievements. For example, a typical representative of the first camp Faisal Fayez, a former minister of the royal court, said that they were forced to postpone elections because of external factors. According to him, change could take place only once economic development took off, and political development would follow this. For this group Western democracy is inapplicable for the region. Any democratization process has to be tightly managed lest the process unleash passions and interests that may risk Jordanian stability and even unity.¹¹³ In short, this group has a simple logic: there is no strong national and international environment to support a Western type of model in Jordan. Therefore, the monarchy has to keep its own model in which different methods such as the use of force or tribalism are inevitable. Even though this group is not against democratization totally, what they defend is a Jordanian type of model rather than totally importing Western models.

On the other hand, there is another group, which argues that hardly is it possible to expect a solution from the status quo. Rather, they call for new economic and political reforms and instead of using extraordinary instruments they underline the importance of enhancing civil rights, democracy and market economy. This group has also been important. For example several reformist prime ministers were appointed so far from this camp. Besides, international pressure facilitates the position of this group. Jordan, in order to capture the attention of West and Western aid, should continue its liberalization programmes. To give an example, Mustafa al-Qaisi's, a former minister of state, words represent the second camp's ideas. According to him, Jordan's strength lies in the fact that it is more open than the rest of the region. Thus, the best security for Jordan lies in opening up.¹¹⁴

¹¹³ *ICG Report*, p. 14.

¹¹⁴ *Ibid.*, p. 15.

The competition of the cited two camps is clear evidence that shows there is still no socially accepted social contract in Jordan. Therefore, the construction of a modern state on the basis of classical Weberian understanding seems still difficult in Jordan. Both the existence of different constituencies and the lack of an economic basis will force Jordan to follow a hybrid model. In foreign policy, Jordan is expected to follow “budget security” policy in order to survive. The colonial project, which had shaped Jordan as an imperial commitment, created a state without many important institutions, items and actors. Given the conditions when it was created, undoubtedly Jordan was an artificial creation. Thus, Jordan has been in a nation devising process since its formation. But, rather than the success of this process, it has been mainly international balances that have ensured its survival. However, this survival has never been the guarantee of a modern type of statehood in which a rational regime between people and state is not defined. Rather, its political regime is made up by endless bargains and shifts. This inevitably limits Jordan in realizing its sovereignty. As a state, in which the citizenship of thousands of people was nullified in 1988, it is clear that how Jordan is constructed on an artificial and fragile basis.

Moreover, the late liberalization that efforts aimed a modern new social contract was challenged by the historical loyalist groups. These reactions showed that these loyalist (mainly tribal) groups want to be under the protection of semi-rentier contract in which their historical and tribal privileges are to be kept. A new modern social contract is a challenge to their historical status. The loyalist opposition during the bread riots demonstrated that nation-building process faces great problems not only among other constituencies but also in the Transjordanian group. Given such tensions the only option for the monarchy is to make use of different *modus operandi* in dealing with different constitutions.

Also the limits of the Jordanian economy are big handicaps in formulating its foreign policy. In a structural realist perspective, each state should care about the limits of its power in international system. The disciplining influence of international system is a reality for all states. However, the case of Jordan differs. As a pivotal state, its location puts Jordan in a very dynamic atmosphere. Jordan is surrounded by many structural developments like wars, domestic insurrections, and embargos. And as a trans-territorial problem, Palestinian existence is another

reason for a dynamic relationship with international politics. Therefore, Jordan cannot isolate itself from the system and it has been open to international effects since its formation. Survival in such a place definitely necessitates a certain power that Jordan does not have. “Jordan has been characterized by a heavy reliance on grants and loans from abroad and upon income, such as expatriate remittances, that has little relation to domestic productive forces.”¹¹⁵ Therefore, the usual policy of “budget security” appears as the only choice.

Given these structural problems on the basis of Jordan’s colonial artificiality, the recurring themes are expected to dominate political life in the near future. The solution of many important problems that can rescue Jordan from its historical “authoritarian contract” lies out of Jordan like the Palestinian question. Jordan’s stability is highly dependent on a healthy regional system. March Lynch’s proposition claims that the Arab state system possessed a public sphere that transcended state borders and which often-trumped domestic public spheres best fits with Jordan.¹¹⁶ To conclude, Lynch contends in terms of Jordan that, “the extent to which international and domestic debate produces consensus, and whether these public spheres reinforce or oppose each other, are key variables for determining the durability of behavioral change.”¹¹⁷

¹¹⁵ Laurie Brand, *Jordan’s Inter Arab Relations*, p. 277.

¹¹⁶ Lynch, *op cit.*, p. 5.

¹¹⁷ *Ibid.* p. 6. Also see: March Lynch, “Jordan’s Identity and Interests”, in Shibley Telhami and Michael Barnett, (eds.), *Identity and Foreign Policy in the Middle East* (Ithaca-London: Cornell University Press, 2002), p. 56.

CHAPTER 6

KUWAIT AND THE CRISIS OF SOVEREIGNTY

6.1 Introduction

Kuwait is the second case of this dissertation. Following the methodological framework presented in Chapter 4, this chapter analyzes how Western sovereignty is inapplicable in Kuwait in terms of state-society relations. In other words, this chapter methodologically aims to present several important sovereignty crises and how different substitution mechanisms are employed. In this line of thinking, a study that claims the inapplicability of a Western sovereignty necessitates the examination of sovereignty around two issues in Kuwait: The economic and demographic structures. In these perspectives, there are important limits in terms of sovereignty.

To begin with, Kuwait is a typical rentier state that works within the logic of rentier society. Like other rentier states, the relationship between state and society –or in broader context how politics is organized- is different. There is a more vital and apparent relationship between economy and sovereignty.¹ It is a fact that, without the discovery of oil, it is inconceivable that Kuwait could have existed as a modern sovereign state.² Since 1946, oil has been the dominant feature of economy, providing some 93% of the government revenues.³ With a small population, Kuwait has a fragile economy with falling oil prices in a single

¹ Pete W. Moore, “Rentier Fiscal Crisis and Regime Stability: Business-State Relations in the Gulf”, *Studies in Comparative International Development* 37(1), (Spring, 2002), p. 34.

² Mehran Nakhjavani, “Resources, Wealth and Security: The Case of Kuwait”, in Bahgat Korany, Paul Noble and Rex Brynen (eds.), *The Many Faces of National Security in the Arab World* (New York: St. Martin’s Press, 1993), p. 185.

³ Kamal Osman Salih, “Kuwait: Political Consequences of Modernization, 1750-1986”, *Middle Eastern Studies* 27 (1991), p. 46.

commodity economy and a social obligation to maintain social service for a demanding population.⁴ Therefore, a specific type of socio-economic structure, which was created by the discovery of oil, is the basic departure of point.⁵ The economic transformation due to the oil boom created different conditions in terms of sovereignty. Rentier structure produces important consequences by prohibiting the realization of many important institutions of Western sovereignty such as citizenship, domestic authority, and foreign policy. When political system fails in creating functioning political institutions to consolidate modern statehood, the government substitutes an alternative economic model in which financial instruments are employed in order to protect political stability. In this framework, the Kuwaiti regime substituted its failures through the opportunities of rentierism.

As explained in Chapter 4, when several boundaries between state and society fail, the state employs other methods, which are non-neutral, non-transparent and unaccountable in order to rescue itself. In other words, state employs certain substitution policies. Substitution here refers to the alternative methods used in case of sovereignty crisis in certain fields. As previously explained, sovereignty crisis is the violation or failure of any boundary of modern state, be it domestic or international, between state and other actors. Methodologically, how certain boundaries of modern state fails in terms of realization and how states counterbalance such failures by different substitutions are important in explaining the problematic situation of sovereignty in a related case. In so doing, the failures of formal structure are compensated by certain policies. This framework is also valid in analyzing the case of Kuwait. But this model has never been completely successful in guaranteeing state from domestic and external threats. Nor has it been successful in establishing a modern state. Instead, the Kuwaiti model has always faced severe sovereignty crisis in different fields. In sum, the rentier structure is an important fact in analyzing how Western sovereignty fails. Thus, several important sovereignty crises and substitution mechanisms can be studied through the lens of rentierism.

⁴ UNDP, *Human Development Report 1994* (Oxford: Oxford University Press, 1994).

⁵ Peter N. Marber, "Sheiks and Souks: Capital Market Formation in the Middle East", *Journal of International Affairs* 49 (19), (Summer, 1995), p. 91.

Along with a rentier mentality, what worsens the situation is the demographic nature of this small state. The majority of population is composed of non-citizens that make the consolidation of a Western sovereignty-based statehood impossible. Naturally, the crux of the question is how a Western sovereignty can be adapted in a society in which most of people are not citizens. The Kuwaiti model tries to realize a modern statehood on the basis of citizenship in a political environment in which most of the people are not citizens. Furthermore, citizens are even composed of different constituencies. For citizenship in this model does not guarantee an overall and equal mode of relationship between state and people, there are still other types of traditions such as tribalism. Many people live without having basic rights. Therefore, these people have different loyalties and aspirations. Besides, not naturalizing all of them, the government has developed different modes in dealing and controlling these people. As a result, there are different types of connections/relationships between the state and citizens. Certainly, these different modes prohibit the realization of Western sovereignty. On the other hand, the demographic fact is also important from different perspectives. For example, the presence of big groups of people without citizenship creates important problems in terms of domestic sovereignty and foreign policy. Therefore, the issue of demographic structure should be analyzed from different perspectives too. In other words, different substitution mechanisms are also employed at this level.

In fact, both rentierism and demographic problem should be analyzed within the context of Kuwait's colonial background. Kuwait is a typical colonial artifact created by several diplomatic maneuvers after the disintegration of the Ottoman Empire. As it was studied in detail in the previous chapters (Chapter 3), the modern statehood is the product of a long Westernization and colonialization process. Many institutions of modern statehood were implanted by Western powers, mainly Britain.⁶ Therefore, typical problems caused by the transition from a traditional model to a Western model exist. These parameters are

⁶ Benyamin Neuberger, "National Self-Determination in the Middle East and North Africa", in Moshe Ma'oz and Gabriel Sheffer, (eds.), *Middle Eastern Minorities and Diasporas* (Portland: Sussex Academic Press, 2002), p. 48. Also Frederick F. Anscombe, *The Ottoman Gulf The Creation of Kuwait, Saudi Arabia, and Qatar* (New York, Columbia University Press, 1997), p. 3.

cornerstones of any study that deals with the problem of sovereignty in Kuwait. The injection of Western sovereignty format without the needed political and economic infrastructure can be read as a major explanation for current problems. Like many other colonial creations, when the colonial rule injected a Western type of state, neither the economic nor the political conditions were ready to support the realization of this project. It has been a problem for the rulers to protect the stability of these artificial creations. For that reason, the artificiality has always appeared as a troublesome background. For instance, some groups of Kuwaitis with nomadic origin could not realize the rapid transformation of political system and they became people without citizenship even though they had been dwelling in the area for centuries. Some other indigenous groups who were registered as citizens could not transform their relationship beyond the traditional rentier mentality. In consequence, a nation-devising project on the basis of oil-revenues supported by very strict citizenship code and anti-democratic measures has been the basis of the social contract in Kuwait.

Once the two facts, the demographic and economic structures, are taken together, a simple but informative conclusion can be drawn: Given the artificiality of the state, the government's basic strategy in protecting its autonomy has been a mixture of traditional and modern practices within a rentier mentality. This hybrid model, which combines traditional and modern, is the origin of many limits in front of Western sovereignty and statehood. So long as citizenship is not institutionalized to sustain state's autonomy like Western states, the government has been forced to be in an endless game against different groups. Thus, state can protect its autonomy only through different political strategies. In other words, Kuwait, in a Weberian understanding, in order to protect its domestic boundaries, is forced to be in a kind of corporatist game, where certain groups are legitimized at the expense of other.⁷ Traditional methods such as cooperating with tribal leaders and merchant families have been extensively employed so far. As remembered, this political pragmatism was previously theorized as substitution mechanism. Substitution refers to the alternative methods used in case of sovereignty crisis in certain fields. However, substitution simultaneously shows

⁷ Shafeeq N. Ghabra, "Balancing State and Society: The Islamic Movement in Kuwait", *Middle East Policy* 5(2), (May, 1997), p. 59.

that an important boundary/pillar of Western sovereignty, here it is citizenship, is not realized. What rescues Kuwait from being besieged by its failures is mainly the existence of oil-money. As an artificial state with a population in which non-citizens are majority, a rentier social contract is the essence of political order. Without oil-originated abundance, it is very difficult to say everything would be same. Oil plays the key role in sustaining statehood in terms of sovereignty. The government creates a persuading space by oil revenues without resorting to the use of force like other hybrid-sovereigns. But rentier framework can hardly be accepted as a long-term strategy for it continues sovereignty problem. On the other hand, while distributing the revenues, the government should care about the traditional balances. It should be carried out in a way that it would not give way to political risks. Kuwaiti rulers are extremely skeptical about different groups' potential in transforming their power in to political power. This political risk entails different anti-democratic measures along with oil-money especially when rentier mechanism fails.

In parallel with the general theoretical and methodological outline of this dissertation, when analyzing Kuwait, state-society level relations are also main methodological point of departures. As a result, the methodological aim is first to elucidate how specific economic conditions jeopardize the domestic boundaries in Kuwait. I shall mainly try to analyze several related issues such as social contract, citizenship, the relationship between state and economic sector, and the problem of minorities in order to verify my argumentations. To emphasize, the basic subject of this part is how the government deals with such a demographic structure in a rentier framework. But, remembered the crisis of expatriates, secondary subject of this part is to display how Kuwait faces important problems in terms of foreign policy as well. The existence of many expatriates due to the oil-based economy creates important problems in terms of foreign policy. Furthermore, Kuwait has faced many problems in formulating its foreign policy due to its one-commodity economy involving a dependency model to the international system.

Historically speaking, the creation of national and territorial spaces was an unprecedented experience in Arab lands where there had been a big Arab 'nation' with many commons. So the task was to create national space and episteme from

an encompassing Arab whole. The injection of a Western model by a colonial process gave way to several problems, which are yet to be solved. A new Western national space and related epistemic categories truly challenged the traditional understandings and forms in the region. This process was experienced in Kuwait too. It was transformed into a territorial state. So, the crux of the question is how such an alien model has been preserved so far. The answer lies with the hybrid-model, which combines the Western territorial statehood with its own traditional structure in a rentier model. It is thus we see different practices like cliency, rentierism, tribal corporatism, use of force and the use of international support. But a hybrid-model could not assure the full realization of a Western type of territorial state with its substantial components. This part, in line with the theoretical discussion so far, aims to analyze how Western sovereignty is inapplicable in Kuwait.

6.2 Political and Social Consequences of Rentierism: A Different Social Contract

A rentier structure is the first reason that creates main limits in front of colonially brought Western model. Many substantial domestic boundaries of Western sovereignty have been limited by rentier model since the oil-boom. More importantly, important traditional formats have been protected thanks to the oil-money. In this part, how rentier structure prohibits certain boundaries of Western sovereignty in the case of Kuwait is analyzed. But, first of all, a short summary of how rentier model came out needs a close inquiry. The traditional political structure of Kuwait was detailed in Chapter 3. However, the oil-boom transformed the traditional “medieval” system and replaced a new one.⁸ Therefore, several important consequences of this transformation need further analysis before presenting how the case is important from sovereignty perspective.

Following Anderson, in countries where the process of creating territorial state was substantially completed before oil became the primary source of government revenues, capital inflows were mediated through existing state

⁸ Jill Crystal, *Oil and Politics in the Gulf Rulers and Merchants in Kuwait and Qatar* (Cambridge: Cambridge University Press, 1999), p. 73.

institutions and were subject to extensive bargaining between the state and local societies.⁹ Similarly, the oil boom took place in a period when state-formation was taking place in Kuwait. No doubt, oil revenues dramatically changed the political and social configuration. Newly established state used oil-revenues as a new opportunity to consolidate its authority. It abolished pre-oil social, political and economic structures. Oil-revenues tremendously influenced the transformation of the institutions and foundations of the modern statehood during the 50s. A new political system came out. Needed strategy was to fuse the artificial nation and state through the mechanism of oil-revenues allocation. By so doing, it was expected that the colonial model could be consolidated through the distribution of oil-revenues.

Of many changes, the most important one took place between rulers and merchants. Merchants had already emerged as a homogenized and unified actor in society by the early twentieth century. They had appeared many times as a political actor through *majlis* and other semi-formal institutions and tried to influence decision-making process. The basis of their power was their financial contribution to the system. During the pre-oil era, merchants had provided the emirate with most of its income through taxes and loans. Main economic sectors such as pearling, shipbuilding, trade and long-distance commerce were also under their control. They were relatively well educated and familiar with important technological devices. In a historical context, the reason that put them at the apex of the political system was the rise of pearling and long-distance trade. They had a somewhat strong relationship with the world economy. On the other hand, they were distinguished from other Kuwaitis not only by wealth and influence but also by social origins. They were different both in terms of sectarian and ethnic origin as the old merchant elite was coming from the traditional Sunni Najdi elite. Also they were linked by marriage and shared economic interests.

In short, the general picture of the pre-oil Kuwait can be summarized as follows: (i) Despite the developments and changes, merchants were still strong. Moreover, they were ready to use their power against the ruling elite. They formed small and homogenous elite with status and power. What is more, they

⁹ Lisa Anderson, "A review of recent studies on oil and state formation in the Middle East", *Journal of International Affairs* 53(1), (Fall, 1999), p. 353.

demonstrated an ability to adapt themselves to the new conditions. They had still important role in decision-making process through important semi-formal traditional institutions such as marriage, kinship. On the other hand, it was the merchant group who controlled the labor force, a group that makes the largest part of Kuwaiti society. In a word, the early social model was very simple: The merchants agreed that the emir would handle the daily affairs of the society, and that they would support him financially, provided that he consulted with them on major decisions.¹⁰

(ii) In terms of political process, the balance between the ruling family and merchants was still the most important mechanism. Under the pressure of merchants and other actors, the ruling family had a limited capacity of rule. Whereas they needed each other, the ruling family had tried to rescue itself from them through different channels such as the British power. But, by and large, the traditional balance between two groups continued as the regulating principle.

(iii) As Kuwait lacked the needed institutions of modern statehood such as citizenship, there was no territorial or national unity among people living here. Instead, there were different groups with different backgrounds. Political process was ruled by traditional alliances among different actors.

(iv) Lastly, there was an important dichotomy between settled and tribal families. No doubt, the endurance of tribal formations prohibited the emergence of a territorial unity and consciousness in the pre-oil era.¹¹ Despite the rise of new economic means such as regional trade, pearling and fishing created the earliest forms of transition from nomadic to sedentary life, difficult was still to discipline local-bedouin people to consolidate central authority.

The picture drawn so far was changed radically by the oil-boom. It gave an unprecedented opportunity to the rulers in rescuing themselves from merchants and other traditional actors. But, several previous developments, like the 1938 Majlis Movement, had also incited rulers in favor of a rapid and radical change. Merchants had appeared as a very strong actor during this event and they had

¹⁰ Ghanim Alnajjar, "The Challenges Facing Kuwaiti Democracy", *The Middle East Journal* 54(2), (Spring, 2000), p. 243.

¹¹ H.V.F. Winstone and Zahra Freeth, *Kuwait: Prospect and Reality* (London: Allen & Unwin, 1972), p. 57.

forced the ruling family to accept several new regulations. Their strong organized opposition was taken as a lesson by the ruling family, which clarified how merchant people were unreliable.¹² Thus not only the oil boom, but also the lessons of the 1938 Majlis Movement were important in explaining the drastic transformation of Kuwaiti political system after the oil boom. With the help of oil-revenues, the ruling family began to reorganize the political configuration in Kuwait through several programs. They first started a new program of land allocation (The Land Acquisition Policy), which undoubtedly enhanced the status of the ruling family.¹³ Next, they established new administrative posts to be partitioned by the members of the ruling family. The rise of oil-revenues gave extraordinary leverages to them so far as to recreate political and social stratification. As a remarkable development, the family managed to weaken the traditional pressure of merchants. At the core of the new system was the transfer of public revenue to the private and other sectors. New economic conditions helped the rulers in carrying out administrative reforms aiming centralization. Having done the administrative reform, the rulers quickly stepped forward in order to end the historical dominance of merchants. Given the huge oil-revenues, they now could dispense with merchants. As succinctly summarized by a British officer, by the help of oil-revenues, the ruling family totally ended the “medieval society” in this country:¹⁴

The checks and balances of medieval society have been upset. The Sheikhs with comparatively speaking unlimited wealth have become independent of the merchants.

When it comes to the economic and political consequences of this transformation Jill Crystal summarizes this process as follows:¹⁵

The historical transformation that has been most central to shaping Kuwaiti politics in the twentieth century has been the breakdown of the ruling coalition binding the ruler and the trading families and the relegation of the trading families to a bounded, primarily

¹² Crystal, *op cit.*, p. 63.

¹³ *Ibid.*, p. 64.

¹⁴ *Ibid.*, p. 73.

¹⁵ *Ibid.*, p. 109.

economic role in the private sector, leaving the political arena to the ruler, the ruling family, and shifting allies.

Consequently, the traditional contract ended. The rulers appeared as the ultimate autonomous actors. And they quickly adopted the use of oil-revenues as a basic mechanism in consolidating societal balances. However, remembered that a territorial state was already injected before the oil-boom, this sudden transformation interrupted the realization course of these artificial colonially injected institutions. Rulers no more needed the financial and political support of the merchants. Remembered their dominating role of the merchants, especially their besieging opposition during the 1938 Majlis Movement, it became number one task of the ruling family to set free themselves from merchants. Having released themselves, the rulers in the second step tried to limit the merchant's power in political life. Several existing institutions created during the Majlis movement including different municipal institutions were quickly abolished. In the same context, many other administrative links between the central authority and merchants were declined. For instance, all merchant members of the Supreme Council were replaced. No doubt the declining role of merchants also meant a decline in their economic status. Oil-revenues consolidated the political power of the royal family resulting in undermining the traditional predominance of the business oligarchy. In Kuwait,¹⁶

The transition to oil was accomplished through a tacit agreement between the ruler and the trading families, a trade of formal power for wealth. In exchange for receiving a sizable portion of oil revenues, the merchants renounced their historical claim to participate in decision-making.

This was a new contract, which declined merchants' political power and role. Merchant's traditional claim of their critical role in decision-making - it was formulated in the previous contract, as "rulers should consult them on major decisions"- was replaced by a weaker understanding in favor of the ruling family. It was also another important policy of ruling family to create new elite. It happened in different ways. First, the redistribution of oil-revenues bought the support of the poorer people. Especially, new social welfare programs worked

¹⁶ Ibid., p. 9.

well in gaining their support. The oil boom introduced unprecedented social services such as new schools, hospitals, roads, water, and electricity. An area which was characterized by poverty; isolation from the outside world; and simpler communities based on trade, fishing, pearling, farming, and pastoralism became a welfare society.¹⁷ Second, new policies of state employment became the essential pillar of the new political system. By carrying out such policies, the regime aimed to create a loyal class. But this loyal class is a mixture of different societal groups. Therefore, these policies aimed to reorganize Kuwait according to the important and historical balances and divisions within the society: The ruling family-people, merchants-people, the Kuwaitis-the expatriates. But, all such regulations enhanced the status of the ruling elite. Finally, merchants had withdrawn almost completely from formal politics, in exchange for guarantees of their economic position.

In the meantime, the ruling family started distributing oil-revenues through several financial and investment contacts with the traditional merchant families. Having lost their traditional positions, the merchants this time emerged as the new contractors.¹⁸ No doubt, this new contractor role increased the loyalty of these families to the royal family. On the other hand, the expansion of a Western type of land code in Kuwait caused a significant transfer of revenues from the state to large portions of society especially merchants. Formal land title (propertyship) was extended to the desert outside during the late 40s and 50s. Government bought lands from traditional families in order to sell to the new private buyers. Oil revenues were distributed through the new land program. According to several resources, between 1957 and 1962 close to 840 million US Dollars money was spent on land.¹⁹ Such developments helped old families to re-emerge as new actors within the limits of the political game with the rulers.

¹⁷ J. E. Peterson, "Succession in the States of the Gulf Cooperation Council", *The Washington Quarterly* 24(4), (Autumn, 2001), p. 173.

¹⁸ Crystal, op cit., p. 77.

¹⁹ Jacqueline S. Ismael, *Kuwait Dependency and Class in A Rentier State* (Tampa: University Press of Florida, 1993), p, 103. Rentier government creates different opportunities to satisfy society and investors. According to Abdel-Fadil this is called of 'internal recycling'. Accordingly, as oil-revenues are the most important sources, state distributes it through different channels. This 'internal recycling' gives rise to a variety of secondary types of rent such as project expenditures such as construction and transfer or welfare payments such as the land purchase programs that

However, the dramatic changes in Kuwait could not totally construct a modern system. Underneath the modern structures, the old political order has remained largely untouched.²⁰ Since then, political life in Kuwait has been oscillating between a tribal authoritarianism and an oligarchic republicanism.²¹ The rise of oil-money totally liberated the rulers from any kind of dependence on different social actors. Not only the merchants but also Kuwaiti people were also bought off by their rulers. Thus, the oil era created a different period in which the balance between people and the state was protected by financial principles. This model is not like the Western type of relationship between state and society. Instead, it is a one-dimensional model in which state is ultimately free from societal pressure. Thus, in a Weberian perspective, state in this model aims to protect its boundaries by oil distribution. Social groups, in exchange for state-based opportunities, stay loyal to the government. Naturally, for many institutions are yet to be consolidated, a guided democratization has been preferred in this model. This model, which is usually seen in hybrid-sovereigns, depends on several typical principles: First, as it is a guided one it is always open to the manipulation of the rulers in the name of protecting the traditional balances/stability in the country. Second, as institutions are artificial, as named by Al-Najjar it is a mathematical game rather than a political one.²² Rather than a nation, different constituencies find themselves in an endless political bargain over their interests. This brings us to the problem of social contract in rentier states.

So far, how the oil-boom created major changes in Kuwait are summarized. However, more important is how such changes created certain consequences and limits in terms of the institutionalization of Western sovereignty. To begin with, there is a different social contract in Kuwait in which

occurred in Kuwait in the 1950s. Mahmoud Abdel-Fadil, "The Macro-behaviour of Oil-rentier States in the Arab Region", in Hazem Beblawi and Giacomo Luciani, *The Rentier State* (London: Croom Helm, 1987), p.86.

²⁰ Rosemarie Said Zahlan, *The Making of the Modern Gulf States: Kuwait, Bahrain, Qatar, The United Arab Emirates and Oman* (London: Unwin Hyman, 1989), p. 67.

²¹ Paul Aarts, "Book Review: Mary Ann Tetreault, *Stories of Democracy: Politics and Society in Contemporary Kuwait*", *The Middle East Journal* 55(1), (Winter, 2001) p. 137.

²² Ghanim Alnajjar, op cit., p. 243.

a Western sovereignty is inapplicable. Instead there is a façade of a modern state, which is protected by oil money. Besides, this model protects the traditional formats within the modern model, which is the major reason of hybridity. Here, the central government buys the loyalties of its citizens in exchange for economic interest and status. It is the characteristic of Kuwait in the oil era to provide its citizens with a cradle-to-grave welfare system unequaled anywhere else in the world.²³ It should be reminded that *per capita* income rose from 50 US Dollars in 1946 to 18,000 US Dollars in 1983. Also many important commodities are duty free. Citizens pay no taxes; they are part of a special society that receives welfare benefits without contributing to them. Once such a contract emerged, state automatically appears as an allocation mechanism. A bureaucratic growth quickly accompanied the oil boom. Like in many other Arab states development was taken as bureaucratization. Many new jobs were invented or overstaffed.²⁴ New administrative units were quickly established during the early fifties. In consequence, state employment became a regime pillar. The numbers of government employees in 1963 were 22,073. In 1975, government employees represented 12.5 per cent of the population. In the same year, they represent 34 per cent of the total labor force of Kuwait. The same number was 145,451 in 1980.²⁵ Like employment, government expenditures have been used as a loyalty-buying mechanism. Affluence became one basis of the regime's legitimacy.

²³ William L. Cleveland, *A History of the Modern Middle East*, p. 392. Indeed, many articles at the beginning of the constitution refer to the embedded welfare-based state tradition in Kuwait. Many articles remind the social, economic and educational rights of young, kids and "citizens of old age". Unlike many other modern constitutions, the Kuwaiti constitution starts like a manifesto for a *welfare society*. (Articles: 8,9,10, 11, 15, 16, 17 and 18)

²⁴ Kline cited in Crystal, *op cit*, p. 79. In this context, like many other states another typical problem is again the continuity of personal relationships over work relationships. Several problems such as favoritism due to the tribal networks thus influence the performance of bureaucratic efficiency. Ali A. Al-Kazemi and Abbas J. Ali, "Managerial problems in Kuwait", *The Journal of Management Development* 21(5/6), (June, 2002), p. 366.

²⁵ Nazih Ayubi, *Overstating the Arab State Politics and Society in the Middle East* (London- New York: I. B. Tauris Publishers, 1995), p. 306.

Table 5: State-Society Relations in Rentier States²⁶

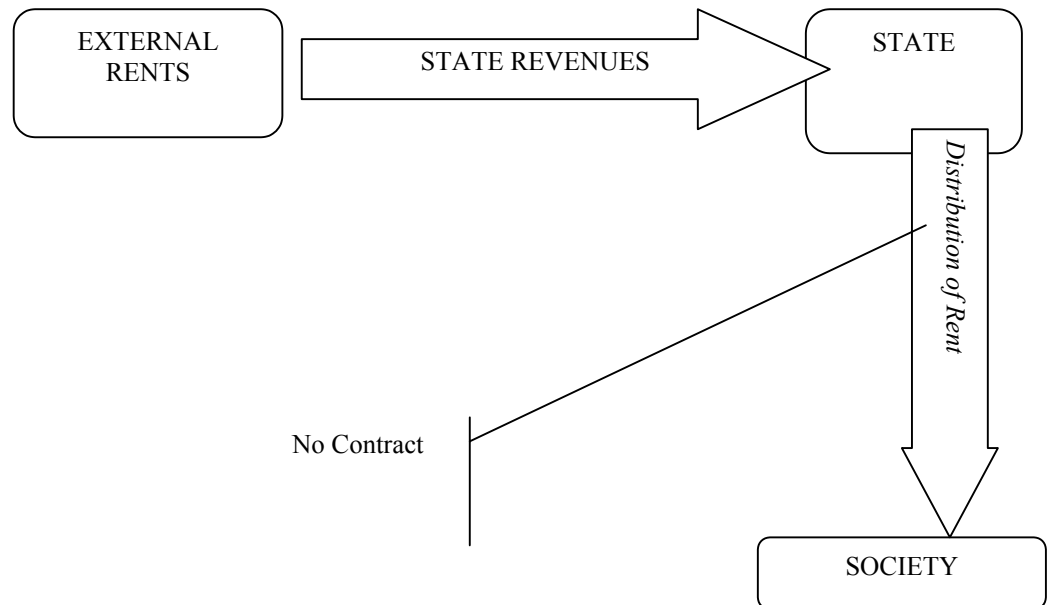


Table 5

Consequences

1. Low citizen involvement in the political process
2. Diminishing of public sphere for civil society and a weak persuading space
3. Low accountability and transparency
4. Instability due to weak state-society relations

As is seen from the table 1, rentier mentality produces several well-known structural consequences. Rentier state has to depend on its oil-originated revenues, which creates a dependency on international system. On the other hand, a rentier state, in order to buy people's loyalty, refrains from imposing complex taxes. Instead it remains with an underdeveloped domestic taxation system. Taxation system is very simple in Kuwait too. It has never been used as a source of major

²⁶ Table 1 and Table 2 are taken and adapted from Glenn E. Robinson, "Decentralization in Rentier States: The Case of Palestine", *Paper Presented for The American Political Science Association Annual Conference*, San Francisco, CA, September, 2001, pp. 6-9.

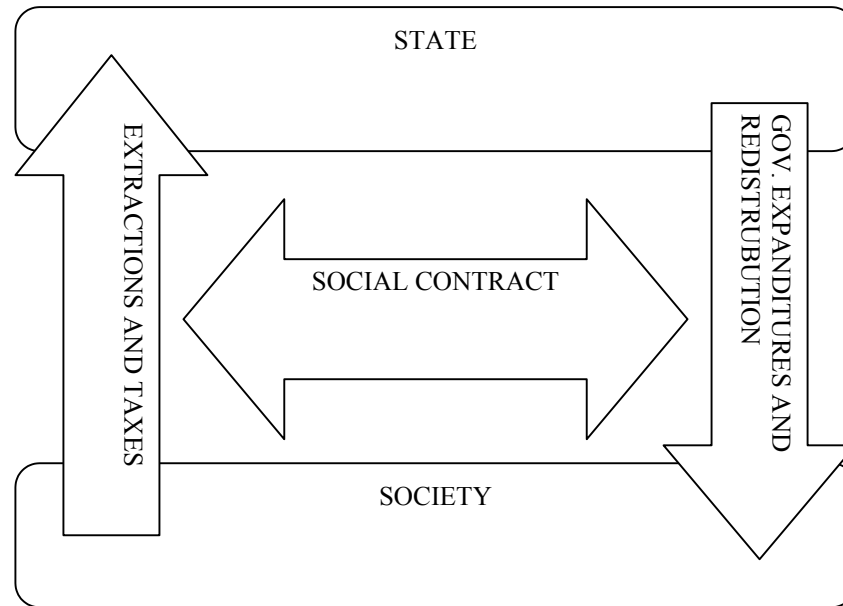
income, nor has it been used as a tool to influence production, employment, prices or the distribution of income.²⁷ In consequence, the government levies no income, corporate or direct taxes. Even though the government has attempted ameliorate the taxation system in the country, the main source of governmental income is still indirect taxes.²⁸ There are also several obstacles in establishing the institutions necessary for the direct taxation of the majority of the adult population. Even though, Kuwait has launched new programs in terms of establishing advanced taxation system, several handicaps prohibited the realization. First, a modern taxation system necessitates a strong middle class on which the system to be built on. But new middle class may of course risk the privileges of the ruling elite, as the enlargement of tax base will inevitably enhance the role of civil society in a country. For instance, the Suq al-Manakh crisis of 1982 (the unofficial stock market crisis) confirmed the worries of the ruling elite that a market-based system may endanger their situation in Kuwait.²⁹ Only a state based model can protect the interests of Kuwaiti monarchy and its coalition with traditional families. Second, it necessitates reorganizing the current distribution mechanism. As wealth is concentrated among a small number of people, they undoubtedly would be against such new taxation programs. Therefore, privileged citizens are eagerly against new steps such as naturalizations -it means the decline in their revenues- and any economic policy, which is expected to decline their historical status.

²⁷ Hesham Garaibeh, "Government Income Sources and the Development of the Taxation System – the Case of Jordan, Egypt and Kuwait", in Hazem Beblawi and Giacomo Luciani (eds.), *The Rentier State* (London and New York: Croom Helm, 1987), p. 199.

²⁸ This is formulated in Article 24 of Kuwaiti constitution as, "Social justice shall be the basis of taxes and public imposts."

²⁹ National Bank of Kuwait, *Economic Brief* 5(7), 22 February 2005, www.nbk.com

Table 6: Typical State-Society Relations



Consequences:

- 1- High citizen involvement in political process
2. Enabling environment for strong civil society
3. Greater accountability
4. Stability through strong state-society ties

In sum, thanks to the rentier model the realization of Western sovereignty in terms of state-society boundaries seems impracticable. The rentier model first impedes the consolidation of important domestic boundaries such as citizenship. Thus, the most important result of a rentier contract is the failure of citizenship as the basic mechanism of political system. Yet, the same model permits the instrumentalisation of certain primordial formats such as cliency and tribalism instead of citizenship. A rentier system fails in producing a balanced relationship between people and state. In this model, citizenship is a formal and economic status, which does not guarantee important political and legal rights. Instead of Western citizenship, rentier citizenship resembles with medieval subjugation. It necessities use of several ‘medievalistic’ methods in rentier states. For example the government plays one group off against another, informally shifting its

alliances. A typical sample is that the government had played Shi'a against Sunni. For example, when the Iranian influence emerged as a great threat this time Sunni group was played against the Shi'a people. In the same way, in order to counter balance the influence of pan-Arab nationalism, the regime sought an alliance with the passive, non-radical, and nonpolitical Islamic forces in Kuwait. Thus, "the Kuwaiti model of politics can be seen as an experiment in flexible pluralistic corporatism, where the state legitimizes certain groups at the expense of others."³⁰ However, the model founded here has many times been damaged due to the domestic and external developments. It has been mostly the political and ideological activity of different groups that jeopardized the social balance. Thus, the government regards opposition, whether coming from parliament or from the associational groups, as a challenge and feels that further political concessions might undermine the traditional rule.³¹ Undoubtedly it is hardly possible to expect the realization of a Western type in such a model. What we have is a complex mixture of Western institutions and traditional practices within the format of colonially injected set-up. In other words, there is no pillar of citizenship (see table 3) to regulate all political and social life according to neutral, rational principles.

Similarly, when it comes to legitimacy, the system has a very limited mechanism for popular representation. Kuwaiti law prohibits the existence of political parties. The rationale usually given is that in a tribally based society with many social divisions (Sunni vs. Shi'a, tribal vs. town, etc.) political parties would be a divisive factor. In daily politics, functional parties, or something very like them, have emerged reflecting political tendencies such as Arab nationalism or Islamist politics. But this model creates a constituency-based, rather than a citizenship-based, model. Historically speaking, as it happened in 1918, 1920 and 1930, there have been several organized movements demanding political participation. But all these movements were typical merchant movements. And they failed in transforming the old system. It was only after 1950 mass popular opposition movements began. The rise of expatriate opposition complicated the

³⁰ Ghabra, op cit., p. 59.

³¹ Shafeeq Ghabra, "Voluntary Associations in Kuwait: The Foundation of a New System?", *The Middle East Journal* 45(2), (Spring, 1991), p. 204.

process. Along with educated young people, different expatriate groups from Lebanon, Iran, Egypt and Palestinian joined these popular opposition movements. Their participation introduced new actors: the dedicated and articulate intelligentsia who included both Kuwaiti and Arab nationalists, and the oil workers who joined the recently formed labor force.³² However, this expatriate based opposition increased the sovereignty crisis in Kuwait.

Kuwait's first National Assembly was elected in 1963, and the following elections were held in 1967, 1971, and 1975. From 1976 to 1981, the assembly was suspended. After the elections in 1981 and 1985, the National Assembly was again dissolved. Fulfilling a promise made during the period of Iraqi occupation, the Amir held new elections for the National Assembly in 1992. But the Amir again dissolved the National Assembly on May 4, 1999. New elections were held on July 3, 1999. Despite several handicaps, Kuwait's political system is the most open in the Gulf Cooperation Council states, and for its entire history, Kuwait has a parliamentary life and a competitive election system.³³ However, due to structural and political weakness the efficiency of parliament is highly limited.³⁴ Although the Amir maintains the final word on most government policies, the National Assembly plays a real role in decision-making, with powers to initiate legislation, question government ministers, and express lack of confidence in individual ministers. Thus, there is a competition-based game between the parliament and the ruler. The Assembly several times emerged as a relatively

³² Zahlan, op cit., p. 32.

³³ Paradoxically, this survival strategy necessitated the creation of a relatively free society in Kuwait. In the words of Ghabra, "the state elite in Kuwait assigns a constant flow of values and rules to the different players in society, while permitting a relatively wide margin of freedom of expression and the press, which allows for serious debate on political issues." Ghabra, *Balancing State and Society...*, p. 58. It was understood that a democratic representation of Kuwait is a necessity in order to protect international support in the long run. Gawdat Bahgat, "The Gulf Monarchies: Economic and Political Changes at the End of the Century", *The Journal of Social, Political, and Economic Studies* 23 (2), Summer, 1998, p. 156. Many American politicians argued that US troops should not be jeopardized to protect a monarchy, an oil outpost run by a rich dynasty. The ruling elite understood that perceptions of Kuwait as non-democratic state were damaging. Steve Yetiv, "Kuwait's Democratic Experiment in its Broader International Context", *The Middle East Journal* 56(2), (Spring, 2002), p. 257. This mentality also has necessitated liberal steps in the economic realm. For example, in 1993, several new regulations opened the national market to foreign institutional investors.

³⁴ Alnajjar's in terms of the spread of parliamentary rule and democracy lists the important challenges in Kuwait: the non-partisan nature of parliament, the narrowness of the electoral base, the process of government formation etc. See Alnajjar, op cit, p. 247-252.

strong political actor. For example, in May 1999, the Amir issued several landmark decrees dealing with women's suffrage, economic liberalization, and nationality. The National Assembly later rejected all of these decrees as a matter of principle and then reintroduced most of them as parliamentary legislation. In 1985 because of a severe corruption scandal, it forced minister of justice's resignation. This first attempt was successful. The minister had been accused of using his position as a cabinet minister and a member of the ruling family for personal gain. Finally, the minister admitted that he obtained money from a special government fund. But when the assembly tempted for another minister, the ruling family did not tolerate this second challenge to its authority, and in 1986, the assembly was dissolved. Moreover, a general press censorship was put into practice. In so doing, the balance between the ruling family and the assembly was maintained.³⁵ Therefore, modern Kuwaiti political history has largely been a contest between the ruling family, the Al Sabah, and elected Parliaments usually won by the amir.³⁶

The legitimacy question created by political rentier structure produces several other typical sovereignty crises, too. In this vein, part of the guided liberalization in Kuwait; an electoral policy has always accompanied the parliamentary experience. As underlined many times so far, electoral policies are typical substitution mechanisms that show there exists sovereignty crisis in certain fields. In 1981, the emir redistricted the country to increase the number of rural or tribal representatives in the parliament. It was done against the threatening nascent urban middle class. No doubt, tribal traditionalists who have benefited socially and political from tribalisation also advocate state support of religiously sanctioned lifestyles and are among the strongest supporters of the regime.³⁷ Electoral policies have been the direct results of the deficits of statehood in terms of nation-building, citizenship in Kuwait. In a sharp opposition to the philosophy of citizenship, hybrid-sovereigns employ electoral policies in order to play one

³⁵ Zahlan, op cit., p. 24.

³⁶ Michael Herb, "Democratization in the Arab World? Emirs and Parliaments in the Gulf", *Journal of Democracy* 13(4), (October, 2002), p.43.

³⁷ Tetreault, "Kuwait's Unhappy Anniversary", *Middle East Policy* 7(3), (June, 2000), p. 73.

group of citizens against another. Therefore, electoral policies are very significant proofs that display the inapplicability of a Western model of sovereignty in Kuwait.

Remembered the vital role of rentierism, the rulers are also reluctant about rapid liberalization. As previously discussed, developing countries face either “big bang” approach or “gradualism”.³⁸ Since rentier states are extremely skeptical about quick and radical reform programs, they plead for the stretching of the reform measures over a long period. Accordingly, this would ease the pain of the adjustment process, allow time to develop a political consensus in support of the reform programme and thus make it more politically sustainable. In any way, attempts at cutting down on subsidies have been quite inept, and have in most cases triggered popular riots that the regimes perceived as being a serious menace. Following a ‘gradualist’ perspective, Kuwaiti rulers have also followed a mixture of guided pluralism, controlled elections, and selective repression.³⁹ Within the context of guided liberalization, the essential relationship between oil and stateness necessitates a monopolist rule over oil business. Though private firms are allowed for different contracts in related fields, no private firms can have vital role in the oil business. Kuwait’s dependence on oil created a logical conclusion: The government should protect its key role in the sector. Even there is a different understanding of privatization. Privatization plans are in no way like similar programs in West. Instead, a subsidized privatization, a kind of intermediate step between direct state intervention and pure market activities, occurred here.⁴⁰ This can be explained by Iliya Harik’s formula: the patron state. Normally, privatization by definition is supposed to give up some of basic rights to other parties in economic realm. The case in Kuwait is very different. It is not equivalent to “a state exit” from economic realm as a representative of public; it has still rights in practically every economic activity under its jurisdiction no

³⁸ John Toye, “Fiscal crisis and fiscal reform in developing countries”, *Cambridge Journal of Economics* 24 (1), 2000, pp. 35-36.

³⁹ Daniel Brumberg, “Democratization in the Arab World? The Trap of Liberalized Autocracy”, *Journal of Democracy* 13(4), (October, 2002), p. 56.

⁴⁰ Michel Chatelus, “Policies for Development: Attitudes toward Industry and Services” in Hazem Beblawi and Giacomo Luciani, *The Rentier State* (London: Croom Helm, 1987), p. 118.

matter undertaken by individuals or collectivities.⁴¹ Beyond the rights of the public, patron state develops extra claims of its own. As a typical anti-democratic systems, patron states do not like the kind of market-based strategies as it devolve power to individuals and groups that are not always aligned with the state, challenge privileged classes and minorities that are crucial to the survival of individual regimes.⁴² Another very important issue is whether privatization is accompanied by complex liberalization policies. Without liberalization policies in which the state gives up some its claims against business and pursues economic policies, privatization alone does not constitute a major change. In sum, even though some form of privatization is on the agenda, there is broad debate over what form it should take.⁴³

In sum, the rentier framework produces a different social contract, which prohibits the realization of Western statehood. This contract hinders the consolidation of important domestic institutions/ boundaries such as citizenship, which then creates important limits for sovereignty. In order to protect domestic boundaries, rentier states try to employ different methods, which are clear proofs for the inapplicability of the Western model. Remembered that Kuwait is a colonial creation, the consequences of rentierism become much more critical. In other words, the nation-building project has been slowed down by rentier mentality by protecting several contradictory practices such as cliency, tribalism, and corporatism.

6.2.1. Foreign Policy and Rentierism

Having analyzed the rentierism and its consequences, it should be mentioned that there are also other sovereignty crises in Kuwait. However, before analyzing those issues an analysis of rentierism in terms of foreign policy needs attention thanks to the Kuwait's unique situation. Even though, this dissertation

⁴¹ Iliya Harik, "Privatization: The Issue, the Prospects, and the Fears", in Iliya Harik and Denis J. Sullivan, (eds.), *Privatization and Liberalization in the Middle East* (Bloomington: Indiana University Press, 1992), p. 6-7.

⁴² Dirk Vandewalle, "The Middle East Peace Process and Regional Economic Integration", *Survival* 36(4), (Winter, 1994-95), p. 28.

⁴³ Karen Pfeifer et al., "Reform or Reaction? Dilemmas of Economic Development in the Middle East", *Middle East Report* (Spring, 1999), p. 15.

studies the issue of sovereignty in terms of state-society boundaries, the unique role of economic facts in Kuwaiti foreign policy requires a short analysis.

In parallel with the theoretical framework, Kuwait has also used its oil-revenues to protect its international legal sovereignty. Given the enormous limits and problems of such a tiny state, there must be a strong and functioning mechanism to protect sovereignty in an anarchic system. How much can a small state do by itself to ensure its own sovereignty?⁴⁴ Or, how can a small state establish a balance between a hostile environment and its interests? Practically speaking, Kuwait is a city-state with a little population. Its domestic resources are very limited in terms of protecting its security. Even though there is a welfare state in terms of *per capita* income, remembered the anarchic international and regional system Kuwait faces great problems. Historical evidences confirm Kuwait's vulnerable to foreign developments.⁴⁵ In 1961 when Kuwait was granted independence by Britain, Iraq immediately announced that Kuwait was to be regarded as part of the province of Basra. Since then, the government has sought to protect its sovereignty from domestic and external threats.⁴⁶ Therefore, it has been the most important security strategy of the state to satisfy both domestic and external actors. According to Mary Tetreault, the key word, which best explains this situation in Kuwait is cliency.⁴⁷ It is a strategic relationship between a strong state and a weak state. When a weak state faces a strong state (or environment), a

⁴⁴ Mary Ann Tetreault, "Autonomy, necessity, and the small state: ruling Kuwait in the twentieth century", *International Organization* 45(4), (Autumn, 1991), p. 565.

⁴⁵ A good sample to highlight how Iraqi threat is perceived in this context, an interview with Kuwaiti Foreign Minister in 1997 is important. The minister clearly underlined how Kuwait as a tiny state had fears:

(Journalist) Despite the fact that it has been seven years since the liberation of Kuwait and the fact that Iraq has officially recognized Kuwait's sovereignty and borders, we note that Kuwaitis are still worried about Iraq and its regime.

(Minister Al-Sabah) *When you have along your border someone whom you cannot trust, do you think that you can have peace of mind? How can we feel safe when we read the Iraqi newspapers and hear some of the statements made by Iraqi officials? What concerns me is the presence of a neighbor whose media and statements are not reassuring, and this is always a cause for concern.* "Foreign Minister Views Regional Issues", *London Al-Sharq Al-Awsat*, 1 December 1997, p. 4. [FBIS-NES-97-336]

⁴⁶ See: Miriam Joyce, "Preserving the Sheikdom: London, Washington, Iraq and Kuwait, 1958-61", *Middle Eastern Studies* 31(2), (April, 1995), pp. 281-293.

⁴⁷ Tetreault, "Autonomy, necessity ...", p. 567.

cliency-based relationship comes out. For Gasiorowski, cliency is characterized by a⁴⁸

Reciprocal exchange of goods and services between the patron and client governments that serves to enhance the security of the two countries and cannot easily be obtained by them from other sources. The importance of the goods and services to the security of the patron and the client ...binds the two governments together in a cooperative, mutually beneficial relationship.

In other words, as one side is very weak to sustain its sovereignty with its own leverage, it cannot dispense with the help of other actors. Tetreault explains this case by using Weber's classical definition. In Weber, state has 'the monopoly of the legitimate use of physical force'. But, in several weak states like Kuwait, state is limited by domestic and external facts. When state is limited by such facts, a cliency-based relationship with any other actor(s) might be logical in the long run. The phrase weak state here should be seen another category to name typical underdeveloped non-Western states. It reminds several other similar phrases such as semi-states, quasi-states etc. In fact, in Kuwait when the British protection ended, oil immediately was substituted for cliency. In the pre-oil era, it was the British colonial rule that protected Kuwait from regional threats. But, in the post-British era, it was oil this time that has been used as an instrument to protect sovereignty. In the words of Tetreault,⁴⁹

If the primary domestic goal of cliency was to acquire instruments enabling the government to meet domestic demands with a minimal loss of autonomy, oil was even more useful than cliency for obtaining such instruments. Oil revenues not only enabled the ruler to buy off domestic elites quite openly and to retain his independence from domestic society as the source of state income.

Since Abdullah Salim's reign (1950-1965), it has been an official policy to seek outside support for an independent Kuwait through foreign aid. Within the context of oil-sovereignty line, different programs such as foreign aid, foreign direct investment have been carried out.⁵⁰ Kuwait also appeared as an important

⁴⁸ Mark Gasiorowski cited in Ibid., p. 566.

⁴⁹ Ibid., p. 579.

⁵⁰ Ahmed A. Ahmed, "Kuwait Public Commercial Investment in Arab Countries", *Middle Eastern Studies* 31(2), pp. 293-295.

financier in different issues such as the Palestinian problem. Kuwait's Foreign Minister, in May 2004, said, "we spent on foreign aid a hundred times more than what we spent on defense, and we allocated a large part of the GDP in the GCC states to foreign aid. We had thought that by extending aid, we could ward off evils that may come our way."⁵¹ But, the deployment of oil revenues through such projects contributed to the legitimacy of Kuwait as a sovereign state. For some cliency is another version of neo-colonial link between the former colonizer and the colonized.⁵² Accordingly, even though the formal colonial rule ended, state's dependency on international system continues economic dependence along with political independence. Thus, the change is only one of form. In parallel with this approach, foreign powers such as Britain and the US have always played important roles. It should not be forgotten that as it had been created by colonial powers, it was also rescued from the Iraqi occupation by Western powers.

An interview with Kuwaiti Foreign Minister Sheikh M. Sabah al-Salim in May 2004 clearly presents how 'the system' is essential for Kuwait. According to the minister "Kuwait's strategy is essentially built on three pillars."⁵³ These three pillars are: "boosting the internal capabilities for defending the country", "our fundamental dependence on our brothers", and "our cooperation with big powers". In addition, aware of the limits the minister added that "the shortage of human resources" is the major reason of such a complex Kuwaiti strategy. On the

⁵¹ "Kuwaiti Foreign Minister Interviewed on EU-Gulf Talks, Arab Reforms, US, Iraq", *London Al-Sharq al-Awsat*, 2 May 2004. [FBIS Document Number: FBIS-NES-2004-0502] It should be underlined that Kuwait's contribution to other states in order to protect its security impedes its own development projects. To clarify, the picture a brief analysis of domestic investment after the removal of Saddam regime is illuminative. As a direct link to the foreign political developments, after the removal of Saddam by the American forces, the Kuwait domestic investments doubled in different fields. Changes are also evident in the government's capital expenditure programme. For fiscal 2003/04, an additional \$2,000 million will be spent on new projects. Of this, the Ministry of Public Works has been allocated an additional \$290 million for new buildings, including schools and hospitals. Investment is also planned in the hydrocarbons sector, which accounts for more than 90 per cent of the total revenues. Some \$6,500 million is to be spent over the next three years on new projects. See: *MEED Middle East Economic Digest*, (October, 2003), 47(41), pp. 36-40.

⁵² Simon C. Smith, "The Making of a Neo-Colony? Anglo-Kuwaiti Relations in the Era of Decolonization", *Middle Eastern Studies* 37(1), (January 2001), p. 159.

⁵³ "Kuwaiti Foreign Minister Interviewed on EU-Gulf Talks, Arab Reforms, US, Iraq", *London Al-Sharq al-Awsat*, 2 May 2004. [FBIS Document Number: FBIS-NES-2004-0502]

same issue, in 2001, when the defense minister was asked whether Kuwait was ready to defend against any aggression he replied that,⁵⁴

I can proudly say that Kuwait is ready to defend itself according to the defense strategy it has drawn up for itself. This means reliance on our own resources and then on the other supporting links as represented by our brothers in the GCC, our Arab brothers, and our friends and allies with whom we have defense cooperation agreements.

This complex formula truly represents the dependency relationship between Kuwait and international system. At this point, the question is as follows: which of the cited pillars is the most important? In the same interview, the foreign minister underlined that “Kuwait’s philosophy and policy relies essentially on our brothers”. Thanks to the several reasons, Kuwait has to rely on Arab system. First, Kuwaiti rulers should care about the voice of domestic reaction. Even though loyalists in Kuwait had welcomed the American aid, they still perceive the people of Iraq as an important part of Arab brethren. It is thus possible to see many articles in Kuwaiti press calling for the transfer of sovereignty to the Iraqi people as soon as possible. For example, Adnan al-Sayyid Husayn, a university professor, published an article in *Al-Ra’y Al-Amm* in which he called for a quick restoration of Iraqi sovereignty. Similarly, Khalid al-Sa’ad, a journalist from *Kuwait Al-Siyasah*, blames the US for bypassing the UN and invading Iraq in favor of Zionist entity.⁵⁵ Many other samples can be presented. Second, Kuwait has certain fears from the Arab community due to its fundamental cooperation with Western powers.⁵⁶ Even though it had to protect itself by the American aid, it realizes now how it is difficult to continue this. Since a peaceful regional system can help Kuwait, a balanced foreign policy is followed. For example, before the recent American occupation, when interviewed the Kuwaiti information minister

⁵⁴ “Kuwaiti Defense Minister on Iraqi Stand, Kuwait’s Defense Plans, Other Issues”, *London Al-Sharq Al-Awsat*, 10 April 2001, p. 4. [FBIS-NES-2001-0410]

⁵⁵ “Kuwaiti Press Highlights”, *Middle East-FBIS Report*, 11 December 2003. [FBIS-NES-2003-1211]

⁵⁶ Other Arab states have frequently called for good dialogue between Iraq and Kuwait. For example see: “Jordan Prime Minister Hopes for Brotherly Iraqi-Kuwait Relations”, *Amman Jordan Times*, 2 February 2001. [FBIS-NES-2001-020], “Egypt’s Musa: Kuwait’s Sovereignty Upheld by UN, Better to Forget Past”, *Cairo MENA*, 18 January 2001. [FBIS-NES-2001-0118]

said that even though Kuwait shared the world community's desire to see peace, security and stability prevail in the region, they never wished for an armed conflict. According to him, what Kuwait preferred is an UN-based solution.⁵⁷

As a tiny state the role of economic factors are still very important in Kuwaiti foreign policy. However, this model stands as a potential for certain sovereignty crises. Kuwait is in need of balancing certain domestic and external facts in order to protect its sovereignty. Lacking certain substantial elements of modern statehood and as a colonial artifact created by external actors Kuwait still constructs its sovereignty to a large extent to external facts. Remembered its limits in terms of nation-building and military power, the use of international mechanism seem a necessary alternative. For instance, the importance of external facts was one again clarified during the Iraqi invasion. Therefore, given the structural limits of Kuwait and several regional realities, Kuwait is in need of protecting its sovereignty through the allocation of oil-money. However, this strong link between economy and foreign policy paradoxically continues the vulnerability of Kuwait's sovereignty.

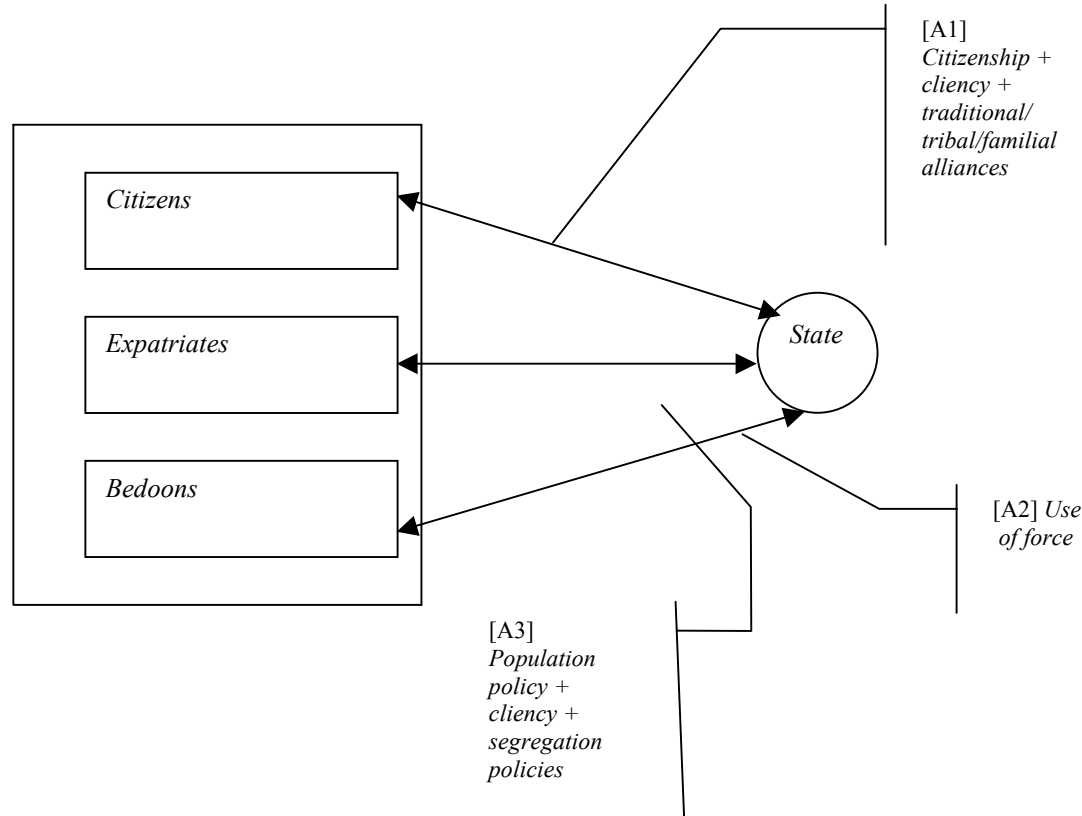
6.3 The Problem of Defining People: Domestic Sovereignty Crises

Remembered Kuwait's colonial background and rentier structure major sovereignty crises come out in domestic realm. As a colonial creation nation devising has been a major task in Kuwait. However, apart from creating a citizenship-based link between indigenous people and the state, Kuwait has faced several other serious problems. The first is the presence of a large number of foreign workers. Since the oil boom, foreign workers have migrated to this tiny state, which inevitably destructed the demographic balance. On the other hand, due to its colonial background Kuwait has the problem of *bedoons* (originally it comes from *bidun jinsiyya* which means people without citizenship). As a typical sample of a colonial case, these people who have been in Kuwait for many generations having no citizenship and living in very poor conditions. No doubt, these two categories have seriously limited Kuwait's ability of consolidating its sovereignty. Failed in having citizenship link with majority of population, how to

⁵⁷ "Kuwaiti Information Minister Interviewed on Iraq, Domestic Issues", *London Al-Sharq al-Awsat*, 24 December 2002, p. 6. [FBIS-NES-2002-1224]

construct a Weberian type of authority has been a great difficulty. The numeric dominance of non-citizens forces government to follow different methods in order to protect its authority over the territory and population. On the other hand, non-citizens are also important in foreign policy. It was seen once again during the Gulf War that different groups might have different loyalties. So, the question is how to keep domestic authority of the state and social balance with people whom have no citizenship? A short answer will be as follows: State has developed different modes of institutions/relations with different groups in order to protect its authority. The following table illustrates the complexity of this model.

Table 7: Different Constitutencies, Different Identities



As easily seen from the table, there are different groups and ways of deal between them and the state. This practically means that there is no functioning citizenship to regulate all political process and all parts of society. Also according to the table, even the institution of citizenship fails in creating a healthy dialogue between state and citizens. In other words, even citizenship is not the only institution/relationship between state and citizens. [A1] For example, tribal/traditional methods are used in dealing with traditional merchant groups, which is definitely a risky case for Shi'a citizens. Indeed, different practices rather than an encompassing citizenship are significant evidences that display a sovereignty crisis. When it comes to the other parts of people such as expatriates and bedoons, there are typical methods, which also excessively exist in all hybrid-sovereigns such as the use of violence, population policy, and buying citizen's loyalties. [A2] [A3] Most attention grabbing is that all such different practices are embedded in the format of a Western injected model: Modern territorial state. However, such a complex case always produces structural limits. Therefore, what we have in this case a different model that seems to operate according to a *mathematical formula* rather than a political process.⁵⁸

The table confirms that like many other colonial creations, there are different constituencies in Kuwait: Citizens, bedoons, tribes, Shi'is, foreign workers, merchants, Shi'a, bedouins, women, and naturalized Kuwaitis.⁵⁹ These are examples of such overlapping groupings, which played a role in shaping the policies of the government.⁶⁰ These various societal groups are relevant to the

⁵⁸ Ghanim Alnajjar, op cit., p. 243.

⁵⁹ It is correct to define women as a constituency since they are deprived of many rights. Like many other hybrid sovereigns in which citizenship has not yet institutionalized in a functional way, women's status is a part of great discussion. In Kuwait the case is similar. First, their status is defined by both law and traditions. Therefore, unlike men, they are deprived of many rights. Second, different groups like Islamists criticize any reform on the status of women. Even though, article 29 of Kuwait's constitution says all citizens are equal regardless of race, color, gender, and religion, a 1962 election law torpedoed political rights for women: Only male Kuwaiti citizens aged 21 and above can vote. See: Delinda C. Hanley, "Dr. Rasha Al-Sabah On Women's Rights in Kuwait", *Washington Report on Middle East Affairs* 22(10), (December, 2003), p. 77 and Mary Ann, Tetreault, "Civil Society in Kuwait: Protected Spaces and Women's Rights", *The Middle East Journal* 47(2), (Spring, 1993), pp. 281-286.

⁶⁰ A parliamentary discussion has reminded that how different constituencies could affect daily politics. In July 2002, a group of parliamentarians, composed of Islamists, Shiites and tribal deputies, interpellated the minister of finance. Upon the hard criticism, the Prime Minister declared that the government would resign if the minister loss any vote of confidence. (In the

political process because political organizations and movements have traditionally built their power bases on religious, ethnic, and tribal identification and social position.⁶¹ Despite these constituencies live in the same political system, they are different from each other from many respects. Therefore, in these societies, rather than neutral institutions such as citizenship, local methods prevail. Ghabra explains this as follows:⁶²

In transitional societies, in particular, the relations between the state and society are complex. On the one hand, the state seeks to remain independent from internal social forces; on the other, those forces, which include the tribe, family, sect, region, and class, compete for control over state resources and power.

This structure produces a parallel political model, which is composed of different groups dealing with government for different purposes.⁶³

Formal and informal groups based on different affiliations (class, urban/rural, tribal, Islamic) bring to the government's attention their particular interest. The state plays one group off against another, informally shifting its alliances.

In consequence, the limits of modern state necessitated different *modus operandis* other than citizenship. The failure of citizenship within the context of sovereignty crisis entails the employment of different methods, some of them are traditional, in order to protect boundaries between state and people. But for such methods are not neutral like citizenship, they inevitably cause for further discrimination or playing one group off against another i.e. making alliances with different constituencies.

Kuwaiti system, rather than a cabinet vote of confidence, each minister can face a vote of confidence upon the call of a certain number of deputies.) Behind the parliamentary discussions, it was understood that several unsatisfied sheiks and tribal leaders used their deputies in the parliament in order to challenge the ruling family, the government for different political purposes such as the redistribution of cabinet posts. Such cases display that many important processes included politics may be under the influence several networks. Herb, op cit, p. p. 44.

⁶¹ Shafeeq Ghabra, "Kuwait and the Dynamics of Socio-Economic Change", *Middle East Journal* 51(3), (Summer, 1997), pp. 358-359.

⁶² Ibid., p. 359.

⁶³ Shafeeq N. Ghabra, "Balancing State and Society", p. 58.

As I have referred before, even among citizens there is no perfectly equal treatment reminded the Sunni-tribal origin of traditional merchant families. For citizenship does not correspond to religious sect, there are first-class citizens who are either Sunnis or Shias.⁶⁴ Naturally, the Sunni origin of traditional merchant families and their dominating role in the 'joint rule' with the rulers have been great concerns for Shi'a citizens. In a sharp contrast to Shi'a citizens, these Sunni families have been more privileged. Additionally, citizenship as an institution appears in different formats. For example, there are basically two classes of citizenship in Kuwait. "First class" and "second class" designations are not official designations but the popular phrases. First-class citizens are those entitled to citizenship under Article 1 of the 1959 Citizenship Law. Those who immigrated before 1920 are first class citizens and those who immigrated between 1920 and 1948 are second-class citizens. The main legal requirement is to prove that they, or their male ancestors, have settled in Kuwait since 1920. Second-class citizens may not vote and they may be easily stripped of their citizenship. The main differences between the first and second class is that the former have more social prestige and the latter do not have the right to vote for or run for parliamentary and municipal office. Undoubtedly, the chaotic citizenship regime originates from the colonial formation of territorial state in Kuwait. Injected by external actors, the Kuwaiti model has tried to solve citizenship issue by administrative principles.

Facing these problems since its formation, Kuwait has followed a sophisticated population policy. The aim of this policy is to balance the population composition so as to achieve equal representation of Kuwaitis. The existence of big immigrant group has been disfavor of Kuwaiti citizens. Population policy has not been a simple project; instead it has been supported by complex five-year plans and official agendas.⁶⁵ It was in the early 80s, the government prepared first population policy plans. These were formal national strategy plans. According to the first five-year plan, the government intended to

⁶⁴ Yousef Ali, Katherine Meyer, Helen Rizzo, "Kuwait: The Process Of Adaptation And Change", *Journal of Humanities and Social Sciences* 19(1) (April 2003), pp. 43-45.

⁶⁵ Muhammad Ali al-Ramadhan, "New Population Policy in Kuwait: The Quest for A Balance in the Population Composition", <http://www.un.org/popin/regional/escwa/popbull/bull/chapter3.htm>

carry out several policies such as preserving the natural increase of Kuwaitis, controlling the growth of expatriates, avoiding further naturalizations, adopting a quota for each nationality (each nationality quota should not exceed a specified percentage of the number of Kuwaitis).⁶⁶ In this vein, the ultimate measure was the LTDS (Long Terms Development Strategy), which aimed to ensure that any expatriate entering the country was pre-selected and that his period of residence was determined on the basis of several parameters such as national security, preservation of national identity. In the post-war era, population plans have again kept their importance. Population policy this time has become an inescapable necessity as a result of the limited financial resources caused by Iraqi destruction of the oil wealth of the country. It was during this era, the government for the first time officially declared that the aim of having Kuwaitis represent 70 *per cent* of the population.⁶⁷ However, this rapid development brought several deep crises including harassment and exclusion of non-citizens.

In sum, several essential pillars of modern statehood and sovereignty are still problematic in Kuwait. Certainly, the lack of functional domestic boundaries between state and society create important limits in terms of sovereignty. Having presented the general outline of the problem in terms of state-society relations, the following part deals with two samples in order to display how certain sovereignty crises come out in terms of domestic boundaries.

6.3.1 The Expatriates

The expatriate problem refers to the presence of a huge group of non-citizens, in other words citizens of other states, in Kuwait. Theoretically, the problems originated by their presence can be summed under three titles: The problem of controlling those people within the jurisdiction of Kuwait, remembered many of them are citizens of other states the issue of loyalty, and finally how the balance between citizens and non-citizens to be protected in a rentier model. As it is illustrated in table 3, the government tries to access all parts of people through a web of different practices.

⁶⁶ For example according to Article 4 of citizenship law the number of naturalizations allowable in any given year is limited by 50. Jacqueline S. Ismael, *op cit*, p. 118.

⁶⁷ Al-Ramadhan, *op cit*, p. 35.

Kuwait has long depended on foreign workers to provide the backbone of its labor force. Even before the oil-era, there had been many foreign workers in the region. But, it was mainly after the oil boom, an unprecedented explosion of expatriates occurred. Many Arabs from nearby states took up residence in Kuwait because of the prosperity brought by oil production after the 1940s. Large-scale immigration was the result of great development programs. The first mass state employment had its inception during this era. By 1962 there were 36,300 state employees, 46 per cent of whom were Kuwaitis, one for every ten residents.⁶⁸ Between 1946 and 1957, a remarkable figure of 9 per cent annual growth in the population was registered; and this grew to 16 per cent until 1965. In 1946, the total population was estimated at around 90,000; by 1957, it had grown to 206,000. By 1965, expatriates outnumbered Kuwaitis, and by the mid-1980s it was estimated that out of the country's total population of 1.5 million, 60 per cent were expatriates.⁶⁹ Due to the rise of non-Kuwaitis, several stricter nationality laws to protect the privileged position of Kuwaiti citizens were introduced.

Table 8: The Demographic Structure of Kuwait⁷⁰

	<i>Kuwaitis</i>	<i>Non-Kuwaitis</i>	<i>Total Population</i>
Number	798,200	1,476,000	2,274, 200
Percentage	35.1 %	64.9 %	100 %

As a reaction, the early Kuwaiti territorial nationalism came to the fore in the 50s. The rise of expatriates' number and their political activism created a reactionary ideology among 'original' Kuwaitis. According to this feeling "Kuwait belonged to the Kuwaitis first and foremost".⁷¹ Quickly a nationalist

⁶⁸ Crystal, op cit, p. 79. Also see: Ian J. Seccombe, "Economic Recession and International Labor Migration in the Arab Gulf," *The Arab Gulf Journal* 6(2), (April 1986), p. 46.

⁶⁹ Zahlan, op cit., p. 31.

⁷⁰ Kuwait Information Office, <http://www.kuwait-info.org>

⁷¹ Zahlan, op cit., p. 35.

economic approach came out as a reflection of Kuwaiti nationalism. It was announced that all foreign firms must have Kuwaiti partners in order to operate in the country. Furthermore, according to the Law of Commercial Companies in 1960, all industrial firms have to be at least 51 per cent Kuwaiti-owned; the same applied to banks and financial institutions.

However, the nationalist agenda could only protect the traditional merchant class. Therefore, the government started carrying out new 'Kuwaitization' plans order to satisfy the native workers. Part of territorial nationalism, and also for state employment became an important opportunity; the idea of preferring only Kuwaiti citizens quickly came to the fore. To protect state-based employment opportunity, a preferential treatment based on nationality was accepted. It was followed by some other plans, which aimed segregating Kuwaitis and non-Kuwaitis in different areas including daily life. The competition over the issue also contributed to the emergence of a national consciousness in Kuwait. As a purely colonial creation, the idea of Kuwaiti citizenship owed its very existence much to the cited discussion of state-employment. However, nationalistic economic policies caused the existence of overlapping constituencies rather than a group of citizens. In appearance, it was such a medieval stratification of society in which different constituencies have different legal, political and economic status. Therefore, a Western type of citizenship-based configuration has always been unachievable given those conditions. Finally, the distinction between Kuwaiti nationals and non-Kuwaiti nationals became the fundamental classification of the population. Article 29 of the constitution accepts that 'all people are equal in human dignity and public rights irrespective of race, origin, language or religion'. However remembered the difficulties the framework defined in the article seem far from realization.

The lack of modern citizenship also helped the rulers in applying stricter regulations. For an expatriate person, obtaining citizenship is almost impossible except if there is a high-level decree in favor. Laws were promulgated which restricted citizenship to those and their descendants in the male line who had lived in Kuwait continuously since 1920; naturalization was available only to a few dozen a year and was possible only after a long period of residence (8 years for Arabs, 15 years for the rest). On the other hand, naturalization is not the only

needed qualification for many basic political rights including voting. All naturalized people should have passed a long waiting process. In 1948, two decrees were accepted as the legal basis for nationality. In spite of new regulations on citizenship, there was a typical discussion: how to define the “original Kuwaiti”. As there have always been different ethnic and sectarian groups, all documents aimed to define the original Kuwaitis. In 1959, a new law aimed to present detailed criteria for originality. Accordingly, it broadened the definition of originality to descendants of those in Kuwait since 1920. The 1959 regulation mostly aimed to incorporate traditional bedouins into the citizenship. But naturalization was tightened for foreign workers. What is more, new regulations (for example the Civil Service Law of 1960) organized and defined several posts and services exclusively for Kuwaitis thereby restricting the economic and political capabilities of non-citizens. By so doing, citizenship turned to be an economic status rather than a legal one.

As a well-planned agenda with different social, legal and economic reflections, the rulers developed three basic policies in order to balance the threat of expatriates.⁷² First was the separation of Kuwaitis and expatriates through the preferential regulations by different laws. Besides, the central government also forced private firms in applying those preferential laws. For successful consequences, the government first defined all posts in which only Kuwaiti citizens were allowed. Under the supervision of a central body Kuwaitis replaced all expatriates in related offices. Second, having separated the expatriates, the central government this time applied different policies to control them. The government did not refrain from implementing discriminatory policies. In case of an opposition, the usual treatment was expulsion of involved. Third, several laws were introduced to differentially control Kuwaiti and non-Kuwaiti labor. Accordingly, the expatriate workers had to work under very limited conditions. They were deprived of many important rights such as organizing strike and participating in syndicate affairs.

Deprived of many basic political rights, the government has dealt with them through cliency and population policy. Thus, the problem for the

⁷² Crystal, *op cit.*, p. 80.

government is one of exploiting the skills of expatriates to serve the functions of dependency while isolating their political involvement.⁷³ This model produces very important consequences in terms of political system. They are by definition wage earners only, since rents do not accrue to them because of restrictions on ownership of property and company shares.⁷⁴ Even long-term resident immigrants are excluded totally from the political life. Many people deemed not authentic and deeply rooted enough cannot vote in elections. The narrowness of the franchise is one issue often raised by critics of the Kuwaiti system. Because a majority of persons residing in Kuwait are expatriate workers, the franchise is limited to citizens, but very precisely defined. Until the 1996 elections, only Kuwaiti males over age 21 whose families had been in Kuwait prior to 1920 could vote. With the 1996 elections, the franchise was extended to males and their descendants who had become naturalized Kuwaitis at least 30 years previously. In the elections of 1992, the one after Kuwait won its independence from the Iraqi occupation; the number of franchised people was only 81,000. This number was only about 15 per cent of the population.⁷⁵

The demographic structure has also produced important problems in terms of both foreign policy and domestic sovereignty. As many expatriates live here, several important developments have always influenced Kuwait. It is a fact that rather than national loyalties other type of networks and loyalties influence expatriates. For instance, Nasserist tendencies and groups emerged in Kuwait during the fifties. Arab expatriates had been captured by the message of Nasser. In August 1956, in response to Nasser's call for a strike, many people appeared in mass meetings. The timing of the event was attention-grabbing as the British protection was in decline in 1950. The British presence in Kuwait had isolated the country from regional and international influences for a long time. The decline of this protection opened Kuwait for different regional developments like Nasserism. As a tiny state Kuwait had no strong mechanism to protect its stability against such regional influences. Many points in the Nasserist ideology were direct threats

⁷³ Ismael, op cit., p. 125.

⁷⁴ Abdel-Fadil, op cit., p. 91.

⁷⁵ Adel Darwish, "Kuwait", *The Middle East* 337, (August-Sept 2003), p12.

to the Kuwaiti regime, as Nasser clearly targeted 'feudal monarchies' as the reason of Arab failure.⁷⁶ But Nasserist ideology was enthusiastically applauded as a manifestation of the rebirth of the Arab nation. Nasser's rhetoric was cheered both by Kuwaitis and Egyptian workers employed here as teachers, technicians. The same tendency among Arab expatriates continued during the Arab unification projects. During 1959, many demonstrations occurred to support the union between Syria and Egypt. By means of necessity, Kuwaiti rulers facing the great social support exhibited their support for several developments out of their borders. Therefore, they took steps to show solidarity with Arab national movements. Similarly, for example, at the request of the government all work had stopped for ten minutes at noon on 15 November 1961, in order to pay tribute to the Algerian effort to obtain independence from France.⁷⁷ Again, under the domestic pressure, the government decided to contribute to the Egyptian armaments fund.⁷⁸

In the same context, another case was the Iranian Revolution, which was welcomed by thousands of Iranian workers. The Iranian embassy in Kuwait was the first to recognize the new regime. In a very short time, thousands of Shia people, including Kuwaiti citizens, started following Iranian religious leaders' orders. For example, in sympathy with the Ayatollah's call many of them closed their works many times. The government was under the pressure of the Iranian workers this time. Despite the issue was theoretically a foreign political event; it was strongly influencing the domestic politics. Several top-level visits between Iran and Kuwait took place in the same year. What complicated the problem was the previous alliance between the government and Shi'a groups. As the government always relied on different alignments with different groups, the Shia groups had been used similarly before. Especially, the government had used Shia groups in order to counter balance the merchants. That is to mean the government had already politicized them before the Iranian Revolution. Thus it was not a

⁷⁶ Zahlan, op cit., p. 37.

⁷⁷ Miriam Joyce, *Kuwait, 1945-96: An Anglo-American Perspective* (London: Frank Cass, 1998), p. 125.

⁷⁸ Ibid., p. 31.

surprise to see politicized Shia workers supporting the revolution. In consequence, they became much more of a mass political movement with the revolution. In 1979, there took place many big mass meetings in Kuwait. Pro-Iranian political sermons were being delivered in many Shia mosques. The officials warned Shia mosques to restrict their topics and get out of politics. Despite the tension among Shia workers, the government claimed that such developments were caused by outside agitators. However, in September 1979, the government understood that it had to stop the process. After this date, police interfered in many public demonstrations. Even several religious people in Shia mosques were arrested for agitating the public. To summarize, the developments after the Iranian Revolution once confirmed the instable nature of the Kuwaiti politics.

The government introduced a new election rules after the crisis, in order to prohibit the further politicization of Shia groups. Accordingly, new election code aimed to reduce the role of Shia people. Even though, the government was successful in reducing the role of Shia people, it paradoxically contributed to the formation of a Sunni religious consciousness.⁷⁹ Politicized Sunni deputies dominated the parliament this time. Like the Shia people, the Kuwaiti Sunni Islamists were also under the influence of several ideologies. For example the ideas of Muslim Brotherhood were popular among young Sunnis. After the election victory, the Sunni groups quickly demanded several new regulations aiming new religious codes. "Their first aim was to have Islamic law recognized as "the" rather than "a" principle source of law."⁸⁰ Gradually, they demanded further regulations: Banning public Christmas celebrations, veiling all women. Even drinking alcohol in different diplomatic and international meetings was banned in 1983. As the tension grew, several bomb attacks took place at the US and French embassies. In 1984, state security court convicted several expatriate men. The tension in Kuwait paved the way for unprecedented security measures: Many expatriates were deported. All people were to be registered on fingerprint basis. What is more, any gatherings of over three people were banned.

⁷⁹ The problem of Sunni political consciousness is still important in the post-War (the Iraqi invasion) parliaments. Mary Ann Tetreault, "Designer Democracy in Kuwait", *Current History* 36(606), (January, 1997), pp. 37-38.

⁸⁰ Crystal, op cit., p. 103.

Compulsory military service was also reorganized and it was increased to three months. Finally, in 1986 the government closed the Assembly. The pretext for this decision was the need for unity in the face of the Gulf War. As is seen from such crisis, without a functional state-society model, it has been impossible to construct a political order through different alliances between government and different constituencies. In addition, this strategy has increased Kuwait's vulnerability to the international developments. With so many different constituencies, it is very difficult to protect the boundary between domestic and international. The government's boundaries are sometimes not recognized by different groups as it happened to Shia groups during the Iranian Revolution. Therefore, even though there is a modern understanding of statehood and sovereignty on paper, some groups continue their political activities in different epistemic boundaries. Different societal boundaries and that of government do not match completely.

The Palestinian minority in Kuwait can be studied in the same context. They also have been part of many political activities which should be studied part of sovereignty crisis. For several decades large Palestinian communities have resided in the region. In the mid-1980s, Palestinians constituted the biggest group of expatriates. Furthermore, many Palestinians occupy key positions in the commercial, economic, and educational sectors as well as in the mass media. They were lobbying the government to adopt a strong anti-Israel and pro-Palestine position.⁸¹ Several well-known historical issues such as the Palestinian question and the Arab cause have always appealed them. But, the latest crisis emerged during the invasion of Kuwait by Iraq. When thousands of foreign workers from Palestine and Jordan demonstrated their open support for the 'Iraqi Arabism', it was understood that the Kuwait's stance should be changed. Besides, the sympathizers Palestinians in Kuwait believed that Kuwait was waging a tacit war of attrition against Palestinians to reduce the number of Palestinians there through a program of Kuwaitization.⁸² The expatriates' tilling towards Iraq changed the

⁸¹ Gawdat Bahgat, "The New Middle East: The Gulf Monarchies and Israel", *The Journal of Social, Political and Economic Studies* 28(2), (Summer, 2003), pp. 148-149.

⁸² Shafeeq Ghabra, "Palestinians and Kuwaitis: conflict and missed opportunities" in Paul Salem (ed.), *Conflict Resolution in the Arab World: Selected Essays* (Beirut: American University of Beirut, 1997), p. 328.

traditional standing of the Kuwaiti elites. What a former Kuwaiti official said on the issue is an important statement to understand this change: “The Palestinian issue is no longer one of our rime issues as it may have been before, although we do care about Jerusalem and the Palestinian people.”⁸³ Therefore, the government now aims to replace them with new groups who are found “politically reliable”.⁸⁴ This approach also entailed the deportation of many groups. The problem was taken as a serious threat to the Kuwait’s sovereignty. Kuwait’s Representative to the UN said that, “if people pose a security threat, as a sovereign country, we have the right to exclude anyone we don’t one”.⁸⁵ The number of people fled Kuwait during the war and not permitted to return is 350,000.⁸⁶ These clearly show that the government wants to reconstruct the domestic boundaries through population policies. In other words, the presence of different nationalities is now seen as a threat to Kuwaiti sovereignty.

In this vein, as a continuing problem, the impacts of the Iraqi issue have still been influencing many different groups in different ways. As mentioned above, the Sunni expatriates were influenced by Iraqi Arabism, which was then punished by the Kuwaiti government after the war. However, when it comes to the Shi’i expatriates the long-run effects are still important. Especially, the end of Saddam regime has reshuffled the cards for the region's Shi’is, who had lived quietly for decades under Sunni rule. What a Shi’i Imam in Kuwait said is of importance to understand how this may quickly influence Shi’i community: “Before the fall of the Ba’thist regime in Iraq, governments here did not believe that Shi’is could be powerful, but it's different now. Shi’is are stronger, this year; we have been speaking much more about Ashura than before. In the past, we didn't speak about Shi’is and for the first time, we are discussing showing the Ashura commemoration in TV programmes.” Such excitements undoubtedly influence political scene. A Shi’i representative in parliament demanded that it

⁸³ Yetiv, op cit., p. 258.

⁸⁴ Judith Miller, “Nowhere to Go”, *New York Times Magazine*, 21 July 1991, p. 13.

⁸⁵ Michael Kramer, “Kuwait: Back to the Past”, *Time*, 5 August 1991, p. 35.

⁸⁶ Immigration and Naturalization Service Resource Information Center, *Kuwait Human Rights After February 28, 1991* (Washington: INSRIC, 1992), p. 7.

was time for the government to recognize Ashura as a day off in the country. Moreover, they have demanded new religious courts according to the Shi'i principles.⁸⁷ It should be remembered that the ratio of Shi'i people in Kuwait is not less than 25% and as I have emphasized above, this group is uncomfortable about the historical alliance between rulers and Sunni groups.

The expatriate problem shows that Kuwait lacks a modern nation; instead its population is composed of different constituencies. Besides, there is no common legal framework like Western citizenship as a basic mechanism between people and state. Instead, different instruments are employed by the government which inevitably creates overlapping legal frameworks. No doubt, this structure has created important domestic sovereignty crises. In sum, facing this highly stratified society, the government instrumentalized different traditional elements in order to protect political stability. In so doing, what is created is a hybrid model in which certain pillars of sovereignty is limited by different primordial facts.

6.3.2 The Bedoons: Being a Kuwaiti without a Citizenship

The bedoon (sometimes written as bidun) problem is another very important issue in the context of sovereignty crisis. It is a typical case, which can only be experienced at this level in an artificially created state. It is a unique consequence of an artificial state creation and the result of revolutionary and rapid changes in the epistemic structure of a region in which people failed in complying with those quick changes. Bedoons are stateless people many of whom trace their ancestry to nomadic bedouins in the Kuwaiti and Arabian deserts. The word bedoon is from the Arabic phrase "*bedoon jinsiyya*" literally meaning either "without nationality" or "without citizenship". However, the terms should not be confused with the word bedouin. Even though some bedoons have a bedouin origin, most of them now live in cities. Even though they lived in Kuwait during their all live, they do not have citizenship. The number of bedoons is not below 150,000.⁸⁸ An equal number of bedoons left Kuwait during the war. According to several reports, their population is estimated as between 180 and 200 thousand.

⁸⁷ "After Saddam, Shiites in Kuwait becoming vocal about rights", <http://www.gulf-news.com/>, 12 March 2004.

⁸⁸ Mary Ann Tetreault and Haya al-Mughni, "Gender, Citizenship and Nationalism in Kuwait", *British Journal of Middle Eastern Studies* 22(1/2), 1995, p. 69.

The basic reason of this deprivation of is a historical mistake of their ancestors who did not apply for citizenship with appropriate documents in 1948 and later in 1959. Tribal migration to the urban centers of Kuwait began in the 1950s as a result of rapid economic development. In the 1950s, Kuwait was still a protectorate of Britain and had no laws governing nationality. People moved freely from other settlements in the Gulf to Kuwait and *vice versa*. In December 1948, Sheikh Ahmed al-Jaber, issued a decree on citizenship, known to be the first issued by Kuwaiti authorities defining citizenship. Prior to that, loyalty to the Emir was the primary requisite for *de facto* citizenship. The borders of Kuwait were ill defined and residents of the areas outside the city of Kuwait were nomads who for centuries traveled freely between the countries of the region. The ancestral lands of these tribes extended across modern day borders of Kuwait, Saudi Arabia, Iraq, Jordan and Syria. As the ruler of the city of Kuwait, with military assistance of Great Britain, extended his rule beyond the walls of the city to several thousand square miles; the ancestral lands of many tribes became parts of the territory of Kuwait. However, the Kuwaiti authorities were reluctant to extend citizenship to these nomads. Only those who settled in Kuwait prior to 1920 were considered citizens by law. According to Article 1 of the citizenship law of 1920 Kuwaiti nationality is recognized for those and their descendants who resided in this country before 1920 and maintained their residence here to 1959. Nationality laws thus excluded nomads who did not live a settled life. After independence in 1961, when the Kuwaiti government announced it had issued a new law on citizenship, chaos ensued as everyone who could prove a link to the country applied for citizenship. In this process, many people failed in registering for citizenship. The percentage of people, mostly bedouin immigrants, became Kuwaiti citizens was only 35 per cent.⁸⁹

Another very important group of bedoon is the children of Kuwaiti mothers married with foreign people. Kuwaiti law is based mainly on a restrictive male-oriented doctrine of blood link (*jus sanguinis*), whereby citizenship is passed through a Kuwaiti father, but not mother, to offspring. This is consistent with local traditional kinship customs-a patrilineal system in which the familial and

⁸⁹ Ghabra, "Balancing State and Society..", p. 364.

tribal identity is passed through the male. Kuwaiti citizenship laws became exceedingly restrictive through numerous amendments clearly aimed at denying citizenship to all but a small group of original Kuwaiti city inhabitants. Therefore, many people born to Kuwait women are deprived of citizenship.⁹⁰

As bedoons had lived like citizens for a long time, until 1988, their number was included in the total number of Kuwaiti citizens in official population statistics. But after 1988, the government started adding their numbers to the number of foreign residents. Although the bedoons continued to be treated as citizens and were repeatedly promised formal citizenship, their applications for citizenship were mostly postponed. The requirement most difficult for bedoons to meet was to provide proof that an applicant's father was a settled resident of Kuwait before 1920 and that he maintained continuous residence in the country until the time of the application.

Until the mid-1980s, Bedoons were treated as Kuwaiti citizens with regard to freedom of their travel -they were issued temporary passports- and eligibility for government employment and services, including education, health care and welfare. Bedoons constituted an overwhelming majority in the army and police; over ninety percent of the rank and file, although not the officers, was bedoons. Only Kuwaiti citizens and bedoons were allowed to enlist; foreigners were hired only as advisers, usually on fixed contracts. However, the official policy was changed in the 80s. In 1985, the government began applying provisions of Alien Residence Law 7/1959 to the bedoon and subsequently issued a series of regulations stripping them of almost all their previous rights and benefits. Beginning in 1986, the government restricted bedoons' eligibility for travel documents and fired all bedoon government employees (except for those employed by the police or the military) who could not provide valid passports; private employers were required to pursue the same policy. In 1987, the government began to refuse bedoon registration for automobiles and applications for driving licenses, severely restricting their freedom of movement. That same year, their children were barred from attending public schools. In 1998, this ban was extended to university level, a ban that has continued since then, depriving

⁹⁰ UN Committee on the Rights of the Child, "Concluding Observations of the Committee on the Rights of the Child: Kuwait", CRC/C/15/Add. 96, 9 October 1998, www.hri.ca

thousands of eligible college-age students of university education. The government has also instructed all private clubs and associations to dismiss any bedoon members. In May of 2000, the Ministry of the Interior ended a nine-month program during which bedoon that signed affidavits admitting to a foreign nationality and renouncing claims to Kuwaiti nationality could apply for a five-year residency permit. But what is worse, since they no longer receive passports, these students may not leave the country to seek education elsewhere. They can only get passports if they renounced their right to return to Kuwait. This hardship is compounded by the fact that there are no private colleges in the country. Also in 1988, all Kuwaiti associations, including the Medical Association and the Lawyers Association, were instructed by the Ministry of Labor and Social Affairs to dismiss their bedoon members; most of them complied.

Bedoons live in poor conditions since they do not enjoy the public services, benefits, and opportunities for education and employment. Despite the fact that many bedoons have lived in Kuwait for generations, have effective links to the national society, and reasonably consider Kuwait as their home country, their access to citizenship is increasingly blocked.⁹¹ After decades of treating bedoons as citizens and repeatedly promising to confer formal citizenship on them, the government reversed its practice and declared them illegal residents of the only country they have ever known. Although discriminatory policies had been practiced in the pre-war era, they have been intensified in the post-war era. Even many of these families have lived in Kuwait for generations they have been treated as second-class people. They were dismissed en masse from their government positions. Besides, they are vulnerable to harassment and exploitation.

When we analyze the issue in the context of the Gulf War, it was another turning point in the status of bedoons. Some Bedoons registration in the Popular Army, enforced by Iraqi forces, was taken as a major pretext for Kuwaiti officials in the post-war era in the process of deporting these people. Facing the threat of deportation from Kuwait, the bedoons were living in very poor economic and

⁹¹ See: *Racial Discrimination And The Rights of Non-Citizens*, Submission of the Open Society Justice Initiative to the UN Committee on the Elimination of Racial Discrimination on the occasion of its 64th Session, Open Society, 2004, p. 8, 9.

social conditions on the eve of the Iraqi invasion. In September 1990, the Iraqi occupation authorities ordered, under the penalty of death, all non-Kuwaiti citizens living in Kuwait to join the Popular Army. By so doing, Iraqi forces aimed to deepen the fissure between different constituencies. Having no other choice, many bedoons were registered in the army. As a reaction to their 'betrayal', all bedoons who had been previously employed by the government were dismissed from their jobs after the invasion. Especially in the defense sector, the officials have made it known that they wish to reduce the number of bedoons in the armed forces. The Kuwaitization of armed forces took place not in the form of naturalizing bedoons but replacing them with citizens. In the pre-war era, some 90% of the rank and file soldiers in the Kuwaiti army and a substantial number of the police were Bedoons.⁹² However in the post-war period, they were not permitted to resume their jobs. Even many of them were put on trial or excluded in different refugee camps. As it was illustrated in table 3, lacking citizenship, the only mechanism between bedoons and state is the use of force.

The Bedoon problem is a typical case that presents important findings in terms of sovereignty crisis in Kuwait. Main legal and political framework that rules the relationship between the bedoons and state lacks almost all modern pillars of statehood. Instead, the government employs typical primordial instruments such as the use of force and discrimination. Remembered the facts presented above, the case of bedoons are clear limits in front of Western sovereignty in Kuwait. Finally, how the government rules them through certain alternative policies are clear evidences of hybrid model in this country.

6.4 Conclusion

Since Kuwait became part of state system in 1961, despite it is organized in the form of modern statehood different problems have continued the fragility of political system in this country. Many important pillars of modern statehood such as citizenship, domestic authority have yet to be consolidated. Therefore, a continuing sovereignty crisis has been part of daily politics. Apart from typical problems such as the clash between the local formats and colonially brought

⁹² *Kuwait Human Rights After February 28, 1991*, p. 13.

formats, the rise of rentier model added important limits to the consolidation of Western model in Kuwait. With this model, the rulers continued the employment of certain primordial instruments thanks to the oil-money. Hybrid model in which both modern and traditional formats co-exist came out. The rentier model has many important impacts on political system in terms of state-society boundaries: It obstructs the realization of important domestic boundaries such as citizenship. What is more, it allows the instrumentalisation of certain primordial formats such as cliency and tribalism instead of citizenship. As underlined before, rentier system fails in producing a balanced relationship between people and state. Here, citizenship is a formal and economic status, which does not guarantee important political and legal rights. In a sharp contrast to Western type of citizenship, rentier citizenship resembles with medieval subjugation. Besides, this model necessities use of several 'medievalistic' methods in rentier states. Therefore, despite the formal organization of political system in line with the modern statehood, the rentier model operates differently. On the other hand, Kuwait faces other important sovereignty crisis in terms of state society relations thanks to its demographic structure. The existence of a foreigner majority within the jurisdiction of Kuwait creates important limits in front of domestic sovereignty. Besides, there are *bedoons* who are neither citizens nor foreigners. This complex demographic structure also increases Kuwait's vulnerability to the regional developments. When all such limits are taken together, it is a fact that the Western sovereignty faces important limits in Kuwait. Therefore what we have here is a hybrid model in which the government tries to protect stability through modern and traditional instruments. However, this model is far from protecting Kuwait from endemic crises.

The invasion of Kuwait by Iraq, for example, once again clarified the limits of statehood in this country. More than half of the Kuwaiti population including the ruling family fled the country during the Iraqi invasion. The chaotic period quickly after the invasion clearly showed that there was no national aspiration among many Kuwaiti people. The opposition became more critical of the royal family when they had fled the country without any show of defiance, their poor management of the crisis, and their excessive reliance on Western power. As mentioned by Ghabra the invasion of Kuwait by Iraqi forces created a

societal vacuum: “Everything Kuwaitis had believed in during the preceding decades regarding Arab nationalism and their Islamic identity suffered from a blow.”⁹³

Considering the legacy of the Iraqi invasion, an emphasis on nation building has recently come to the forefront. Kuwaiti rulers declared that what they need is to create a common set of values. In other words, the idea began to crystallize is a strong nation to protect Kuwait against serious external threats.⁹⁴ Thus, since the end of the Iraqi invasion, the rulers have been in the search of re-creation of political and social structure. To put it shortly, the official perception has come to the point that the Kuwaiti project failed in creating a Western type of state. An official text, which is publicly and officially broadcasted in the official website of the State of Kuwait, claims that Kuwait has developed a new approach in the post-War era, which underlines citizenship as the real strength of any political system.⁹⁵

Kuwait realized, at a very early stage, the importance of having well-educated and healthy citizens to play an effective role in the community. *This was based upon the belief that the real wealth of any country lies in its citizens; whereas natural resources, no matter how huge or diversified, can never guarantee the country's stability or progress.* Thus, people can contribute to the country's progress and welfare using their skills, capabilities and the experience they gain from work and training, even if the country has poor natural resources. (Emphasize is mine)

The statement underlines the importance of citizens and challenges the conventional meaning of natural resources. This is a very typical post-War discourse. According to the official text, having recognized the cited facts, Kuwait has already managed to replace former “parental relationship between the individual and the state”. In view of that, the official policy in the post-War era is different, which is to give way for a new modern structure.

⁹³ Shafeeq N. Ghabra, “Balancing State and Society”, p. 58.

⁹⁴ Yetiv, op cit., p. 261.

⁹⁵ http://demo.sakhr.com/diwan/emain/Story_Of_Kuwait/Oil_Era/New_era/newerahuman_philosophy.html

Therefore, the government sought a social policy that required giving up the idea of financial welfare and adopting the concept of a productive community. Thus, *the parental relationship between the individual and the state was replaced by another emphasizing the individual's independence to employ his creative powers in promoting himself and his community.* (Emphasize is mine)

Certainly, time is still needed to test the cited story of 'successes'. Furthermore, such projects necessitate substantial reforms and re-organization in important fields like rentier mentality, population policy, new legal code, and economic liberalization. So, the question is whether Kuwait can be successful in carrying out all these tasks, which could not be realized so far or not. Two additional facts should be considered in order to evaluate this question: Why did the project of creating a Western type of state fail in Kuwait? Is it because of structural limits or because of the actors in the process or both?

If it is because of the actors, there is no satisfying ground to be optimistic. Kuwaiti rulers are still employing their traditional policies in the post-War period. Despite the cited official quotations, traditional measures are still being extensively employed in Kuwait. Even, the traumatic war experience opened the doors for more radical policies. Those who blamed for collaborating with Iraqi regime were put on trial in security courts. Similarly, the stateless people (*bedoons*) faced new difficulties. The government in parallel with its population policy plans has tried to eliminate the influence of Palestinians by replacing them with other nationalities such as Pakistani. The new quota targets in five-year plans aimed in fact the elimination of the influence of Palestinians.⁹⁶ By replacing them with other groups, the government aims to punish the Palestinians for the pro-Iraqi demonstrations during the invasion of the country.⁹⁷ In fact, the 1985-90

⁹⁶ Chris Hedgen, "A Year Later, Kuwait Sinks into Malaise", *New York Times*, 2 August 1991, p. 1, 6.

⁹⁷ The population policy of Kuwait has criticized by different international organizations. In the UN Human Rights Committee Reports, Kuwait was criticized for its discriminatory policies in terms of dealing with the bedoon problem. Accordingly, Kuwait violates International Covenant on Civil and Political Rights in the context of the bedoon problem. According to the report, Kuwait "must ensure that all persons in its territory and subject to its jurisdiction, including Bedoons, enjoy Covenant rights without discrimination. The right to remain in one's own country and to return to it must be scrupulously respected." The report also states that the government should confer its nationality on a non-discriminatory basis and ensure that those who are granted

Five Years Plan had aimed a 50-50 balance between citizens and non-citizens by the year 2000.⁹⁸ This project includes many different fields including the defense of the country. For example, one of the major strategies in this route is the Kuwaitization of the army and bureaucracy. In 2002 the defense minister declared that the complete Kuwaitization of the Kuwaiti army has been a major objective since the liberation.⁹⁹

However, reductionist approaches should not confuse the case as the demographic limits necessitate a population policy in favor of citizens. No state can be expected to risk its own system in favor of non-citizens. This brings us directly to the issue of structural limits. As I have discussed them widely above, one can group those under four titles: First, the artificial injection of Western statehood in Kuwait. Thus, a basic problem is whether the Kuwaiti state has been able to cope with the problems posed by modernization. Traditional motifs and institutions embedded in political system are still influential. It should be reminded that it was only in 2003, for the first time since Kuwaiti independence, the office of prime minister has been separated from the role of heir to the throne. With this late decision, the separation between personality and government could be achieved.¹⁰⁰ On the other hand, the tribal-sectarian contract between merchants and the royal family is still the basic pillar of Kuwait, which is superior to any other principle including citizenship. Second, rentier framework is another structural limit. Since naturalization has been seen as a threat to Kuwaiti society, the system has employed different methods such as cliency (buying the loyalties of people) in order to sustain domestic stability. Instead of consolidating a modern

Kuwaiti nationality are treated equally with other Kuwaiti citizens with regard to voting rights. The government is also urged to refrain from deporting residents on the basis of their classification as Bedoons who have failed to regularize their status. *UN Reports of the Human Rights Committee*, Vol. 1 (New York: UN, 2000), pp. 65-71. Also see: UN Committee on Economic, Social and Cultural Rights Concludes Thirty-Second Session, *Issues Conclusions on Reports of Lithuania, Greece, Kuwait, Spain and Ecuador*, Press Release HR/4755, 14 May 2004.

⁹⁸ However, this aim has yet to be realized according to the most recent data of Kuwait Information Ministry. (See Table 4)

⁹⁹ "Kuwaiti Defense Minister on Iraqi Stand, Kuwait's Defense Plans, Other Issues", *London Al-Sharq Al-Awsat*, 10 April 2001, p. 4. [FBIS-NES-2001-0410]

¹⁰⁰ "Major Constitutional Change in Kuwait", *Middle East Economic Digest* 47(29), 18 July 2003, p. 2.

structure, the ruling elite prefer the use of oil-revenues as a political mechanism. Third, there is a demographic limit. Due to the human resource shortage, Kuwait has accepted foreign workers for decades. In consequence, there are different constituencies whose relationship is regulated through different mechanisms. (See table 3). And the final limit is Kuwait's vulnerability in foreign policy. The presence of different groups creates the problem of multiple loyalties. Besides, Kuwait's position as small state in a bad neighborhood makes it hard to envision an independent foreign policy. As a small country with serious national and international problems the only policy to be followed is to buy international loyalties by oil-revenues. The government not only buys its own people's loyalties but also have to buy other regional states' "friendship" by providing generous foreign aid.

In conclusion, these structural limits still impede the realization of a Western sovereignty in Kuwait. As it was referred many times so far in this study, needed is a political system, which is expected to conceptualize legitimacy on the basis of equal and rational principles such citizenship.¹⁰¹ To achieve this, Kuwait should establish relevant standards and institutions. However, efforts in transforming political culture have always been limited, as it would mean the risk of regime change after a point.

¹⁰¹ Mlada Bukonvansky, *Legitimacy and Power Politics* (Princeton: Princeton University Press, 2002), p. 2.

CHAPTER 7

IRAQ AND THE CRISIS OF SOVEREIGNTY

7.1 Introduction

On June 28, 2004, a ceremony was organized in Baghdad wherein the sovereignty of Iraq was given back to the Iraqi 'rulers'. The US flag was lowered and the Iraqi flag was raised. Actually, the ceremony was not unprecedented remembered the one which had occurred in 1921. It was the coronation of Amir Faisal as the new king of Iraq. When he became the new ruler of the country, "he was foreign to the region, and his monarchy had been brought into existence by Britain, the alien occupier, not by popular demand."¹ Similar to the 1921 coronation, the 2004 ceremony produced a new power structure which was brought into existence by the US, the new alien occupier, not by popular demand. Certainly it was a symbolic ceremony, which did not guarantee full sovereignty of Iraq. There are still foreign military forces in the country, besides in many fields rather than Iraqi law, foreign states' laws are being implemented. In this context, foreign soldiers are not answerable to Iraqi law; for example, if a mercenary murders an Iraqi citizen or commits some other crime, he cannot be arrested and tried in an Iraqi court.² An editorial of *Al-Quds Al-'Arabi* presents a brief picture of the ironic case in Iraq:³

¹ William L. Cleveland, *A History of the Modern Middle East*, (Boulder- San Francisco-Oxford: Westview Press, 1994), p. 195.

² Paul Tate, "The New Sovereign Iraq", *The Jordan Times*, 6 July 2004. Many Arabs take this ceremony of sovereignty as deceiving. For example, an editorial in the state-owned Egyptian daily *Al-Jumhuriyah* declared: "Certainly this plot will not deceive the Iraqi national resistance" and charged that the US is trying to "delude the world into thinking it will transfer power to the Iraqis on 30 June". In the same way, a commentator in the pro-Khatami Iran Daily dismissed the "sovereignty project, which Bush II and his neo-con lobby are trying so hard to sell," as "very

The expression of transfer of sovereignty is flagrantly misleading. What kind of sovereignty will this be when the Americans will continue to be the ultimate decision makers in Iraq, including approving the president of the presidium council and his deputies, the prime minister, the sectarian distribution of the cabinet portfolios, and the other senior positions in the state?

Not only this ceremony, but with many other developments Iraq is one of the most intriguing case in sovereignty studies. Today, the Iraqi government has no domestic sovereignty, as there is no legitimate and central authority in many parts of Iraqi territories. Endless conflicts with tribal and sectarian groups limit the capability of the central government in ruling all parts of Iraqi territory. On April 5, 1991, the Security Council voted on Resolution 688 which set up the Safe Haven for the Kurds. By this resolution, the Iraqi government was punished for a long time and failed in ruling some parts of its recognized territory. Different statelets emerged in southern and northern Iraq acting almost independently. A parliamentary election was held, for example, in northern Iraq. Even a Kurdish constitution was declared. Before the recent American military operation, the central government had no capacity to rule a great portion of Iraqi territory due to the international sanctions. Similarly, Iraq fails in having Westphalian sovereignty, as there are many foreign civilian and military forces in Iraq. Today, the soldiers of the US led coalition operate on Iraqi soil.⁴ In addition, some other neighboring states like Turkey organized military operations in different parts of

close to nonsense." The "so-called handover of power," he maintained, "will be occupation under a different name". "Middle East Media on Iraqi Interim Government", *Middle East – FMA*, 02 Jun 2004, *FBIS REPORT*, [FBIS Document Number: FBIS-NES-2004-0602]

³ "The Theatrical Play of the Transfer of Sovereignty in Iraq", *Al-Quds Al-'Arabi*, 27 May 2004. [FBIS Document Number: FBIS-NES-2004-0527]

⁴ The American rule is not limited with security issues. On many other issues such as economics, oil and agriculture the American advisors are in action. Reminding the British advisors in the 20s and 30s, the American advisors are the real agents of the US rule in Iraq. It is not surprising to see protests by Iraqi people against these advisors in Iraq. For example, according to Baghdad *Al-Shira* newspaper, thousands of retirees in Basra called for the removal of the finance minister in protest against their meager annuities. The retirees also demanded the removal of the US financial controller at the Finance Ministry. This event presents a very important detail of the sovereignty crisis in Iraq. See: "Highlights: Iraqi Press 10 Feb 04", *Iraq -- FBIS Report*, 10 Feb 04. [FBIS Document Number: FBIS-WEU-2004-0212] The American officials issued many regulations on different issues such as traffic code, election code, and new labor law code. For details see: <http://www.iraqcoalition.org/regulations/index.html#Regulations>

Iraq. Finally, remembered the long period between 1991 and 2003, the government also lost its interdependence sovereignty in terms of controlling all types of interaction through its borders. For instance, not the government, but several Kurdish groups control the northern boundaries of Iraq. After 1991, these groups created kind of economic units despite the Baghdad government. To conclude, it is only the international legal sovereignty of Iraq that is protected by international community lest the problem will trigger a region-wide turmoil. Therefore, chaos continues within the borders of Iraq today. After seven decades of its formation, Iraq still puts up with the same problems.

The basic thesis of this study is the inapplicability of Western type of sovereignty in colonially created states. Iraq as the third case study of this dissertation fits well to the inapplicability thesis. There is a full collapse of sovereignty in this country. In general, the facts that have produced the current picture in Iraq in terms of sovereignty can be summarized as follows: (i) the project of creating a national identity has failed. The colonial project of creating a national-territorial state could not be realized. (ii) In consequence, traditional and primordial patterns of behaviors are still important and influential. Once these two facts defined, there are expected consequences: The Iraqi state has always appeared as unfinished project. Many basic institutions of modern statehood, which was created by the British, have never been realized in Iraq. Many of the domestic boundaries of the modern state in Iraq have failed. For example despite the citizenship-based model, tribal and sectarian, in general primordial, loyalties and identities continue. Apparently, Article 19 of the Interim Constitution of Iraq (1990) declared that citizens are equal before the law, without discrimination because of sex, blood, language, social origin, or religion. Similar rights are also guaranteed according to the Article 11 of the Iraq Interim Constitution (Adopted on 8 March 2004) which regulates citizenship as the basic institution of the political system.⁵ However, in practice primordial identities and patterns could not be replaced by constitutional citizenship. Not only the local groups, but also the

⁵ Article 11: "All Iraqis are equal in their rights without regard to gender, sect, opinion, belief, nationality, religion, or origin, and they are equal before the law. Discrimination against an Iraqi citizen on the basis of his gender, nationality, religion, or origin is prohibited. Everyone has the right to life, liberty, and the security of his person. No one may be deprived of his life or liberty, except in accordance with legal procedures. All are equal before the courts."

Iraqi governments had responsibility for this failure as they have frequently used tribal and sectarian policies for their political aims. Undoubtedly, the endurance of tribalism is an important sovereignty crisis. In the same way, this structure has created several other very important sovereignty crises such as the failure of central authority, the lack of an impersonal bureaucratic rationality, the excessive use of violence. To conclude, several important state-society boundaries which were brought by the Western rule have never realized in the Iraqi case. Instead, despite the colonially injected form, primordial patterns have continued. Thus, hybrid-characteristics are very apparent in Iraq.

On the other hand, the Iraqi case presents a very different problem in terms of sovereignty studies: the American presence in this country. Thus, how the American fact does affect on Iraq's traditional problems needs special attention. Certainly, the US presence in Iraq transformed and deepened the ongoing sovereignty crises here. The US led international coalition and its agenda is far from rescuing Iraq from its endemic sovereignty crisis. Today, Iraq looks like a medievalist space in which overlapping authorities and groups co-exist. In addition, the US led authorities excessively employ the classical primordialist instruments. Many important names of the American supported interim government are either tribal or sectarian figures. By so doing, the current developments continue historical trends. In consequence, many developments we hear in Iraq today are recurring themes of modern Iraqi history. Still, the basic problem in terms of realizing a Western type of sovereignty has been the failure of a modern centralized state based on domestic boundaries between state and society.

Given all these facts, this chapter as a study on sovereignty in terms of applicability of Western sovereignty and political consequences of hybridity studies how the Iraqi sovereignty has been limited, or failed, in different fields. As remembered, certain samples were presented in order to clarify what is meant by sovereignty crises in Chapter 4. Following the same methodology, similar to the previous chapters, this chapter also focuses on analogous issues such as citizenship, tribalism, domestic authority. In so doing, how domestic boundaries (state-society boundaries) are limited by certain facts will be analyzed. But, since such issues refer to a very complex set of different issues, this chapter

methodologically analyzes how domestic boundaries are limited or violated around several major topics: the official tribalism, the religious split, the Kurdish problem. These issues are important case studies that give important clues in analyzing the crisis of sovereignty in the Iraqi context. In other words, those are major fields in which many typical sovereignty crises have come out. Therefore, in each case, how important pillars of sovereignty are violated can easily be underlined. And finally, given the conclusions from each case, the current situation in Iraq will be analyzed under the title of the transformation of sovereignty crisis. In that part, it is aimed to present how historical problems continue in different forms today remembered the presence of the US powers in Iraq.

7.2 Defining the Problem

Iraq was created in 1921 by the UK part of its colonial policies in the Middle East. It was a typical colonial engineering produced from three provinces of the collapsed Ottoman Empire, Baghdad, Basra and Mosoul. As an artificial creation, it was lacking the essential underpinnings of nationhood. Even the spelling of its name was subject to controversy. Debate as to whether it should be spelled Iraq or *Irak* raged on several years in the Colonial Office in London.⁶ As a modern state it had no historical antecedents in its present territorial dimension. Besides, the British organized new Iraq as a monarchy on purpose. It was another typical alien form of authority. As stated in Chapter II, Lisa Anderson's study on Arab monarchies tells us that with limited number of exceptions, they were installed by Western powers.⁷ Despite the cultural anthropologist analysis of Arab monarchies which see them as the natural outcome of Arab culture, Anderson contextualizes them in the course of colonial rule and interests. It was not the Arab culture but the colonial projects that created monarchy as an instrument of state-formation process in the Middle East. The same theoretical approach fits well with the Iraqi case. The injection of monarchy in the form of a territorial state was not incongruent with the overlapping groups and authorities of Iraq. Of

⁶ Abbas Kelidar, "A Quest for Identity?", *Middle Eastern Studies* 33(2), (April, 2002), p. 407.

⁷ Lisa Anderson, "Absolutism and the Resilience of Monarchy in the Middle East", *Political Science Quarterly* 160(1), (Spring, 1991), pp. 1-15.

course, traditional allegiances and political aspirations that had existed in the previous era did not disappear. Thus, when created Iraq was barely capable of holding primordial sentiments in control. In the 1920s Iraqis were placing all moral authority over their lives onto their sects, tribes, and families. Individuals were not self-directing or autonomous, but acted in accordance with the mores of these traditional groups. Consequently, traditional leaders had enormous political leverage. Here was an authority stemming from the traditional group into which one was born. Thus, the colonial creation was not strong enough to amalgamate different groups into an organic nation.⁸ A complex web of social, economic, ethnic, religious, and ideological conflicts, all of which retarded the process of state formation, beset Iraq. Thus, at the beginning, new Iraq was a composition of very different sectarian and tribal groups without any commons.

Therefore, constructed in 1920 out of three provinces of the Ottoman Empire that had never shared a common history as a political community, the Iraqi state encompassed a large number of communities that looked with suspicion to others and often had greater affinities with peoples beyond the newly drawn borders of Iraq itself. The south of country was overwhelmingly Shi'i, the central part Sunni, and the north contained substantial non-Arab populations, primarily Kurdish and to a lesser extent Turkoman. In addition to this diversity, new state contained smaller groups of Christians and Jews. To put it in a numeric data, with independence in 1932, Iraq was made up of: 21 percent Sunni Arabs; 14 percent Sunni Kurds; 53 percent Shi'i Arabs; 5 percent non-Muslim Arab-speaking minorities; 6 percent other linguistic groups.⁹ All these different groups found themselves citizens of Iraq. As a result, the colonial project of an independent and territorial state following Western model had the main task of incorporating and amalgamating all these different groups into an organic nation. But, in Batatu's formulation various loyalties in Iraq were simply 'negative and divisive'.¹⁰ This complexity has constituted the most important obstacle in front of

⁸ Amal Vinogradov, "The 1920 Revolution in Iraq Reconsidered: The Role of Tribes in National Politics", *International Journal of Middle East Studies* 3(2), (April, 1972), p. 123.

⁹ Samir al-Khalil, *Republic of Fear The Politics of Modern Iraq* (Berkeley; Los Angeles: University of California Press, 1989), p. 215.

¹⁰ Hanna Batatu, *The Old Social Classes and Revolutionary Movements in Iraq* (Princeton, N.J: Princeton University Press, 1978), p. 21.

the nation-devising project. Arab nationalism during the early monarchy failed to translate the political legacies of the Ottoman Empire –ethnicity and communal identity- into an operative nationalist concept that could incorporate the indigenous ethnic and religious fragments within the borders of the territory allocated to the new state into an inclusive nation.¹¹ Worse, ever since its formation different nation devising and state formation projects have been contested without any final solution.

To begin with, the sectarian divisions have always been important. The Sunni-Shi'i rift is a structural impediment in nation-devising and state-formation process. The ruling Sunni community was a minority, whereas they had ruled Shi'i majority. The Iraqi Shi'is as a natural result of historical experience was extremely skeptical about a new Sunni dominated formation. Since early 19th century, different authorities aimed at reducing the traditional semi-autonomous status of Shi'is in 'Iraq'. For example, in the mid 19th century the Ottoman governors in the region ended the semi-autonomous Shi'i state in Karbala and Najaf for a number of years. Apart from the Ottoman pressure, another important problem in the early 19th century was the Wahhabi attack on important Shi'i areas. Karbala was sacked in 1801.¹² Therefore, given these historical experiences the Shi'i community was skeptical about the new political formation in Baghdad in the early decades of the 20th century.

Although the Sunni-Shi'i rift is important, it is not the only sectarian/religious split. There are other religious groups such as Christians, Assyrians, Turkomans and Yazidis. Even if they never came out as Shi'i groups, these minor groups are also important. These groups have made every effort in order to protect their distinct identity against dominating major groups and political structures. They have seen the project of nation state as an end to their primordialist lifestyle. Thus, they have always strived for protecting these primordialist links. Facing a continuing challenge of centralism in the form of

¹¹ Reeva S. Simon, "The Imposition of Nationalism on a Non-Nation State: The Case of Iraq During the Interwar Period, 1921-1941", in Israel Gershoni-James Jankowski (eds.), *Rethinking Nationalism in the Arab Middle East* (New York: Columbia University Press, 1997), p. 129.

¹² Moojan Momen, *An Introduction to Shi'i Islam The History of Doctrines of Twelver Shi'ism* (New Haven and London: Yale University Press, 1985), pp. 143-144.

Arab-oriented Iraqi identity, most groups have protected themselves in tribal forms. For example, kinship ideology represented an important source of Yazidi identity. Tribalism is central for an understanding of the historical development of Yazidism as a socio-religious movement.¹³ They live in small and isolated groups, mostly in the Sinjar Mountains west of Mosul. They are impoverished cultivators and herdsmen who have a strictly graded religio-political hierarchy and tend to maintain a more closed community than other ethnic or religious groups. Thus, this isolationist way of life has impeded the consolidation of nation building process in Iraq for ages. Similar arguments can easily be presented for other ethnic groups.

Another similar problem was the ethnic tension, mainly the Kurdish groups in northern part of Iraq. Kurds have been in a kind of political struggle for more autonomy which inevitably produced a negative image for central governments. They were not integrated/assimilated into the new Iraqi nation. Organized in tribal forms, they have been successful in protecting their distinct ethnic identity. Therefore, they have always formed an important structural limit against the consolidation of sovereignty. It has always been difficult to extend central rule to the Kurdish regions. In addition, their demands for more political autonomy resulted in different conflicts with central government. The Iraqi governments employed brutal instruments in quelling and controlling Kurdish groups.

When Iraq was created, another problem was the difference between rural people and city dwellers. Just after the disintegration of the Ottoman Empire, there was big gap between urban and tribal groups. Cities and tribal domain were organized as closed economic systems with limited interaction between the two sides.¹⁴ Social and psychological lines also divided two groups. As defined by Batatu, the life of the urban Arabs was on the whole governed by Islamic and Ottoman laws that of the tribal Arabs by Islamically tinged ancient tribal customs. In a sense, the life principles of the cities and that of the tribes were mutually

¹³ Nelida Fuccaro, "Communalism and the State in Iraq: The Yazidi Kurds, c.1869-1940", *Middle Eastern Studies* 35(2), (April, 1999), p. 9.

¹⁴ Matthew Elliot, *Independent Iraq The Monarchy and British Influence, 1941-58* (London-New York: Tauris Academic Studies, 1996), p. 7.

contradictory. Hanna Batatu uses 'hierarchies of wealth', 'hierarchy of religions' and 'hierarchy of status' to depict social stratification in the late Ottoman Iraq. In view of that, not in the form of an organic unity, there were different group organized in a hierarchic stratification. This stratified society was the continuity of plural, relatively isolated, and often virtually autonomous city-states and tribal confederations of eighteenth century.¹⁵ Since a sudden transition was impossible, in such stratification, the early Iraqi politics was composed of both modern and primordial institutions. For example, there was a Department of Tribal Affairs during the 30s, which symbolized the hybrid characteristics of new Iraq. Although new system was based on citizenship, such tribal departments and traditions were retained. There were also some other tribal-based institutions, codes in different fields such as civic code and agriculture.

More than a demographic difference, these groups had no needed interaction in order to form a nation. On the contrary, there were many conflicts among them. Different groups were leaving in their closed socio-political environments with limited contact with others. As a result, a sense of identity with a territorial entity known as Iraq did not exist. An Iraqi national character is a complex centuries-old ensemble of perceptions and sensibilities affecting myriads of phenomena in culture and society.¹⁶ Hence, these groups had traditional forms organized by primordialist links. Therefore, practically speaking, the nation-state project aimed at changing the legacy of a long historical background. Batatu summarized the complexity of this table as follows:¹⁷

At the turn of the century the Iraqis were not one people or one political community. This not to mean to refer simply to the presence of numerous racial and religious minorities in Iraq: Kurds, Turkomans, Persians, Assyrians, Armenians, Chaldeans, Jews, Yazidis, Sabeans, and others. The majority of the inhabitants of Iraq, the Arabs, though sharing common characteristics, were themselves in large measure a

¹⁵ Batatu, op cit., p.8, 9, 13 and 24. Even they had a limited interaction in cities: "In the towns of Iraq, in other words, the groups that belonged to different faiths, sects, or classes or that were of different ethnic or tribal origin tended to live in separate *mahallas*." (p. 18)

¹⁶ Al-Khalil, op cit., p. 120.

¹⁷ Batatu, op cit., p. 13.

congeries of distinct, discordant, self-involved societies.

The new state did not get an easy birth, as these groups fought for different purposes such as autonomy and independence. Even smaller groups were not happy with the new territorial state. For example an Assyrian uprising took place in 1933. From the start, the relationship of the Iraqi government with the Assyrians, a small Christian community living in Mosoul province, was openly hostile. They were given assurances of security by both Britain and Iraq. When the mandate was ended, the Assyrians began to feel insecure and demanded new assurances. They were also in contact with League of Nations in 1932. The Assyrians protected by the British were seen as a thorn in the side of the Iraqi Arab nationalists and were dealt with in 1933. In clashes with the Iraqi troops, several hundred Assyrians were killed. This event clarified that without the British help, the Iraqi rulers, mainly Faisal I, were quickly losing control of political events.¹⁸ On the other hand, the Assyrian affair displayed that new forms such as citizenship was not welcomed and adopted by these groups. As Assyrians had enjoyed many privileges for their *dhimmi* status, they were unwilling to relinquish this status by adopting citizenship.¹⁹ Not only citizenship, many other new forms such as new civic codes, central government were unacceptable for those groups living in primordial forms. Therefore, the Assyrian affair was a reaction against the emerging nation-state order. Indeed, a change from older status to citizenship was not a simple step; instead it required complex social changes in small societies.

Undoubtedly, this multifaceted picture was the legacy of a long background. Hanna Batatu cited an Ottoman deputy saying in 1910 “to depend on the tribe is a thousand times safer than depending on the government”.²⁰ This tribal mentality could not be annihilated. Today, tribes cannot be considered marginal, for they formed the majority of the population. Besides, the continuity

¹⁸ Elliot, op cit., pp. 10-11.

¹⁹ Liora Lukitz, *Iraq The Search for National Identity* (London: Frank Cass, 1995), p. 25. A British official paper reported Assyrians for they “demand to live in Iraq, without taking their place as citizens”. (p. 30)

²⁰ Batatu, op cit.. p. 21.

of such bonds has impeded the realization of substantial concepts like citizenship and an efficient central rule which are essential in realizing a Western type of statehood. In theory, there are certain patterns of behavior relevant to one's membership of a community. In a typical Western model, this pattern is citizenship which is expected create a neutral and rational political system. However, in hybrid-sovereigns there have always been some other patterns of behavior. Therefore, several ties bind individuals to each other; family relationships, tribal affiliations. Moreover, the lack of a democratic and regular administrative hierarchy, in those states, makes the use of such channels indispensable.²¹ Nation-building and state-formation process in Iraq aimed at the re-organization of politics and society on the basis of citizenship. Nevertheless, the dichotomy between tribes and state was characterized by the disharmony between two socio-cultural systems having specific and opposite approaches to key socio-political determinants, such as authority, autonomy and solidarity. The idea of modern citizenship runs counter to the basic set of loyalties characteristics of a tribal or religious society. To put it in a theoretical conclusion, it was not possible to transfer several Western notions into these colonially created lands. Thus since the beginning modern forms have been accompanied by traditional patterns.

As a result, in the Iraqi case, the project of Western territorial state failed in creating an organic nation. Different sects and ethnic groups have never adopted the idea of an Iraqi man/citizen. To summarize the discussion so far, several explanations can be reminded: To begin with, the incompatibility of Western institutions in the non-Western lands can be presented here too. Such a population, bound by different local traditions, could hardly accept the imposition of Western forms such as citizenship and effective central rule. Such institutions were very unprecedented and unpractical in an area like Iraq where other patterns of behaviors have been significant for centuries. After several decades, tribal and sectarian groups do still prefer their traditional/primordial patterns of behaviors. The words of a former Ottoman deputy cited above are still valid in Iraq. However, on the other hand, along with the incompatibility theses, the

²¹ Peter Sluglett and Marion Farouk-Sluglett, "Some Reflections on the Sunni/Shi'i Question in Iraq", *Bulletin (British Society of Middle Eastern Studies)* 5(2), 1978, p. 79.

contradictory policies of the ruling elite should be mentioned. Despite the extensive nation building agendas of successive governments, they have frequently and systemically employed traditional patterns of behavior. The limits of a territorial state in Iraq necessitated the use of such traditional patterns. When faced a severe legitimacy crisis, the only option was the mobilization of tribal groups in order to sustain their loyalty. Given these structural problems it has been normal in Iraq to witness many structural sovereignty crises. In other words, the problematic transition to nation-state created a basis for many other relevant violations of sovereignty in terms of state-society boundaries. Therefore, a study on sovereignty in Iraqi context should refer to several well-known themes: Citizenship, tribalism, the role of state, the use of violence, nation-building.

However, apart from these conventional points, the Iraqi case necessitates another very important theme: International intervention and border dispute. The invasion of Kuwaiti territories in 1990 was a real turning point in modern Iraqi history. The invasion was the ultimate reflection of Iraq's historical claims on Kuwait. By invading Kuwait, Iraq claimed the illegitimacy of colonial borders. Certainly, the invasion was an important development in analyzing the problem of sovereignty in Arab world. This border-dispute in the post-Cold War era clarified that there are still important problems in terms of territorial consolidation of nation-state in the region.²² However, more important is the foreign intervention

²² Scholars have tested their assumptions on Kuwaiti sovereignty. According to the *sovereignty-first approach*, the case is an indicator that showed the consolidation of sovereignty. Regional developments following the Iraqi invasion of Kuwait demonstrated that a former Arabist narrative makes no sense in the region. The 1990s is the period in which the Arab system shattered. Accordingly, the Gulf War enervated the remnants of Arab solidarity. The Iraqi leader used the traditional Arabist discourse to legitimize its move against Kuwait. However, it did not work. What motivated the Arab state during the Gulf War was not such an Arabist cause but almost exclusively individual interest. Hinnebusch asserts that, "the inter-Arab institutions designed to reconcile identity and sovereignty were much weakened by the Gulf crisis." On the other hand, for the *Arab order-first approach*, the case is a recent signal of the enduring power of Arabist narrative. What verifies the endurance of Arabist narrative other than the invasion of an Arab state by another in the name of Arab cause? Lastly, along with the cited two opposing schools, several researchers like Barnett follow a middle way. To him, the invasion can be used by two contending approaches. The event is consistent with pan-Arabism as it includes a political unification. Similarly, the Arab regime's reaction to Iraq and their defense of Kuwaiti sovereignty is consistent with the idea of sovereignty as well. See: Yazid Sayigh, "The Gulf crisis: why the Arab regional order failed", *International Affairs* 67 (3), 1991, pp. 487-507. According to Sayigh, the invasion of Kuwait took place because the rules linking the Arab states in a regional order had broken down into weakness and disarray. Raymond Hinnebusch, "The Middle East Regional System", in Raymond Hinnebusch – Anoushiravan Ehtashami (eds.), *The Foreign Policies of Middle East States* (Boulder- London: Lynne Rienner Publishers, 2002), pp. 34-50. Michael Barnett, "Sovereignty, nationalism, and regional order in the Arab states system" in Thomas J. Biersteker and Cynthia

in Iraq and its domestic implications. Rather than its international implications, how foreign intervention transferred Iraq's historical sovereignty crises in terms of state-society boundaries are more important for this dissertation. The US led coalition, attacked on Iraq and this event has given way to unprecedented developments. First, Iraq lost its Westphalian sovereignty. Since 1991, civil and military powers of different states have been acting on Iraq territories. Secondly, Iraq has failed in realizing a domestic sovereignty during the same period. The central government has been limited in functioning in many parts of the country. Minority groups in north and south of Iraq established embryonic 'statelets'. The presence of huge ethnic and sectarian groups in those parts worsened the situation in terms of sovereignty. These groups' political activities, in terms of border cross actions, also totally ended the interdependence sovereignty of central government. Many important domestic boundaries of Western sovereignty collapsed. Finally, in 2004, the central Saddam regime was abolished by American powers, which has given way a recent "neo-colonial" model in Iraq. Today, international community declares its full respect for Iraq's international legal sovereignty. However, given many problems, Iraq seems an *appearance* or structure lacking all essences. Thus, the political picture of today's Iraq is a very clear evidence to confirm the inapplicability of Western type of sovereignty.

The problem at the beginning was the creation of a nation on the basis of a territorial state. In other words, after the colonial era, there were two important tasks: Nation-building and state-formation. A state was to be constructed in tandem with a new nation-building process to replace all previous traditional/primordial patterns of behaviors. A new Iraqi identity was needed to replace traditional overlapping identities and groups. But, this new Iraqi identity was to be supported by a Western type of neutral and rational state, which would function on the basis of Iraqi identity/citizenship not reflecting any subjective tendency like tribalism. However, the Iraqi project has failed. Instead, a Western form was continued by a set of instruments composed of both modern and primordial elements. Undoubtedly, several important state-society level institutions such as an efficient rule or citizenship have no change to exist in such

Weber (eds.) *State Sovereignty as Social Construct* (Cambridge: Cambridge University Press, 1996), p. 165-175.

a socio-political structure. Instead, inevitable is the co-existence of both colonially injected forms and traditional patterns within a hybrid model. But, this hybrid solution has never guaranteed the full applicability of Western type of sovereignty in Iraq. The Iraqi state has always been limited in terms of sovereignty by different factors. Indeed, the incompatibility of the injected model and the local realities were as clear as they are today. As in most Arab countries of the Middle East created by the Western powers, Iraq's people have long been defined by their loyalty to different primordial and traditional entities such as tribe, clan and family. These loyalties are still determining in Iraq. Consequently, the problematic situation has always produced important sovereignty crises like the failure of domestic authority, the use of tribalism, pursuing electoral agenda, and the use of systematic violence.

Once the major reason of the lack of modern statehood was defined as the failure of nation-building process, need is a more detailed analysis of how this process has been impeded by certain facts. Thus, before presenting how certain sovereignty crises have come out in Iraq, the limits of nation-building will be presented.

7.3 The Limits of Nation-Building and State-Formation

As stated, different sovereignty crises originate from the failure of nation-building and state formation processes. In a different perspective, the weakness of nation-building and state formation refers to the failure of a number of basic institutions of modern statehood. Therefore, why and how nation building has been impeded is methodologically important. Methodologically, these limits are important evidences in analyzing how Western sovereignty is inapplicable in Iraq in terms of state-society boundaries. Historically speaking, the Sharifians arrived in Iraq with a definite, though not completely worked out political ideology of nationalism that drew upon a number of European models.²³ Their ultimate aim was to create a new territorial state on the basis of a new Iraqi identity. Both the model and the rulers were alien to the people and the land. Thus, one of the most difficult tasks of nation-building and state-formation experience took place in

²³ Simon, op cit., p. 114.

Iraq. Since 1932, all successive governments in Iraq have been in search of nation building.

As expected, in this process, many different methods were employed. An educational policy was always a basic strategy in creating a new homo-nationalis. Also, complex legal reforms were carried out in order to realize new forms. In parallel with these legal and political policies, governments directly aimed at abolishing the traditional patterns of behaviors. All previous tribal and regional tendencies were blamed as evil. Many tribal regulations were abolished. In short, the colonial background of new Iraq necessitated an extensive administrative agenda to foster an organic nation. However, an administrative schedule could never be enough to create an organic nation. A nation is the product of a historical amalgamation of people and their related process such as economics, culture and law. Without such a common history, a nation-building attempt only through administrative measures is worthless. Thus, the implantation of Western model in Iraq did not mean the realization of many important domestic institutions.

The first moves toward national integration occurred soon after the creation of the Iraqi state and the accession of Faisal I as the first king of Iraq. He tried to advance the notions of non-sectarian Arab nationalism and Iraqi patriotism through public education, and co-optation into state institutions. First of all, since the presence of different dialects of Arabic was a great obstacle, the official agenda aimed to replace all local dialects with the Baghdadi dialect. Subsequently, educational polices attempted to Arabize non-Arab communities and to implement a uniform curriculum in communal schools. Many times such policies were carried out at the expense of minorities groups. Different sub-cultures such as Kurdish and Assyrians were excluded. As another frequently used method, central government attempted to co-opt important figures from different sectarian and ethnic groups. Co-optation seemed the easiest and tangible method in appeasing minorities. Therefore, the Iraqi cabinets and parliaments included all types of different groups.

In general, the nation-building policies during Faisal was composed of three major components: centralizing all coercive authority in the government's hands by building up a national army and eliminating alternative centers of power; forging a sense of Iraqi and Arab identity through the establishment of a national

education system; and laying the groundwork for a pan-Arab foreign policy.²⁴ But major obstacle to his centralizing agenda was again the multiplicity of alternative power centers. The tribal and sectarian groups took his reforms suspiciously and risky for their traditional lifestyle. This necessitated Faysal and his followers worked throughout the 1920s to dissipate both Sunni and Shi'i local Iraqi political leadership in order to ensure that their power mechanism achieved political dominance.

As expected the importance of education in nation building was critical. The Iraqi projected aimed at creating a nation by education. Education in nation building was taken as part of high-politics, a national process. It was taken as a national cause out of daily politics. In this context, especially the educational policies of Sati' al Husri (his tenure 1921-1941) projected a cultural unification by establishing a curriculum that would educate the new generations according to Pan-Arabism. For Husri, it was only education that was the mean to a new kind of morality, which the family and tradition were incapable of instilling in the individual. Therefore, the teacher was a moral agent through whom children were made aware of their Arab identity and its meaning. Thus, against the traditional loyalties and networks, education was the only alternative to inculcate new nationalist ideologies. For example, in 1922, Husri introduced into the primary school curriculum *Information on Moral and Civil Duties*. According to Husri, influenced by Fichte and German Romantics, nations were organic and natural divisions of the human species, existing as objective entities independent of their member's feelings. This quality first comes with language.²⁵ He was concerned less about state borders than national identity. In short, his philosophy was that a common language and a common history were the basis of nation formation and nationalism. In his words 'language is the soul and the life of nation'.²⁶ In his policies, the underlying message was the promotion of the idea of an Iraqi nation that was part of a wider Pan-Arab one. Thus, the regime worked assiduously

²⁴ Malik Mufti, *Sovereign Creations Pan-Arabism and Political Order in Syria and Iraq* (Ithaca and London: Cornell University Press, 1996), p. 26.

²⁵ Samir al-Khalil, *Republic of Fear The Politics of Modern Iraq* (Berkeley, Los Angeles: University of California Press, 1989), p. 152, 155.

²⁶ Simon, op cit., p.. 115.

through the institution of state education to propagate Arabism the method for assimilation of the various groups into the Arab nationalist body politics. According to Husri every means should be employed to strengthen the feeling of nationalism among the Iraqis to spread the belief in the unity of the Arab nation. Teachers were imported from Syria and Palestine and were directed to write textbooks that would be used not only in Iraq but also throughout the Arab world. These teachers who taught from the textbooks commissioned and prescribed by the Ministry of Education in Baghdad, attempted to amalgamate the Sunni minority elite with the ethnic and religious minorities and the Shi'i majority via the glue of Arab nationalism in order to forge a pan-Arab identity for the Iraqis.²⁷ By the 1930s, many of them were Syrians and Palestinians, who were strong advocates for Palestine within the context of the Arabism they were teaching. However, such an amorphous identity was far from convincing different groups. Therefore, different groups especially Shi'is did not welcome Husri. Actually this pan-Arabist motivation impeded the realization of an Iraqi identity in the formation years for two reasons. First, it denigrated other ethnic groups. For example, what annoyed the Iraqi Shi'a more than the loss of political power was the ethnic denigration that was a natural concomitant of the imposition of the Arab nationalist ideology. Theoretically, the idea of pan-Arabism was disincentive in national identity formation. In theory, Arabism was a transnational identity that "entails an awareness of belonging a large group of humanity that stretches across state boundaries."²⁸ By appealing Arabism, the Iraqi government impeded the consolidation of citizenship, or national identity, in Iraq which would create many structural problems later.

In 1940, part of the continuing educational policies, a new law accepted: The Public Education Law. By this law, the pan Arabization policy that had initiated in the schools during the 1920s reached to zenith. Its object was to synchronize the teaching of nationalist subjects, history, geography, the Arabic language and literature, in nongovernmental schools. The goal of the policy was

²⁷ Ibid., p. 114.

²⁸ Adeed Dawisha, "Footprints in the Sand The Definition and Redefinition of Identity in Iraq's Foreign Policy", in Shibley Telhami and Michael Barnett (eds.) *Identity and Foreign Policy in the Middle East* (Ithaca and London: Cornell University Press, 2002), p. 121.

to ensure that students received information in a prescribed manner from a pan-Arab nationalist approach, delivered by teachers appointed or approved by the Iraqi Ministry of Education. Besides, any deviation in curriculum, textbooks, or teaching not in the spirit of the law was prohibited. In this vein, to enhance the nation building agenda, very few secondary schools were opened in the provinces, and strict controls were imposed in private schools.²⁹

Given the economic limits of the governments, it was clear that not all parts of Iraq were incorporated into the nation-building process through education. In other words, in parallel with the cited nation building process through education, mainly an urban based project, the traditional inter-communal unrest continued. Legally, the constitution of 1925 guaranteed all minorities equality before the law. According to Article 6 of the 1925 Constitution, there shall be no differentiation in the rights of Iraqis before the law, whatever differences may exist in language, race or creed. Such egalitarian discourses were the consequences of an idealist perception of early ruling elite. According to this idealistic perception, once sovereignty and independence gained it would be easy to create a modern and prosperous state in line with the colonially injected Western model. The early idealism was totally broken by social realities of the following years. First of all, different groups were still antagonistic to each other. The declaration of statehood and the imposition of fixed boundaries triggered an intense competition for power in the new entity. Sunnis and Shi'is, cities and tribes, sheikhs and tribesmen, Assyrians and Kurds, pan-Arabist and Iraqi nationalists all fought vigorously for places in the emerging state structure. Despite the new form of territorial boundaries, no group was willingness to share their privileged traditional spheres. On the other hand, each group was skeptical about the new model for it could turn to be a dominance of another. Lacking legitimacy and unable to establish deep roots, the British-imposed political system was overwhelmed by these conflicting demands. For example, there were atrocities against the Jewish people in the late 30s. Many demonstrations took place against the Jews in 1938. In the same way, Kurdish and Arab groups attacked on Assyrian settlements during the 30s and 40s. Thus, the only solid

²⁹ Lukitz, *op cit.*, p. 119 and Simon, *op cit.* p. 122

political link between different groups was conflict. Consequently, these intensive attempts for creating a nation within the territorial borders were not successful. King Faisal I summarized this failure as follows:³⁰

There is still no Iraqi people but unimaginable masses of human beings, devoid of any patriotic idea, imbued with religious traditions and absurdities, connected by no common tie, giving ear to evil, prone to anarchy, and perpetually ready to rise against any government wherever. Out of these masses, we want to fashion a people, which we would train, educate and refine.

Another very decisive problem concerned the conditions of rural people. Social conditions of rural people were very poor and protecting the traditional primordial patterns. As previously mentioned, the economic and infrastructural limits of the central government limited the realization of nation-building and state formation impracticable in the periphery. Like other post-colonial samples, nation building was to a greater extent urban-centered project in Iraq. When added the resistance of traditional power networks of tribes, a rural reform was a must in order to annihilate primordial patterns in favor of a national identity. New regulations therefore were needed in order to abolish centuries old tribal patterns. To realize these, the 1933 Law Governing the Rights and Duties of Cultivators were abolished. By this abolishment, local people were liberated from extensive control of tribal leaders. But, such regulations failed behind in realizing the needed changes. Despite the extensive agenda of de-tribalisation, the bigger tribes were still occupying the same geographical spaces, which they had occupied in the early 1950s. On the eve of the 1958 revolution, more than two-thirds of Iraq's cultivated land was concentrated in 2 percent of the holdings, while at the other extreme, 86 percent of the holdings covered less than 10 percent of the cultivated land.³¹ This paradoxical conclusion can be explained by referring to the pragmatic approach of Iraqi rulers. In fact, the real aim of de-tribalisation was to abolish tribal organizations and networks especially in the countryside. To replace historical tribal bounds, the government aimed at consolidating central authority

³⁰ Quoted in Batatu, op cit., pp. 25-26.

³¹ Amatzia Baram, "Neo-Tribalism in Iraq: Saddam Hussein's Tribal Policies in 1991-96", *International Journal of Middle East Studies* 29(1), (February, 1997), pp. 3-4.

all parts of its territories. However, thanks to the legitimacy crisis of new state, a political pragmatism mostly determined the course of de-tribalisation. Therefore, to prevent any political tension, central governments never pushed for absolute change. For example, in September 1958, the Agrarian Reform Law, as another typical agenda, was introduced new regulations, which had limited the historical roles of tribal leaders in rural areas. Accordingly, the excessive parts of lands were to be re-distributed to the landless people. However, a balanced path was followed lest there would be a political conflict against centralization. In consequence, the traditional landlords were given the right of choice which meant that those who had to surrender part of their properties could keep the most fertile and best irrigated parts of their lands and give up the least profitable tracts.³² In other words, rather than complete de-tribalization, such policies aimed at benefiting tribalism in line with the governmental policies. In consequences, such concerns never led the central government for radical reforms in rural areas. Remembered several other problems like education or the economic structure, tribal and sectarian networks had been successful in retaining their authority over rural Iraqis. The cohabitation of primordial patterns within the new political form, the hybrid model, has been institutionalized in Iraq.

Nation building strategies continued during the following decades. But in parallel with the rapid changes, it followed different paths in different periods. So long as the elite contestation over Iraq resulted in coups and revolution, the form of the nation building was continuously altered. Each group tried to inculcate a different program. Thus, how nation is defined has been in continues change in Iraq. For example, the nature of nation building during the 70s was quite different. New excavations were carried out in order to clarify the rich background of the Iraqi culture. It was attempted to create a new teleology to claim a distinct historical Iraqi identity independent of Arab and Muslim background. Many new museums were opened. The government ordered schools of all types to visit these museums to enhance the idea of Iraqiness among people. Nevertheless, such

³² Celine Whittleton, "Oil and Iraqi Economy", in Committee against Repression and for Democratic Rights in Iraq (ed.), *Saddam's Iraq Revolution or Reaction?* (London: Zed Books, 1990), p. 58.

sudden changes and agendas of nation building could not change the cohabitation of modern and traditional in Iraq.

Therefore, some points should especially be identified for damaging nation-building process in Iraq. Of all, the influence of pan-Arabism was of importance. Iraq, a country still in the process of nation building, had long been under the influence of pan-Arabism. The inculcation of pan-Arabist curriculums in public schools both impeded the formation of a national identity and caused ethnic reaction. Certainly, Arabism did not fall in with nation-building process in Iraq. As a transnational idea, it impeded the consolidation of a territorial identity. A search for an Arab union was absolutely against the consolidation of newly created national spaces in the Arab world. It had a strong resonance during the 30s as well. For example, there was strong criticism of government in the 30s for Prime Minister Sulayman not paying enough attention to the Arab cause. Even his relatively liberal policies in favor of Kurds in governmental recruitment created a reaction. For example, after the elections held in Iraq in June 1948, the Pachachi government followed extensive Pan-Arabism in foreign policy. He devoted his efforts to achieving further rapprochement among Arabs. Pachachi recognized Egypt's de facto leadership of the Arab world.³³ But, it was the heyday of Nasserism, when the military cadres organized a *coup d'état* in Iraq. Indeed, there had been an anti-Nasserist rule before the coup. In 1955, it was announced that Iraq was joining a British- supported mutual defense pact with Iran, Pakistan, and Turkey. The Baghdad Pact constituted a direct challenge to Egyptian president Nasser. In response, Nasser launched an offensive media campaign that challenged the legitimacy of the Iraqi monarchy and called on the officer corps to overthrow it. His influence was impressive at social level as his message could easily penetrate to the daily life. Millions of people were under the influence of his ideas. In this context, the military coup in Iraq triggered Arabist tendency in this country. However, there was no unity on the issue of Iraqi identity among the leaders of the coup. Thus, the number one problem of the coup leaders was to clarify their priorities: Iraq first or the Arab unity first? Meanwhile, it should be underlined that all Arabist agendas were in fact constructed on a tacit Sunni

³³ Michael Eppel, "Syrian-Iraqi Relations During the 1948 Palestine War", *Middle Eastern Studies* 32(3), (July, 1996), p. 79.

understanding. Therefore, Iraqi first or the Arab union first discussion was not directly important, as both of them contributed to the Sunni dominance in Iraq. In a sharp contrast to Sunnis, the oscillation between Iraqi and Arab identity was very risky for non-Arab groups. Minority groups, particularly Shi'is and Kurds, took arabism as risky. For it might have enhanced the Sunni-Arab dominance within Iraq. No doubt, the Arabization of foreign policy would engender important consequences in domestic politics. Similarly, when Saddam Hussein came to the office, Arabism was again propagated as an official doctrine: "one Arab nation with an eternal mission".³⁴ Therefore, notwithstanding its decline in different periods, Arabism has always been important in Iraqi politics by creating two important impediments in terms of nation building: (i) They slowed down the emergence of Iraqi national identity, (ii) and, they caused the reaction of non-Arabs which in conclusion protected the historical gaps between Arab and non-Arabs.

As another important impediment, since it was impossible to establish well-institutionalized links, nation building process continued over personalities in Iraq. This is another typical hybridist nature in post-colonial states. On the contrary, in a Weberian perspective, the Western model rejects any kind of tribal or sectarian point of departure. In view of this, a rationalized social order is based characterized by the objectification or depersonalization of power. Politics should be an objective and neutral servant of society.³⁵ However, politics in Iraq has always been characterized by personal relationship. Since it was impossible to create an institution-based and neutral political system, the colonially injected model was continued through personalities. Despite the Western appearance, the reality behind is traditional or primordial. For example, the so-called republican tradition in the Arab world is a good sample. Even though there are several Arab states that define themselves as republic, they present the maintenance of traditional forms of politics under the appearances of a Western format. There are, therefore, so-called 'presidential monarchies' in the Arab world. It is not a typical Western type of presidency or republic, instead a heavy personal regime. The

³⁴ Dawisha, op cit., p. 128.

³⁵ See: Hans Gerth and C. Wright Mills (eds.), *From Max Weber* (New York: Oxford University Press, 1964), pp. 10-27.

same hybridist nature can be extended to many other fields such as parliaments, elections, and citizenship. None of these institutions or process has ever functioned like Western counterparts. Instead, traditional patterns endured in new forms. Similarly, depersonalization of the system has never been achieved in Iraq. The Iraqi system had survived on a person-based relative model. In other words, an institutionalized and depersonalized political system could not be established. Undoubtedly, this system has been very instable. The Iraqi history is composed of coups, revolutions, wars, ethnic conflicts, humanitarian catastrophes, and wars. Without a depersonalized and institutionalized structure, change was possible only through the change of persons/cadres which inevitably meant radical changes in regime, politics and society. Thus, the Iraqi system permitted to regime change more than governmental change. An institutional continuity did not exist. All new rulers or cadres launched a new program which necessitated a structural change.

The early nation-building process during Faisal was totally established on his personal symbolism. Therefore, the monarchy's ability to deal with tribal unrest suffered a major setback when King Faisal died in 1933. Since Faisal succession has come with political crisis. He was the one figure with sufficient prestige to draw the politicians together around a concept of national interest. This personalized system was then firmly consolidated in the 1940s and 1950s.³⁶ Since then rather than systemic and depersonalized structure, the Iraqi system has been constructed on personality. Thus, instead of national identity, political perceptions of elites have been determining. The country's identity has been defined in accordance with political interests of leaders.³⁷ By so doing, there has always been a crisis of identity in Iraq since its formation. A glorification of leader was set in motion quickly after the 1958 revolution. The same process continued during other succeeding leaders and governments. Finally, the Iraqi regime was totally turned to be person-based system by Saddam Hussein. He completely re-constructed the Iraqi political system around his personality. Naturally, by so

³⁶ Fatima Mohsen, "Cultural Totalitarianism", in Fran Hazelton (ed.), *Iraq Since the Gulf War Prospects for Democracy* (London & New Jersey: Zen Books, 1994), p. 7. Also see: Zuhair al-Jaza'iri, "Ba'thist Ideology and Practice", in Fran Hazelton (ed.), *Iraq Since the Gulf War Prospects for Democracy* (London & New Jersey: Zen Books, 1994), pp. 46-47.

³⁷ Adeed Dawisha, "Identity and Political Survival in Saddam's Iraq", *The Middle East Journal* 53(4), (Autumn, 1999), p. 553.

doing the Iraqi governments had obstructed the emergence of a Weberian/Western type of neutral/rational political system. Instead a system came out without a calculable logic which had employed unpredictable instruments such as tribalism and personal networks which are perfectly relative patterns. Al-Khalil depicts this structure in the case of Iraq as follows:³⁸

Everything is relative and in the process of becoming;
nothing is legitimate that is not made by them [the
rulers]; everything has a purpose derived solely from the
exigencies of the movement and its goals.

Al-Khalil's inferences on Iraq are typical features of hybrid-sovereigns, which try to compensate the inapplicability of a Western model by creating such a relative structure. In a sharp contrast to calculable and neutral Western political systems, hybrid models are extremely relative thanks to their person-based structures. Thus, the Iraqi politics is established upon *de facto* sources of legitimacy, rather than *de jure* sources.³⁹ Therefore, the Iraqi model was always different than the official appearance. For instance, in 1976, by issuing a new law the government ordered Iraqis to drop their tribal names. Accordingly, no longer would they be identified as al-Tikriti, al-Mosuli or ad-Duri. In appearance this law could be interpreted another step in realizing a Western statehood. However, the change was intended primarily to mask how many Tikritis and others close to Saddam's clan were in key positions.⁴⁰ Paradoxically, by so doing modern forms were used in the name of primordial patterns. This reminds us of Hisham Sharabi's neopatriarchy. Accordingly, in the Arab world modernization as the product of patriarchal and dependent conditions can only be dependent 'modernization'. But dependency relations inevitably lead not to modernity but to 'modernized' patriarchy, neopatriarchy.⁴¹ Similarly, many primordial patterns were kept in

³⁸ Al-Khalil, op cit., p. 74.

³⁹ Kamil Abdullah, "Saddam as Hero", in Fran Hazelton (ed.), *Iraq Since the Gulf War Prospects for Democracy* (London & New Jersey: Zen Books, 1994), p. 56.

⁴⁰ Jutith Yaphe, "Tribalism in Iraq, The Old and the New", *Middle East Policy* 7(3), (June, 2000), p. 55.

⁴¹ Hisham Sharabi, *Neopatriarchy A Theory of Distorted Change in Arab Society* (New York, Oxford: Oxford University Press, 1988), p. 4.

‘modernized’ appearances in Iraq. But such hybridity-originated cases have been clear proofs for the inapplicability of Western models.

In analyzing how the consolidation of modern statehood fails in Iraq, another very important issue concerns the lack of elite settlement in Iraq. Apart from the disunity between different sectarian and tribal groups, the Iraqi elite lacked a common understanding in the beginning. According to Burton and Higley, national elite may take one of the following three types of structures: disunified, ideologically unified, or consensually unified. Disunified national elite can be described as characterized by ruthless, often violent, inter-elite conflicts. Elite factions deeply distrust each other, interpersonal relations do not extend across factional lines, and factions do not cooperate to avoid political crises.⁴² In a country where there is elite disunity there is insecurity and fear. For each group, the dominance of another elite group means a total lost. Therefore, elite groups should take extreme measures in order to protect themselves including coups, revolutions, uprisings, killing, imprisoning. Consequently, in such a system there is no defined set of principles and rules concerning the political game in the country. Historically speaking, an elite settlement has never occurred in terms of a common/national Iraq vision. This is not surprising when considered that “there was no single past to be reappropriated by the different groups forming Iraq’s population...each group retained distinct collective memories and distinct vision of the nation’s collective future.”⁴³ Thus, the modern history of Iraq can be read as the contestation of different contending visions which resulted in regime changes, revolutions, coups and wars. The British injected Iraq was so artificial that the new elites were perplexed. They were given a new nation-state form to be fulfilled and realized by their later preferences. However, these elites lacked a common answer or method in this task. In fact, Iraq lacked an organic class in whatsoever sense. Since the Iraqi state was not the result of a natural transformation created by indigenous bourgeoisie or another similar class, the only quasi-classes were tribal or sectarian leaders. The remnants of the Ottoman Empire may be considered as a third group. Since, neither of these groups had been united by any

⁴² M.G. Burton and J. Higley, “The Elite Variable in Democratic Transitions and Breakdowns”, *American Sociological Review* 54 (1), (February, 1989), pp. 17-32.

⁴³ Lukitz, op cit., p. 79.

fact, the lack of elite settlement was inevitable. This deficit continued during the following decades and the elites have been in continuous competition. In other words, there were different groups with different agendas at the beginning. But, this endemic problem became a structural disease. For there have always been different groups with different imagination of Iraq, the whole country turned to be a terrain of contestation. In addition, these groups did not refrain from using violence against each other. Even several important institutions such as army were under the control of several groups rather than a state control. In sum, the lack of a national imagination, as a direct result of colonial and artificial nature, has made Iraqi politics a laboratory of radical changes such as coups, revolutions, wars and conflicts. In the words of Tripp,⁴⁴

It [*Iraq*] has the capacity to rouse conflicting passions among different sections of the population, and any attempt to resolve it definitively one way or the other has generally presaged the downfall of the Iraqi government responsible.

A short glance on Iraqi history confirms the consequences of the lack of an elite settlement. In terms of its political development, Hikmat Suleyman's became prime minister after a conflictual process in which even some military groups organized military attacks on governmental buildings in Baghdad. He urged several commanders of the army to stage an attack on Baghdad in cooperation with other military commanders and forced the government to resign. The 1936 coup was another development displayed the lack of elite settlement. It totally shifted priorities the Iraqi state. Despite the previous pan-Arab characteristics, new cadre's policies resulted in a foreign policy oriented toward Turkey and Iran. Just three years after the 1936 coup, all priorities were changed again. In April 1939, King Ghazi was killed in an accident and was succeeded by his infant son, Faisal II. Amir Abd al Ilah was made regent. Nuri as Said came to the forefront as another very important personality in this era. Despite the previous rulers (Faisal I and Ghazi) who had been strong Arab nationalists and had opposed the tribal

⁴⁴ Charles Tripp, "The Foreign Policy of Iraq", in p. Raymond Hinnebusch-Annoushiravan Ehteshami, (eds.), *The Foreign Policies of Middle East States* (Boulder, London: Lynne Rienner Publishers, 2002), p. 169.

sheikhs, Abd al Ilah and Nuri as Said were Iraqi nationalists who relied on the tribal sheikhs as a counterforce against the growing urban nationalist movement.

In the same way, the 1958 'revolution' caused great shifts in Iraq. On July 14, 1958 the revolutionary forces captured the capital, declared the downfall of the monarchy, and proclaimed a republic. The leading members of the royal house, including the king were executed. In a couple of days all priorities and principles of political life were again changed in a revolutionary way. Besides, despite the previous bitter ethnic conflicts, new constitution issued in 1958 promised a very optimistic era for Kurds. Arabs and Kurds were declared partners "in this homeland." As the monarchy was abolished, new regime was established on the basis of republic. But Iraq was an artificial creation and such verbal changes could not guarantee the formation of a nation and state. Not surprisingly, the elite settlement did not take place and conflicts among officers continued. The members of the revolution lacked both a coherent ideology and an effective organizational structure. The same elite contestation continued. Arif championed the Pan-Arab cause and advocated Iraq's union with the United Arab Republic. Qasim rallied the forces against Arab unity, Kurds and communists, and stressed Iraq's own identity and internal unity. In a historical context, the July 14 Revolution was the culmination of a series of uprisings and coup attempts that began with the 1936 coup. It aimed at a radical change in Iraq's social structure by destroying the power of the landed sheikhs and the absentee landlords while enhancing the position of the urban workers, the peasants, and the middle class. However, such agendas revived long-suppressed sectarian, tribal, and ethnic conflicts. The strongest of these conflicts were those between Kurds and Arabs and between Sunnis and Shi'is. In this vein, the military coup in 1963 also caused structural change in Iraq. With this coup, the Ba'th Party, a group of young activists who advocated Arab nationalism and socialism, was entrusted with power. But it was other developments after 1968 that shaped the standing characteristics of Ba'th Party. The Ba'th regime aimed at revision of the Iraqi state with different principles and to a greater extent it was done.

All these developments showed that many opposite agendas have come to the fore because of the disagreement among elites. In each era, important issues such as national identity, social contract were re-defined. This structural disease

has continued until now. The lack of an elite settlement, as a direct result of colonial legacy, still seems one of the most important obstacles that prevent the realization of nation-building and state formation in Iraq.

In analyzing the limits of nation building in Iraq, the role of army needs attention too. Theoretically speaking, state formation refers to the establishment of many interrelated institutions such as market, bureaucracy, legal system, political institutions. Finally, it is expected that all citizens would be treated equally in such a system. Nevertheless, given the difficulties no colonial creation has presented a successful policy of creating these institutions. This difficulty pushed many post-colonial rulers to search for such easier solutions as the centrality of army in nation-building process. In many colonial creations, army was believed to be the best institution to guarantee national aspirations and union. Facing great problems in terms of constructing a national market or functioning parliaments, the establishment of a national army was both practical and pragmatic. A strong army was also seen as vital for a strong central authority. In order to forge a new nation, a strong army was needed. In line with this theoretical framework, military conscription, in Iraq, was used not only as a means to strengthen the army but also as a method to achieve national cohesion. It was believed that a military conscription system would erode the particular loyalties of different ethnic and sectarian groups. The Army was an institutional factory for the production of modern men and the overcoming of sectarian and communal divisiveness.⁴⁵ In general, the Iraqi army had three tasks: (i) protecting the new monarchy and provide it with a force more powerful than the tribal militia, (ii) quelling continuing tribal rebels, (iii) contributing to nation building.⁴⁶ Undoubtedly the instrumentalization of army in domestic political scene confirmed the tribal fears. In 1934 conscription was introduced. But from the beginning Shi'is saw national conscription as means for the Sunnis to dominate and to increase the Baghdad central authority's control. Along with Shi'is such other groups as Kurds were against conscription. For example, the Yazidi protest against central conscription came out in 1935. This reaction had its inception in the mid-1920s when the first

⁴⁵ Al-Khalil, op cit., p. 165.

⁴⁶ Ahmed Hashim, "Saddam Husayn and Civil-Military Relations in Iraq: The Quest for Legitimacy and Power", *The Middle East Journal* 57(1), (Winter, 2003), p. 12.

voluntary military conscription started even before formal independence. But reactions continued during the turbulent year of 1927, and again in the early 30s. The basic reason for the tribal unrest against conscription was the social background of military officials in the army. Although theoretically the military college was open to all ethnic and communal groups, more and more entering cadets were from Arab Sunni backgrounds.⁴⁷ It was a fact that the army was a Sunni dominated instrument. Even, in the 30s, during the rule of Prime Minister Suleiman, new admissions to the different military schools from Kurdish districts created a strong opposition from Arab intellectuals and groups during his rule. Sunni Arabs were staunch on protecting the Sunni characteristics of the army. On the other hand, some groups were even rejected conscription. For example, the Assyrians who were conscripted in 1922 were purged during the violence operations during the 1933. Even the crushing of the Assyrian villages was the first victory of the modern Iraqi army.

Gradually, the army came out as a founding agent. In consequence, the Iraqi state was not the product of a distinctive history of local bourgeoisie or any other classes, but a bureaucratic artifact of soldiers. Iraqi rulers tried to use the creation of a national army as a symbol of identity. However, there were many obstacles stemming from the absence of a national spirit, without which the development of links between soldiers and their officers became difficult.⁴⁸ It was hardly possible to explain the bureaucratic link between a soldier and officer in a tribal society. Modernism, in the shape of the army, had given focus to what was fast becoming a seamless web of religious, tribal, ethnic, nationalist, and militarist sentiments. The traditional loyalties and modern sentiments turned into a new kind of hysteria and confessional politics in the army.⁴⁹ This latter problem in the army led to the emergence of different groups within the army. Paradoxically, the Iraqi army failed in creating a common principle/discipline to merge its all units. In this way, sectarian and tribal competition continued within the national army which caused two important consequences; (i) the army has always been

⁴⁷ Simon, op cit., p. 123.

⁴⁸ Lukitz, op cit., p. 90.

⁴⁹ Al-Khalil, op cit., p. 171.

politicized, (ii) different sectarian or tribal groups have always perceived the army as an instrument to dominate others. A series of attempted and successful coups d'etat from 1939 to 1968 resulted in a number of armed forces reorganizations and the transfer of control of the armed forces to various factions of government. No doubt, these changes institutionalized the use of violence in politics. In addition, the army protected its central role in political system. The use of the army in the nation building process as a major instrument was an important reason of authoritarianism and the excessive use of violence.

The use of violence also needs attention in this context. In Iraq, in spite of a dedicated struggle for nation building, former networks and forms such as tribalism, sectarianism has continued. In consequence, the failure of central governments in controlling all groups and parts resulted in excessive use of violence. A complex web of security institutions came out which prioritized domestic threats. As it was referred before, the excessive use of security institutions for domestic purposes is a typical feature of hybrid-sovereigns. It is a typical substitution mechanism in order to compensate a failure of a domestic boundary between state and society. So long as they failed in creating a persuading political sphere, the only option was to employ several other instruments such as force, employment opportunities. All similar instruments had been used in the Iraqi case as well. This dominated the Iraqi politics since its formation by Britain. As expected, the use of forces appeared as a basic pillar in such a relative model. All successive Iraqi governments employed unprecedented degree of violence. It was not another instrument; instead it was *the* instrument of governors in ruling the country. Thus, violence was instrumental, which was institutionalized through particular organs. All security institutions including the army acted as an agent for internal authoritarianism.⁵⁰ Finally, during the Saddam regime, the Ba'th regime constructed a network of multiple intelligence apparatus that pervades all aspects of Iraqi society. By so doing, the violence network became a pillar of regime.⁵¹ The use of excessive violence against different groups of society originated from the failure of nation building process in Iraq.

⁵⁰ Ibid.. p. xii, 21.

⁵¹ Isam al-Khafaji, "State Terror and the Degradation of Politics", in Fran Hazelton (ed.), *Iraq Since the Gulf War Prospects for Democracy* (London & New Jersey: Zen Books, 1994), p. 20.

To sum up, the Iraqi state has been, and remains, a terrain of contestation which keeps state as a project always on its way to realization.⁵² The unresolved question of Iraq's identity is a key problem. Therefore, no central government so far could fulfill the sovereignty gaps in different fields. Many vital institutions and regulations such as identity, borders, citizenship, and a neutral legal system could not be constructed. Traditional and primordialist patterns continued within the new forms. Therefore, the Iraqi history since 1932 has been accompanied by endemic crisis of sovereignty. The endemic continuity of these problems is the structural causes of sovereignty crisis in Iraq. The Western type of sovereignty imposed by the British could not be realized in Iraq due to the failure of modern statehood with its substantial components and institutions. It is thus, it has been part of Iraqi history to face important sovereignty crises in terms of state-society boundaries.

Having presented major limits to the nation-building process, an analysis of how certain pillars of sovereignty in terms of state-society level are violated in Iraq is the subject matter of the following part. As stated above, certain sovereignty crises can be studied through the lens of several problems such as tribalism, the lack of an efficient central rule, the excessive use of violence. To clarify such sovereignty crises, three different issues will be presented: the official tribalism, the Sunni-Shi'i split and the Kurdish problem. These are three important and historical case studies in which the endemic crisis of sovereignty can easily be studied. After presenting each case, the current situation of Iraq in terms of sovereignty will be studied under the title of transformation of sovereignty.

7.4 The Official Tribalism

The use of tribal networks and methods in Iraq is a typical substitution mechanism that refers to important structural sovereignty crisis. In other words, the use of primordial instruments is clear evidences that show certain domestic boundaries of Western sovereignty such as citizenship fail. As is known, in an artificial creation given the presence of so many different ethic and sectarian

⁵² Charles Tripp, op cit., p. 167.

groups, there have always been different official agendas to protect this diversity in control. The use of medievalistic primordial patterns is a well-known method. As referred above, in a Weberian perspective, the Western model rejects any kind of tribal or sectarian point of departure. In view of this a rationalized social order is based characterized by the objectification or depersonalization of power. In such a model, political system refers to a calculated application of rules in fixed procedures. Therefore, the injection of Western political systems necessitated the replacement of traditional forms with new forms.

Legally speaking, the Iraqi system depended on citizenship-based model. For example according to the Interim Constitution of 1990 (article 19) citizens were equal before the law, without discrimination because of sex, blood, language, social origin, or religion. Also, equal opportunities were guaranteed to all citizens, according to the law. Similar other basic texts such as the Iraq Interim Constitution (2004) share those views. However, the incompatibility of the injected model and the local realities resulted in hybrid forms. Therefore, rulers of hybrid-sovereigns have employed both Western and traditional/patrimonial methods. By so doing, despite the official agenda of nation devising, governments by means of necessity have used tribal bonds in order to protect political regimes. The use of tribalism has always been part of Iraqi political culture. Despite the nation building policies, central governments paradoxically employed tribal policies. This is a typical post-colonial situation. Although new central elites were in favor of creating a *homo-nationalis*, when they failed, in order to protect their positions they had to cooperate with loyalist tribes or sects. This method, or substitution mechanism, has been used since the early thirties.⁵³ In the 30s, the government's tactic was to incite tribal uprisings in areas where there were tribal chiefs unfriendly to the group in power. Since then, primordial patterns and networks have co-existed within the colonially injected Western model.

But it was during the Ba'th era in which the use of primordial patterns became a dominant characteristic of the regime. When the Ba'th party came to the

⁵³ On the other hand, this method is partially a colonial legacy. The British, for example, instituted selective recruitment policies for the Military College, in the 1920s to favor the Sunni Arab community, and the Sunni political and military elite, which has also tended to dominate the Ba'th party, perpetuated this bias. The Shi'i majority was represented in the officer corps, but in a proportion far below that of their numerical presence in society.

office, the first statement came out as a sharp criticism of tribalism. “We are against religious sectarianism, racism, and tribalism”. According to the party, these are “remnants of colonialism”.⁵⁴ Similarly, all previous rulers were criticized for permitting this colonial remnant. In parallel with a typical socialist discourse, the Ba’th blamed tribalism for its feudal nature preventing progress in Iraq. However, despite the extensive anti-tribal agenda, the government after did not hesitate in cooperating with them. On the one hand, the government tried to reduce the influence of the tribal sheiks; on the other hand cooperation with them was widespread. Baram names this contradictory relationship as neo-tribalism. According to Baram,⁵⁵

Neo because the context of many tribal phenomena promoted by the Ba’th was a far cry from the traditional context of tribal behavior and norms. When a highly centralized regime makes use of tribal values to re-impose its full control over its population, what emerges is something new and very different from the traditional set of values.

In other words, it was not a *de*-tribalisation but a *re*-tribalisation. The government wanted to replace traditional tribalism with a new one, which was expected to help in consolidating official ideology. Therefore, while the government was ending the privileged of several tribes, many new land allocations were took place in favor of some other tribes.⁵⁶ By so doing, tribal networks were used in providing loyal social support from different parts of Iraq. In the same context, tribal contacts were used in central bodies. For example, many people were employed in different security services including very important bodyguards of the ruling elite. According to different reports the number of tribesmen recruited from several citizens closed to Tikrit was 50,000. Special Republican Guards quickly became a tribal stock. In short, the use of such a tribal recruitment was due to the potential domestic threat. They were assigned the duty of protecting Saddam Hussein from domestic threats. In exchange for this loyalty, the

⁵⁴ Amatzia Baram, “Neo-Tribalism in Iraq: Saddam Hussein’s Tribal Policies in 1991-96”, *International Journal of Middle East Studies* 29(1), (February, 1997), p. 1.

⁵⁵ Ibid, p 4. Also see: Amatzia Baram, “Saddam Hussein: Between His Power Base and The International Community”, *MERIA* 4(4), (December, 2000), pp. 9-21.

⁵⁶ Baram, “Neo-tribalism”, p. 4.

government doubled investments and social services to the tribal areas. So why did the Ba'th regime depend on these people? They were believed to have retained tribal values such as communal spirit, honor, and mainly valor. It was a contradiction in a nation-state to legalize the superiority of tribal background. But even tribalism also influenced administrative structure of Iraq. In many Kurdish regions, tribal chiefs served as local ruler, and as military commanders. Even, as stated above, in 1976, the government ordered Iraqis to drop their tribal names in order to hide how many Tikritis and others close to Saddam's clan were in key positions.

The link between the government and tribes became more essential during the Iran-Iraq War. Especially, when Saddam felt threatened by the weakening of law and order and the potential threat to his regime, he resurrected tribal rule. He rewarded the loyalty of tribal leaders by allowing tribal law to prevail in many areas.⁵⁷ Gradually, tribal values were incorporated in to the official texts. When it was understood the civil order failed in keeping the society stable, a return to tribalism came out as the ultimate method. In 1991, Saddam officially underlined the importance of biological background. After giving some samples from different religious texts he concluded that, "No one should be allowed to emerge in the...leadership in the Ba'th party, if...[he does not] come from a good origin...[a good] family background"⁵⁸ On March 29, 1991 at the end of the Gulf War and after the suppression of the rebellion, Saddam received a major delegation of tribal chiefs. These chiefs vowed allegiance (*bayaa*, an Islamic oath of loyalty to the ruler) or a covenant (*ahd*, signifying tribal honor) to support and obey the ruler. Consequently, Saddam presented himself as *sheikh mashayikh* or chief of chiefs.⁵⁹

Even in the last years of Saddam regime, the government encouraged tribal chiefs to act as a buffer between the leadership and ordinary individuals.⁶⁰ The

⁵⁷ Yaphe, op cit., p. 55.

⁵⁸ Baram, "Neo-tribalism", p. 13.

⁵⁹ Yaphe, op cit., p. 56.

⁶⁰ Isam al Khafaji, "A Few Days After: State and Society in a Post-Saddam Iraq", in Toby Dodge and Steven Simon (eds.), *Iraq at the Crossroads: State and Society in the Shadow of Regime Change* (Oxford, New York: Oxford University Press, 2003), p. 81.

tribal basis of regime's internal security institutions continued.⁶¹ Especially in the post-War era, the Iraqi regime evolved into a class-clan based model in which this ruling group had permeated the army, party, intelligence services, bureaucracy, and business class. Many Iraqi military officers and intelligence and security service officials were recruited from prominent tribes because of their links to the President Saddam Hussein's family. Their selection also presumes their adherence to traditional values of loyalty. For example, members of the Albu-Nasir were to be found in all internal security organizations and military bodies. The presidential guard, or Himaya, which consists of a few thousand young men guarding Saddam's palaces and occasionally providing his security escort, was made up almost exclusively of Albu-Nasir men. Their commanders were from the same tribe too.⁶² In the same way, with one or two notable exceptions, many figures in the Iraqi hierarchy during the reign of Saddam were members of the extended clan networks of Tikriti or similar tribal groupings. When we analyze this class-clan, we see a close-knit Sunni tribal alliance led by several names.⁶³

No doubt, such an official set of policies prohibited the realization of Western sovereignty on the basis of citizenship. Instead, the medievalistic patterns were continued by central government. The official tribalism thus has been a strong proof that displays the inapplicability of a Western sovereignty and statehood in Iraq.

7.5 The Sunni-Shi'i Split

The Sunni-Shi'i split has produced many important sovereignty crises in terms of state-society boundaries in Iraq. Thus it is an important topic in which important sovereignty crises such as the use of sectarianism and tribalism, the failure of citizenship or the failure of central rule can be studied. As an endemic

⁶¹ Amatzia Baram, "Saddam's Power Structure: the Tikritis Before, during and After the War", in Toby Dodge and Steven Simon (eds.), *Iraq at the Crossroads: State and Society in the Shadow of Regime Change* (Oxford, New York: Oxford University Press, 2003), p. 106.

⁶² Ibid.. p. 96.

⁶³ Faleh A. Jabar, "The Iraqi Army and Anti-Army: Some Reflections on the Role of the Military", in Toby Dodge and Steven Simon (eds.), *Iraq at the Crossroads: State and Society in the Shadow of Regime Change* (Oxford, New York: Oxford University Press, 2003), p.125.

problem it has been a source of several different sovereignty crises. According to Hanna Batatu, in terms sectarian balance, Islam in Iraq was more a force of division than of integration since it split deeply Shi'i and Sunni Arabs. These two groups seldom mixed, and as a rule did not intermarry. Even in city life, they lived in separate quarters and led their own separate lives.⁶⁴ For many generations most of the Shi'is live in tribal formations in southern and central Iraq. Comprising more than one-half of the population in central and southern Iraq during the Ottoman rule, the tribes of the south, most Shi'i, were organized in loose confederations headed by sheikhs who led these self-governing units.⁶⁵ This could be seen as the early hybrid forms in Iraq. Therefore, the Shi'is have appeared so far as a sub-national group that has plagued Iraq's domestic and international. As a marginalized sect since the Ottoman era, they have been always critical of the central rules in Baghdad. They have a tradition of independence from Baghdad. This difference has continued. Thus, there have been many cases in which the Shi'i leaders have followed different policies compared with the central government.⁶⁶ Therefore, the Sunni-Shi'i split is an important case in analyzing how certain sovereignty crises come out in Iraq.

A very important reason of the sectarian tension is the historical dominance of Sunni character of the Iraqi state. A restricted area around Baghdad, Mosul, and Ar Rutbah, the so-called *Golden Triangle* or *Golden Square*, has always been influential in terms of state recruitment during the modern history of Iraq. For many years Arab Sunnis who tended to come from a restricted area ruled Iraq by-and-large. Sunnis had usually held many important posts in the security and other public services, and most of the army's corps commanders have been Sunnis.⁶⁷ The Sunni dominance continued through different mechanisms. For example, the cooptation of Shi'i religious leaders has always been a renowned method used by Sunni rulers in the modern era. For the Shi'i tradition has a

⁶⁴ Batatu, op cit., p. 17.

⁶⁵ Simon, op cit., p. 116.

⁶⁶ Hussein al-Shahristani, "Suppression and Survival of Iraqi Shi'is", in Fran Hazelton (ed.), *Iraq Since the Gulf War Prospects for Democracy* (London & New Jersey: Zen Books, 1994), p. 135.

⁶⁷ The oft-quoted proverb of 'the taxes are on the Shi'i, death is on the Shi'i, and the posts are for the Sunni' summarizes the essence of the problem. Batatu, op cit, p. 26.

different theological logic in which clergy has a dominating role, co-optation was very pragmatic and useful in terms of reaching mass Shi'is. In the 30s, the sheikhs joined the political elite as part of co-optation agenda. They were co-opted by the government that provided them with seats in parliament, tax immunity, and legislation passed for their benefit. The state offered important economic and political incentives to the sheikhs turning them into a player in national politics. In short, by co-optation the modern state succeeded in splitting the Shi'i elites.⁶⁸

Despite many efforts, several obstacles prevented the Shi'is from totally identifying with the new state.⁶⁹ First, the traditional Sunni-Shi'i contention which came from a long historical background. The tension between two groups is certainly a religious one. Second, the tension has at the same time a political characteristics. Thus, the political and social aspects of a confrontation between a tribal and an urban society should not be underestimated.⁷⁰ The historical religious difference was transformed into a political one after the establishment of Sunni-dominant Iraqi state. Since then, it is a competition of two groups over the right to rule and to define the meaning of nationalism, or the Iraqi identity, in the country. Their different political and social views can be traced back to their positions during the Ottoman centuries. The Shi'i south had for a long time been more culturally and economically tied to Iran, whereas the Sunni north had been more culturally and economically tied to Syria and Turkey.⁷¹ In this competition, the Sunnis defend a wider Arab nationalism as its main ideology, the Shi'is support Iraqi nationalism on the basis of distinct values of Iraqiness.

In a historical perspective, during the reign of King Faisal, there was an organized political Shi'i movement demanding the creation of a Shi'i state. In Shi'a areas in particular, Faysal was determined to destroy any real Shi'a opposition. Thus, the use of violence was a dominant substitution mechanism of

⁶⁸ Yitzhak Nakash, *The Shi'is of Iraq* (Princeton, New Jersey: Princeton University Press, 1994), p. 88.

⁶⁹ Lukitz, *op cit.*, p. 58.

⁷⁰ Yitzhak Nakkash, "The Shi'ites and the Future of Iraq", *Foreign Affairs* 82(4), (July/August, 2003), p. 18.

⁷¹ Nazih Ayubi, *Overstating the Arab State Politics and Society in the Middle East* (London- New York: I. B. Tauris Publishers, 1995), p. 112.

government in this era. When the government failed in extending central rule to those areas, this sovereignty crisis was tried to compensate by military methods. The Iraqi government forbade Shi'a proselytization, reduced the economic significance of Najaf by limiting its grain exports to Saudi Arabia, and passed Nationality Laws in 1924 and 1927 that prohibited employment by non-Iraqis in certain jobs generally held by Shi'is. Faysal was also able to thwart any overt Shi'a rebellion by the force of his personality and his ability to balance off the different groups in Iraqi society. Further more he also manipulated the Sunni tribal groups against the Shi'is. He felt comfortable with the tribesmen and visited the tribal areas where he could function as a safety valve for Shi'a grievances.⁷² In this way, even though the Shi'is had played an important role along with Sunnis in the 1920 uprising against the British forces, they later became a political minority group under the dominance of Sunnis. In 1927, the Shi'i groups presented their demands that would constitute the basis of their integration into the new state. This proposal included all details demanding of a perfect autonomy such as legislative equality, establishment of Shi'i courts, full control of their religious funds and foundations, a specific land taxation system, a religious curriculum in their regions.⁷³ But the government harshly curbed this movement. And many of their leaders were co-opted by means of economic benefit and political appointments. This was a historical continuation of their situation during the Ottoman era. They were excluded from public office, except in internal matters in their own centers, to use their own code of law.⁷⁴

In the post-Faisal era, Shi'i protests continued in different cities. Especially there were important protests in 1935. The Iraqi army again quickly intervened in to the scene in order to curb such sectarian protests. However, the conventional Shi'i demand of equal role in ruling did not change. They demanded that the portion of Shi'i people in bureaucracy and army increased. Other than these, the Shi'is demanded more economic support. A budget discussion in 1933

⁷² Simon, op cit., p. 118 and 17.

⁷³ Lukitz, op cit., p. 64.

⁷⁴ U. Zaher, "The Opposition"; in Committee Against Repression and for Democratic Rights in Iraq, (ed.), *Saddam's Iraq Revolution or Reaction?* (London: Zed Books, 1990), p. 160.

was a good sample to decipher the early tension on every matter between Sunnis and Shi'is. Two Shi'i ministers resigned in late 1933 when the cabinet decided to divert funds allocated for a dam in a Shi'i concentrated area. This decision, for Shi'is, indicated that the government was less concerned about the Shi'i community and their needs.⁷⁵ Such complaints created several important uprisings like the one in January 1935. A Shi'i tribe in the mid-Euphrates region became problem due to the irrigation shortage in their areas. Without any structural solution, the central government again achieved quelling Shi'is by distributing new political and economic opportunities. In parallel with these new political opportunities, the results of the March 1947 elections were promising for 57 of the 178 deputies were Shi'i. But many of these people including Salih Jabir, then prime minister, were political figures co-opted by the system and oriented towards it. Thus, they could hardly be defined as representative of the Shi'is or defenders of their demands.⁷⁶

However, unlike the Kurdish groups, the Shi'is had been skeptical about an absolute claim of independence in this era.⁷⁷ Instead, they focused on two important aims: First, consolidating an equal political balance between Sunni and Shi'i groups. Secondly, then the consolidation an appropriate political atmosphere in which traditional Shi'i culture and beliefs can be practiced. However, it was quickly understood that the intensive nation building policies in the early years of Iraq would not guarantee such an appropriate political atmosphere. Due to the further deterioration of their social and political conditions many Shi'is decided to move to urban centers. The basic motive behind this move was the search for better conditions. However, these groups remained concentrated on the outskirts of Baghdad became marginalized even failed in integrating into the Baghdad Shi'i community.⁷⁸ On the other hand, as high numbers of Shi'is moved to urban centers, new ideas like Arabism emerged among them especially with the help of

⁷⁵ Tripp, op cit., p. 82.

⁷⁶ Lukitz, op cit., p. 131. Lukitz writes, "Long time Baghdad dwellers, these politicians had already distanced themselves from the acute problems of their original constituencies."

⁷⁷ Keiko Sakai, "Modernity and Tradition in the Islamic Movements in Iraq: Continuity and Discontinuity in the Role of the *Ulama*", *Arab Studies Quarterly* 23(1), (Winter, 2001), p. 37.

⁷⁸ Lukitz, op cit., p. 132.

state education. Furthermore, radical ideas became attracting for these deprived people living in very bad conditions around Baghdad. The most important consequence of this social change was the rise of secular and socialist ideas. In other words, urbanization diluted the traditional religious based characteristics of Shi'is. This sociological and ideological change brought many Shi'is to important posts in governmental infrastructure. However, the crisis of Shi'i identity was apparent. On the one hand, they had the task of orientation in the nation-state model. They had to re-define the meaning of Shi'i identity in an Iraqi nation state. Besides, they had to cope with their sociological problems such as urbanization. How the Shi'i culture was to be continued in a nation state, besides how young generations were to be educated in urban conditions became important problems of Shi'i clergy. Thus, they were organized in different forms in order to protect their sectarian-tribal identity. For example a tribal conference was held in 1947 in order to discuss these problems.⁷⁹ It was a clear event that exhibited the crisis of identity. During the sessions, different groups blamed each other for being susceptible to foreign ideologies, forgetting the tribal origin.

In the following years, the Shi'i group tried to be organized under different political structures. Popular Socialist Party was established in 1951. However, due to the cited structural limits the central authorities easily curbed such attempts. In consequence, the tension between Sunnis and Shi'is and the oppression of the latter incited left ideas among Shi'is. Many young Shi'is believed only socialist and communist ideas could help them in their search for equal society. As a matter of fact, the post 1958 developments frustrated them for the Arabist nature of the revolution. Besides, the Shi'is were not satisfied with the discourse of the revolution in terms of creating an equal balance between different minorities. There were two important parameters in Shi'i movement: skepticism of pan-Arabism and skepticism about the rise of religion in the state apparatus. As a reactionary sectarian minority, for most of them, a secular model appeared better in order to protect themselves against a dominating Sunni-Arab majority. However, as a reaction some Shi'i groups organized around religion. Surprisingly, the rise of socialist and communist ideas unintentionally incited the revival of

⁷⁹ Lukitz, *op cit.*, pp. 132-133.

religious Shi'i consciousness. Najaf and Karbala emerged as anti-communist centers. For example, in 1960, the Da'wa movement came out with the aim of defying Qasim's regime and replacing it with an Islamic state in Iraq. The rise of religious Shi'ism truly influenced Shi'is from all sectors.⁸⁰ Its discourse was established on a universal religious understanding rather than a politicized form. It was not following a communitarian or sectarian path; instead it was concentrating on the universal overtones of an Islamic rhetoric.⁸¹ But, during the authoritarian regime of Arif between 1963 and 1968, the former universal rhetoric was replaced by a communitarian one. Especially these Shi'i groups attempted to weaken the communist tendency among young Shi'is. The Shi'i radicalization came out during the rule of Arif brothers from 1963 until its overthrow in 1968. Another radicalization came during the Ba'thist rule under the influence of the 1979 Iranian revolution.

In 1964, Ayatollah Khomeini was expelled from Iran to Turkey, and he was then granted asylum by Iraq. His theological erudition and idealism quickly earned him a significant following in Najaf, where ulama and students from throughout the Shi'i world formed an important circle. Among Shi'is, the radicals were under the influence of Khomeini. Khomeini was an apt model for Iraqi Shi'is in their struggle for their anti-regime protests and guerilla attacks. But it should be mentioned that not all Shi'is were under the influence of him. Nevertheless, the Ba'th policies were inciting the Shi'i groups. It helped Shi'i leaders in re-gaining ground. Especially the new regime with its secular and anticlerical stance was never comfortable with Shi'i religious leaders and their followers. Relations between the Iraqi regime and the Shi'i clerics deteriorated during the Imam Hussein celebrations in February 1977, when police interference in religious processions resulted in massive antigovernment demonstrations in Najaf and in Karbala. Several thousand participants were arrested, and eight Shi'i

⁸⁰ Ma'oz, *Ethnic and Religious*, p. 182.

⁸¹ Faleh A. Jabar, "Clerics, Tribes, Ideologues and Urban Dwellers in the South of Iraq: the Potential for Rebellions", in Toby Dodge and Steven Simon (eds.), *Iraq at the Crossroads: State and Society in the Shadow of Regime Change* (Oxford, New York: Oxford University Press, 2003), p. 164.

dignitaries, including five members of the clergy, were sentenced to death and were executed.

In 1978, in an effort to quell the Shi'i unrest and to satisfy the shah's request, Baghdad expelled Ayatollah Khomeini, who sought refuge in France. In another attempt to minimize Shi'i dissent, the Iraqi government had deported to Iran 60,000 Shi'is of Iranian origin in 1974. In the second half of the 1970s, up to 200,000 more people deemed to be of "Iranian origin" were denounced as fifth columnist and a spearhead for Iranian ambitions inside Iraq.⁸² The campaign turned to be a human hunt. Deportations, the suppression of the Shi'i ulama, and the death under suspicious circumstances of Shi'i leader Imam Musa as Sadr all contributed to the deterioration of relations between Ba'thist Iraq and the Shi'is.

When it comes to Saddam era, state violence towards Shi'is continued in a ruthless way. Many important names of Shi'i clergy were executed. Of all, the most important state policy was the deportation of Marsh Arabs in the region. Many of them were forced from their homelands because of relentless military attacks. Even to get rid of these people who had lived in the area for thousands of years, the Ba'th regime destroyed their homelands by draining and poisoning the water and bombing the area.⁸³ For Shi'i people reside in central and southern Iraq, which is the most productive agricultural region and encompasses the most important oil-refining center, the Ba'th regime wanted a new population policy here. However, Saddam followed contradictory policies. On the one hand, Saddam rule was destroying their shrines and continuing the traditional policy of oppression. On the other hand, Saddam tried to accommodate some groups in the Iraqi state. He created several political, educational and economic opportunities. He was against the survival of marginal Shi'i culture in their closed systems. They were welcomed on the condition of their participation into new Iraq. In other words, Shi'is were not permitted to continue their cultural separate life. Thus, their cultural and social barriers were attacked. The central government tried to assimilate them into the Iraqi cultural system.

⁸² Samir Al-Khalil, *The Republic of Fear*, 19.

⁸³ Hamid al-Bayati, "Destruction of the Southern Marshes", in Fran Hazelton (ed.), *Iraq Since the Gulf War Prospects for Democracy* (London & New Jersey: Zen Books, 1994), p. 141.

During the rule of the Ba'th Party many Shi'i tribal leaders were co-opted by Iraqi governments by means of economic benefits and political appointments, mainly as members of parliament.⁸⁴ Several Shi'i names appeared as high-level functionaries in the party. However, it should be mentioned that it was a typical well-controlled policy. In other words, despite such moderate steps, several positions were always closed to minorities. Even though they were permitted to several posts, the Sunni-Arab characteristic of the regime was not changed. Thus, there was a deep suspicion towards these groups. Expected from Shi'i was to become part of Iraqi whole by giving up their historical differences. As it was underlined so far, even though Iraq is organized in the form of modern statehood, the relationship between government and the Shi'i citizens have never been according to the modern statehood. Instead, certain types of primordial instruments such as the use of violence or sectarian methods have been employed. Inevitably, those methods promoted the hybrid structure.

When the Iraqi army was defeated in 1991 Kuwaiti war, a Shi'i rebellion erupted in southern Iraq. This rebellion was supported probably by foreign countries such as the US and Iran. Some groups came from Iran to join this rebellion. Even though it was a Shi'i rebellion, its aims were not clear. Besides, it was not well planned. Finally, international community mainly the US was against the disintegration of Iraq at that time. The Arab reaction should be considered as well. For the US, it was a good opportunity to weaken Saddam regime. Quickly, Shi'i control came out in several religious cities such as Najaf and Karbala. However, thanks to the lack of a full support from international community, the Baghdad government quickly managed to regain control. It was only after a couple of weeks, Saddam's military forces crushed the Shi'i militia. The army demolished large parts of Shi'i cities. Social and cultural infrastructures of these cities including shrines, libraries were almost destroyed.⁸⁵

When it comes to the developments in Iraq since 1991, they opened the political process up to Shi'a, as well as reinstitute a plethora of religious and

⁸⁴ Moshe Ma'oz, "Ethnic and Religious Conflicts in Iraq", in Moshe Ma'oz and Gabriel Seffer (eds.), *Middle Eastern Minorities and Diasporas* (Brighton-Portland: Sussex Academic Press, 2002), p. 181.

⁸⁵ Lukitz, op cit., p. 91.

cultural rights. Since then, the traditional Shi'i leaders and networks have regained their status. In this process, more important is the post-Saddam era developments. Certainly, the American invasion and the end of Saddam regime pushed the Shi'i groups and religious figures to the forefront of Iraqi politics. Now, many Shi'i cities are absolutely under the control of Shi'i clergy. The Shi'i clergy came out as a very important class in post-Saddam Iraq. Equally important, the Shi'i identity is still a basic point of departure for millions of people in Iraq. The idea of Iraqi citizenship has collapsed for these people. In addition, since the domestic authority of central government collapsed, the Shi'i groups control many parts of Iraqi territory. They are also in diplomatic contact with other states. For instance, important Shi'i leaders are in bargain with the American officials at secret and public diplomatic meetings.

In terms of how recent developments create basic sovereignty crisis, a sectarian framework has become a basic departure of point for many Iraqi citizens. Iraqi citizenship does not say anything to the millions of Shi'is today. (This point will be detailed under the title of 7.7) Consequently, it is the sectarian framework that has become the basis of daily life among Shi'is. As is known, the Shi'i establishment included thousand of religious students who were abolished during the Saddam regime. But, due to the rise of Shi'i factors in Iraqi politics, Nejef is gaining its historical status. Similarly, the role of religious leaders is increasing. Grand *ayatollahs* such as Sistani, el Hakim and Beshir Nejefi are important figures of Iraqi politics today.⁸⁶ They are leading millions of people, yet they represent the Shi'i people in Iraq. No doubt, the dominance of sectarian color among Shi'is creates a structural deficiency in terms of Iraqi citizenship.

Secondly, the Shi'i groups paralyzed the idea of a central authority. In this sense, a medieval system exists in Iraq. Rather than an efficient central rule, each tribal or sectarian block rules their territory/ region. For example, a recent case in Nejef shows how Shi'i groups are strong in Iraq. The central Iraqi government ordered Sadr's militia leaves the city, and especially Imam Ali Shrine. Despite the governmental order, the militia in the area did not evacuate the city. It was only after an agreement between Sistani and Sadr the evacuation took place. This event

⁸⁶ Sefer Turan, "Sadr ve Irak'ın Geleceği", *Radikal*, 17 August 2004.

displays how Iraqi citizenship has collapsed against a sectarian identity. Similarly, it refers to the severe domestic sovereignty crisis in Iraq given the very limited authority of the central government. In this vein, the Shi'i clergy are also influential in foreign policy. For example, Shi'i religious leaders such as Muqtada al-Sadr have come out as a harsh criticizer of US policy in Iraq. Sadr leads a group with an effective militia, which has been in conflict with the American soldiers in Nejef. They are acting as an independent group without taking any governmental order in consideration. For example, in a sermon delivered on 4 June 2004, he criticized the country's newly designated interim government. Al-Sadr announced: "I dissociate myself from this government until doomsday as long as the people reject it."⁸⁷ Undoubtedly, such political messages by a religious personality are taken seriously by his followers. Actually, what keeps the members of this group are their primordial sectarian identity and a religious leadership. It is still very difficult to integrate these groups. But, Al-Sadr is not the only figure. Many other Shi'is such as Sistani today act as important politicians⁸⁸

Similar other cases that show how Shi'i groups create structural sovereignty crisis may be presented. However, the Shi'i groups still have their historical problem of lacking a coherent program. As a continuation of a historical tradition, there is no common set of principles among Shi'i leaders. Besides, in terms of methodology, they differ to a large extent. Some Shi'i leaders are leading military resistance against the American occupation. Some of them are in contact

⁸⁷ "FMA 7 Jun: Iraqi Shia Sermons 4 June", *Iraq – FMA, 7 Jun 04*, [FBIS Document Number: FBIS-NES-2004-0607] In this context, another sample, which shows the political symbolism of Shi'i clergy, were their sermons. To the Shi'i clerics, the new Iraqi Transitional Administrative Law "a historical farce" akin to "the Balfour Declaration which sold Palestine." Besides, they were joined by other Shi'i clerics in Lebanon and Iran in charging that the document denies the rights of Iraq's Shi'i majority. Imams in Lebanon also attacked the US-sponsored Greater Middle East initiative for allowing, "the Zionist entity" to "invade the Arab world at all levels." Grand Ayatollah Al-Sistani's representative in Karbala called the document "an historic farce and serious tragedy . . . drafted by the occupation forces in a manner that allows Jews returning to Iraq to assume government positions. Similarly, Muqtada al-Sadr charged that the document was "similar to the Balfour Declaration which sold Palestine," adding that it put Iraqis "on our way to selling Iraq and Islam" "FMA 15 Mar: Shia Clerics Criticize Iraq's New Transitional Administrative Law", *Middle East -- FMA in English 03/15/2004*, [FBIS Document Number: N/A] In the meantime, the Iranian side is closely following the developments in Iraqi Shii parts. They blame the US for protecting other groups not the Shi'is and provoking the Shi'is against Iran. "Iran: Latest Killings in Iraq Show Organized Conspiracy to Massacre Shiites", *Tehran Times, May 19, 2004* [FBIS Document Number: FBIS-NES-2004-0519]

⁸⁸ "Head of Iraqi Governing Council Says Ayatollah al-Sistani's Concerns Legitimate", *Al-Sulaymaniyah KurdSat*, 27 Nov 03, [FBIS Document Number: FBIS-NES-2003-1127]

with Iran.⁸⁹ But, the Shi'i groups now live according to their primordial identity in Iraq. Furthermore, there is no organized control of the central authority in Shi'i territories. Therefore, the only political link is between the government and the Shi'i religious leaders. Despite the citizenship-based model, the government has to appeal this sectarian corridor in extending its control over the Shi'i citizens. Therefore, continuing a historical sovereignty crisis, the Shi'i groups and their position in Iraqi politics still produce structural sovereignty crises in terms of state-society boundaries. The Western model has failed in creating a model in which state-society boundaries incorporate different groups on the basis of neutral distribution of opportunities and responsibilities. Today, the current situation of Shi'i groups can only be analyzed by using a medievalistic framework in which there exist certain overlapping identities, authorities and borders.

7.6 The Kurdish Problem

The Kurdish issue is another topic around which the problem of sovereignty can be analyzed in Iraqi context. Like the Sunni-Shi'i split, several typical sovereignty crises such as the failure of central authority and the failure of citizenship are originated within the context of the Kurdish problem. Kurds are concentrated in northern Iraq and divided by language and sect. Technically, three governorates in the north, Dahuk, Irbil, and Sulaymaniyah, constitute Iraqi Kurdistan. Most Kurds are Sunni, with a small mixture of Shi'i, Christian, Kurdish-speaking Assyrians, and Persian-speaking Kurds. The Kurds' most distinguishing characteristic and the one that binds them to one another is their language. There are several Kurdish dialects, of which Kirmanji tends to be the standard written form. It is a separate language, part of the Indo-European family.

In general, the Kurdish problem in terms of sovereignty can be studied under several points: First, the Kurdish groups and their political activities have created severe domestic sovereignty crisis in Iraq. In other words, the will of central authority/government has frequently been limited by these groups. In spite

⁸⁹ For example different Shi'i groups differ about the use of violence in Iraq. "FMA 09 Apr: Shia, Sunni Media on Current Al-Sadr Violence", *Iraq – FMA*, 9 Apr 04, [FBIS Document Number: FBIS-NES-2004-0409] For example, the Al-Da'wah party daily *Al-Adalah* editorial on 6 April stated that the "violation of the law, the disruption of public life, and the attack on government establishments and security forces is the last thing that the citizens want to see," adding that "neither violence nor hasty measures nor killing offers a solution to the complex problems." Ibid.

of intensive nation building and centralization policies, they have been successful in protecting their tribal values, institutions and patterns of behaviors. Thus, they have been a major actor in obstructing the central authority. The establishment of a central government has been continuously impeded by their political actions. Never before has there been an institutional penetration into the Kurdish regions. Furthermore, the Kurdish minority has offered the most persistent and militarily effective security threat of Iraq's modern history. In this process, many important developments, which are typical sovereignty crises, came out: military conflicts, political agreements, uprisings, massacres, and new autonomy regulations. Undoubtedly, such problems have paralyzed many important domestic pillar of modern sovereignty. And finally, a Kurdish embryonic state emerged with the help of international community after 1991. The Iraqi 'government' has not been able exert its authority to the northern Kurdish areas since 1991. Especially during the last ten years of Saddam regime, these groups had been absolutely independent in terms of taxation, legislation and policing social life. In other words, the Kurdish groups have almost completed the realization of a sovereign state but international legal sovereignty that is the recognition of other states. Second, the Kurdish problem in Iraq has prevented the realization of important institutions such as citizenship. Finally, despite the colonially injected Western model, the Kurdish groups have been an active group in continuing their primordial patterns and institutions within the Western format. In other words, the Kurds have been the actors of hybridization in Iraq.

Since the formation of the modern Iraq, the Kurdish region has been one of underdevelopment, political and cultural repression, destruction, ethnic cleansing.⁹⁰ Whereas, Kurdish groups make up some 20% of the total population, more than their demographic weight, they have a very strong identity. Thus, it has always been very difficult to assimilate Kurdish groups. They have a strong sense of separate identity. Consequently, they have traditionally been organized on a tribal basis. What makes the case more troublesome is their geographical situation, which has protected them from any direct and central rule since the Ottoman centuries. They inhabit the highlands and mountain valleys. Ever since

⁹⁰ Carole A. O'Leary, "The Kurds of Iraq. Recent History, Future Prospects", *Middle East Review of International Affairs* 6(4), (December, 2002), p. 17.

Iraq became independent in 1932, the Kurds have demanded some form of self-rule in the Kurdish areas. But, Iraqi rulers have always perceived the traditional Kurdish aim of more autonomy as a threat. In other words, Iraqi governments have rejected Kurdish demands. Instead, central governments offered different alternatives on the basis of participating into the new Iraqi political culture, which was mainly an Arab project. When such methods did not work, the government made use of violence. The historic enmity between the Kurds and the central government contributed to the tenacious survival of Kurdish culture. Even there was special intelligence unions organized against the Kurdish movements. With the support of the central rule, they struggled against the Kurdish movement by using excessive use of force. Along with such methods, there had been also several political methods such as economic sanctions. All such methods have been used as substitution mechanism in order to compensate the failure of modern sovereignty in domestic realm.

Historically speaking, the Kurds were incorporated into the new Iraqi state despite their own nationalist aspiration. The Western, mainly British, promise to the Kurds in the Sevres Treaty was the origin of the legal discussion over the issue. As a fact, the Sevres Treaty had a special section (section 3) named Kurdistan. Article 62 of the Treaty of Sevres provided for “a scheme of local autonomy for the predominantly Kurdish areas.” Article 62, and Article 64 allow for a completely independent Kurdistan including the part which is in present day Iraq: “If and when such renunciation takes place, no objection will raised by the Principal Allied Powers to the voluntary adhesion to such an independent Kurdish State of the Kurds inhabiting that part of Kurdistan, which has hitherto been included in the Mosul vilayet.”⁹¹ When rejected in practice, the Kurds quickly rebelled against Iraqi authority from the early 1920s. In 1922, the British mandatory authorities promised them a form of autonomy in Northern Iraq; but by this time leading Kurdish groups rejected any kind of Iraqi suzerainty.⁹² Accordingly, their ultimate aim was an independent Kurdish state. They felt

⁹¹ <http://www.lib.byu.edu/~rdh/wwi/versa/sevres1.html>

⁹² For the details see: Othman Ali, “The Kurds and the Lausanne Peace Negotiations”, *Middle Eastern Studies* 33(3), (July, 1997), pp.521-522. Peter Sluglett, “The Kurds”, in *CARDRI, Saddam’s Iraq Revolution or Reaction?* (London: Zed Books, 1989), p. 180.

themselves deceived by the UK. This brought serious clashes between Kurds and governmental forces in the early years of Iraq. However, after Britain changed its position, it was not very difficult to oppress Kurdish rebellions. In their struggle against the central government, the British forces also hit them. They were held in check during the 1920 and 1930s by the RAF planes that the British provided the Iraqis in order to maintain control of the north.⁹³ Having suppressed the Kurdish rebellions, the central government put in practice several reforms aiming at gaining the loyalty of Kurdish groups. In 1926, the initial Iraqi local-language law provided for the teaching of Kurdish in schools in Kurdish-speaking areas, and for the publication of Kurdish-language books. In addition, there was Kurdish representation in the government. Accordingly, Kurdish would be official language in several parts of Iraq. Such decisions were followed by several others mainly resulted in the increase in the number of Kurdish figures in governmental unites. However, the basic strategy of the Iraqi regime was to assimilate these groups by different methods such as the use of force, distribution of state opportunities etc. To protest the Arabization of the Kurdish regions, several big rebellions came out in the late 30s. During the 30s, Kurds organized several uprisings against the Iraqi government without any considerable success. During this era, several Kurdish leaders fled to Iran.

The Kurdish groups welcomed the 1958 Free Officer's coup in the belief that the new regime would be generally sympathetic to their cause. The Kurds hoped for greater administration and development projects. The new constitution, which declared Arabs and Kurds as partners in the Iraqi homeland, increased the euphoria among Kurds. Indeed, the new constitution put forth by Qasim had stipulated that the Kurds and the Arabs would be equal partners in the new state: "Arab and Kurds are equal partners in this nation and state, and the constitution guarantees the national rights of the Kurds within the Iraqi national entity".⁹⁴ Therefore some Kurds ardently supported the 1958 revolution so far as they did not refrain from supporting Qasim's power in different local struggles with other groups. Furthermore, in 1958, several important figures back to the Iraq from

⁹³ Simon, *op cit.*, p. 118.

⁹⁴ Ma'oz, *op cit.*, p. p. 187.

exile. Besides, the assignment of several Kurdish men for high-level positions just after the coup was an important gesture of good will towards the Kurdish people. However, it was quickly understood that the Free Officers had no special interest in or commitment to the Kurdish question.⁹⁵ For Free Officers the critical issue was the expansion of UAR or in other terms their decision on pushing Iraq into the Republic or not. Undoubtedly, the Kurdish people would not welcome such a decision. When the Kurds asked Qasim to give them more autonomy in Iraq and a share of the oil revenues in 1961, he rejected the plan. As a result the Kurds of northern Iraq, led by Mustafa Barzani, leader of the Kurdish Democratic Party, revolted against the government. Iraq put down the Kurdish revolt, and fighting between the Iraqi government and the Kurds continued. By 1960, however, concessions to the Kurds had been withdrawn, and for the next 15 years, the Iraqi government carried out an extended campaign of Arabization of the Kurdish areas, which included such tactics as armed warfare, destruction of villages and deportation of Kurds, moving of Arabs into Kurdish areas, and other measures designed to weaken and destruct the Kurdish resistance. Thus, the Kurdish problem dominated the Iraqi politics during the late sixties.

The ongoing tension between Kurds and central governments necessitated some important social changes among the Kurds. Of all the increasing levels of urbanization was significant. The Kurdish migration was prompted by the escalating armed conflict with the central authorities, the destruction of villages and land by widespread bombing and severe droughts in the 1958-61 period. In addition to destroying traditional resources, the severe fighting has hindered the development of education, health, and other services. No opportunity could be presented to Kurds amidst these disturbances. Urbanization led the Kurds to new perceptions and ideas. For example, in the past it was easier to distinguish the various communities of Kurds according to their tribal affiliation. However, thanks to urbanization, Kurdish groups increasingly organized along political lines have grown up alongside the tribal units. A new class of Kurdish intellectuals grew up in urban centers. Beyond traditional and religious values, they were associated with new ideas such as socialism.

⁹⁵ Sluglet, "The Kurds", p. 188.

The problem continued its importance during the Ba'th rule. Immediately after seizing power in 1963, the Ba'th party made suggestion to the Kurdish movement. They invited several Kurdish leaders to join the government. Also, the Ba'th offered a new proposal including several new regulations about the status of Kurds. Rapidly a new negotiation process had its inception. However, in May 1963 the fighting between government forces and Kurdish groups was resumed. It was understood, for Kurdish groups, that the new regime had no major difference compared with Qasim. What the Ba'th wanted was to incorporate Kurdish groups within the context of their political agenda rather than extending the limits of Kurdish autonomy. In a short time, the conflict turned into a massacre campaign, many aircrafts and tanks joined the anti-Kurdish movement.⁹⁶ The traditional tension continued during the following five years.

In this context, Prime Minister al-Bazzaz's proposal of autonomy was an important development. In 1966, after announcing a cease-fire, he put forward a peace plan which included the principle of the Kurdish autonomy, the use of Kurdish in schools, the maintenance of the tribal units and a general pardon. Faced endless military conflicts with Kurds and remembered the political and economic costs, this plan aimed at a quick solution. But this plan was not realized due to he was forced out from the office a few months later.⁹⁷

In 1968, Iraqi President appointed three Kurdish ministers to resume negotiations. Two of them were representing Barzani and the other was identified with Talabani. By appointing these Kurdish ministers, President al-Bakr aimed to play the factions off against each other in Kurdish areas. Notwithstanding this pragmatism, the assignment of Kurdish ministers contributed to the negotiation process for a while. But different groups were still unhappy about the situation and Barzani's two representatives in the central government resigned. In terms of principles and perspectives, the government and the Kurdish groups had different visions. The principal Kurdish leaders distrusted the new leadership and soon launched a major revolt. Kurdish forces attacked on several oil installations in

⁹⁶ U. Zaher, "Political Developments in Iraq 1963-1980", in Committee Against Repression and for Democratic Rights in Iraq (ed.), *Saddam's Iraq Revolution or Reaction?* (London: Zed Books, 1990), p. 35.

⁹⁷ Sluglett, "The Kurds", pp. 193-194.

Kirkuk area.⁹⁸ The military conflict erupted once again. However, despite the fights, the negotiations between Kurdish groups and central government continued secretly during 1969. But after fruitless negotiations fighting broke out once more in the spring of 1969.

However, political conditions changed tremendously in the early 70s. In 1970, Saddam Hussein the Assistant Secretary-General of the Ba'th Party and Vice-President of the Republic negotiated a cease-fire with the principal Kurdish leader, Mustafa Barzani and the KDP. It showed that Saddam Hussein defended a less military a civilian solution to the Kurdish problem. This trend was also supported by the new political elites in the government. In the 8th Congress of the Iraqi Ba'th Party, the congress re-elected Hassan al-Bakr as Secretary-General of the Part, and Saddam Hussein as Assistant Secretary General. After the congress, aside from Bakr, who was a general, the only other military officer was the Ministry of the Interior. Thus the congress clearly continued Saddam Hussein's policy of reducing the role of the military and subjecting it to civilian control. Also it should be underlined that one of the issues declared as new targets in the end of the congress was the Kurdish autonomy. Also the Ba'th Party under the leadership of Saddam Hussein recognized the KDP as one of the three legally, progressive parties in Iraq. Further, the Ba'th Party has urged strenuously that the KDP join the ruling National Progressive Front, consisting of the dominant Ba'th Party and the Iraqi Communist Party. But the KDP resisted these pressures, waiting the final terms of autonomy.

According to the conditions of the cease-fire, autonomy was called for the Kurdish areas in northern Iraq. Kurdish areas were to be determined by majority population, in accord with a census to be taken in October 1970. However, there were some problems. The division between Ba'th Party and KDP centered to the extent of autonomous government in the Kurdish areas and the identification of areas to be designated as Kurdish. The KDP insisted that the Kirkuk region is Kurdish. Together, the oil reserve was important in this discussion. When two parties met to realize autonomy agreement on 16 January 1970, the KDP rejected the plan. Accordingly, the KDP rejected the plan because it used the 1956 census

⁹⁸ Charles Tripp, *A History of Iraq* (London: Cambridge University Press, 2000), p. 199.

as the basis for determining Kurdish areas, mainly Kirkuk. The KDP argued that demographic conditions changed. Also, the Ba'th's proposal made no mention of control over resources and petroleum revenues. The Kurdish leaders demanded direct share in oil revenues. Finally, according to the KDP, the plan did not recognize the KDP as the sole representative of the Kurdish people.⁹⁹

Finally, negotiations culminated in 1970 during Saddam Hussein's presidency. In March 1970, the government and the Kurds reached an agreement, to be implemented within four years, for the creation of an Autonomous Region consisting of the three Kurdish governorates and other adjacent districts that have been determined by census to have a Kurdish majority.¹⁰⁰ According to the government plan there were several noteworthy points: According to the article one the region of Kurdistan enjoys self-rule. The use of the term Kurdistan was a departure from long-time Arab reluctance to use such a definite national term for the Kurdish region. The designation Kurdistan has seldom been used by the Baathists. Instead they used such terms as the region, zone, northern region, our north, or the autonomous area.¹⁰¹ Also according to the document, the region was "an integral part of Iraq."¹⁰² The autonomous region had a legislative assembly that consisted of fifty members elected for three-year terms from among candidates approved by the central government. The Legislative Assembly chose its own officers, including its cabinet-rank chairman, a deputy chairman, and a secretary. Also several Kurds were let into the central government. The Kurdish was recognized as the official language, the region had a special budget, what is more the elected regional legislative council passed resolutions necessary for the development of culture and national characteristics. The council appointed local

⁹⁹ "Iraq and Kurdish Autonomy", *MERIP Reports* 27, (April, 1974), pp. 26-27.

¹⁰⁰ Meanwhile, the Soviet Defense Minister Andrei Grechko visited Baghdad trying to aid in the negotiations. Barzani was also in search of international aid from Iran and the US during the negotiations. These foreign interventions show that how a minority group became an important problem in foreign policy. Kurdish groups' contacts with different states like Russia and Iran were also typical sovereignty crises.

¹⁰¹ Michael M. Gunter, "Kurdish Future in a Post-Saddam Iraq", *Journal of Muslim Minority Affairs* 23(1), (April, 2003), p. 10.

¹⁰² "Iraq and Kurdish Autonomy", p. 27.

administrative personnel without interference from the central government. But the president of the council would be elected by the president of Iraq.

Different groups criticized the autonomy agreement. The National Front (the Ba'th Party and the Communist Party) parties rejected the degree of autonomy demanded by the KDP. The Front wanted the President of Iraq to have the authority to dismiss the regional executive council. The KDP did not want the central government to have that kind of control. Also, despite the pro-autonomy stand, the Nationalist Front was against the centralization of oil resources. Oil production in Iraq increased rapidly since nationalization of the northern fields (Kirkuk and Mosul) in 1972. Therefore, the Ba'th Party, supported by the Communist Party, did not want direction of petroleum resources to be decentralized.¹⁰³

Surprisingly, by implementing such plans, Saddam Hussein recognized Kurdish rights far exceed anything that had been conceded before. In sum, their distinct national identity was confirmed and they were also promised participation in government at local and central level.¹⁰⁴ But this was taken as a tactical step for some. In view of that, it was the result of two important facts: a high degree of politicization among the Kurds, resulting in the crystallization of ethno-nationalism among Kurds, and the relative weakness of a new regime (the Ba'th Party) that sought to consolidate its grip on power and buy much-needed time via a tactical solution to the endemic Kurdish problem.¹⁰⁵ For example, Saddam Hussein then used a carrot and stick approach, implementing his 1974 plan, at the same time as razing all the Kurdish villages along the 1,300 kilometer border with Iran and forcibly relocating many Kurds from certain areas. Thus, once the Ba'th Party managed to consolidate its power, it quickly moved to crush the Kurdish autonomy. This first experiment lasted only four years. However, this good office was changed when Saddam regime decided to resettle Arab families in the north (Kurdish) parts of Iraq in order to reduce the size of the future

¹⁰³ Ibid., p. 26.

¹⁰⁴ Tripp, *A History of Iraq*, p. 200.

¹⁰⁵ Ofra Bengio, "Nation Building in Multiethnic Societies: The Case of Iraq", in Ofra Bengio and Gabriel Ben-Dor (eds.), *Minorities and the State in the Arab World* (Boulder; New York: Lynne Rienner, 1999), p. 153.

Kurdish region.¹⁰⁶ As a typical reaction, the Kurdish groups did not hesitate to be in contact with Iranian officials during the crisis.

In 1974, the KDP attacked Iraqi troops after the government refused to give them control of the oil-rich province of Kirkuk. The government suppressed the revolt. However, an international development damaged the Kurdish movements' strength. It was the agreement between Iran and Iraq. In 1975, Iran, the Kurds' supporter, withdrew his support of the Kurds as part of the Algiers Accord between Tehran and Baghdad, leading to a sharp decline in the Kurdish movement. The Kurds lost support firstly from the Soviet Union and then from Iran following the Algiers Accord of 1975, although they continued to receive limited support from the US. Without Iran, the Kurds were unable to hold the territory and were forced to surrender to the Iraqis; around 130,000 refugees fled to Iran.¹⁰⁷ The settlement of border disputes with Iran made Iran stop aid to the Kurds. This agreement also paved the way for several other developments. For example, it caused a breakaway faction to emerge from the Kurdish Democratic Party (KDP, established in 1946), led by Masoud Barzani, the son of Mulla Mustafa Barzani. The faction that left the KDP in opposition to the accord formed the Patriotic Union of Kurdistan (PUK) under Talabani. As expected, deprived of international support, the Kurdish groups became more vulnerable to the Baghdad's rule.

Meanwhile, the influence of certain international events on Kurdish groups continued. In this vein, most Kurdish leaders initially saw the 1979 Islamic Revolution in Iran as a possible vehicle for promoting Kurdish aspirations toward self-government. But the conflict between Iran and Iraq divided the Kurdish groups in two states. The Iraqi and Iranian regimes each chose to support a Kurdish faction opposing the other's government, and this intervention divided the Kurds along "national lines". As a result, during the 1980s Kurds in Iraq tended to hope for an Iranian victory in the Iran-Iraq War, while a number of Kurds in Iran thought that an Iraqi victory would best promote their own aspirations. Because

¹⁰⁶ Tripp, *A History of Iraq*, p. 201.

¹⁰⁷ Natasha Carver, "Is Iraq/Kurdistan a State Such That It Can be Said to Operate State Systems and thereby Offer Protection to its 'Citizens'", *International Journal of Refugee Law* 14(1), 2002, p. 65.

most Kurds were Sunni Muslims, however, their enthusiasm for a Shi'i government in either country was somewhat limited. But the war afforded Kurdish groups the opportunity to intensify their opposition to the government. In 1987, the two Kurdish parties made an alliance and allowed the Iranian army to enter Kurdish territory. It was a severe sovereignty crisis from many perspectives.

Meanwhile, despite the Autonomous Region's governmental institutions, genuine self-rule did not exist in Kurdistan in the 80s. All reports confirm that the Iraqi government continued to forcibly expel Kurds from state-controlled areas of the country as part of its Arabization programme, started in the 1970s. Also Iraq authorities had intensified the Arabization campaign by arresting hundreds of Kurds in Kirkuk. The central government in Baghdad continued to exercise tight control by reserving to itself the power to make all decisions in matters pertaining to justice, to police, to internal security, and the administration of the frontier areas. The Bath Party, through the minister of state for regional autonomy and other ministerial representatives operating in the region, continued to supervise activities of all governing bodies in the region. The minister of justice and a special oversight body set up by the Court of Cassation reviewed all local enactments and administrative decisions, and they countermanded any local decrees that were deemed contrary to the constitution, laws, or regulations of the central government. The central government's superior authority has been most dramatically evident in the frontier areas, where government security units have forcibly evacuated Kurdish villagers to distant lowlands. In 1988, the central government organized a complex military campaign towards the Kurdish areas named *Al-Anfal*.¹⁰⁸ It was another large campaign against the Kurdish because of their struggle to gain autonomy within Iraq. The purpose of the campaign was to annihilate resistance by the Kurdish groups by any means necessary. Mass executions took place during *Al-Anfal* including the infamous chemical attack on Halabja in March 1988.¹⁰⁹

¹⁰⁸ Isam al-Khafaji, "The Destruction of Iraqi Kurdistan", *Middle East Report* (October-December, 1999), p. 35.

¹⁰⁹ "The best-known chemical attack occurred at Halabja in March 1988. This town is located in the mountains near Sulaimaniya. Between 40,000 and 50,000 people were living there at the time. During three days, the town and surrounding district were attacked with conventional bombs, artillery fire, and chemicals--including mustard gas and nerve agents. At least 5,000 people died immediately as a result of the chemical attack and it is estimated that up to 12,000 people died

Regional developments in the post-1991 era launched a new era for Kurdish groups in Iraq. These developments introduced many changes in terms of sovereignty. When allied forces defeated Iraq in 1991, the Kurdish groups rose up against the central government. All governmental offices including the military ones representing the central authority were overthrown. However, the reaction of Baghdad was brutal as the Iraqi army organized mass executions. Thousands of Kurds fled to the Turkish border.¹¹⁰ However, the following international developments helped Kurdish groups. They began to build a de facto state and government under the aegis of the allied Provide Comfort Operations, and No-Fly Zone. On April 5, 1991, the Security Council voted on Resolution 688 which set up the Safe Haven for the Kurds in the north of Iraq from which all Iraqi forces were expressly excluded while all flights were forbidden north of the 36th parallel. These measures led to the withdrawal of the Iraqi armed forces from large areas of the north, finally establishing a cease-fire line in October 1991 which roughly matched the boundary of the Kurdish region as defined in 1974.¹¹¹

An autonomous government came out in the Kurdish region. The first election was held in May 1992. A regional government was established. This government was policing the northern borders of Iraq. Such conditions presented the Kurdish region as a quasi-state.¹¹² Undoubtedly, with this government, the political system in Iraq became a different one. There was the central government which claimed the absolute right to represent Iraq internationally, and there was the administration in the Kurdish region which did not claim to represent all Iraq but striving to function as a federal authority within the Iraqi state. Pursuing different ends by different means, the two governments contradict each other in terms of conception, thought, values and practices.¹¹³ The existence of a Kurdish

during those three days.” Carole A. O’Leary, “The Kurds of Iraq. Recent History, Future Prospects”, *Middle East Review of International Affairs* 6(4), (December, 2002), p. 18.

¹¹⁰ Faleh ‘Abd al-Jabbar, “Why the *Intifada* Failed” in Fran Hazelton (ed.), *Iraq Since the Gulf War Prospects for Democracy* (London & New Jersey: Zen Books, 1994), p. 97.

¹¹¹ Charles Tripp, *A History of Iraq*, p. 271.

¹¹² Carver, op cit., p. 84.

¹¹³ Falaq al-Din Kakai, “The Kurdish Parliament”, in Fran Hazelton (ed.), *Iraq Since the Gulf War Prospects for Democracy* (London & New Jersey: Zen Books, 1994), p. 119.

government was the result of international pressure and decisions, not the consent of the Baghdad government.

Encouraged by international developments, the Kurdish groups felt they could compensate their historic failure by demanding an independent state. A parliamentary communiqué of the northern Kurdish region issued on 4 October 1992 was a clear evidence to evaluate this point of view. Accordingly, the post World War I regulations were unjust to Kurdish people as they deprived “this ancient nation of its legitimate right to independence.”¹¹⁴ But in realizing this final aim the traditional impediment still exists: Neither the occupier (the US) nor the regional states support this thesis. From a systemic perspective, a Kurdish state is almost unlikely for such a development would mean the end of the existing state system of Turkey, Iran, Iraq and Syria in the Middle East.¹¹⁵ Recognizing these limits the Kurdish groups demand a federal model in Iraq. The Constitution of Iraqi Kurdistan region asserts,¹¹⁶

The federalism formula seen as an ideal solution for the ethnically pluralistic Iraqi society that would safeguard its unity and would, to a large degree, satisfy the legitimate aspirations of the people of Iraqi Kurdistan as this formula will guarantee their participation in the making of decisions while protecting the integrity and unity of Iraq.

The departure from the idea of independence occurred for they have failed in having international support. Historically speaking, the Kurdish region has a pathological link with the international system. Since they use foreign leverage in order to enhance their status in Iraq, their cooperation with the system has often endangered their position. Today it is the international forces that have protected the emergence of a Kurdish ‘statelet’ in the region. Thus, this process can easily be stopped by the same forces. For example, a recent Security Council resolution has practically torpedoed the Kurdish-Shiite alliance that started to take shape

¹¹⁴ Ibid., p. 129.

¹¹⁵ Michael M. Gunter, *The Kurdish Predicament in Iraq: A Political Analysis* (New York: St. Martin Press, 1999), pp. 111-126.

¹¹⁶ http://www.krg.org/docs/K_Const.asp

before the US invasion of Iraq.¹¹⁷ By this resolution the UN did not endorse the interim constitution of Iraq that assures Kurdish autonomy.

Today the traditional Kurdish claims of equal representation in government continue in Iraq. To realize these aims, they demand either presidency or the office of prime minister in the long run.¹¹⁸ The current process is being perceived them as a golden opportunity to realize their historical claims. Therefore, the Kurdish groups also perceive the restoration of central government as risky. Prime Minister Iyad Allawi's decision to disband the illegitimate Kurdish militia thus was perceived as a direct attack by Kurds. The Kurdish militias represent an army equipped with light and heavy weapons. Dissolving these militia means ending the distinguished status that the Kurdish states have enjoyed for the past 15 years, a status that is closer to independence.

Two major actors still dominate Kurdish politics: the KDP and the PUK. It is difficult to define the nature of relationship between them. Both parties have historical problems: each side accused the other of imposing economic blockades, stealing millions of dollars from the Kurdish Regional Government, sabotaging electrical installations, cultivating narcotics, and conniving with Baghdad and various foreign powers, among other misdeeds.¹¹⁹ On the one hand, they are fighting for the Kurdish cause; on the other hand there are many differences. These differences have caused several conflicts between KDP and PUK. From 1994-97, the PUK and KDP fought over territory and oil smuggling revenues. Similarly, two groups competed over the regional diplomatic developments. For example, KDP once allied with Saddam Hussein against the rival PUK. Similar alliances between KDP and Turkey also took place in recent history. Since these groups can protect their standing thanks to the regional and international political balances, their priorities may change very quickly. For example, despite the cited

¹¹⁷ "Difficult Options Facing Iraq's Kurds", *London Al-Quds al-Arabi*, 10 Jun 04, p.19 [FBIS Document Number: FBIS-NES-2004-0610]

¹¹⁸ "Iraq: Kurds Have Right to Expect Post of Either Iraqi President, Prime Minister", *Al-Sulaymaniyah Kurdistani Nuwe*, June 3, 2004. [FBIS Document Number: FBIS-NES-2004-0603]

¹¹⁹ Gunter, op cit, p. 235. The traditional proverb summarizes the relationship among Kurds as follows: "While Kurds have shown great unity during their fights against the Iraqi government, once the specter of a threat from Baghdad seems remote, the inner cleavages in Kurdish society comes to the surface." Al-Khafaji, op cit, p. 36.

cooperation between Turkey and KDP, later PUK replaced KDP. In the same line of logic, when KDP understood changing conditions, it had severed ties with the former regime and built ties with the United States. Consequently, the KDP enjoyed a golden age in the 1990s, living in the US no-fly zone and reaping profits by smuggling Iraqi oil into Turkey. Even the KDP military contingents were used by the American powers. The KDP's militia of 40,000 worked with U.S. forces during Operation Iraqi Freedom. The KDP also received funding from the U.S under the Iraq Liberation Act and participated in the planning meetings for an Iraqi Interim Administration. The Patriotic Union of Kurdistan emerged as a splinter group of the KDP in 1969. Based in northeast Iraq, in the autonomous region bordering Iraq, the KDP is the second of the two main Kurdish opposition parties, and has worked closely with the U.S.-led coalition, both militarily and politically, during the recent invasion of Iraq. The PUK also received funding from the U.S under the Iraq Liberation Act. Like KDP it was also active in the planning meetings for an Iraqi Interim Administration. With the Washington Accord, two sides by the help of the US reached an accord in September 1988. But relations were still fragile. For this fragility most important reason was the share of border incomes. KDP refused to hand over the Kurdish government customs revenues from the Turkish-Iraqi border point. These revenues estimated at US \$35 million annually and the chief source of the Kurdish government.

In the post-Saddam era, Kurdish groups represented by KDP and PUK so far have been successful in cooperating with each other in order to realize their aims. In order to realize these aims, high-level delegations from the PUK, and KDP held several meetings to put in place the necessary preparations to expedite the merger of the administrations of the two regional governments in Kurdistan, and to set up a mechanism for the merger, a key demand of our (the Kurdish) people.¹²⁰ (The case of post-Saddam era will be presented in detail under the title of 7.7) As stated in the Kurdish region constitution, their aim is a federal Iraq in which all different groups will be represented lest a group will dominate the rest. By and large, this is perceived as a tactical strategy of the Kurdish groups. The Kurdish leaders, Barzani and Talabani, have many times declared that the ultimate

¹²⁰ "Iraq: Kurds Hold Meeting on Preparations to Merge Separate Administrations", *Al-Sulaymaniyah Kurd Sat*, 13 Jan 04 [FBIS Document Number: FBIS-NES-2004-0113]

aim of their 'nation' is an independent state. However, other regional actors especially Turkey, Iran and Syria take this idea as devil.¹²¹ But, in general, the post-1991 developments deteriorated the problems in terms of Kurdish question. Due to the international limitations on the central government, the Kurdish groups have come out as quasi-state actors. Many institutions and regulations of Iraqi statehood have not been implemented in these territories.

To conclude, the Kurdish issue has been an endemic sovereignty crisis problem. Many important domestic boundaries of Western sovereignty have been violated within the context of the Kurdish issue. Despite the formal instruction of Western model in Iraq, its main pillars and institutions have never realized in the Kurdish areas. The relationship between Kurds and the central government has also plagued the consolidation of those major institutions.

7.7 The Transformation of Sovereignty Crisis

Three historical issues have been summarized in order to present how certain problems may create structural sovereignty crisis. As is seen, many typical sovereignty crises, which were previously presented in Ch. 4, exist in Iraq. This dissertation considering those evidences argues that Western sovereignty is limited. In this part, given the previous discussions, the current situation in Iraq will be analyzed with a special reference to the developments in terms of foreign intervention. Foreign intervention changed the course of developments in Iraq. Several historical problems that cause sovereignty crisis such as the Kurdish issue or the sectarian split were transformed into endemic and deep crisis. Thus, in the light of previous discussions the current situation of sovereignty crises in Iraq needs attention.

Historically speaking, the idea of foreign intervention is not a new idea to Iraq. Such decisions were several times in the agenda of Western powers.¹²² For example, the British intervention of 1940 was an important event. During the late

¹²¹ "Iranian, Syrian Foreign Ministers Urge Independent, United Iraq", *Tehran IRNA*, 3 Jan 04. [FBIS Document Number: FBIS-NES-2004-0103]

¹²² Stephen Blackwell, "A desert squall: Anglo-American Planning for Military Intervention in Iraq", *Middle Eastern Studies* 35(3), (July, 1999), pp. 1. Blackwell writes, "the launch of Operation Storm against Iraqi in 1991 and the subsequent Anglo-American readiness to undertake punitive action against Saddam Hussein has some interesting precedents..."

30s, Iraqi officers were unwilling to cooperate with Britain, and the Pan-Arab leaders began secret negotiations with the Axis Powers. Britain decided to send reinforcements to Iraq. British contingents entered Iraq in April and May 1941; armed conflict with Iraqi forces followed. The hostilities lasted only 30 days, during which period a few Iraqi leaders fled the country. By the end of May the Iraqi army capitulated. Certainly, the British intervention had far-reaching consequences. Britain was given the use of transportation and communication facilities and a declaration of war on the Axis Powers in January 1942. Many former officials were dismissed from the service.¹²³ It was only in 1948, the Jabr government negotiated for the removal of British concessions. After the negotiations in London, two sides came to an agreement on January 15, 1948. It was this agreement that provided for a new alliance between Iraq and Britain on the basis of equality and complete independence. This treaty sought an alliance on the basis of mutual interests. Again according to the agreement, Britain's use of the Iraqi bases in the event of war, or threat of war, would be dependent on Iraq's invitation. Whereas Iraq was declared independent kingdom in 1932 and admitted to the League of Nations, the British influence had continued till late sixties. Between 1941 and 1958, Britain and the Iraqi regime collaborated together not only in the administration, economic development and defense but for many years in the country's domestic politics as well.¹²⁴

Similarly, Iraq's problematic standing toward its neighbor's international legal sovereignty has a long historical background. Although Saddam's invasion of Kuwait was unprecedented, many previous governments had followed such attempting policies. For example, when Qasim's power was threatened, he tried to divert public attention to foreign affairs by advancing Iraq's claim to Kuwait's sovereignty in June 1961. The border problem with Iran was another sample. In April 1969 Iran forced Iraq into sharing the Shatt al-Arab waterway, and occupied the three Arab islands. In sum, territorial causes have always been important in Iraqi foreign policy. As a legacy of colonial background, the Iraqi leadership has

¹²³ Even the British and Nuri's government specifically ordered the alteration of textbooks and the expulsion of nationalist teachers. Simon, op cit, p. 124.

¹²⁴ Matthew Eliot, *Independent Iraq: The Monarchy and British Influence, 1941-58* (London: I.B. Tauris, 1996), p. 163.

frequently aimed a territorial re-construction. Accordingly, Iraq was depicted as a victim of colonial projects. A nationalist mythology concerning the 'rightful' frontiers of the territorial Iraqi state was manufactured.¹²⁵

In this vein, the developments since 1991 should be seen as truly a new era for Iraq in terms of sovereignty crisis. The intervention of foreign powers and international organizations created an unprecedented case in Iraq in which sovereignty collapse became inevitable. As I have discussed so far, the realization of sovereignty in Iraq has been impeded by several facts. But all those facts originated from a simple reality: the incompatibility of the colonially imposed model and local/domestic conditions in Iraq. Thus, there were typical problem such as the Kurdish question and the Sunni-Shi'i tension. However, the developments in the post-1991 era are composed of exogenous factors. A set of international decisions and steps almost made the realization of sovereignty in Iraq impossible. Furthermore, Iraq who has been suffering from its own problems this time was perplexed by new conditions created by international politics.

In short, the Iraqi sovereignty collapsed. Today, neither Westphalian nor domestic sovereignty exists in Iraq. The presence of foreign soldiers and the American based rule ended Westphalian sovereignty. William Pfaff has described the current process in Iraq as "an implicit American denunciation of the modern state order that has governed international relations since the Westphalian Settlement of 1648".¹²⁶ On the other hand, the Kurdish and the Shi'i groups are operating almost independently. In fact, there is no central and legitimate government in Iraq. In this vein, many important domestic boundaries between state and society have failed. Consequently, the post-1991 period duplicated the endemic crisis of sovereignty in this country.

As I have discussed above, the Kurdish groups began to build a *de facto* state and government under the aegis of the allied Provide Comfort Operations, and No-Fly Zone. They build a *de facto* state and government. This was accomplished largely under the aegis of the allied Provide Comfort Operation, and No-Fly Zone. The unprecedented 1991 United Nations Security Council

¹²⁵ Tripp, "The foreign policy of Iraq", p. 180.

¹²⁶ Cited in Hicham Ben Abdallah El Alaoui, "Where do we go from here", *Paris Le Monde Diplomatique*, 2 October 2003,[FBIS Document Number: FBIS-WEU-2003-1022]

Resolution 688 also played an important symbolic role.¹²⁷ A safe heaven zone was created in the north of Iraq from which all Iraqi forces were expressly excluded while all flights were forbidden north of the 36th parallel. These measures led to the withdrawal of the Iraqi armed forces from large areas of the north, finally establishing a cease-fire line in October 1991.¹²⁸ The Iraqi government informed the UN that this decision and related measures would “constitute a serious, unjustifiable and unfounded attack on the sovereignty and territory integrity of Iraq.”¹²⁹ Nevertheless, the Kurds were protected by the efforts of Operation Northern Watch to guard them from the perceived aggression of Baghdad. While international community had prevented Saddam getting involving into the region, the oil-for-food deal provided the Kurdish groups with 13% of Iraqi oil revenue. Besides, the whole region was under the absolute control of Kurdish groups which they made money with different other methods such as smuggling. In this simple model, the Kurdish groups, the KDP and the PUK, succeeded in creating an embryonic Kurdish state with its own government and parliament. Kurdish groups have their prisons and courts. An election was held in May 1992. A Kurdistan National Assembly was established composing deputies from KDP and PUK. These groups issued a new constitution. In 1992, the eight political parties that made up the Iraqi Kurdistan Front passed the Act for Electing the Parliament in Iraqi Kurdistan. It was a historical turning point as the first law to be enacted by a de facto Kurdish authority exercising power and assuming decision-making rights within the Kurdish region of Iraq, irrespective of the central government.¹³⁰ The Iraqi Kurdistan became divided into two de facto ‘statelets’.¹³¹ After the resolution, since the central government was limited in controlling these lands, the

¹²⁷ Michael M. Gunter, “The KDP-PUK Conflict in Northern Iraq”, *The Middle East Journal* 50(2), (Spring, 1996), p. 225.

¹²⁸ Charles Tripp, *A History of Iraq*, p. 271.

¹²⁹ Peter Malanczuk, “The Kurdish Crisis and Allied Intervention in the Aftermath of the Second Gulf War”, *EJIL* 2(2), 1991, p. 124.

¹³⁰ Falaq ah-Din Kakai, “The Kurdish Parliament”, in Fran Hazelton (ed.), *Iraq Since the Gulf War Prospects for Democracy* (London & New Jersey: Zen Books, 1994), p. 118.

¹³¹ Gareth R. V. Stansfield, “The Kurdish Dilemma: The Golden Era Threatened”, in Toby Dodge and Steven Simon (eds.), *Iraq at the Crossroads: State and Society in the Shadow of Regime Change* (Oxford, New York: Oxford University Press, 2003), p. 131.

Kurdish groups were unleashed totally. Not only did they establish their domestic institutions, but also they were organized in international realm. Legally speaking, the Iraqi law did not permit such status for Kurdish groups. But, with the help of the international community, in May 1995, the Kurdish groups agreed to open bureaus for Kurdish mission in New York and Brussels.

Strangely, the Kurdish region was turned to a medieval land in which overlapping authorities and groups existed. Therefore, many problems in terms of sovereignty quickly came out. The de facto partition of Kurdistan factions found the means to maximize its gains. At the end of 1993 and the beginning of 1995, long rounds of heavy fighting between the two parties led to a de facto partition of Iraqi Kurdistan into two statelets.¹³² Each Kurdish group (KDP and PUK) had long had a council of ministers. Thus, along the 'internal borders' separating the region of the KDP from that of the PUK, each party established new custom points and tariffs.¹³³ In other words, each Kurdish group established the 'boundaries' of their 'statelets'. This was a serious sovereignty crisis. Along with these developments, the freedom of movement within the Iraqi territory is limited. It should be noted that according to Article 24 of the Interim Constitution of 1990 of Iraq, "it is inadmissible to prevent the citizen from the departure from the Country or returning to it, nor to restrict his moves or residence in the Country, except in cases laid down by the law."

On the other hand, the Kurdish groups established their political systems on sectarian and ethnic lines. The KDP reportedly requires membership lists from ethnic minority political parties.¹³⁴ This is also important to show same hybridism in the Kurdish region. In this context, many Assyrian organizations were banned or prohibited by the Kurdish authorities. Also, the Kurds has attacked many times Turkoman. For example, in July 2000, the KDP attacked the headquarters of the Iraqi Turkoman Front killing two.¹³⁵ Kurdish groups discriminate against ethnic

¹³² Isam al-Khafaji, "The Destruction of Iraqi Kurdistan", *Middle East Report* 201, (October-December 1996), p.35.

¹³³ Ibid., p. 37.

¹³⁴ Carver, op cit., p. 70.

¹³⁵ www.state.gov/g/drl/rls/hrrpt/2000/nea/787.htm

groups here notably Assyrians and Turkoman. Primordial loyalties are still number one limits of democracy and peace in Kurdistan.

Along with the Kurdish problem, the Sunni-Shi'i split is also exacerbated and continued in different forms in the post-Saddam era. For example, the sectarian split was also experienced in the recent elections. Unlike the Shi'i groups, the elections were protested in most Sunni cities. There was no participation even in some Sunni regions. As confirmed, despite the internal cleavages, the Shi'i groups are well organized. The United Iraqi Alliance, a list endorsed by Grand Ayatollah Ali al-Sistani, the *primus inter pares* of the Shi'i clerics, did win 48 per cent of the votes. Since the Iraqi citizenship collapsed, the election process was dominated by ethnic and sectarian identities instead of citizenship-based political tendencies. Thus, it was a race between sects and tribes rather than a nation-wide election.¹³⁶

The increasing role of Shi'i leaders is an important point in studying the current sovereignty crisis in Iraq. In this context, the re-emerging role of Najaf is also very important. After the collapse of the Saddam regime, the historical status of Najaf has been rejuvenated. Important ayatollahs such as Sistani and Sadr live in this city and lead millions of Shi'i people not only in Iraq but in the region. Such religious figures influence their followers on every important occasion such as deciding in elections, other political events and even daily life. In many cities, the religious clergy supervise the political control. More controversially, the lack of a coherent program among those religious leaders confuses the case. In Iraq, there exist different Shi'i groups under the leadership of different religious leaders. In other words, the Shi'i factor contributes greatly to the medievalization of Iraq today. Having 48 per cent of the votes, the Shi'i groups became the major group of the newly elected Iraqi parliament with 140 seats of 275. Unsurprisingly, the Shi'i dominance has created certain diplomatic contacts between other groups. It is known that some high level meetings between Sunni Arabs and Kurds were scheduled.

Given all these developments the gist of the process is the continuing crisis of sovereignty in Iraq. This crisis is becoming worse given the political agendas of

¹³⁶ Evan Osnos and Colin McMahon, "Iraq election teeters on cultural split" *Chicago Tribune*, 24 January 2005.

certain groups. The term “medieval” for Iraq is not a symbolic presentation, but an actual case. Due to the sectarian and tribal groupings, the interim government ministers cannot rule their country but only several cities. For example, Minister of Foreign Affairs Zebari is a Kurdish political leader who is legitimate in different 18 cities. In many other Sunni Arab and Shi’i dominated cities, Zebari is not recognized as a legitimate leader. Similarly, for example another minister Felah Nakib, Minister of, is recognized as legitimate political figure in only 15 cities.¹³⁷ Another very striking sample: only five were elected on a list led by Ghazi al-Yawer, the Arab Sunni Iraqi President. It shows that how the Iraqi interim President was unpopular all over the country. Moreover, especially the Kurdish and the Shi’i groups want to continue this medievalist rule. According to the Kurdish leaders, the Kurdish regions should be independent from the Arab region. Certainly, such a political administrative model will be a great risk for central rule if the next Iraqi president will be elected among the Arabs. Put it differently, in such model no Arab president can extend the central rule over the Kurdish regions. Therefore, even in the post-elections period the partition of important Iraqi cities will take place between the ministers. Apart from the sectarian and tribal partition of Iraqi cities, another relevant problem is the role of armed groups. In other words, even the rule of tribal and sectarian local authorities is limited by those groups. Especially, the armed groups are very influential in several places like Felluce, Ramadi, Bakuba, Necef, Telafer and even in some parts of Baghdad. Ongoing clashes between different sectarian and tribal armed groups also need attention. For the Sunni groups feel themselves discriminated, they have organized their own armed groups in order to protect their interests. For instance, the Ansar-i Sunne Army is an important Sunni armed group which is against both American presence and the Shi’i dominance in Iraq. To conclude, the historical sectarian split in Iraq is exacerbated by ongoing developments after the American intervention. And, it still stands as one of the most important obstacles in front realizing a modern statehood in Iraq.

The facts that paralyze Iraqi sovereignty are not limited with certain historical problems. A set of novel problems came out within the context of

¹³⁷ Sefer Turan, “Talabani ipleri geriyor”, *Radikal*, 4 February 2005.

international sanctions has also created very structural problems in terms of sovereignty. Even though in different forms, embargos on Iraq have weakened important domestic boundaries. As is known, United Nations imposed comprehensive economic embargo on Iraq in the aftermath of the invasion of Kuwait. On 3 April 1991, UN Security Council adopted Resolution 687 on Iraq. Theoretically speaking, this very detailed resolution was the basic text that shaped the future of Iraq in international system. A set of new sanctions was launched. In different scales, these sanctions were unprecedented in its comprehensiveness, severity and length, and in the enormous human and economic cost which it inflicted on Iraq.¹³⁸ Shereen T. Ismael claims that the imposition of the sanctions regime on Iraq represented the colonial occupation of Iraq by the Security Council.¹³⁹ Sanctions were especially important in terms of Iraqi sovereignty. All these sanctions destroyed many important essentials of Iraqi society. The complex human tragedy experienced by these sanctions absolutely disrupted the legacy of Iraqi project since 1932. Thus, Iraq's sovereignty had a major blow between since 1991. All important pillars, symbols and values of a society that shape national identity were damaged by these sanctions. National borders, national and political unity, presidency, capital, among others, became almost meaningless and eroded from a functionalist point of view. In addition, education, art, and free travel were restricted to a considerable extent, ignoring the fact that these constitute vital social institutions and interactions which were extremely important for the maintenance of a national identity. Because of a 13-year imposition of a ruthless regime of sanctions, the modernization process was brought to a complete halt. The Iraqi social-fabric collapsed.¹⁴⁰ Sanctions destroyed the legacy of

¹³⁸ Abbas Alnasrawi, "Iraq: economic sanctions and consequences, 1990-2000", *Third World Quarterly* 22(2), 2001, p. 217. The UN sanctions regime on Iraq has long been a heated debate among scholars and experts. Many articles published criticizing the sanction regime. See: David Cortright and Geogre A. Lopez, "Are Sanctions Just? The Problematic Case of Iraq", *Journal of International Affairs* 52(2), (Spring, 1999), pp. 735-737, John Mueller and Karl Mueller, "Sanctions of Mass Destruction", *Foreign Affairs* 78(3), (May/June, 1999), pp.43-43.

¹³⁹ Sheeren T. Ismael, "Social Policy in the Arab World: Iraq as a Case Study", *Arab Studies Quarterly* 25(4) (Fall, 2003), p. 12.

¹⁴⁰ Shereen T. Ismael, "Dismantling the Iraqi Social Fabric: From Dictatorship Through Sanctions to Occupation", *Journal of Contemporary Family Studies* 35(2), (Spring, 2004), p. 334. However, remembered the human catastrophe caused by the previous Saddam regime, some scholars argue that a new approach on sovereignty is needed considering the human factor rather state the conventional state factor. Karima Bennoune, "Sovereignty vs. Suffering? Re-examining

modernization in Iraq. A Former UN Humanitarian Coordinator succinctly formulated the cost of sanctions in terms of nation-building: “What is proposed at this point in fact amounts to a tightening of the rope around the neck of the average Iraqi citizen. The question that needs an answer is how much does it cost to run a nation, particularly a nation disabled by ten years of sanctions?”¹⁴¹ Consequences of sanctions are important as breaking the legacy of past nation building: malnutrition and a displaced people. Nearly 600,000 people were displaced. In short, Iraq became a nation which was withering away.¹⁴²

After 9/11, the Bush administration offered a number of reasons to justify military action in Iraq. These ranged from the need to bring about regime change to disarming the Iraqi regime of its WMD to achieving freedom for the Iraqi people. Finally, resolution 1483, adopted on May 22, 2003, by the US Security Council, authorized the US to control Iraq and its oil until there is an internationally recognized Iraqi government. This resolution also offered the US led international coalition the status of an occupying power. Interestingly, this resolution contains no time limit, but refers to a provision that the UN Security Council will review the resolution within 12 months. The Resolution names the US and the UK as “the Authority” and defines their obligations as occupiers: “To promote the welfare of the Iraqi people through the effective administration of the territory”. Resolution 1483 states that “the people of Iraq with the help of the Authority and working with the Special Representative” will form a transitional administration that will operate until an internationally recognized is formed and assumes the responsibilities of the Authority. By so doing, the UN system recognized the de facto collapse of Iraqi sovereignty. Consequently, Iraq had faced domestic sovereignty crisis before the intervention of international actors. Accordingly, the colonially injected model could not be realized in all parts of Iraq in terms of central authority, citizenship and identity. However, international intervention exacerbated the sovereignty crisis by adding two additional

Sovereignty and Human Rights through the Lens of Iraq”, *European Journal of International Law* 13(1), 2002, p.261.

¹⁴¹ Carver, op cit., p. 78.

¹⁴² Laith Kubba, “Human Rights and Sovereignty” in Fran Hazelton (ed.), *Iraq Since the Gulf War Prospects for Democracy* (London & New Jersey: Zen Books, 1994), p. 148.

consequences: (i) an international intervention via a Westphalian sovereignty crisis which came out in Iraq. Accordingly, foreign soldiers and officials are ruling Iraq. (ii) International intervention on the other hand aggravated the everlasting domestic sovereignty crisis in Iraq as different sectarian and ethnic groups such as Kurds and Shi'is were almost liberated. Today, primordial patterns are still dominant in Iraqi politics. Paradoxically, all international attempts in creating a modern Iraq run through these primordial (sectarian, tribal) patterns. For example, Ghazi al-Yawer, the president of Iraq, is a tribal leader of the Iraqi Shammar Tribe. This tribe consists of around one million Arab Sunni Iraqis. The tribe has also members in Saudi Arabia, Kuwait, Syria, and the United Arab Emirates.¹⁴³ On the other hand, the Prime Minister Allawi is from the Shi'i majority.¹⁴⁴ Undoubtedly, their selection was on purpose, at least thanks to their tribal and sectarian origin. Such tribal figures today still represent the persistence of traditional structure of Iraq. Beyond such specific names, all acting groups in Iraq appear due to their sectarian or ethnic affiliations.¹⁴⁵ President Al-Yawer's words on the role of tribalism in new Iraq, also reminding the speeches of former Iraqi officials in the 20s and 30s, presents parallel conclusions:¹⁴⁶

We have demanded that all the tribal, religious, and social symbols should not be infringed upon. We are conservative Middle Eastern people and there are prominent figures even in the United States who are given special treatment. Regarding the tribes, I believe that the tribes are part of the Iraqi social makeup and perhaps members of the tribes should join parties and movements; they should not be the tools for confronting a crisis but effective tools in the development of the country, God willing.

¹⁴³ "Iranian Commentary Says Selection of Iraqi Leaders Part of Plot To Sideline Shiites", *Tehran Tehran Times*, 6 Jun 04. [FBIS Document Number: FBIS-NES-2004-0606]

¹⁴⁴ Several regional actors criticize Prime Minister Allawi for his personal background. Many people blame him for his former links with different Western intelligent services. Especially, Iranian sources blames him for being an American man. See: "Iyad Allawi and the Iraqi Transitional Government", *Tehran Iran*, 31 May 2004. [FBIS Document Number: FBIS-NES-2004-0607]

¹⁴⁵ "IGC President Al-Yawir Views Political Process, Violence, Sovereignty in Iraq", *Dubai Al-Arabiyah Television*, 21 May 2004. [FBIS Document Number: FBIS-NES-2004-0521]

¹⁴⁶ Ibid.

Apart from tribal configuration of new Iraqi leaders, traditional tribal hate continues. The developments in the recent decade severed the tension between tribal and sectarian groups. Thus it is possible to witness different reaction of tribal feud. For example, on 13 March 2004 the Iraqi newspaper *Al-Dustur* carries on its front page an editorial criticizing the Interim Constitution for granting Kurds greater rights than Arabs.¹⁴⁷ The editorial says the constitution is an approval for the future separation of Kurdistan. It criticizes officials there for mistreating Iraqi Arabs in Kurdistan, who are required to obtain permission to visit the region while Kurds are free to visit and live in any place in Iraq. It adds that no measures were taken to prevent that, indicating the pre-planning and preparation for the separation of Kurdistan. Similarly, the sectarian divisions continue on many issues. It is possible to see many new differences between Sunnis and Shi'is over any issue in Iraq.¹⁴⁸

On the other hand, an acute elite competition does still exist. When the US administration launched its financial support for Iraqi opposition, seven groups were authorized to receive this funding under the provisions of the act: Iraqi National Congress, Iraqi National Accord, Kurdistan Democratic Party, Patriotic Union of Kurdistan, Supreme Council for the Islamic Revolution in Iraq (SCIRI), Islamic Movement of Iraqi Kurdistan, and Constitutional Monarchists. A short analysis of these groups clearly shows the same problem of “contesting visions”. All these groups differ as they have extremely different agendas over the future of Iraq. For example INA (Iraq National Accord) is a very influential movement composed of former military and intelligent officers destroyed by Saddam regime. Constitutional Monarchy Movement is a London based which supports the revival of the constitutional monarchy government that ruled Iraq from 1921 until the 1958 revolution. To clarify the contest, for example, CMM is a member of Iraqi National Congress although ANC is against monarchy. SCIRI is a major Shi'i opposition. These groups have no common except the American list that put them together. Furthermore, there are some other movements not in the US list. These

¹⁴⁷ “Highlights: Iraq Press 13 Mar 04”, *Baghdad Iraq -- FBIS Report*, 13 Mar2004. [AFS Document Number: GMP20040313000167] [FBIS Document Number: N/A]

¹⁴⁸ “Iraq's Shi'i, Sunni Imams Divided Over Elections Postponement”, *Iraq – FMA*, 1 Mar 04. [FBIS Document Number: FBIS-NES-2004-0304]

groups have also other types of agendas. For example, the Islamic Liberation Party declared that their aim was to establish the State of Islam.¹⁴⁹

In addition, Iraq's diverse ethnic groups and religious divisions may mean that a central government selected by a simple electoral majority -in other words a formal injection of a Western model- will exacerbate, rather than mitigate, conflicts and rivalries. Therefore, some experts have recommended the establishment of a geographically based, federal system of government in Iraq, which would allow certain semi-autonomous regions such as the Kurdish area in the north to retain relative independence without threatening the country's territorial integrity. Others contend that such a model could be excessively divisive and might spark further interethnic or religious conflict. The ethnic and sectarian clashes in Iraq have carved out a deep psychological legacy. Accordingly, some groups believe that it is impossible to establish a political system on the basis of equal representation. Therefore, the only option is to establish an ethnic or communal based political system in which the powers of central government would be totally decentralized. The Shi'i Islamic Da'wa Party argues that this idea of "a federation on an ethnic or communal basis" is the logical solution to solve this endemic problem.¹⁵⁰

In conclusion, the traditional problems of Iraq were exacerbated after the foreign intervention to this country. International facts and the American presence gave an unprecedented field of maneuver to different groups. The central rule totally collapsed. What is called as interim government, the new central rule in Baghdad, is under the influence of tribal and sectarian distribution of certain positions. No doubt, such a structure is far from preventing sovereignty crises in different fields and parts.

7.8. Conclusion: The Continuing Hybridity

Iraq like other case studies in this dissertation has been beset by similar sovereignty crisis since the injection of a Western model. In this chapter, how certain sovereignty crises limited the consolidation of Western sovereignty in

¹⁴⁹ "Highlights: Iraqi Press 10 Feb 04", *Iraq -- FBIS Report, 10 Feb 04*. [FBIS Document Number: FBIS-WEU-2004-0212]

¹⁵⁰ Ibid.

domestic realm was studied through three issues: The official tribalism, the Sunni-Shi'i split and the Kurdish problem. Since those three problems violate important state-society level boundaries, important sovereignty crises come out related to them. Finally, having summarized those issues the current situation in Iraq with a special reference to the recent developments was presented. It was underlined that, many important pillars of Western sovereignty in terms of state-society boundaries have not realized in Iraq. With recent developments many of them even collapsed totally. Iraq today seems a medieval land in which different actors exist.

On the other hand, the ongoing process in Iraq might be the recurring of the previous mistakes. Iraq does still have its traditional configuration that has impeded the realization of a Western regime. New versions of colonial imagination designed to impose a Western model in Iraq seems another fruitless attempt. It is clear that well-known 'orientalist' agendas and debates have recently been unleashed once again. Thus, the transfer of sovereignty in Iraq has become an oft-cited formula in articles, news and any related document.¹⁵¹ Using extensively Western paradigms, the case of Iraq is being studied again. Following typical modernist/positivist logic the conditions of democracy are presented and the case of Iraq is evaluated according to these standards.¹⁵² However, such approaches are nothing than the repeating of historical mistake. A formal transfer or injection of sovereignty does not necessarily maintain its existence. As a matter of fact, the current developments refute this mistaken approach. A revival of colonial mentality along with a typical modernist reductionism is misleading. Indeed, from many perspectives, there are important similarities between the

¹⁵¹ "French Commentary Urges EU To Facilitate Iraq Sovereignty Transfer", *Paris Le Monde (Internet Version)*, 19 May 04 [FBIS Document Number: FBIS-WEU-2004-0519], "Transfer of sovereignty in Iraq a "sham" - Spanish daily", *Madrid El Mundo (Internet Version)*, 18 May 2004. [FBIS Document Number: FBIS-WEU-2004-0518], "Xinhua: Bush Says More Violence Possible in Iraq as Sovereignty Transfer Nears", *Beijing Xinhua*, 02 May 04, [FBIS Document Number: FBIS-CHI-2004-0502], "Iran: 'Most Pressing Issue' for OIC Meeting in Istanbul is Iraq's Sovereignty", *Tehran Keyhan International in English*, 16 Jun 2004, p.2 [FBIS Document Number: FBIS-NES-2004-0616].

¹⁵² For typical samples see: Daniel Bymann, "Constructing a Democratic Iraq Challenges and Opportunities", *International Security* 28(1), (Summer, 2003), pp. 47-78. Daniel L. Byman and Kenneth M. Pollack, "Democracy in Iraq?", *The Washington Quarterly* 26(3), (Summer, 2003), pp. 119-136. Marina Ottowa and Thomas Carothers, "The Right Road to Sovereignty in Iraq", *Carnegie Endowment Policy Brief* 27, October 2003.

ongoing process in Iraq and the presence of UK between 1914-1932. The British efforts, which were “unable to accomplish anything that was either useful or enduring”, are important now to study the American presence in Iraq.¹⁵³

Today Iraq is still an unfinished project with a contested nature. Iraq’s fundamental problems remained unsolved. Old alliances, loyalties and identities re-emerged in search of new definitions. Although modernization and economic development had in past decades contributed to a greater interaction between the different communities, they fell short of affecting the core of communal identities. Also, beyond Iraq’s traditional problems such as sectarian and ethnic tensions, the role of international community creates unprecedented problems today. In terms of these traditional and new problems, a Western type of sovereignty is still inapplicable in Iraq.

Given these problems, any model in Iraq would continue the hybrid characteristics. Despite the internationally injected forms and procedures, the primordial patterns of behaviors seem long lasting. Iraq has no capacity and infrastructure to consolidate a nation state in line with a Western type of statehood. The same limit means that a Western type of sovereignty is inapplicable. Thus, the hybrid model which had continued since 1932 till the end of Saddam regime is likely to dominate the political system. With overlapping authorities and groups in a ‘medievalistic’ appearance, there is no appropriate ground to realize the colonially injected Western type of sovereignty understanding in Iraq.

¹⁵³ Edward L. Peck, “Book Review: *Inventing Iraq: The Failure of Nation Building and a History Denied*”, *Middle East Policy* 11(2), (Summer, 2004), p. 175.

CHAPTER 8

CONCLUSION

This dissertation began by presenting the major assumptions and methodological points. Accordingly, the major thesis of this study was presented as to demonstrate the inapplicability of Western sovereignty in the Arab Middle East. In a historical perspective, Westernization of the region, in different forms such as modernization and colonization, caused great changes in the Arab Middle East. New territorial states came out as the final consequences of this process. Arab lands, which had included medievalistic overlapping authorities, were turned into a region in which modern territorial states act on the basis of nationality and territoriality. However, this process never meant the completely replacement of traditional forms of powers and political patterns. Instead, the importation/injection of Western forms into the region encountered and clashed with traditional forms, which gave way to a hybrid-model of sovereignty. Thus, one can talk about a limited applicability for a colonially injected Western sovereignty. In this argumentation, the term hybridity was especially underlined. The term hybridity, in this study, was defined as the continuity of traditional patterns within the colonially injected Western format. Certainly, the continuity of certain primordial patterns or instruments are clear evidences that display Western sovereignty faces different limits in term of realization. This approach also shaped the main methodological framework of this dissertation. Unlike the traditional foreign policy-based approaches, this dissertation under the banner of hybridity has taken state-society level institutions and forms as basic parameters in order to investigate the limits of Western sovereignty in related Middle Eastern states.

Depending on the cited framework, the second chapter clarified the theoretical conceptualization of the dissertation. In this part, the concept of sovereignty was analyzed in terms of state-society relations in parallel with the

basic argumentation of the dissertation. As discussed in this chapter, in a sharp contrast to the traditional view, which sees sovereignty as a typical foreign policy matter, the domestic realm is equally important. While it is important, a pure foreign policy-centered approach cannot be adequate to test the consolidation of sovereignty at all levels. In other words, the violations of state-society boundaries are also important issues of sovereignty crisis. It is a fact that the injection of a Western statehood in non-European lands also re-organized local structures in line with domestic borders of modern statehood. Thus, this chapter also dealt with the issue of hybridity. A review of relevant literature was presented in order to clarify the relevancy of hybridity in understanding the Arab societies. This chapter was followed by Chapter 3, in which independent historical accounts were presented for each case study of this dissertation. In this part, how Western model came out in Jordan, Kuwait and Iraq was presented. As a basic point, it was underlined that the emergence of Western model was not realized by purely external actors. Instead, domestic actors were also important in this process under different labels such as modernization. In this line of logic, Chapter 4 presented a methodological framework in order to show how three cases could be analyzed in the light of previous theoretical discussions. Thus, the aim of the chapter was to present how certain sovereignty crises might take place in domestic realm. Following those chapters, in Chapters 6, 7 and 8 three case studies were presented. In so doing, how certain facts impede the realization of Western sovereignty in terms of state-society boundaries were presented for Jordan, Kuwait and Iraq.

As underlined above, the basic argument of this dissertation was the inapplicability of Western sovereignty in the Arab Middle East in terms of state-society boundaries. Despite the long decades since their entrance to the modern state system, the problem of sovereignty still continues. Especially considering three case studies presented in previous chapters, several findings may be summarized as follows:

- i) The inapplicability of Western sovereignty thesis is correct given the failure of many state-society level boundaries in Jordan, Kuwait and Iraq. Despite these states are organized in the form of modern statehood, many state-society boundaries/ institutions have never been realized.

- ii) Even though Western sovereignty has been consolidated to some extent in state-state level (international relations), equal success has not been presented in domestic level. It is a fact that consolidation of Western sovereignty is more difficult in domestic realm given the needed social, economic and political prerequisites. The re-organization of Arab lands (Jordan, Kuwait and Iraq here) in the form of Western statehood was not matched by parallel re-organization of domestic patterns of power, authority and relations in terms of state-society relations.
- iii) Recall both the long-term modernization (Westernization) experience of these societies and the obstacles in front of Western model; a hybrid structure exists in each case. Therefore, a cohabitation of modern and pre-modern is experienced in each case. Different primordial patterns employed in certain fields confirm hybridity thesis.
- iv) Economic, political and social problems of those states legitimize hybrid policies like tribalism or electoral agenda in establishing order. Thus, hybrid policies seem pragmatic for local governments in the short run. In other words, facing certain political and economic handicaps, those states employ hybrid policies in order to sustain certain political and economic order. Given the difficulties of long run structural programs, substitution of certain economic and political deficits seems more practical. Thus, hybridism is also a political choice.

Sovereignty is still problematic in the Arab Middle East. Despite Arab states are organized in the forms of modern territorial state many important pillars of Western sovereignty do not exist in a functionalist manner. Yet, the end of grand narratives such as Arab unionism did not guarantee the consolidation of sovereignty in Arab societies in domestic realm. Besides, the Arab regimes that are always champion of sovereignty in international realm have been extremely skeptical in consolidating important institutions of sovereignty in domestic realm.

In sum, sovereignty crisis, for example in terms of the lack of a functional citizenship, the lack of an efficient central rule, the continuing role of tribal and sectarian loyalties, does still exist. Therefore, hybridity in the form of cohabitation of modern and pre-modern within the colonially injected Western model still influences those societies. Since new Arab state became sovereign member of international community, it is understood that more difficult is the consolidation of Western sovereignty in terms of state-society level.

In parallel, the problems concerning the consolidation of Western sovereignty in the domestic realm stimulate hybrid motives in Arab politics. Especially in the three cases that this dissertation has dealt (Jordan, Kuwait and Iraq) it is a keyword in understanding those societies. Despite the formal presence of many state-society boundaries, politics operates heavily under the influence of certain primordial instruments and principles. Thus, without a necessary consideration of hybridity any attempt in understanding those societies would be mistaken or insufficient. As referred in Introduction, hybrid-sovereignty approach may serve in understanding these societies since it refers to the basic structural problem in their political systems: the co-existence of traditional and modern patterns. By so doing, a hybrid-sovereignty approach helps the reader in analyzing how institutions function on dual basis. In spite of formal regulations of modern statehood at state-society level there are many contradictory practices exist in Jordan, Kuwait and Iraq. For example, in line with modern/ Western states, there are parliaments, central bureaucracies, and citizenship codes in many Arab states. However, in a sharp contrast to structural affinity, these institutions mostly operate on the basis of primordial patterns. From a hybrid-sovereignty perspective, it can easily be seen that parliaments are composed of different tribal quotas or religious groups. But, both tribal and sectarian factions defend sub-national and transnational patterns respectively. Thus, politics is not a game on the basis of citizenship but a competition of different primordial patterns. In this context, again, despite the citizenship-based codes, tribal, regional or sectarian patronage has been used as a systemic agenda. Given the failure of national-identity in different parts, central governments have employed such agendas in order to protect regime stability. In short, there are always different types of citizens in hybrid-sovereigns. Due to the complex co-existence of the modern and

the traditional, the hybrid-sovereignty approach is helpful in presenting the operational logic, behind the formal, in related societies. It should be underlined once again that the correct question for those societies is whether those states recognized by international community as a sovereign state are organized on the principles of modern statehood such as citizenship and an efficient central rule, or not.

A relevant discussion is how and why those states have failed in consolidating the domestic face of Western sovereignty since their entrance to the modern state-system. In brief, two alternative approaches can be proposed in order to explain this failure. First of all, the implantation of Western sovereignty has never matched with the needed sociopolitical infrastructure. Since their independence Jordan, Kuwait and Iraq have faced structural problems that have impeded the consolidation of Western sovereignty with its all components in domestic realm. Indeed, Western sovereignty can be realized on certain infrastructural elements and conditions. In other words, certain economic, social and political arrangements are necessary elements in realizing Western sovereignty in domestic realm. However, like many colonial creations Jordan, Kuwait and Iraq have never realized those prerequisites. Thus, they have substituted the lack of these elements through certain mechanisms. Inevitably, different substitution policies have stood as origins of hybridity.

Second, political origins of hybridity should be considered in explaining why and how Jordan, Kuwait and Iraq have failed in realizing Western sovereignty in domestic realm. Political regimes in those states have been a major obstacle for the institutionalization of Western sovereignty in domestic realm. Their priority has been to protect themselves. In so doing, they prevent the emergence of certain impersonal pillars of sovereignty. Even they have played different divisive policies including sectarianism and tribalism. Therefore, the project of sovereignty has been obscured by central governments. As stated before, the project of sovereignty is not an abstract agenda; instead it has several concrete pillars such as citizenship. Tribal and sectarian policies have obscured such pillars of sovereignty. Paradoxically, the central regimes themselves have contributed to the weakening of social boundaries. Political and social consequences of hybridity helped current leaders in protecting their offices and

regimes. When decolonization extended constitutional independence to the former Western colonies, a new type of player joined the society of states: Post-colonial sovereigns.¹ These states are weak players with severe deficiencies in substantial terms. Many important possessions such as territory, people, and government were more formal than real. The problem in these states was the nature of the relationship between people and state. As colonially created states lacking legitimacy, their rulers fulfilled this gap by power. Therefore, the most important function of sovereignty in these states was the instrumentalization of sovereignty against people in consolidating state power, because it gives one unfettered control over their internal affairs, and notably over their own domestic population. As the main security problem in post-colonial states is domestic rather than international, the traditional security dilemma is turned on its head. Sovereignty is used like an ideology for internal consolidation. To conclude, the lack of political will for certain political purposes has exacerbated the sovereignty crisis.

Today, the failure of Western sovereignty in terms of state-society boundaries is still an important source of instability in each society. As it was discussed in detail, any sovereignty crisis is accompanied by political or social crisis. Since many state-society boundaries such as citizenship are only on paper there is no legitimate functional corridor that can solve the legitimacy problem. This deficiency has caused great social and political turmoil in Jordan, Kuwait and Iraq. Therefore the problem of sovereignty is still very relevant in understanding the ongoing problems of related Arab societies like political instability, ethnic clashes and legitimacy.

To bring to a close, the expansion of Western state-system truly transformed the Arab lands. An alien model, which necessitated certain new patterns at different levels, was implanted in the Arab Middle East. However, it is a fact that the consolidation of certain alien forms has yet to be finalized even after long decades. On the other hand, apart from political and structural deficits, what worsen the case are the changing conditions of international system in the global era. Before having consolidating the basic pillars of modern statehood, Arab states face the unrestrained consequences of globalization. When all such

¹ Georg Sorensen, "Sovereignty: Change and Continuity in a Fundamental Institution", *Political Studies* 47 (3), (Special Issue, 1999), pp. 600-601.

different facts are taken together, hybridity is still expected to influence Arab politics. With important structural deficits, the Arab regimes are expected to continue substituting their weakness by employing certain primordial instruments which in the end will hybridize those societies.

BIBLIOGRAPHY

Books and Articles

Aarts, P. (2001) "Book Review: Mary Ann Tetreault, *Stories of Democracy: Politics and Society in Contemporary Kuwait*", *The Middle East Journal* 55(1): 137-140.

Abd al-Jabbar, F. (1994) "Why the *Intifada* Failed", in Fran Hazelton (ed.), *Iraq Since the Gulf War Prospects for Democracy*. London & New Jersey: Zen Books, pp. 97-117.

Abdel-Fadil, M. (1987) "The Macro-behavior of Oil-rentier States in the Arab Region", in Hazem Beblawi and Giacomo Luciani, *The Rentier State*. London: Croom Helm, pp. 83-107.

Abdullah, K. (1994) "Saddam as Hero", in Fran Hazelton (ed.), *Iraq Since the Gulf War Prospects for Democracy*. London & New Jersey: Zen Books, pp. 52-59.

Aburish, S. K. (2002) "Cruel Ancestry", in John Miller (ed.), *Inside Iraq: The History, the People, and the Modern Conflicts of the World's Least Understood Land*. New York: Marlowe & Company, pp. 62-75.

Ah-Din Kakai, F. (1994) "The Kurdish Parliament", in Fran Hazelton (ed.), *Iraq Since the Gulf War Prospects for Democracy*. London & New Jersey: Zen Books, pp. 118-133.

Ahmed, A. A. (1992) "Kuwait Public Commercial Investment in Arab Countries", *Middle Eastern Studies* 31(2): 293-307.

al Khafaji, I. (2003) "A Few Days After: State and Society in a Post-Saddam Iraq", in Toby Dodge and Steven Simon (eds.), *Iraq at the Crossroads: State and Society in the Shadow of Regime Change*. Oxford, New York: Oxford University Press, pp. 77-92.

al-Bayati, H. (1994) "Destruction of the Southern Marshes", in Fran Hazelton (ed.), *Iraq Since the Gulf War Prospects for Democracy*. London & New Jersey: Zen Books, pp. 141-146.

Alghanim, S. (1998) *The Reign of Mubarak Al-Sabah Shaikh of Kuwait 1896-1915*. New York: I. B. Tauris.

Ali, O. (1997) "The Kurds and the Lausanne Peace Negotiations", *Middle Eastern Studies* 33(3): 521-522.

Ali, Y., Katherine Meyer and Helen Rizzo. (2003) "Kuwait: The Process Of Adaptation And Change", *Journal of Humanities and Social Sciences* 19(1): 43-73.

al-Jaza'iri, Z. (1994) "Ba'thist Ideology and Practice", in Fran Hazelton (ed.), *Iraq Since the Gulf War Prospects for Democracy*. London & New Jersey: Zen Books, pp. 30-51.

Al-Kazemi A. and Abbas Ali. (2002) "Managerial problems in Kuwait", *The Journal of Management Development* 21(5/6): 366-375.

al-Khafaji, I. (1994) "State Terror and the Degradation of Politics", in Fran Hazelton (ed.), *Iraq Since the Gulf War Prospects for Democracy*. London & New Jersey: Zen Books, pp. 20-29.

al-Khafaji, I. (1999) "The Destruction of Iraqi Kurdistan", *Middle East Report* (October-December, 1999): 35-38 + 42.

al-Khalil, S. (1989) *Republic of Fear The Politics of Modern Iraq*. Berkeley; Los Angeles: University of California Press.

Al-Khazendar, S. (1997) *Jordan and the Palestine Question the Role of Islamic and Left Forces in Foreign Policy- Making*. Berkshire: Ithaca Press.

Alnajjar, G. (2000) "The Challenges Facing Kuwaiti Democracy", *The Middle East Journal* 54(2): 242-258.

Alnasrawi, A. (2001) "Iraq: economic sanctions and consequences, 1990-2000", *Third World Quarterly* 22(2): 205-218.

al-Shahristani, H. (1994) "Suppression and Survival of Iraqi Shi'is", in Fran Hazelton (ed.), *Iraq Since the Gulf War Prospects for Democracy*. London & New Jersey: Zen Books, pp. 134-140.

Al-Yahya, M. A. (1993) *Kuwait: Fall and Rebirth*. London and New York: Kegan Paul International.

Amadouny, V. M. (1994) "Infrastructural Development Under the British Mandate", in Eugene L. Rogan and Tariq Tell (eds.), *Village, Steppe and State The Social Origins of Modern Jordan*. London-New York: British Academic Press, pp. 128-161.

Amawi, A. M. (1994) "The Consolidation of the Merchant Class in Transjordan during the Second World War", in Eugene L. Rogan and Tariq Tell

(eds.), *Village, Steppe and State The Social Origins of Modern Jordan*. London-New York: British Academic Press, pp. 162-186.

Anderson, L. (1986) *The State and Social Transformation in Tunisia and Libya, 1830-1980*. Princeton, New Jersey: Princeton University Press.

Anderson, L. (1987) "The State in the Middle East and North Africa", *Comparative Politics* 20(1): 1-18.

Anderson, L. (1991) "Absolutism and the Resilience of Monarchy in the Middle East", *Political Science Quarterly* 160(1): 1-15.

Anderson, L. (1999) "A review of recent studies on oil and state formation in the Middle East", *Journal of International Affairs* 53(1): 353-374.

Anderson, P. (1979) *Lineages of the Absolutist State*. London: Verso.

Anscombe, F. (1997) *The Ottoman Gulf The Creation of Kuwait, Saudi Arabia, and Qatar*. New York, Columbia University Press.

Aron, R. (1970) *Main Currents in Sociological Thought II*. New York: Anchor Books.

Assiri, A. (1990) *Kuwait's Foreign Policy City-State in World Politics*. Boulder, San Francisco, London: Westview Press.

Ayoob, M. (1993) "Unraveling 'National Security' in the Third World" in Bahgat Korany, Rex Brynen and Paul Noble (eds.), *The Many Faces of National Security in the Arab World*. New York: St. Martin's Press, pp. 31-55.

Ayubi, N. (1995) *Overstating the Arab State Politics and Society in the Middle East*. London- New York: I. B. Tauris Publishers.

Azhar, M. (2000) "Phosphate Exports By Jordan", *Arab Studies Quarterly* 22(4): 59-79.

Bahgat, G. (1998) "The Gulf Monarchies: Economic and Political Changes at the End of the Century", *The Journal of Social, Political, and Economic Studies* 23(2): 147-175.

Bahgat, G. (2003) "The New Middle East: The Gulf Monarchies and Israel", *The Journal of Social, Political and Economic Studies* 28(2): 123-152.

Barakat, H. (1993) *The Arab World: Society, Culture, and State*. University of California Press.

Baram, A. (1990) "Territorial Nationalism in the Middle East", *Middle Eastern Studies* 26(4): 425-448.

Baram, A. (1997) "Neo-Tribalism in Iraq: Saddam Hussein's Tribal Policies 1991-1996", *International Journal of Middle East Studies* 29(1): 1-31.

Baram, A. (2000) "Saddam Hussein: Between His Power Base and The International Community", *Middle East Review of International Affairs* 4(4): 9-21.

Baram, A. (2003) "Saddam's Power Structure: the Tikritis Before, during and After the War", in Toby Dodge and Steven Simon (eds.), *Iraq at the Crossroads: State and Society in the Shadow of Regime Change*. Oxford, New York: Oxford University Press, pp. 93-114.

Barnett, B. (1996) "Sovereignty, nationalism, and regional order in the Arab state system", in Thomas J. Biersteker and Cynthia Weber (eds.), *State Sovereignty as Social Contract*. Cambridge: Cambridge University Press, pp. 148-189.

Baroudi, S. E. (2000) "Sectarianism and Business Associations in Postwar Lebanon", *Arab Studies Quarterly* 22(4): 81-108.

Bartelson, J. (1996) *A Genealogy of Sovereignty*. Cambridge: Cambridge University Press.

Batatu, H. (1978) *The Old Social Classes and the Revolutionary Movements of Iraq: A Study of Iraq's Old Landed and Commercial Classes and of Its Communists, Ba'athists, and Free Officers*. Princeton: Princeton University Press.

Bates, D. and Amal Rassam. (1983) *Peoples and Cultures of the Middle East*. New Jersey: Prentice Hall.

Bates, R. (2000) *Prosperity and Violence: The Political Economy of Development*. New York: Norton.

Beblawi, H. (1987) "The Rentier State in the Arab World", in Hazem Beblawi and Giacomo Luciani, (eds.) *The Rentier State*. London: Croom Helm, pp. 49-62.

Beblawi, H. and Giacomo Luciani, (1987) "Introduction", in Hazem Beblawi and Giacomo Luciani, (eds.), *The Rentier State*. London: Croom Helm, pp. 1-21.

Bellin, E (2000) "Contingent Democrats Industrialists, Labor, and Democratization in Late-Developing Countries", *World Politics* 52(2): 175-205.

Bengio, O. (1999) "Nation Building in Multiethnic Societies: The Case of Iraq", in Ofra Bengio and Gabriel Ben-Dor (eds.), *Minorities and the State in the Arab World*. Boulder; New York: Lynne Rienner, pp. 149-170.

Bennoune, K. (2002) "Sovereignty vs. Suffering? Re-examining Sovereignty and Human Rights through the Lens of Iraq", *European Journal of International Law* 13(1): 243-262.

Bhabba, H. K. (1997) *The Location of Culture*. London and New York: Verso.

Bilton, T., Kevin Bonnet and Pip Jones. (1996) *Introductory Sociology*. London: Macmillan.

Blackwell, S. (1999) "A desert squall: Anglo-American Planning for Military Intervention in Iraq", *Middle Eastern Studies* 35(3): 1-18.

Bobbio, N. (1989) *Democracy and Dictatorship The Nature and Limits of State Power*. Minneapolis, University of Minnesota Press.

Bocco, R. and Tariq M. M. Tell. (1994) "Pax Britannica in the Stepp: British Policy in the Transjordan Bedouin", in Eegene L. Rogan and Tariq Tell (eds.), *Village, Steppe and State The Social Origins of Modern Jordan*. London-New York: British Academic Press, pp. 108-127.

Bodin, J. (1992) *On Sovereignty Four Chapters from the Six Book of the Commonwealth*. New York-Cambridge: Cambridge University Press.

Bonne, A. (1955) *State and Economics in the Middle East A Society in Transition*. London: Routledge.

Brand, L. A. (1994) "Economic and Shifting Alliances: Jordan's Relations with Syria and Iraq, 1975-81", *International Journal of Middle East Studies* 26(3): 393-413.

Brand, L. A. (1994) *Jordan's Inter-Arab Relations: The Political Economy of Alliance Making*. New York: Columbia University Press.

Brand, L. A. (1995) "Palestinians and Jordanians: A Crisis of Identity", *Journal of Palestine* 24(4): 46-61.

Bromley, S. (1994) *Rethinking Middle East Politics*. Austin, TX: University of Texas Press.

Brown, N. J. (1987) *The Rule of Law in the Arab World: Courts in Egypt and the Gulf*. Cambridge: Cambridge University Press.

Brumberg, D. (2002) "Democratization in the Arab World? The Trap of Liberalized Autocracy", *Journal of Democracy* 13(4): 56-68.

Bukonvansky, M. (2002) *Legitimacy and Power Politics*. Princeton: Princeton University Press.

Burton, M. G. and John Higley. (1989) "The Elite Variable in Democratic Transitions and Breakdowns", *American Sociological Review* 54 (1): 17-32.

Byman, D. and Kenneth M. Pollack, (2003) "Democracy in Iraq?", *The Washington Quarterly* 26(3): 119-136.

Bymann, D. (2003) "Constructing a Democratic Iraq Challenges and Opportunities", *International Security* 28(1): 47-78.

Cantori, J. L. (2002) "Political Succession in the Middle East", *Middle East Policy* 9(3): 105-122.

Carnoy, M. (1984) *The State and Political Theory*. Princeton: Princeton University Press.

Carver, N. (2002) "Is Iraq/Kurdistan a State Such That It Can be Said to Operate State Systems and thereby Offer Protection to its 'Citizens'", *International Journal of Refugee Law* 14(1): 57-84.

Catherwood, C. (2004) *Churchill's Folly: How Winston Churchill Created Modern Iraq*. New York: Carroll & Graf Publishers.

Çetin, B. (2003) "Osmanlı İmparatorluğu'nda Bir İktisat Politikası Olarak Müdahalecilik", *Liberal Düşünce* 8(32): 156-174.

Charles, A. (1995) "Colonial Discourse Since Christopher Columbus", *Journal of Black Studies* 26(2): 134-153.

Chatelus, M. (1987) "Policies for Development: Attitudes toward Industry and Services", in Hazem Beblawi and Giacomo Luciani, *The Rentier State*. London: Croom Helm, pp. 108-137.

Chaudhry, K. A. (1989) "The price of wealth: business and state in labor remittance and oil economies", *International Organization* 43(1): 103-145.

Chaudhry, K. A. (1991) *The Price of Wealth Economies and Institutions in the Middle East*. Ithaca and London: Cornell University Press.

Choudhury, M. A. (1996) "Markets as a system of social contracts", *International Journal of Social Economics* 23(1): 17-36.

Choueiri, Y. M. (2001) *Arab Nationalism A History Nation and State in the Arab World*. Oxford: Blackwell.

Clapham, C. (1996) *Africa and the international system the politics of state survival*. Cambridge: Cambridge University Press.

Clapham, C. (1999) "Sovereignty and the Third World State", *Political Studies* 47(3): 522-537.

Cleveland, W. L. (1994) *A History of the Modern Middle East*. Boulder-San Francisco-Oxford: Westview Press.

Cortright D. and Geogre A. Lopez, (1999) "Are Sanctions Just? The Problematic Case of Iraq", *Journal of International Affairs* 52(2): 735-757.

Coser, L. A. (1977) *Masters of Sociological Thought: Ideas in Historical and Social Context*. New York: Harcourt Brace Jovanovich College Publishers.

Crystal, J. (1994) "Authoritarianism and Its Adversaries in the Arab World", *World Politics* 46: 262-289.

Crystal, J. (1999) *Oil and Politics in the Gulf Rulers and Merchants in Kuwait and Qatar*. Cambridge: Cambridge University Press.

Cunningham, K. J. (1998) "The Causes and Effects of Foreign Policy Decision Making An Analysis of Jordanian Peace with Israel", *World Affairs* 160(4): 192-201.

Damaska, M. R. (1991) *The Faces of Justice and State Authority: A Comparative Approach to the Legal Process*. New Haven and London: Yale University Press.

Dann, U. (1988) "The Hashemite Monarchy 1948-88: The Constant and the Changing – An Integration", in Joseph Hevo and Ilan Pappé (ed.), *Jordan in the Middle East The Making of a Pivotal State 1948-1988*. London: Frank Cass, pp. 22-31.

Darby, P. (1998) *The Fiction of Imperialism Reading Between International Relations and Postcolonialism*. London and Washington: Cassell.

Darwish, A. (2003) "Kuwait". *The Middle East* 337(4): 12-23.

Davies, R. (1996) "Ethnicity: Inside Out or Outside In?" in Jill Krause and Neil Renwick, (eds.), *Identities in International Relations*. London: Macmillan Press, pp. 79-98.

Davis, E. (2003) *Memories of State: Politics, History and Collective Identity in Modern Iraq*. Berkeley: University of California Press.

Dawisha, A. (1999) "Identity and Political Survival in Saddam's Iraq", *The Middle East Journal* 53(4): 553-567.

Dawisha, A. (2002) "Footprints in the Sand The Definition and Redefinition of Identity in Iraq's Foreign Policy", in Shibley Telhami and Michael

Barnett (eds.) *Identity and Foreign --Policy in the Middle East*. Ithaca and London: Cornell University Press, pp. 117-136.

Dawisha, A. (2003) *Arab Nationalism in the Twentieth Century: From Triumph to Despair*. Princeton: Princeton University Press.

Dawn, C. E. (1991) "The Origins of Arab Nationalism", in Rashid Khalidi, Lisa Anderson, Muhammad Muslih, Reeva S. Simon (eds.), *The Origins of Arab Nationalism*. New York: Columbia University Press, pp. 3-30.

De Mesquita, B. B. (2000) "Popes, Kings and Endogenous Institutions: The Concordat of Worms and the Origins of Sovereignty", *International Studies Review* 2(2): 93-118.

Deegan, H. (1997) "Democratization in the Middle East", in Haifaa A. Jawad (ed.), *The Middle East in the New World Order*. London: Palgrave, pp. 15-34.

Denoeux, G. (1993) *Urban Unrest in the Middle East A Comparative Study of Informal Networks in Egypt, Iran and Lebanon*. New York: State University of New York.

Devetak, R. and Richard Higgott. (1999) "Justice unbound? Globalization, state and the transformation of the social bond", *International Affairs* 75(3): 483-498.

Dewey, J. (1894) "Austin's Theory of Sovereignty", *Political Science Quarterly* 9(1): 31-52.

Divitçioğlu, S. (1981) *Asya Üretim Tarzı ve Osmanlı Toplumu*. Kırklareli: Vize.

Dodge, T. (2003) *Inventing Iraq: The Failure of Nation Building and a History Denied*. New York: Columbia University Press.

Doty, R. L. (1996) "Sovereignty and nation: constructing the boundaries of national identity", in Thomas J. Biersteker and Cynthia Weber (eds.), *State Sovereignty as Social Construct*. Cambridge: Cambridge University Press, pp. 121-147.

Doumani, B. (1999) "Rediscovering Ottoman Palestine Writing Palestinian into history", in Ilan Pappé (ed.), *The Israel/ Palestine Question Rewriting Histories*. London and New York: Routledge, pp. 11-40.

Dreitzel, H. (2002) "Reason of state and the crisis of political Aristotelianism: an essay on the development of 17th century political philosophy", *History of European Ideas* 28(3): 163-187.

Eckstein, H. (1992) *Regarding Politics Essays on Political Theory, Stability, and Change*. Berkeley, Los Angeles: University of California Press.

Edkins, J. (1999) *Poststructuralism & International Relations Bringing the Political Back In*. Boulder-London: Lynnee Rienner Publishers.

Ehtashami A. and Raymond A. Hinnebusch. (1997) *Syria and Iran Middle Powers in a Penetrated Regional System*. London and New York, Routledge.

El-Ghonemy, R. (1998) *Affluence and Poverty in the Middle East*. London and New York: Routledge.

Eliot, M. (1996) *Independent Iraq: The Monarchy and British Influence, 1941-58*. London: I.B. Tauris.

Eppel, M. (1996) "Syrian-Iraqi Relations During the 1948 Palestine War", *Middle Eastern Studies* 32(3): 74-92.

Evans, P. B., Dietrich Rueschemeyer and Theda Skocpol. (1985) "On the Road toward a More Adequate Understanding of the State", in Peter B. Evans, Dietrich Rueschemeyer, and Theda Skocpol (eds.), *Bringing the State Back*. Cambridge: Cambridge University Press, pp. 347-366.

Faqir, F. (2001) "Interfamily femicide in defense of honor: the case of Jordan", *Third World Quarterly* 22(1): 65-72.

Feiler, G. (1988) "Jordan's Economy, 1970-90: The Primacy of Exogenous Factors", in Joseph Hevo and Ilan Pappé (ed.), *Jordan in the Middle East The Making of a Pivotal State 1948-1988*. London: Frank Cass, pp. 45-66.

Findlay, A. M. (1994) *The Arab World*. London and New York: Routledge.

Findlay, C. V. (1980) *Bureaucratic Reform in the Ottoman Empire: The Sublime Porte, 1789-1922*. Princeton: Princeton University Press.

Firestone, Y. (1975) "Crop-sharing Economics in Mandatory Palestine" *Middle Eastern Studies* 11(1): 3-23.

Fischbach, M. R. (1994) "Book Review: Laurie A. Brand, "Jordan's Inter Arab Relations: The Political Economy of Alliance Making", *Middle East Journal* 50(2): 277-283.

Fischbach, M. R. (1994) "British Land Policy in Transjordan", in Eugene L. Rogan and Tariq Tell (eds.), *Village, Steppe and State The Social Origins of Modern Jordan*. London-New York: British Academic Press, pp. 80-107.

Fortna, B. C. (2002) *Imperial Classroom: Islam, the State, and Education in the Late Ottoman Empire*. Oxford: Oxford University Press.

- Foucault, M. (1980) *Power / Knowledge*. Brighton: Harvester Press.
- Foucault, M. (1991) *Discipline and Punish: The Birth of Prison*. Harmondsworth: Penguin.
- Fowler, M. R. and Julie Marie Bunck. (1996) *Law, Power, and The Sovereign State The Evolution and Application of the Concept of Sovereignty*. Pennsylvania, The Pennsylvania State University Press.
- Friedrichs, J. (2001) "The Meaning of New Medievalism", *European Journal of International Relations* 7(4): 475-501.
- Fuccaro, N. (1999) "Communalism and the State in Iraq: The Yazidi Kurds, c.1869-1940", *Middle Eastern Studies* 35(2): 1-26.
- Garaibeh, H. (1987) "Government Income Sources and the Development of the Taxation System – the Case of Jordan, Egypt and Kuwait", in Hazem Beblawi and Giacomo Luciani (eds.), *The Rentier State*. London and New York: Croom Helm, pp. 194-210.
- Gause III, F. G. (2002) "The Foreign Policy of Saudi Arabia", in Raymond Hinnebusch – Anoushiravan Ehtashami (eds.), *The Foreign Policies of Middle East States*. Boulder- London: Lynne Rienner Publishers, pp. 193-212.
- Gerber, H. (1987) *The Social Origins of Modern Middle East*. Boulder, Colorado: L. Rienner.
- Gerth, H. and C. Wright. (1958) *From Max Weber: Essays in Sociology*. New York: Oxford University Press.
- Ghabra, S. (1991) "Voluntary Associations in Kuwait: The Foundation of a New System?", *The Middle East Journal* 45(2): 199-215.
- Ghabra, S. (1997) "Balancing State and Society: The Islamic Movement in Kuwait", *Middle East Policy* 5(2): 58-72.
- Ghabra, S. (1997) "Kuwait and the Dynamics of Socio-Economic Change", *Middle East Journal* 51(3): 367-369.
- Ghabra, S. (1997) "Palestinians and Kuwaitis: conflict and missed opportunities", in Paul Salem (ed.), *Conflict Resolution in the Arab World: Selected Essays*. Beirut: American University of Beirut, pp. 301-324.
- Giacomo Luciani, "Resources, Revenues, and Authoritarianism in the Arab World: Beyond the Rentier State?", in Alan Richards- John Waterbury (eds.), *A Political Economy of the Middle East* (Boulder, CO: Westview Press, 1990), pp. 211-228.

Gil-Har, Y. (2000) "Boundaries Delimitation: Palestine and Trans-Jordan", *Middle Eastern Studies* 36(1): 68-81.

Gilpin, R. (1981) *War and Change in World Politics*. Cambridge: Cambridge University Press.

Glaser, S. and Mike Halliday. (1999) "Ideology in organizations – a comparison of East and West", *The Learning Organization* 6(3): 101-107.

Goetz, G. (1994) *Contexts of International Politics*. Cambridge: Cambridge University Press.

Goetz, G. and Paul F. Diehl. (1992) *Territorial Change and International Conflict*. London and New York: Routledge.

Gong, G. (1984) *The Standard of 'Civilization' in International Society*. Oxford: Clarendon Press.

Greenwood, S. (2003) "Jordan's 'New Bargain': The Political Economy of Regime Security", *Middle East Journal* 57(2): 248-268.

Griffith, M. (1999) *Fifty Key Thinkers in International Relations*. New York: Routledge.

Guance, G. (1998) "To die for country, land or faith in Castilian medieval thought", *Journal of Medieval History* 24(4): 313-332.

Gunter, M. (1996) "The KDP-PUK Conflict in Northern Iraq", *The Middle East Journal* 50(2): 225-241.

Gunter, M. (1999) *The Kurdish Predicament in Iraq: A Political Analysis*. New York: St. Martin Press.

Gunter, M. (2003) "Kurdish Future in a Post-Saddam Iraq", *Journal of Muslim Minority Affairs* 23(1): 9-23.

Haider, S. (1966) "Land Problems in Iraq", in Charles Issawi (ed.), *The Economic History of the Middle East*. London: Cassel, pp. 164-172.

Hall, S. (1992) "The West and the Rest: Discourse and Power", in Stuart Hall and Bram Gieben (eds.), *Formations of Modernity*. Cambridge: The Open University, pp. 275-332.

Hanioglu, M. Ş. (1991) "The Young Turks and the Arabs before the 1908 Revoulution", in Rashid Khalidi, Lisa Anderson, Muhammad Muslih, Reeva S. Simon (eds.), *The Origins of Arab Nationalism*. New York: Columbia University Press, pp. 31-49.

Hanley, D. C. (2003) "Dr. Rasha Al-Sabah On Women's Rights in Kuwait", *Washington Report on Middle East Affairs* 22(10): 77-79

Hans, G. and C. Wright Mills (eds.), (1958) *From Max Weber: Essays in Sociology*. New York: Galaxy Books.

Harik, I. (1990) "The Origins of the Arab State System", in Giacomo Luciani (ed.), *The Arab State*. Berkeley-Los Angeles: University of California Press, pp. 1-28

Harik, I. (1992) "Privatization: The Issue, the Prospects, and the Fears", in Iliya Harik and Denis J. Sullivan, (eds.), *Privatization and Liberalization in the Middle East*. Bloomington: Indiana University Press, pp. 1-23.

Haris, G. L. (1958) *Iraq Its People Its Society Its Culture*. New Haven: Hraf Press.

Hashim, A. (2003) "Saddam Husayn and Civil-Military Relations in Iraq: The Quest for Legitimacy and Power", *The Middle East Journal* 57(1): 9-41.

Haynes, J. (2002) "Power in Ghana From Early Colonial Times to the 1990s", *Africa* 72(2): 312-321.

Hedgen, C. (1991) "A Year Later, Kuwait Sinks into Malaise", *New York Times*, 2 August: 1 and 6.

Hegel, G. W. F. (1967) *Hegel's Philosophy of Right*. Oxford: Oxford University Press.

Held, D. (1992) "The Development of the Modern State", in Stuart Hall and Bram Gieben (eds.), *Formations of Modernity*. Cambridge: The Open University, pp. 71-126.

Herb, M. (2002) "Democratization in the Arab World? Emirs and Parliaments in the Gulf", *Journal of Democracy* 13(4): 41-47.

Herzog, C. (2003) "Corruption and Limits of the State in the Ottoman Province of Baghdad during the Tanzimat", *The MIT Electronic Journal of Middle East Studies* 3(1): 36-43

Hill, G. (2001) "The immiseration of the landlords: rent in a Kaldorian theory of income⁷ distribution", *Cambridge Journal of Economics* 25(2): 481-492.

Hinnebusch, R. (2002) "Introduction: The Analytical Framework", in Raymond Hinnebusch – Anoushiravan Ehtashami (eds.), *The Foreign Policies of Middle East States*. Boulder- London: Lynne Rienner Publishers, pp. 1-28.

Hinnebusch, R. (2002) "The Middle East Regional System", in Raymond Hinnebusch – Anoushiravan Ehtashami (eds.), *The Foreign Policies of Middle East States*. Boulder- London: Lynne Rienner Publishers, pp. 29-54.

Hobson, J. M. (2000) *The State and International Relations*. Cambridge: Cambridge University Press.

Hoffman, A. M. (2002) "A Conceptualization of Trust in International Relations", *European Journal of International Relations* 8(3): 375-401.

Hourani, A. (1947) *Minorities in the Arab World*. Oxford: Oxford University Press.

Hourani, A. (1990) "Conclusion: Tribes and States in Islamic History", in Philip S. Khoury and Joseph Kostiner, (eds.), *Tribes and State Formation in the Middle East*. Berkeley, LA: University of California Press, pp. 303-311.

Hudson, M. C. (1977) *Arab Politics The Search for Legitimacy*. New Haven and London: Yale University Press.

Hunt, J. (2003) *Britain 1846-1919*. London and New York: Routledge.

Inayatullah, N. (1996) "Beyond the sovereignty dilemma: quasi-states as social construct", in Thomas J. Biersteker-Cynthia Weber (eds), *State Sovereignty as Social Construct*. Cambridge: Cambridge University Press, pp. 50-80.

İslamoğlu-Inan, H. (1994) *The State and Peasant in the Ottoman Empire Agrarian Power Relations and Regional Economic Development in Ottoman Anatolia during the Sixteenth Century*. Leiden, New York: E.J. Brill.

Ismael, J. S. (1993) *Kuwait Dependency and Class in A Rentier State*. Tampa: University Press of Florida.

Ismael, S. T. (2003) "Social Policy in the Arab World: Iraq as a Case Study", *Arab Studies Quarterly* 25(4): 1-15.

Ismael, S. T. (2004) "Dismantling the Iraqi Social Fabric: From Dictatorship Through Sanctions to Occupation", *Journal of Contemporary Family Studies* 35(2): 333-349.

Issawi, C. (1955) "The Bases of Arab Unity", *International Affairs* 31(1): 36-47.

Issawi, C. (1982) *An Economic History of the Middle East and North Africa*. London: Methuen.

Jabar, F. A. (2003) "Clerics, Tribes, Ideologues and Urban Dwellers in the South of Iraq: the Potential for Rebellions", in Toby Dodge and Steven Simon

(eds.), *Iraq at the Crossroads: State and Society in the Shadow of Regime Change*. Oxford, New York: Oxford University Press, pp. 161-178.

Jabar, F. A. (2003) "The Iraqi Army and Anti-Army: Some Reflections on the Role of the Military", in Toby Dodge and Steven Simon (eds.), *Iraq at the Crossroads: State and Society in the Shadow of Regime Change*. Oxford, New York: Oxford University Press, pp. 115-130.

Jackson, R. (1987) "Quasi-States, Dual Regimes, and Neoclassical Theory: International Jurisprudence and the Third World", *International Organization* 41(4): 519-549.

Jackson, R. (1996) *Quasi-states: Sovereignty, International Relations and The Third World*. Cambridge: Cambridge University Press.

Jackson, R. (1999) "Sovereignty in World Politics: a Glance at the Conceptual and Historical Landscape", *Political Studies* 47(3): 431-456.

Jackson, R. H. and Mark W. Zacher. (1997) *The Territorial Covenant: International Society and the Stabilization of Boundaries*, Institute of International Relations The University of British Columbia, Working Paper 15.

Johnson, M. (1983) "Popular Movements and Primordial Loyalties in Beirut", in Talal Asad and Roger Owen, (eds.) *Sociology of Developing Societies The Middle East*. London: Macmillan Press, pp. 175-186.

Joseph, S. (2002) "Gender and Citizenship in the Arab World", Concept Paper presented at United Nations Development Program/ Mediterranean Development Forum, Amman, April 8, pp. 11, 23, 24.

Joyce, M. (1995) "Preserving the Sheikdom: London, Washington, Iraq and Kuwait, 1958-61", *Middle Eastern Studies* 31(2): 281-293.

Joyce, M. (1998) *Kuwait, 1945-96: An Anglo-American Perspective*. London: Frank Cass.

Kamrava, M. (2002) "The Politics of Weak Control: State Capacity and Economic Semi-Formality in the Middle East", *Comparative Studies of South Asia, Africa and the Middle East* 21(1&2): 43-52.

Karpat, K. (2001) *The Politization of Islam: Reconstructing Identity, State, Faith, and Community in the Late Ottoman State*. Oxford, New York: Oxford University Press.

Kaufman, A. (2001) "Phoenicianism: The Formation of Identity in Lebanon in 1920", *Middle Eastern Studies* 37(1): 173-194.

Kedourie, E. (1987) "The Nation-State in the Middle East", *The Jerusalem Journal of International Relations* 9(3): 1-9.

Kelidar, A. (2002) "A Quest for Identity?", *Middle Eastern Studies* 33(2): 407-426.

Khalidi, R. I. (1991) "The Palestinians and the Gulf Crisis", *Current History* 90(552): 18-20 + 37.

Khoury, P. S. (1987) *Syria And The French Mandate The Politics of Arab Nationalism 1920-1945*. London: I.B. Tauris.

Khoury, P. S. and Joseph Kostiner. (1990) "Introduction: Tribes and the Complexities of State Formation in the Middle East", in Philip S. Khoury and Joseph Kostiner, (eds.), *Tribes and State Formation in the Middle East*. Berkeley, LA: University of California Press, pp. 1- 22.

Kimmerling, B. and Joel S. Migdal, (1994) *Palestinians The Making of a People*. Cambridge-Massachusetts: Harvard University Press.

Kingston, P. W. T. (1994) "Breaking the Patterns of Mandate: Economic Nationalism and State Formation in Jordan, 1951-57", in Eegene L. Rogan and Tariq Tell (eds.), *Village, Steppe and State The Social Origins of Modern Jordan*. London-New York: British Academic Press, pp. 187-216.

Korany, B. (1987) "Alien and Besieged Yet Here to Stay: The Contradictions of the Arab Territorial State", in Ghassan Salame (ed.), *The Foundations of the Arab State* (London-New York: Croom Helm, pp. 47-74.

Korany, B. Rex Brynen and Paul Noble, (1993) "The Analysis of National Security in the Arab Context: Restating the State of the Art", in Bahgat Korany, Rex Brynen and Paul Noble (eds.), *The Many Faces of National Security in the Arab World*. New York: St. Martin's Press, pp. 1-25.

Krämer, G. (1994) "The Integration of the Integrists: a comparative study of Egypt, Jordan and Tunisia", in Salamé, G. (ed.), *Democracy Without Democrats? The Renewal of Politics in the Muslim World*. London, New York: I.B. Tauris, pp. 200-226.

Kramer, M. (1991) "Kuwait: Back to the Past" August, 5: 35.

Krasner, S. D. (1995-96) "Compromising Westphalia", *International Security* 20(3): 115-116.

Krasner, S. D. (1999) *Sovereignty Organized Hypocrisy*. Princeton, Princeton University Press.

Kratochwil, F. (2001) "The politics of place and origin: an enquiry into the changing boundaries of representation, citizenship and legitimacy", *International Relations of the Asia-Pacific* 1(2): 143-165.

Kratochwill, F. (1986) "Of Systems, Boundaries, and Territorially", *World Politics* 39 (1): 27-52.

Kubba, L. (1994) "Human Rights and Sovereignty" in Fran Hazelton (ed.), *Iraq Since the Gulf War Prospects for Democracy*. London & New Jersey: Zen Books, pp. 147-152.

Kuran, T. (1998) "The Vulnerability of the Arab State. Reflections on the Ayubi Thesis", *The Independent Review* 3(1): 11-123.

Kütükoğlu, M. (1983) *Osmanlılarda Narh Müessesesi ve 1640 Tarihli Narh Defteri*. İstanbul: Enderun Kitabevi.

Laski, H. J. (1967) *A Grammar of Politics*. London: George Allen & Unwin Ltd.

Lee, R. D. (1997) *Overcoming Tradition and Modernity the Search for Islamic Authenticity*. Oxford: Westview Pres.

Lerner, D. (1958) *The Passing of Traditional Society*. New York: Free Pres.

Lewis, B. (1991) "Watan", *Journal of Contemporary History* 26(3-4): 523-533.

Loy, D. R. (2000) "The Spiritual Origins of the West: A Lack Perspective", *International Philosophical Quarterly* 40(2): 215-233.

Luciani, G. (1990) "Allocation vs. Production States: A Theoretical Framework", in Giacomo Luciani, (ed.), *The Arab State*. Berkeley- Los Angeles, University of California Press, pp. 65-84.

Lukitz, L. (1995) *Iraq The Search for National Identity*. London: Frank Cass.

Lynch, M. (1999) *State Interests and Public Spheres*. New York: Columbia University Press.

Lynch, M. (2002) "Jordan's Identity and Interests", in Shibley Telhami and Michael Barnett, (eds.), *Identity and Foreign Policy in the Middle East*. Ithaca-London: Cornell University Press, pp. 26-57.

Ma'oz, M. (2002) "Ethnic and Religious Conflicts in Iraq", in Moshe Ma'oz and Gabriel Seffer (eds.), *Middle Eastern Minorities and Diasporas*. Brighton-Portland: Sussex Academic Press, pp. 179-194.

Ma'oz, M.(2002) "Middle Eastern Minorities: Between Integration and Conflict- An Overview", in Moshe Ma'oz and Gabriel Sheffer, (eds.), *Middle Eastern Minorities and Diasporas*. Portland: Sussex Academic Press, pp. 29-40.

Makdisi, S. (1990) "Economic Interdependence and National Sovereignty", in Giacomo Luciani (ed.), *The Arab State*. Berkeley, Los Angeles: University of California Press, pp. 319-348.

Malanczuk, P. (1991) "The Kurdish Crisis and Allied Intervention in the Aftermath of the Second Gulf War", *European Journal of International Law* 2(2): 114-132.

Malanczuk, P. (1999) *Modern Introduction To International Law*. London and New York: Routledge.

Mansfield, P. (1992) *A History of the Middle East*. London: Penguin Books.

Mar, P. (2004) *Modern History of Iraq*. Oxford: Westview Press.

Marber, P. N. (1995) "Sheiks and Souks: Capital Market Formation in the Middle East", *Journal of International Affairs* 49 (1): 75-101.

Mardin, S. (2000) *The Genesis of Young Ottoman Thought: A Study in the Modernization of Turkish Political Ideas*. Syracuse, New York: Syracuse University Press.

Massad, J. A. (2001) *Colonial Effects The Making of National Identity in Jordan*. New York: Columbia University Press.

Mayall, J. (1999) "Sovereignty, Nationalism, and Self-determination", *Political Studies* 47(3): 474-502.

Mbembe, A. (2000) "At the Edge of the World: Boundaries, Territoriality, and Sovereignty in Africa", *Public Culture* 12(1): 259-284.

McCorquodale, R. and Raul Pangalangan. (2001) "Pushing Back the Limitations of Territorial Boundaries", *European Journal of International Law* 12(5): 867-888.

McGowan, B. (1981) *Economic Life in Ottoman Empire Taxation, Trade and the Struggle for land, 1600-1800*. Cambridge-London-New York: Cambridge University Press.

Migdal, J. S. (2001) *State in Society Studying How States and Societies Transform and Constitute One Another*. Cambridge: Cambridge University Press.

Miller, J. (1991) "Nowhere to Go", *New York Times Magazine* July, 21: 13.

Moghadam, V. M. (1994) *Gender and National Identity Women and Politics in Muslim Societies*. London: Zen Books.

Mohsen, F. (1994) "Cultural Totalitarianism", in Fran Hazelton (ed.), *Iraq Since the Gulf War Prospects for Democracy*. London & New Jersey: Zen Books, pp. 1-19.

Mohtadi, H. and Terry L. Roe, (2003) "Democracy, rent seeking, public spending and growth", *Journal of Public Economics* 87(3-4): 445-466.

Momen, M. (1985) *An Introduction to Shi'i Islam The History of Doctrines of Twelver Shi'ism*. New Haven and London: Yale University Press.

Monroe, E. (1963) *Britain's Moment in The Middle East 1914-1956*. Baltimore; The John Hopkins University Press.

Moore, M. (2000) "Political Underdevelopment", Paper Presented at the 10th Anniversary Conference of the Development Studies Institute, London, September, 7-8.

Moore, P. W. (2002) "Rentier Fiscal Crisis and Regime Stability: Business-State Relations in the Gulf", *Studies in Comparative International Development* 37(1): 34-56.

Morgenthau, H. J. (1973) *Politics Among Nations The Struggle for Power and Peace*. New York: Alfred A Knopf.

Mueller, J. and Karl Mueller. (1999) "Sanctions of Mass Destruction", *Foreign Affairs* 78(3): 43-53.

Mufti, M. (1996) *Sovereign Creations Pan-Arabism and Political Order in Syria and Iraq*. Ithaca and London: Cornell University Press.

Mundy, M. (1994) "Village Land and Individual Title: *Musha'* and Ottoman Land Registration in the 'Ajlun District", in Eegene L. Rogan and Tariq Tell (eds.), *Village, Steppe and State The Social Origins of Modern Jordan*. London-New York: British Academic Press, pp. 58-79.

Murphy, A. B. (1996) "The sovereign state system as political-territorial ideal: historical and contemporary considerations", in Thomas J. Biersteker and Cynthia Weber (eds.), *State Sovereignty as Social Construct*. Cambridge: Cambridge University Press, pp. 81-120.

Murphy, K. M., Andrei Shleifer and Robert W. Vishny. (1993) "Why Is Rent-Seeking So Costly to Growth?", *The American Review* 83(2): 409-411.

Muzaffari, M. (2001) "The Transformationalist perspective and the rise of a global standard of civilization", *International Relations of the Asia-Pacific* 1(2): 247-264.

Nakash, Y. (1994) *The Shi'is of Iraq*. Princeton, New Jersey: Princeton University Press.

Nakhjavani, M. (1993) "Resources, Wealth and Security: The Case of Kuwait", in Bahgat Korany, Paul Noble and Rex Brynen (eds.), *The Many Faces of National Security in the Arab World*. New York: St. Martin's Press, pp. 185-205.

Nakkash, Y. (2003) "The Shi'ites and the Future of Iraq", *Foreign Affairs* 82(4): 17-26.

Nanes, S. E. (2003) "Fighting Honor Crimes: Evidence of Civil Society in Jordan", *Middle East Journal* 57(1): 125-142.

Neuberger, B. (2002) "National Self-Determination in the Middle East and North Africa", in Moshe Ma'oz and Gabriel Sheffer, (eds.), *Middle Eastern Minorities and Diasporas*. Portland: Sussex Academic Press, pp. 41-71.

Nevo, J. and Ilan Pape. (1988) "Introduction", in Joseph Hevo and Ilan Pape (ed.), *Jordan in the Middle East The Making of a Pivotal State 1948-1988*. London: Frank Cass, pp. 1-12.

Newman, D. (2001) "Boundaries, Borders, and Barriers: Changing Geographic Perspectives on Territorial Lines", in Mathias Albert-David Jacobson and Yosef Lapid (eds.), *Identities Borders Orders Rethinking International Relations Theory*. Minneapolis-London: University of Minneapolis Press, pp. 137-151.

Nicholson, M. (1996) *Causes and Consequences in International Relations A Conceptual Study*. London and New York: Pinter.

Noreng, O. (1997) *Oil and Islam Social and Economic Issues*. New York: Wiley.

Norton, A. R. (1995) *Civil Society in the Middle East*. Leiden: E. J. Brill.

Norval, A. J. (1999) "Hybridization: The Im/Purity of the Political", in Jenny Edkins, Nalini Persram, and Veronique Pin-Fat (eds.), *Sovereignty and Subjectivity*. Boulder-London: Lynne Rienner Publishers, pp. 99-116.

Nowar, M. A. (1989) *The History of the Hashemite Kingdom, Vol. I: The Creation and Development of Transjordan, 1920-1929*. Oxford: Oxford University Press.

O'Leary, C. A. (2002) "The Kurds of Iraq. Recent History, Future Prospects", *Middle East Review of International Affairs* 6(4): 17-29.

Oksenberg, M. (2001) "The Issue of Sovereignty in the Asian Historical Context", in Stephen D. Krasner (ed.), *Problematic Sovereignty Contested Rules and Political Possibilities*. New York: Columbia University Press, pp. 83-104.

Onuf, N. (1995) "Intervention for the Common Good", in Gene M. Lyons-Michael Mastanduno (eds.), *Beyond Westphalia? State Sovereignty and International Intervention*. Baltimore and London: The Johns Hopkins University Press, pp. 43-58.

Ortaylı, İ. (1995) *İmparatorluğun En Uzun Yüzyılı*. İstanbul: Hil.

Osiander, A. (1980) "Sovereignty, International Relations, and the Westphalian Myth", *International Organization* 55(2): 251-288.

Osnos, E. and Colin McMahon, (2005) "Iraq election teeters on cultural split" *Chicago Tribune*, January 24: 12.

Ottowa, M. and Thomas Carothers. (2003) "The Right Road to Sovereignty in Iraq", *Carnegie Endowment Policy Brief* 27: 1-7.

Ovendale, R. (1992) *The Origins of the Arab-Israeli Wars*. London- New York: Longman.

Owen, R. (1992) *State, Power & Politics in the Making of The Modern Middle East*. London and New York: Routledge.

Owen, R. (1993) *The Middle East in the World Economy 1800-1914*. London- New York: I.B. Tauris & Co.

Owen, R. and Sevket Pamuk. (1999) *A History of Middle East Economies in the Twentieth Century*. Cambridge: Massachusetts.

Özbudun, E. (1996) "The Ottoman Legacy and the Middle East State Tradition", in L. Carl Brown (ed.), *Imperial Legacy The Ottoman Imprint on the Balkans and the Middle East*. New York: Columbia University Press, pp. 133-157.

Pamuk, Ş. (1987) *The Ottoman Empire and European Capitalism, 1820-1913*. Cambridge: Cambridge University Press.

Pamuk, Ş. (2000) *A Monetary History of the Ottoman Empire*. Cambridge: Cambridge University Press.

Pappe, I. (1984) "Jordan Between Hashemite and Palestinian Identity", in Joseph Nevo and Ilan Pappe (eds.), *Jordan in the Middle East 1948- 1988: The Making of a Pivotal State*. Essex: Frank Cass, pp. 61-91.

Peck, E. L. (2004) "Book Review: *Inventing Iraq: The Failure of Nation Building and a History Denied*", *Middle East Policy* 11(2): 175-179.

Pegg, S. (1998) *De Facto States in the International System*, Institute of International Relations The University of British Columbia, Working Paper No. 21.

Pelham, N. (2002) "Jordan Queen's Decree Stirs Tempest Over Citizenship Rights", *Christian Science Monitor*, December 17: 3.

Perthes, V. (1997) *The Political Economy of Syria under Asad*. London and New York: I. B. Tauris.

Peterson, J. E. (2001) "Succession in the States of the Gulf Cooperation Council", *The Washington Quarterly* 24(4): 173-186.

Pfeifer, K., Marsha Pripstein-Posusney and Djavad Salehi-Isfahani, (1999) "Reform or Reaction? Dilemmas of Economic Development in the Middle East", *Middle East Report* 22(3): 14-22.

Phillpott, D. (1999) "Westphalia, Authority, and International Security", *Political Studies* 47(3): 566-589.

Poggi, G. (1990) *The State: Its Nature, Development and Prospects*. Stanford: Stanford University Press.

Poulantzas, N. (1975) *Political Power and Social Classes*. London: NLB.

Reed, S. (1990-91) "Jordan and the Gulf Crisis", *Foreign Affairs* 69(5): 21-35.

Reiter, Y. (2004) "The Palestinian-Transjordanian Rift: Economic Might and Political Power in Jordan", *Middle East Journal* 58(1): 73-93.

Robinson, G. E. (1997) "Can Islamists Be Democrats? The Case of Jordan", *Middle East Journal* 51(3): 373-387.

Robinson, G. E. (2001) "Decentralization in Rentier States: The Case of Palestine", *Paper Presented for The American Political Science Association Annual Conference*. San Francisco, CA, September: 6-9.

Rogan, E. L. (1994) "Bringing the State Back: The Limits of Ottoman Rule in Jordan, 1840-1910", in Eugene L. Rogan and Tariq Tell (eds.), *Village, Steppe and State The Social Origins of Modern Jordan*. London-New York: British Academic Press, pp. 32-57.

Rogan, E. L. (2002) *Frontiers of the State in the Late Ottoman Empire*. Cambridge: Cambridge University Press.

Rogan, E. L. (2003) "Introduction", *The MIT Electronic Journal of Middle East Studies* 3(1): 1-2.

Ross, D. (2004) *The Missing Peace: The Inside Story of the Fight For the Middle East*. New York: Farrar Straus and Giroux.

Ross, M. (2001) "Does Oil Hinder Democracy?", *World Politics* 53(2): 325-361.

Ruggie, J. G. (1993) "Territoriality and beyond: problematizing modernity in international relations", *International Organization* 47 (1): 139-174.

Ryan, C. R. (1998) "Peace, Bread and Riots: Jordan and the International Monetary Fund", *Middle East Policy* 6(2): 54-66.

Ryan, C. R. (2002) *Jordan in Transition From Hussein to Abdullah*. London: Lynne Rienner Publishers.

Sahliyah, E. (2000) "The Limits of State Power in the Middle East", *Arab Studies Quarterly* 22(1): 1-30.

Sakai, K. (2001) "Modernity and Tradition in the Islamic Movements in Iraq: Continuity and Discontinuity in the Role of the *Ulama*", *Arab Studies Quarterly* 23(1): 37-53.

Salih, K. O. (1991) "Kuwait: Political Consequences of Modernization, 1750-1986", *Middle Eastern Studies* 27(1): 46-68.

Salloukh, B. F. (1996) "State Strength, Permeability, And Foreign Policy Behavior: Jordan in Theoretical Perspective", *Arab Studies Quarterly* 18(2): 39-66.

Satloff, R. B. (1994) *From Abdullah to Hussein Jordan in Transition*. New York- Oxford: Oxford University Press.

Sayigh, R. (1979) *Palestinians: From Peasants to Revolutionaries*. London: Zed.

Sayigh, Y. (1991) "The Gulf crisis: why the Arab regional order failed", *International Affairs* 67 (3): 487-507.

Schecter, D. (2000) *Sovereign states or political communities?* Manchester and New York: Manchester University Press.

Secombe, I. J. (1986) "Economic Recession and International Labor Migration in the Arab Gulf," *The Arab Gulf Journal* 6(2): 46-57.

Shafir, G. (1998) *The Citizenship Debates: A Reader*. Minnesota: University of Minnesota Press.

Sharabi, H. (1962) *Governments and Politics of the Middle East in the Twentieth Century*. London, New York: D. Van Nostrand.

Sharabi, H. (1988) *Neopatriarchy A Theory of Distorted Change in Arab Society*. New York, Oxford: Oxford University Press.

Sharabi, H. (1990) "The Scholarly Point of View: Politics, Perspective, Paradigm", in Hisham Sharabi (ed.), *Theory, Politics and the Arab World Critical Responses*. New York: Routledge, pp. 1-51.

Shaw, S. J. and Ezel Kural Shaw. (1997) *History of the Ottoman Empire and Modern Turkey (Vol. II)*. Cambridge: Cambridge University Press

Sheikh, N. S. (2003) *The New Politics of Islam Pan-Islamic Foreign Policy in a World of States*. London and New York: Routledge.

Shiblak, A. (1996) "Residency Status and Civil Rights of Palestinian Refugees in Arab Countries", *Journal of Palestine Studies* 25(3): 36-45.

Shlaim, A. (1988) *Collusion Across the Jordan: King 'Abdullah, the Zionist Movement, and the Partition Palestine*. Oxford: Clarendon Press.

Shlaim, A. (1999) "The Debate About 1948", in Ilan Pappé (ed.), *The Israel/ Palestine Question Rewriting Histories*. London and New York: Routledge, pp. 171-192.

Shryock, A. (2000) "Dynastic Modernism and Its Contradictions: Testing the Limits of Pluralism, Tribalism, and King Hussein's Example in Hashemite Jordan", *Arab Studies Quarterly* 22(3): 57-79.

Sidaway, J. D. (2003) "Sovereign excess? Portraying postcolonial sovereigntyscapes" *Political Geography* 22(2): 157-178.

Simon, R. S. (1986) *Iraq between the Two World Wars: The Creation and Implementation of a Nationalist Ideology*. New York: Columbia University Press.

Simon, R. S. (1997) "The Imposition of Nationalism on a Non-Nation State: The Case of Iraq During the Interwar Period, 1921-1941", in Israel Gershoni-James Jankowski (eds.), *Rethinking Nationalism in the Arab Middle East*. New York: Columbia University Press, pp. 119-143.

Skidmore, D. (2001) "Civil Society, Social Capital and Economic Development", *Global Society* 15(1): 53-72.

Sluglett, P. (1989) "The Kurds", in CARDRI (eds.), *Saddam's Iraq Revolution or Reaction?* London: Zed Books, pp. 177-202.

Sluglett, P. and Marion Farouk-Sluglett. (1978) "Some Reflections on the Sunni/Shi'i Question in Iraq", *Bulletin (British Society of Middle Eastern Studies)* 5(2): 79-83.

Smith, A. (1991) *National Identity*. Las Vegas: University of Nevada Press.

Smith, S. (2001) "Globalization and the governance of space: a critique of Krasner on sovereignty", *International Relations of Asia-Pacific* 1(2): 199-226.

Smith, S. C. (2001) "The Making of a Neo-Colony? Anglo-Kuwaiti Relations in the Era of Decolonization", *Middle Eastern Studies* 37(1): 159-172.

Somel, S. A. (2001) *The Modernization of Public Education in the Ottoman Empire 1839-1908. Islamization, Autocracy and Discipline*. Leiden: Brill.

Sorensen, G. (1999) "Sovereignty: Change and Continuity in a Fundamental Institution", *Political Studies* 47 (3): 590-604.

Stake, R. (1995) *The Art of Case Study Research*. Thousand Oaks, California: Sage.

Stansfield, G. R. V. (2003) "The Kurdish Dilemma: The Golden Era Threatened", in Toby Dodge and Steven Simon (eds.), *Iraq at the Crossroads: State and Society in the Shadow of Regime Change*. Oxford, New York: Oxford University Press, pp. 131-148.

Steans, J. and Lloyd Pettiford, (2001) *International Relations: Perspectives and Themes*. London and New York: Longman.

Strang, D. (1996) "Contested sovereignty: the social construction of colonial imperialism", in Thomas J. Biersteker and Cynthia Weber (eds.), *State Sovereignty as Social Construct*. Cambridge: Cambridge University Press, pp. 22-49.

Strayer, J. R. (1970) *On the Medieval Origins of the Modern State*. Princeton: Princeton University Press.

Susser, A. (1999) "The Palestinians in Jordan: Demographic Majority, Political Minority", in Ofra Bengio and Gabriel Ben-Dor (eds.), *Minorities and the State in the Arab World*. London: Lynne Rienner Publishers, pp. 91-110.

Susser, A. (2000) *Jordan Case Study of a Pivotal State*. Washington: The Washington Institute for Near East Policy.

Tal, L. (1993) "Is Jordan Doomed?", *Foreign Affairs* 72(5): 45-58.

Tall, T. (2000) "The Politics of Rural Policy in East Jordan, 1920-1989", in Martha Mundy (ed.), *The Transformation of Nomadic Society in the Arab East*. New York, Cambridge: Cambridge University Press, pp. 88-97.

Taraki, L. (1996) "Jordanian Islamists and the Agenda For Women: Between Discourse and Practice", *Middle Eastern Studies* 32(1): 140-158.

Tate, P. (2004) "The New Sovereign Iraq", *The Jordan Times*, July 6: 11.

Teschke, B. (2003) *The Myth of 1648 Class, Geopolitics and the Making of Modern International Relations*. London- New York, Verso.

Tetreault, M. (2000) "Kuwait's Unhappy Anniversary", *Middle East Policy* 7(3): 67-77.

Tetreault, M. A. (1991) "Autonomy, necessity, and the small state: ruling Kuwait in the twentieth century", *International Organization* 45(4): 565-591.

Tetreault, M. A. (1993) "Civil Society in Kuwait: Protected Spaces and Women's Rights", *The Middle East Journal* 47(2): 275-291.

Tetreault, M. A. (1997) "Designer Democracy in Kuwait", *Current History* 36(606): 37-42.

Tetreault, M. A. and Haya al-Mughni, (1995) "Gender, Citizenship and Nationalism in Kuwait", *British Journal of Middle Eastern Studies* 22(1/2): 64-80.

Thomson, J. E. (1995) "State Sovereignty in International Relations: Bridging the Gap Between Theory and Empirical Research", *International Studies Quarterly* 39(2): 213-233.

Tibawi, A. L. (1969) *A Modern History of Syria including Lebanon and Palestine*. Edinburgh: Macmillan St. Martin's Press.

Tibi, B. (1998) *Conflict and War in the Middle East From Interstate War to New Security*. London: Macmillan.

Tilly, C. (1975) *The Formation of National States in Western Europe*. Princeton, NJ: Princeton University Press.

Toye, J. (2000) "Fiscal crisis and fiscal reform in developing countries", *Cambridge Journal of Economics* 24 (1): 21-44.

Tripp, C. (2000) *A History of Iraq*. Cambridge: Cambridge University Press.

Tripp, C. (2002) "The Foreign Policy of Iraq", in Raymond Hinnebusch-Annoushiravan Ehteshami, (eds.), *The Foreign Policies of Middle East States*. Boulder, London: Lynne Rienner Publishers, pp. 167-192.

Vaitkiotis, P. J. (1961) "Dilemmas of Political Leadership in The Arab Middle East: The Case of the United Arab Republic", *The American Political Science Review* 55(1): 103-111.

Vaitkiotis, J. P. (1967) *Politics and the Military in Jordan: A Study of the Arab Legion, 1921-57*. New York: Praeger.

Van Der, P. (2001) *Imperial Encounters*. Princeton: Princeton University Press.

Vandewalle, D. (1994-95) "The Middle East Peace Process and Regional Economic Integration", *Survival* 36(4): 21-34.

Vinogradov, A. (1972) "The 1920 Revolution in Iraq Reconsidered: The Role of Tribes in National Politics", *International Journal of Middle East Studies* 3(2): 123-139.

Viotti, P. R. and Mark V. Kauppi. (1999) *International Relations Theory*. Boston and London: Allyn and Bacon.

Walker, J. (1995) "Boundaries in the Middle East", in M. Jane Davis (ed.), *Politics and International Relations in the Middle East Continuity and Change*. Aldershot: Edward Elgar, pp. 61-72.

Wallerstein, I. (1979) *The Capitalist World-Economy*. Cambridge: Cambridge University Press.

Weber, C. (1995) *Simulating Sovereignty: Intervention, The State, And Symbolic Exchange*. Cambridge: Cambridge University Press.

Weber, M. (1968) *On Charisma and Institution Building*. Chicago, IL: University of Chicago Press.

Weber, M. (1978) *Economy and Society*. Berkeley: University of California Press.

Weil, P. (2001) "Access to Citizenship: A Comparison of Twenty-Five Nationality Laws", in Thomas Alexander Aleinikoff (ed.), *Citizenship Today: Global Perspectives and Practices*. Washington: Carnegie Endowment for International Peace, pp. 15-32.

Wendt, A. (1999) *Social Theory of International Politics*. Cambridge: Cambridge University Press.

Wendt, A. and Daniel Friedheim, (1996) "Hierarchy under anarchy: informal empire and the East German state", in Thomas J. Biersteker and Cynthia Weber (eds.), *State Sovereignty as Social Construct*. Cambridge: Cambridge University Press, pp. 240-277.

Whittleton, C. (1990) "Oil and Iraqi Economy", in Committee against Repression and for Democratic Rights in Iraq (ed.), *Saddam's Iraq Revolution or Reaction?* London: Zed Books, pp. 54-72.

Wiktorowicz, Q. (1999) "Islamists, The State, And Cooperation in Jordan", *Arab Studies Quarterly* 21(4): 1-17.

Wiktorowicz, Q. (1999) "The Limits of Democracy in the Middle East: The Case of Jordan", *Middle East Journal* 53(4): 606-620.

Wilson, M. C. (1987) "King Abdullah and Palestine", *Bulletin (British Society of Middle Eastern Studies)* 14(1): 37-41.

Wilson, M. C. (1987) *King Abdullah, Britain and the making of Jordan*. Cambridge: Cambridge University Press.

Winstone, H. V. F. and Zahra Freeth. (1972) *Kuwait: Prospect and Reality*. London: Allen & Unwin.

Yaphe, J. (2000) "Tribalism in Iraq, The Old and the New", *Middle East Policy* 7(3): 51-58.

Yapp, M. A. (1987) *The Making of the Modern Near East 1792-1923*. London and New York: Longman.

Yetiv, S. (2002) "Kuwait's Democratic Experiment in its Broader International Context", *The Middle East Journal* 56(2): 257-271.

Yin, R. K. (1989) *Case Study Research: Design and Methods*. Newbury Park, CA: SAGE Publications.

Yin, R. K. (2003) *Applications of Case Study Research*. Thousand Oaks, California: Sage.

Yurdusev, A. N. (2003) *International Relations and the Philosophy of History: A Civilizational Approach*. New York- Hampshire: Palgrave-Macmillan.

Zafirovski, M. Z. (2000) "Economic Distribution as a Social Process", *The Social Science Journal* 37(3): 423-443.

Zaher, U. (1990) "Political Developments in Iraq 1963-1980", in Committee Against Repression and for Democratic Rights in Iraq (ed.), *Saddam's Iraq Revolution or Reaction?* London: Zed Books, pp. 30-53.

Zaher, U. (1990) "The Opposition"; in Committee Against Repression and for Democratic Rights in Iraq, (ed.), *Saddam's Iraq Revolution or Reaction?* London: Zed Books, pp. 138-167.

Zahlan, R. S. (1979) *The Creation of Qatar*. New York: Barnes & Nobles Books.

Zahlan, R. S. (1989) *The Making of The Modern Gulf States: Kuwait, Bahrain, Qatar, The United Arab Emirates and Oman*. London: Unwin Hyman.

Zubaida, S. (1989) *Islam, the People and the State*. London and New York: Routledge.

News Agency Resources and Reports

"Difficult Options Facing Iraq's Kurds", *London Al-Quds al-Arabi*, 10 Jun 04, p.19 [FBIS Document Number: FBIS-NES-2004-0610]

"Iyad Allawi and the Iraqi Transitional Government", *Tehran Iran*, 31 May 2004. [FBIS Document Number: FBIS-NES-2004-0607]

"The Theatrical Play of the Transfer of Sovereignty in Iraq", *Al-Quds Al-Arabi*, 27 May 2004. [FBIS Document Number: FBIS-NES-2004-0527]

"Egypt's Musa: Kuwait's Sovereignty Upheld by UN, Better to Forget Past", *Cairo MENA*, 18 January 2001. [FBIS-NES-2001-0118]

Fahd al-Fanik, "How the Intifadh is Impacting Jordan", *Amman Al-Ra'y*, 2 January 2001, p. 18. [FBIS Document Number: FBIS-NES-2001-0102]

Fahed Fanek, "What is more important for the Palestinians?", *Jordan Times*, 5 August 2002. [FBIS Document Number: FBIS-NES-2002-0805]

Fahed Fanek, "What would happen if Arafat was reelected?", *Al-Ray*, 20 July 2002, p. 22. [FBIS Document Number: FBIS-NES-2002-0720]

"FMA 09 Apr: Shia, Sunni Media on Current Al-Sadr Violence", *Iraq – FMA*, 9 Apr 04, [FBIS Document Number: FBIS-NES-2004-0409]

"FMA 15 Mar: Shia Clerics Criticize Iraq's New Transitional Administrative Law", *Middle East -- FMA in English* 03/15/2004, [FBIS Document Number: N/A]

"FMA 7 Jun: Iraqi Shia Sermons 4 June", *Iraq – FMA*, 7 Jun 04, [FBIS Document Number: FBIS-NES-2004-0607]

"Foreign Minister Views Regional Issues", *London Al-Sharq Al-Awsat*, 1 December 1997, p. 4. [FBIS-NES-97-336]

"French Commentary Urges EU To Facilitate Iraq Sovereignty Transfer", *Paris Le Monde (Internet Version)*, 19 May 04 [FBIS Document Number: FBIS-WEU-2004-0519]

“Gaza Palestinians to Receive 5-Year Passports”, *London Al-Sharq Al-Awsat*, 15 February 1996, pp. 1, 4. [FBIS Document Number: FBIS-NES-96-033]

“Government Studying 5 Year Passports for Gazan Refugees”, *Amman Jordan Times*, 21 July 1999. [FBIS Document Number: FBIS-NES-1999-0721]

“Head of Iraqi Governing Council Says Ayatollah al-Sistani's Concerns Legitimate”, *Al-Sulaymaniyah KurdSat*, 27 Nov 03, [FBIS Document Number: FBIS-NES-2003-1127]

Hicham Ben Abdallah El Alaoui, "Where do we go from here", *Paris Le Monde Diplomatique*, 2 October 2003, [FBIS Document Number: FBIS-WEU-2003-1022]

“Highlights: Iraq Press 13 Mar 04”, *Baghdad Iraq -- FBIS Report*, 13 Mar2004. [AFS Document Number: GMP20040313000167] [FBIS Document Number: N/A]

“Highlights: Iraqi Press 10 Feb 04”, *Iraq -- FBIS Report*, 10 Feb 04. [FBIS Document Number: FBIS-WEU-2004-0212]

“Highlights: Iraqi Press 10 Feb 04”, *Iraq -- FBIS Report*, 10 Feb 04. [FBIS Document Number: FBIS-WEU-2004-0212]

“IAF Criticizes Interrogation of Two Islamist Deputies”, *Amman Jordan Times*, 7 April 2004, [FBIS Document Number: FBIS-NES-2004-0407]

“IGC President Al-Yawir Views Political Process, Violence, Sovereignty in Iraq”, Dubai *Al-Arabiyyah Television*, 21 May 2004. [FBIS Document Number: FBIS-NES-2004-0521]

Immigration and Naturalization Service Resource Information Center, *Kuwait Human Rights After February 28, 1991*, (Washington: INSRIC, 1992).

Industry and Sustainable Development in the Arab Region, Arabian Gulf University and UNEP Regional Office for West Asia, Report prepared for the UNEP Regional Industry Forum held in Manama, Bahrain, 22 September 2001.

“Interior Minister on Israeli Palestinian Passport Measures”, *Amman Jordan Times*, 24 February 2004, [FBIS Document Number: FBIS-NES-2004-0225]

“Iran: Latest Killings in Iraq Show Organized Conspiracy to Massacre Shiites”, *Tehran Times*, May 19, 2004 [FBIS Document Number: FBIS-NES-2004-0519]

“Iran: 'Most Pressing Issue' for OIC Meeting in Istanbul is Iraq's Sovereignty”, *Tehran Keyhan International in English*, 16 Jun 2004, p.2 [FBIS Document Number: FBIS-NES-2004-0616].

“Iranian Commentary Says Selection of Iraqi Leaders Part of Plot To Sideline Shiites”, *Tehran Tehran Times*, 6 Jun 04.[FBIS Document Number: FBIS-NES-2004-0606]

“Iranian, Syrian Foreign Ministers Urge Independent, United Iraq”, *Tehran IRNA*, 3 Jan 04. [FBIS Document Number: FBIS-NES-2004-0103]

“Iraq and Kurdish Autonomy”, *MERIP Reports* 27, (April, 1974), pp. 26-27.

“Iraq: Kurds Have Right to Expect Post of Either Iraqi President, Prime Minister”, *Al-Sulaymaniyah Kurdistan Nuwe*, June 3, 2004. [FBIS Document Number: FBIS-NES-2004-0603]

“Iraq: Kurds Hold Meeting on Preparations to Merge Separate Administrations”, *Al-Sulaymaniyah Kurd Sat*, 13 Jan 04 [FBIS Document Number: FBIS-NES-2004-0113]

“Iraq's Shi'i, Sunni Imams Divided Over Elections Postponement”, *Iraq – FMA*, 1 Mar 04. [FBIS Document Number: FBIS-NES-2004-0304]

“Islamist Students Stage Rally to protest US Strikes at Afghanistan”, *Amman Jordan Times*, 17 October 2001, [FBIS Document Number: FBIS-NES-2001-1017]

“Islamist to Head Jordan's Engineer's Association”, *Amman Jordan Times*, 2 March 1998. [FBIS Document Number: FBIS-NES-98-061]

“Israel, Palestine on Geneva Accord”, *FBIS Report*, 14 October 1993. [FBIS Document Number: FBIS-NES-2003-1015]

“Israeli Closure Leaves Some 6,000 Palestinians as Stuck in Jordan”, *Amman Jordan Times*, 10 January 2001. [FBIS Document Number: FBIS-NES-2001-0110]

“Jordan Prime Minister Hopes for Brotherly Iraqi-Kuwait Relations”, *Amman Jordan Times*, 2 February 2001. [FBIS-NES-2001-020].

“Jordan Refuses to Take in 30 Palestinian Deportees From West Bank”, *Amman Al-Ra'y*, 23 November 2002, [FBIS Document Number: FBIS-NES-2002-1123]

“Jordanian Government Begins Enforcing Entry Restriction on Palestinians”, *Amman Jordan Times*, 15 June 2001. [FBIS Document Number: FBIS-NES-2001-0615]

“Jordanian Government Takes Precautionary Measures To Prevent Palestinian Influx”, *Amman Al-Ray*, 22 December 2001, p. 3. [FBIS Document Number: FBIS-NES-2001-1222]

“Kuwaiti Defense Minister on Iraqi Stand, Kuwait’s Defense Plans, Other Issues”, *London Al-Sharq Al-Awsat*, 10 April 2001, p. 4. [FBIS-NES-2001-0410]

“Kuwaiti Defense Minister on Iraqi Stand, Kuwait’s Defense Plans, Other Issues”, *London Al-Sharq Al-Awsat*, 10 April 2001, p. 4. [FBIS-NES-2001-0410]

“Kuwaiti Foreign Minister Interviewed on EU-Gulf Talks, Arab Reforms, US, Iraq”, *London Al-Sharq al-Awsat*, 2 May 2004. [FBIS Document Number: FBIS-NES-2004-0502]

“Kuwaiti Foreign Minister Interviewed on EU-Gulf Talks, Arab Reforms, US, Iraq”, *London Al-Sharq al-Awsat*, 2 May 2004. [FBIS Document Number: FBIS-NES-2004-0502]

“Kuwaiti Information Minister Interviewed on Iraq, Domestic Issues”, *London Al-Sharq al-Awsat*, 24 December 2002, p. 6. [FBIS-NES-2002-1224]

“Kuwaiti Press Highlights”, *Middle East-FBIS Report*, 11 December 2003. [FBIS-NES-2003-1211]

“Major Constitutional Change in Kuwait”, *Middle East Economic Digest*, 47(29), 18 July 2003, p. 2.

“Middle East Media on Iraqi Interim Government”, *Middle East – FMA*, 02 Jun 2004, *FBIS REPORT*, [FBIS Document Number: FBIS-NES-2004-0602]

MEED Middle East Economic Digest, (October, 2003), 47(41), pp. 36-40.

“PA Minister Views Palestinians’ Travel to Jordan, US Role, Syrian Ties”, *Amman Al-Dustur*, 20 June 2001, p. 8. [FBIS Document Number: FBIS-NES-2001-0620]

“PA’s Abbas on Suicide Attacks, Elections, Arab Initiative, Ties With Jordan”, *Jerusalem Al-Quds*, 19 July 2002, pp. 1, 23. [FBIS Document Number: FBIS-NES-2002-0719]

“Palestinians in Jordan Demonstrate in Support of Return Right”, *Amman Al-Ra’y*, 20 January 2001, p. 1. [FBIS Document Number: FBIS-NES-2001-0120]

“Palestinians in Jordan March to Condemn Al-Rantisi Killing”, *MENA*, 17 April 2004. [FBIS Document Number: FBIS-NES-2004-0417]

Racial Discrimination And The Rights of Non-Citizens, Submission of the Open Society Justice Initiative to the UN Committee on the Elimination of Racial Discrimination on the occasion of its 64th Session, Open Society, 2004.

“Report Vies Jordanian Deputy’s Statement on Unity”, *Amman The Star*, 22-27 January 1998. [FBIS Document Number: FBIS-NES-98-022]

“Transfer of sovereignty in Iraq a "sham" - Spanish daily”, *Madrid El Mundo (Internet Version)*, 18 May 2004. [FBIS Document Number: FBIS-WEU-2004-0518]

“Tribal, Independent Candidates Win Most Parliament Seats”, *Amman Jordan Times*, 19 June 2003, [FBIS Document Number: FBIS-NES-2003-0619]

“Xinhua: Bush Says More Violence Possible in Iraq as Sovereignty Transfer Nears”, *Beijing Xinhua*, 02 May 04 , [FBIS Document Number: FBIS-CHI-2004-0502]

UN Reports of the Human Rights Committee, Vol. 1, (New York: UN, 2000).

UN Committee on Economic, Social and Cultural Rights Concludes Thirty-Second Session, *Issues Conclusions on Reports of Lithuania, Greece, Kuwait, Spain and Ecuador*, Press Release HR/4755, 14 May 2004.

Internet Resources

"After Saddam, Shiites in Kuwait becoming vocal about rights", <http://www.gulf-news.com/>, 12 March 2004.

Carl Dalhammar, “Case study: Design and Methods”, www.iiee.lu.se/home.nsf/ , 12 June 2004.

ICG, “The Challenge of Political Reform: Jordanian Democratization and Regional Instability”, *Middle East Briefing*, Amman-Brussels, 8 October 2003, www.crisisweb.org , pp. 16-19.

John S. Odell, “Case Study in International Political Economy”, Paper Presented to International Studies Association 41st Annual Convention, Los Angeles CA, 14-18 March 2000. www.ciaonet.org/isa/odj01/, p. 2.

Jonathan DiJohn, “Mineral –Resource Abundance and Violent Conflict: A Critical Assesment of the Rentier State Model”, www.crisisstates.com, 12 June 2004.

“Jordan First? Internal Politics and the Approaching Iraq War”, The Saban Center for Middle East Policy At The Brookings Institution, January 23, 2003,

(Transcript by: Federal News Service Washington, D.C.)
www.brookings.edu/comm/events/20030123saban.htm

Kuwait Information Office, <http://www.kuwait-info.org>, 17 August 2004.

Ministry of Foreign Affairs (Jordan) official homepage:
<http://www.mfa.gov.jo>, 21 September 2004.

Ministry of Planning and International Cooperation (Jordan) official homepage: www.mop.gov.jo, 26 September 2004.

Muhammad Ali al-Ramadhan, "New Population Policy in Kuwait: The Quest for A Balance in the Population Composition",
<http://www.un.org/popin/regional/escwa/popbull/bull/chapter3.htm>, 1 January 2005.

National Bank of Kuwait, *Economic Brief* 5(7), 22 February 2005,
www.nbk.com

Rolf Johansson, "Case Study Methodology",
www.infra.kth.se/courses/1U1030/lecture3B, 11 January 2005.

Sefer Turan, "Sadr ve Irak'ın Geleceği", *Radikal*, 17 August 2004.
www.radikal.com.tr

Sefer Turan, "Talabani ipleri geriyor", *Radikal*, 4 February 2005.
www.radikal.com.tr

UN Committee on the Rights of the Child, "Concluding Observations of the Committee on the Rights of the Child: Kuwait", CRC/C/15/Add. 96, 9 October 1998, www.hri.ca

UNDP, *Human Development Report 1994*, (Oxford: Oxford University Press, 1994).

United Nations General Assembly Resolution 194 (III), 11 December 1948, <http://www.mideastweb.org/194.htm>.

APPENDICES

APPENDIX A CURRICULUM VITAE

PERSONAL INFORMATION

Surname, Name: Bacık, Gökhan
Nationality: Turkish (TC)
Date and Place of Birth: 19 May 1974, Bursa
Marital Status: Married
Phone: + 90 212 8890810 ext: 5019
Fax: + 90 212 891162
email: gbacik@fatih.edu.tr

EDUCATION

Degree	Institution	Year of Graduation
MS	Fatih Un. Int. Rel.	1999
BS	Ankara Un. Int. Rel.	1997
High School	Düzce Anadolu High Sc.	1992

WORK EXPERIENCE

Year	Place	Enrollment
1997-Present	Fatih University	Lecturer

FOREIGN LANGUAGES

Advanced English, Arabic Begining

PUBLICATIONS

1. Gökhan Bacık, "The Parliamentary Election in Turkey, November 2002", Electoral Studies, 23(4), 821-828 (2004)

2. Gokhan Bacik, "The Kantian Project in IR: The (Earliest) Theory of Globalization", *The Review of International Affairs*, 2(2), 26-39 (2003)
3. Gokhan Bacik, "Peace and the System", *Peace Review: Journal of Social Justice*, 15(1), 47-51 (2003)

APPENDICES

APPENDIX B

TURKISH SUMMARY

Bu çalışma egemenlik kavramını Ürdün, Kuveyt ve Irak örnek olaylarına özel olarak atıfta bulunarak Arap Ortadoğu'su bağlamında analiz etmektedir. Bu çalışmanın temel argümanı batılı egemenlik kavramının sözü edilen örnek olaylarda ancak sınırlı olarak var olduğudur. Sömürge yönetimleri ya da modernleşme döneminde bölgeye getirilen batılı egemenlik kavramının uygulanışı bazı nedenlerden dolayı sınırlandırılmıştır. Dolayısıyla, bugün karşı karşıya olduğumuz egemenlik uygulaması içinde hem modern, hem de önceki yerel unsurları içeren melez bir egemenliktir. Bu çalışma aynı zamanda batılı egemenlik anlayışının sömürgeleşmecilik ve modernleşme dönemlerinden beri bölgede nasıl kurumsallaştığını tarihsel olarak ele alacaktır. Ayrıca, batılı egemenliğinin bölgede sınırlandırılmasının çeşitli alanlarda sonuçlarının açıklanmasının öneminin altı çizilmektedir.

Modern uluslararası sistemin Arap topraklarında da genişlemesi büyük değişikliklere yol açmıştır. Bu süreç içinde bir çok Batılı kurum ve yapı başta sömürge rejimleri ve Osmanlı modernleşmesi gibi başlıklar altında bölgeye taşınmıştır. Tarihsel Arap bölgesi böylece büyük ölçüde Batılı tasarımlara göre yeniden yaratılmıştır. Bu arada Batılı formda bir egemenlik anlayışı da bölgeye gelmiştir.

Genel olarak, Batılılaşma Ortadoğu'da iki farklı biçimde anlaşılabilir: (i) Bölgedeki siyasal coğrafyanın Avrupa'da olduğu gibi modern sınırlar aracılığı ile yeniden örgütlenmesi, (ii) bunun yanında sosyal ilişki biçimlerinin, devlet-toplum ilişki biçimlerinin Batılı modeller örnek alınarak yeniden oluşturulması. Yeni ülkesel devletlerin ortaya çıkması bu sürecin en önemli sonuçlarındandır. Arap ülkeleri, ki daha önce hemen hepsi Ortaçağ düzeninde olduğu gibi sınırların

birbirinden tam olarak ayrılmadığı biçimde örgütlenmişti, modern ülkesel devletlerin ulusal sınırlar ilkesi etrafında türlü ilişkilere girdiği bir bölgeye dönüşmüştür. Ancak Batılı tasarımların bölgeye getirilmesi sadece sınırlar konusu ile sınırlı değildir. Aynı zamanda geleneksel sosyo-politik yapılanma kökten bir değişime uğramıştır. Bu yüzden yeni bir güç ilişkileri modeli ve buna bağlı olarak toplum ve devletin nasıl örgütleneceği gibi temel konular yeniden şekillenmiştir. Daha açık ifade etmek gerekirse bölgede modern devletin temelleri ortaya atılmıştır. Daha önceki patrimonyal yapılardan farklı olarak sömürgecilik kaçınılmaz olarak yeni bir siyasal örgütlenme, yeni bir meşruiyet anlayışı ortaya koymuştur. Öncekinden çok farklı bu model ulusal sınırlarla diğerlerinden ayrılmış merkezi bürokrasisi ve ordusu olan ve buna göre finansal olarak ta örgütlenmiş bir devlet biçimiydi. Ne var ki, bu dönüşüm süreci her yerde aynı biçimde gerçekleşmemiştir. Batılılaşma kimi yerlerde halihazır siyasal yapıları belirli bir yere kadar dönüştürmüştür ancak aynı zamanda bazı yapay biçimleri de ortaya çıkarmıştır.

Sonuç olarak, Arab devleti modern devlet kuramı açısından sorunlu biçimde ortaya çıkmış ve bu sorunsal günümüze kadar devam etmiştir. Her ne kadar Batılı yeni kavramların bölgeye getirilmesi eski yapıları zayıflatmış ta olsa, bu süreç onların tamamen ortadan kalkmasına neden olmamıştır. Böylece eskinin yerine işlevsel yeninin konulması tam olarak başarılmamıştır. Bu yüzden Arap devleti bir açıdan yapısal olarak modern devletin bütün özelliklerini taşır. Bir kere ulusal sınırları belirlenmiş halde modern devlet sisteminin eşit bir üyesidir. Aynı zamanda diğer devletlerle eşit ilişkiye girmesini sağlayacak bir merkezi yönetim aygıtına sahiptir. Bu açılardan, sözgelimi Kuveyt ve Danimarka arasında hiç bir fark gösterilemez. Ne var ki, başka bir açıdan aynı devlet modern devletin bir çok gerekliliğini gerçekleştirmek açısından başarısızdır. Nominal ya da biçimsel olarak modern devletin temel bazı kurumlarının kabullenilmesi onların işlevsel olarak uygulanması anlamına hiç bir zaman gelmemiştir. Başka bir ifade ile bazı formel kurumların varlığı ancak kağıt üzerindedir. Örnek vermek gerekirse, türlü Batılılaşma süreçlerinin doğuşuna büyük katkıda bulunduğu Arap devleti bugün vatandaşlık başta olmak üzere önemli konular bağlamında sorunlar yaşamaktadır.

Kuramsal olarak, modern devletin Avrupa’da oluşmasını sağlayan sürecin gerekleri ile Ortadoğu’da ki siyasal yapıların doğalarının doğurduğu

sonular, buradaki modern devleti sorunlu kılmıřtır. Bir bařka deęiřle trl nedenlerden dolayı Batılılařmanın sonucu nominal olarak kabul edilen devlet biimi iřlevsel olarak tam bir bařarıya ulařmamaktadır. Temel olarak, ithal edilen Avrupalı Westfalyan yapı formel olarak kabul edilmiřtir, ancak bu iřlevsel dzeyde bu yapı alıřmamaktadır ve bazı sorunlar retmektedir. stelik bu uyumsuzluk siyasi hayatın her alanında belirgin sorunları da beraberinde getirmektedir. zellikle 2. Dnya Savařı sonrası Ortadoęu’unda bu atıřma ok belirgin olarak dramatik sonular retmiřtir. Yeni devlet yapısı geleneksel, kabilesel, emperyal ve hatta dinsel yapılarla uyumsuzluk iine dřmřtr. Daha doęru ifade etmek gerekirse yukarıda sayılan nedenler modern devletin tam olarak bařarılı olarak uygulanmasını engellemiřlerdir. Nihayet, tarihsel olarak yaratılan modern Ortadoęu devleti daha ziyade modern devlet gibi ya da ona benzer olabilmemiřtir. Sonu olarak, Westfalyan model aısından bu devletler bir lde daha az egemendirler. Bu devletler nominal olarak ulus devletlerdir. Btn bu verilerin ıřıęında, bu tez Batılı egemenlik anlayıřının Arap Ortadoęu’unda tam olarak uygulanamadıęını savunmaktadır. Smrgecilik veya yerel reformlar aracılıęı ile blgeye getirilen Batılı formlar yerel ve geleneksel formlarla trl atıřmalar iine girmiřtir. Bu atıřma bir tr melez-egemenlik biimi retmiřtir ki bu yapı iinde Batılı egemenlik anlayıřının ancak sınırlı olarak uygulanabildięini sylemek mmkndr.

Ancak melez egemenlik yaklařımı sz edilen devletlerin hi bir biimde egemen olmadıklarını iddia etmemektedir. Bu alıřma egemenlięin sz edilen lkelerde Avrupa’da olduęundan daha farklı uygulandıęını ifade etmektedir. Batılı lkeler ile bazı benzerliklere raęmen, Arap lkelerinin kendi tarihsel ve geleneksel kkeninden gelen faktrlere baęlı olarak bazı deęiřik uygulamaları mevcuttur. Bu yzden Arap devletleri genel olarak yarı-egemen, egemenimsi ya da daha az egemen gibi kavramlarla tanımlanagelmiřtir. Btn benzer isimlendirmeler –ilerinde bazı nemli yanlıřları ierse de- temel bir noktaya iřaret ederler: Modern egemenlięin siyasi hayatın trl dzeylerinde uygulanması aısından Arap lkelerinde iinde bulunduęu sorunlar kmesi. Peki Arap lkelerindeki egemenlik anlayıřını alıřırken ıkıř noktası ya da karřılařtırılacak model hangisi olacaktır? řphesiz yntemsel aıdan bir ıkıř noktası bir mukayese rneęi olmak zorundadır, aksi takdirde alıřma metafizik

çıkarımlardan oluşmuş bir tartışmaya dönebilir. Genel olarak Arap ülkelerini Batılı model ile karşılaştırmak kabul edilen bir yaklaşımdır. Bu yüzden yarı egemen veya egemenimsi gibi yakıştırmalar Arap devleti ile Batılı modern devletin karşılaştırılmasının doğurduğu sonuçlardır. Hemen bu aşamada ikinci bir soruya bakmak gerekmektedir: Neden batılı model bir çıkış noktası veya mukayese örneğidir? Hiç şüphe yok ki bunun nedeni Batılı modelin tarihsel olarak evrensel ve doğru bir model olması değildir. Batılı model doğal olarak kendi tarihsel sürecinin ortaya çıkardığı bir yapıdır. Bu nedenle hiç bir değer merkezli – iyi, işlevsel, zenginlik verici gibi- değerlendirmeler Batılı modelin neden bir mukayese olarak kabul edildiğini açıklamak için kullanılamaz. Bu çalışmada Batılı model basit bir nedenden dolayı bir karşılaştırma örneği olarak ele alınmaktadır: Tarihsel olarak Arap toprakları Batılı tasarımlara göre yeniden yapılanmıştır. Bu bölgeler bir kere sömürge rejimleri altında kalmıştır. Dahası, yerel bazı reform hareketleri sonucu bu bölgelerde Batı örneğine bakılarak bir uluslaşma ve devletleşme süreci yaşanmıştır.

Batılı kurumların yayılması sonucu Ortadoğu’da siyasal yapı iki büyük değişiklik geçirmiştir: Birincisi, Westfalya düzeninin dayandığı temel ilkelere göre yeni uluslararası yapının doğmasıdır. Böylece ülkesel devlet ilkesi etrafında yapılanmış yeni Arap devletleri modern uluslararası sistemin parçası olmuştur. Ancak en az birincisi kadar önemli olan ikinci büyük değişim devlet ve insanlar arasındaki ilişkilerin doğasının büyük ölçüde yeniden tanımlanmış olduğudur. Eski yapıdan çok büyük ölçüde farklı olmak üzere başta vatandaşlık olmak üzere devlet ve toplum ilişkilerini belirleyen yeni kurumlar ortaya çıkmıştır. Sonuç olarak modern devlet sisteminin Ortadoğu’da genişlemesi hem devlet-devlet hem de devlet-toplum düzeyinde yeni kurumların ve pratiklerin ortaya çıkmasını sağlamıştır. Ancak bu noktada hemen sorulması gereken soru şudur: Bu genişlemenin doğası düşünülürse hangi sorunlar söz konusudur? Bu çalışma özellikle devlet-toplum düzeyindeki kurumların altını çizerek modern devlet sisteminin Ortadoğu’ya getirdiği egemenlik kavramının sınırlı olarak uygulanabildiği tezi üzerine kurgulanmıştır. Burada kullanılan sınırlı kavramı kuramsal olarak açıklamak için de melezlik kavramı kullanılmıştır.

Hiç şüphesiz Batılı modern devlet sisteminin genişlemesi kültürel bir çatışmayı da ortaya çıkarmıştır. Olaya tarihsel süreç içinde bakarsak, Avrupa

kültürel bağlamında ortaya çıkan kurumlar gittikleri bölgelerdeki yerel kültürel yapılarla çatışmaktaydı. İşte bu çatışma başta egemenlik olmak üzere önemli kurumların melezleşmesinin temelini oluşturmuştur. Diğer bir açıdan melez egemenlik kavramı, egemenliği koşullu olarak ele alan çağdaş yaklaşımın da bir ürünüdür. Geleneksel egemenlik anlayışı onu bölünmez, değişmez hatta çevresel koşullardan büyük ölçüde bağımsız olarak tanımlamaktaydı. Ancak koşullu egemenlik yaklaşımı onun bölünebilir ve çevrimsel şartlara göre yeniden üretilebildiğini kabul etmektedir. Egemenlik ancak koşullara göre değişken, alt parçalarına ayrılabilir bir kavram olarak ele alınırsa melez egemenlikten bahsetmek mümkündür. Eğer egemenlik gelenekselci yaklaşımlar gibi bir tane değişmez öze sahip ve bu nedenle çevresel koşullardan bağımsız olarak ele alınırsa melezlik gibi bir kavramdan bahsetmek mümkün olmayacaktır. Bu temel kuramsal çerçeveden hareketle kökeni Avrupa siyasal tarihi olan modern egemenliğin Ortadoğu çevriminde yeniden üretilerek melezleştiğini ifade edilmiştir. İşte bu melezleşme süreci aynı zamanda egemenliğin uygulanmasına ait önemli sınırlamaların ortaya çıkması anlamına da gelmektedir. Burada melezleşmekten ifade edilmek istenen genişleyen ve Arap Ortadoğu'sunu da içine alan modern devlet sisteminin yerel kültürlerle olan girdiği son derece karmaşık ilişkidir. Bu süreç bir çok yerel formu ortadan kaldırmakla beraber bazı geleneksel uygulamaları içine almıştır. Böylece melez yapılar çeşitli alanlarda ortaya çıkmaya başlamıştır.

Geleneksel yaklaşımda özellikle Ortadoğu örneğinde egemenlik devlet-devlet (uluslararası) düzeyde ele alınmıştır. Hal böyle olunca egemenliğin sınırlanması yada başarısız olması konusu genelde uluslararası politikanın doğasından kaynaklanan bazı olaylara yoğunlaşmıştır. Başta savaş, toprak işgali, müdahale gibi olaylar egemenliğin ihlali örnekleri olarak alınmıştır. Yine aynı mantıksal çizgi takip edilerek Arap milliyetçiliği, Arap ülkelerinin birleşmesini savunan Nasır milliyetçiliği gibi olaylar söz konusu edilmiştir. Gerçekten de bütün bu konular bağlamında Arap dünyası egemenliğin ihlal edildiğini gösteren zengin örneklerle doludur. Ancak son dönemde bu tür egemenliği sınırlandıran olayların büyük ölçüde azaldığı görülmektedir. Hiç şüphesiz egemenlik devlet-devlet düzeyinde ihlal edilebilir. Bir çok ülke için özellikle bağımsızlığın ilk dönemlerinde ne önemli sorun egemenliğin uluslararası düzeyde nasıl korunacağı

ve pekiştirileceğidir. Bu nedenle egemenlik konusunun devlet-devlet düzeyindeki ilişkilere yoğunlaşması tarihsel sürecin doğal bir sonucudur. Ancak burada gözden kaçırılmaması gereken nokta egemenlik ihlali yada egemenlik krizinin benzer biçimde iç politik alanda ortaya çıkabileceğidir. Eğer egemenlik krizi uluslararası politikada devleti oluşturan bir sınırın –bu sınır fiziksel olmayabilir- ihlali ise, bu tür sınır ihlalleri doğal olarak iç politik alanda da mevcuttur.

Bu çalışmada egemenliğin nasıl sınırlandığı ve böylece nasıl melezleştiği konusunda ise daha önce altı çizildiği gibi devlet-toplum düzeyi ele alınmıştır. Egemenlik nasıl uluslararası politika düzeyinde toprak işgali, müdahale gibi örneklerle ihlal ediliyorsa farklı yollarla da olsa benzer ihlaller iç politik alanda da gerçekleşmektedir. Bir kere bu noktada egemenliği var eden kurumların altı çizilmelidir. Egemenlik başta uluslararası politikada sınırlar üzerinden devleti diğer aktörlerden ayıran bir kurum olarak ortaya çıkar. Böylece devlet diğer devletlerden ayrılır ve kendi ülkesel yurdu içinde her türlü başka aktörün de üstünde konumlanır. Ancak burada önemli olan benzer sınırların devlet açısından iç politik alanda da olduğudur.

Vatandaşlık, merkezi bir hükümet tarzı, vergilendirme, eğitim politikaları gibi pek çok sınır aslında iç politik alanda devlet-toplum ilişkisini modern devlette sağlar. Tıpkı uluslararası politika da olduğu gibi iç politikada da bu tür sınırların herhangi birisinin ihlali açık biçimde egemenlik krizi anlamına gelir. Sözgelimi resmi olarak tıpkı Batılı diğer devletler gibi vatandaşlık ilkesi üzerine örgütlenmiş bazı Arap ülkelerinde mezhepsel yada etnik temeller üzerinde toplumun belirli bir kesiminin devlet ile özel bir ilişkiye girebildiği görülmektedir. Yine benzer biçimde toplumsal meşruiyet sorunun aşmak için bazı Arap rejimleri mezhepsel yada etnik temeller üzerine istihdam politikası uygulamaktadır. Hiç şüphesiz bütün bu gibi örnekler devlet-toplum düzeyinde egemenlik ihlalinin (krizini) gösteren olaylardır. Başka bir örnekle konuyu daha da açıklamak gerekirse çeşitli hükümetlerin belirli seçim kanunları çıkararak ve bunları uygulayarak yine mezhepsel yada etnik temele göre seçim sonuçlarını etkilemeleri de açık bir egemenlik krizine işaret eder. Bütün bu örneklerden çıkarılacak sonuç şudur: Ortadoğu’da yerleşen modern devlet sistemi hem dış politik hem iç politik düzeyde yeni kurumsallaşmayı beraberinde getirmiştir. Ancak bu sorunlu bir süreç anlamına gelir. Özellikle iç politik alanda, yani devlet-toplum düzeyinde,

modern devlet sisteminin genişlemesi ile yerleşen yeni kurumların henüz tam olarak uygulandığından söz edilemez. Böylece Batılı kurumlar ve yerel değerlerin çatışması sonucu melez bir form ortaya çıkmıştır. Melezlik bu çalışmada şöyle tanımlanmaktadır: Yerel yada geleneksel bazı uygulamaların modern devlet düzeni içinde devam ettirilmesi.

Böylece egemenlik sorunu bu çalışmada devlet-toplum düzeyinde çalışılmıştır. Temel yöntemsel yaklaşım egemenliğin özellikle devlet-toplum ilişkilerinin üzerine kurulduğu iç politik alana ait kurumlar üzerinde nasıl ortaya çıktığını sorgulamak olmuştur. Böylece iç politik alanda egemenlik krizi şöyle tanımlanmıştır: İç politik düzeyde modern devlette toplum-yönetim ilişkilerini var eden kurumların her hangi birinin tam olarak uygulanamaması bir egemenlik krizi anlamına gelir.

Bu kuramsal ve yöntemsel çerçeve içinde Irak, Ürdün ve Kuveyt örnek olayları ele alınmıştır. Her bir örnek olayda iç politik düzeyde egemenliğin nasıl sınırlandığı tartışılmıştır. Tezin ilk bölümü burada kullanılan temel yöntemsel yaklaşımların altını çizmektedir. Doğal olarak bu bölüm çalışmanın temel ve yardımcı argümanlarını da ortaya koymaktadır. Kuramsal olarak bu tezin temel argümanı doğal olarak bazı ikincil argümanları da doğurmaktadır. Temel argümanın Batılı egemenliğin ancak sınırlı olarak uygulandığını hatırlarsak bunun doğurduğu ikincil argüman şu soruyla belirginleşir: Bu sınırlı egemenlik nasıl açıklanabilir? İşte bu noktada ikincil argüman olan melez egemenlik yaklaşımı ortaya çıkmaktadır. Eğer Batılı egemenlik sınırlı olarak belirli sorunlarla ancak uygulanabiliyorsa bunu destekleyecek melezlik yaklaşımı sözü edilen sınırlamanın nasıl Batılı ve Batılı-olmayan formların karışımı ile ortaya çıktığını belirtir.

İkinci bölüm ise tezin kuramsal çerçevesini açıklamak için yazılmıştır. Bu bölümde tezin etrafında kurgulandığı bazı önemli konular tartışılmıştır. En başta egemenlik kavramının tarihsel kökeni ve içeriği üzerinde durulmuştur. 17. yüzyıl Avrupa'sında ortaya çıkan yeni modern devlet sisteminin doğuşu tartışılmış ve bu evrimsel geçmişin modern egemenlik kavramını nasıl yarattığı üzerinde durulmuştur. Daha sonra geleneksel ve çağdaş kuramsal yaklaşımların egemenliği nasıl tanımladığı üzerinde durulmuştur. Böylece bu tezin kabul ettiği koşullu egemenlik yaklaşımının entelektüel ve kuramsal çerçevesi belirlenmeye

çalışılmıştır. Buna göre egemenlik çevresel şartlardan bağımsız bir kavram değildir. Parçası olduğu kültürel ve siyasal koşullar tarafından sürekli üretilir. Bu sonuç egemenliğin Avrupa’da doğup başka bölgelerde yayıldığı tarihsel gerçeği hatırlanırsa önemlidir. Hemen arkasından egemenlik sadece uluslararası düzeyde devletler arası ilişkiler açısından önemli olmadığı aynı zamanda devlet ve bireyler arasında da ilişkileri çeşitli kurumlar aracılığı ile düzenlediği üzerinde durulmuştur. Böylece iç politik alanda egemenlik krizinin var olmasının doğal olduğu açıklanmıştır. Egemenliğin Batı kökenli olması ve başta Ortadoğu olmak üzere çeşitle bölgelerde yayılması tarihsel gerçeği bu noktada melez egemenlik kavramını ortaya çıkarmıştır. Özellikle bu aşamada önemli uzmanların çalışmalarında melezlik yaklaşımının izleri takip edilmiştir. Bu bölümde melez egemenlik tartışması ayrıntılı olarak ortaya konulmaya çalışılmıştır. Eğer egemenlik sömürgecilik, imtiyaz sözleşmeleri ve savaşlar aracılığı ile küreselleşmiş ise, egemenliğin Avrupa dışı kültürel ve siyasal bağlamlarda nasıl anlaşılması gerekir? Sorusu temel alınmıştır.

Üçüncü bölümde tezin örnek olaylarını oluşturan Irak, Ürdün ve Kuveyt’te sözü edilen sürecin nasıl ortaya çıktığı ayrıntıyla ele alınmıştır. Bir başka ifade ile, modern devlet sistemi bu üç ülkede nasıl yayılmış ve modern devleti nasıl meydana getirmiştir. Dolayısıyla üçüncü bölüm tarihsel bir perspektif içinde modern devletin her bir örnekte nasıl ortaya çıktığını ele almaktadır. Ancak burada daha önce belirtildiği gibi salt dış faktörler merkezli bir yaklaşımla sömürgecilik gibi süreçlerin altı çizilmemektedir. Benzer biçimde özellikle Osmanlı modernleşmesi gibi belirli süreçler de ele alınmıştır. Nitekim, yerel reform ve yenileşme hareketleri bir çok Batılı kurumun bölgeye getirilmesi ile sonuçlanmıştır.

Dördüncü bölümün temel konusu günümüz Irak, Ürdün ve Kuveyt’inde iç politik düzeyde egemenlik krizlerinin nasıl ele alınması gerektiğini ele almaktadır. Bir anlamda tezin kuramsal bulgularını pratik ve yöntemsel olarak sonuçlandırmayı hedefleyen bu bölüm her bir örnek olayın ele alınması sürecinde kullanılacak bazı şablonları açıklamaktadır. Daha önce de vurgulandığı gibi iç politik düzeyde belirli egemenlik krizleri doğaldır. İşte dördüncü bölüm bu egemenlik krizlerini örneklendirmektedir. Bu bağlamda merkezi hükümetin zaafa uğraması, kabilecilik veya mezhepçilik, gücün aşırı kullanılması, ekonomik alanın

bürokratik zihniyet ile yönetilmesi, seçimlerin etnik ve başka kotalarla etkilenmesi gibi örnekler sunulmaktadır. Bütün bu örnekler devlet-toplum düzeyinde birer egemenlik krizleri anlamına gelmektedir.

Bu açıdan dördüncü bölüm aslında kendisini takip eden 5., 6. ve 7. bölümlere de yöntemsel açıdan bir giriş niteliğindedir. Dördüncü bölüm bir yöntemsel çerçeve ortaya koyarak her bir örnek olayın (Irak, Ürdün ve Kuveyt) nasıl çalışılacağını belirlemeye çalışmaktadır. Nitekim örnek olayların ele alındığı beşinci, altıncı ve yedinci bölümler bu tezin temel yaklaşımına paralel olarak egemenliğin devlet-toplum düzeyinde (iç politik alan) nasıl sınırlandığını ve bunun nasıl melezleşmeye yol açtığını ortaya koyan örneklerin analizlerini içermektedir. Bir başka açıdan bu bölümler Westfalyan egemenliğin gerçekten Irak, Ürdün ve Kuveyt'te uygulama açısından hangi sorunlar kümesi ile tanımlandığını ortaya koymayı amaçlamaktadır. “Batılı egemenliğin sınırlı olduğu bu üç örnek olay açısından geçerli midir? Eğer geçerli ise çeşitli düzeylerde bu savı güçlendirecek delliller, örnekler var mıdır?” Bu iki soru örnek olay bölümlerinin temel sorunsallarını oluşturmaktadır. Bu sorulara cevap vermek için aynı bölümlerde Ürdün, Kuveyt ve Irak başlıkları altında geniş tartışmalar yapılmaktadır.

Bu çalışma sekizinci bölümde sona ermektedir. Bu bölüm hem tezin sonuçlarının genel bir tartışmasını içermekte, hem de ortaya konulan yöntemsel yaklaşım bağlamında örnek olaylara yönelik bazı değerlendirmeleri içermektedir. Çalışmada ele alınan Irak, Ürdün ve Kuveyt örnekleri açısından günümüzde de melez egemenlik ve dolayısıyla egemenliğin sınırlandırılması durumu devam etmektedir. Egemenlik son derece karmaşık bir tarihsal geçmişin ürettiği kurumdur. Bu nedenle egemenliğin dönüşümü ve yeniden üretilmesi uzun erimli bir sürece işaret eder. Bütün bunlar dikkate alınırsa tezde ele alınan üç örnekte egemenliğin içinde bulunduğu melezliğin dönüşmesi kaçınılmaz olarak yine uzun bir dönemi gerektirmektedir. Siyasal kararlar bağlamında yapılan değişiklikler önemli olmakla birlikte tarihsel açıdan büyük dönüşümlere neden olamaz. Bu nedenle melez egemenlik formlarının bir süre daha ele alınan örnek olaylar bağlamında sürmesini beklemek gerçekçi olacaktır.