

ABU DHABI-GREAT BRITAIN AND THE CRISIS OVER JURISDICTION 1959-1960

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Abstract: Demands to the British government for supreme jurisdiction over his territory presented by the ruler of Abu Dhabi in 1959 created a diplomatic crisis captured in the internal correspondence of the British government. Sheikh Shakhbout forced the entire bureaucracy that was dealing with the Trucial States – the Foreign Office in London, the British Resident in Bahrain, and the Political and Administrative Agents in Abu Dhabi and Dubai – to reexamine the legality of their presence in the region and the ethical limits of the judicial system imposed on this land. Nevertheless, the author argues, the crisis went beyond the mere discussion over jurisdictional powers. It is also a window into the internal impact of the domestic politics of the region, in the form of a broader Arab Nationalist movement, as well as an interesting preamble of the effects of oil on the dealings between Abu Dhabi and Great Britain.

Keywords: Abu Dhabi, Great Britain, colonialism.

In 1959, the ruler of the emirate of Abu Dhabi, Sheikh Shakhbout bin Sultan Al Nahayan, shocked the British Government with a surprising demand: he, as supreme ruler of the emirate, should be in charge of administering and delivering justice in his own sheikhdom. His demand was tantamount to a declaration of independence from one of the seven emirates grouped under a loose administrative federation known as the Trucial States, which had been, until then, entirely under British control.

For more than a year, his demands created a diplomatic crisis that was captured by the

internal correspondence of the British government.

This small chapter in the history of what after 1971 became the United Arab Emirates is an excellent window into the constantly changing dynamics of power between the rulers of different emirates and the British government. The semi-colonial status was challenged on its legal grounds with the ruler's demand. Shakhbout forced the entire bureaucracy that was dealing with the Trucial States – the Foreign Office in London, the British Resident in Bahrain, and the Political and Administrative Agents in Abu Dhabi and Dubai – to reexamine the legality of their presence in the region and the ethical limits of the judicial system imposed on this land.

The crisis also allows us to explore the effects that the Arab Nationalist movement was having on the power politics of the last British bastion in the Arab world. No longer isolated and detached, the crisis in the emirate of Abu Dhabi could not be reduced to a problem with a local ruling family; it had the potential to explode into a regional crisis. Gamal Abdel Nasser's demands for a Middle East free from colonial domination, neutral in world affairs, and free from British presence had reached the Gulf region despite all efforts to keep the place as detached from world affairs as possible.

Finally, this crisis took place in the middle of a turning point in the history of Abu Dhabi, and as such, it sheds light on the future relations between the emirate and Great Britain and the other powers that would follow it. Surprisingly, new discoveries of oil were confirmed offshore from the emirate during the time of the diplomatic crisis. The discoveries meant the end of Abu Dhabi as the isolated and destitute place

it had been for centuries. The balance of power was about to change, and Great Britain realized the urgent need to preserve and enhance its influence in the new Abu Dhabi. As such, the British authorities took extra care not to alienate one of its most important economic clients in the years to come.

1. INITIAL DEMANDS FOR BROADER JURISDICTIONAL POWERS

Early demands against the jurisdictional monopoly of Great Britain over the Trucial States date back to 1958. Sheikh Shakhbout's brother, Sheikh Zayed bin Sultan, objected to the fact that the British Government was exercising jurisdiction over subjects of Abu Dhabi serving in the military organization created by the British government known as the Trucial States Oman Scouts. Early in the following year, Sheikh Shakhbout bin Sultan objected to the trial in the British court of an Indian national for an offence committed on the offshore island of Das. The discontent continued to escalate in the ruling family and finally materialized in a formal demand for juridical sovereignty in the summer of 1959.

In an encounter with the responsible Political Agent of the Trucial States, Donald F. Hawley, the ruler of Abu Dhabi, directly asked the British Political Agent for the right to exercise full jurisdiction upon all the inhabitants of the emirate of Abu Dhabi. Sheikh Shakhbout presented the contradiction of his position and the logic of his demands to the British authorities. He argued that if he could not administer justice, there was no point in them presenting and regarding him as the ruler of Abu Dhabi. Shakhbout asked for an end to the charade. If he was not going to have the power he deserved as the ruler of the emirate, they might as well take "control of the whole state." Moreover, if the British were going to administer justice and control the administrative institutions that supported the administration of justice, they may as well have picked up the tab of the newly created Police Force.¹

2. THE BRITISH JUDICIAL SYSTEM IN THE GULF

The source of the British right over the administration and dispensation of justice came in the form of a 1945 exchange of letters between the British Government and the emirates of the Gulf region. During that

occasion, the rulers of Kuwait, Qatar, Bahrain, Abu Dhabi, Dubai, Sharjah, Ras Al Khaimah, Ahman, Umm al Quwaim and the regent of Kalba were asked to reply to the British government's request for the recognition of the right to dispense justice in their respective emirates. In a pro-forma letter, each ruler had to write back accepting the right of the British government to administer justice. The document stated that:

I have received your letter No. C/703, dated 10th July 1945, corresponding to 1st Shaban 1364, which I have read. As regards your saying that the British Government has been exercising jurisdiction over British subjects and all foreigners in our territory and that this has been the custom since olden times and that the British Government finds it now necessary to regularize this custom from which you have asked our agreement. We formally agree to what you request about this custom.²

The exchange of letters gave the framework from which the juridical system emerged in the Trucial States. Administrative decrees, also known as the Trucial States Orders (TSO) of 1950, 1956, and 1959, gave concrete operational orders to the judicial system. According to the TSO, the British jurisdiction in the seven emirates was going to exclude:

"Individuals who are Trucial States subjects and corporations incorporated under a law enacted by one of the Trucial Shaikhs (sic);
Classes of persons as may be agreed from time to time between Her Majesty's Government in the United Kingdom and the Trucial Shaikhs (sic);
Although the powers still extend to members of Levy Force, they no longer specifically apply to a "Police Force".³

According to the British, their right to administer justice was as unambiguous as it was incontestable. Yet, there were serious conceptual and practical problems with this structure. The first problem was to answer the question: Who is a Trucial State subject? This was not an easy question to answer, because the Trucial States did not have a formal legal status. There was no national legal system that universally covered the local inhabitants of this loose federation. Each emir administered and produced the laws and procedures of his own sheikhdom. In addition, many foreigners were given passports by the local authorities as a revenue-producing

scheme. In fact, many people of Persian origin had been regarded as locals by the Abu Dhabi authorities for years. This implied that foreigners were going to be judged by the Abu Dhabi authorities, and not by the British courts, as the TSO prescribed. This incongruence did not bother much the British authorities. In the words of the British representative in Abu Dhabi, “Her majesty’s Court has [...] not gone out of its way to extend its jurisdiction over such persons or over the many low grade foreigners who flock in ever increasing numbers to the Trucial Coast.”⁴ In other words, in order to avoid political confrontations or administrative headaches, if the “low grade” individual did not claim to be outside the jurisdiction of the Trucial State and the rulers wanted to judge this person, the British government would not raise any legal objection.

A second problem arose in those cases in which a subject of the Trucial Sheikhs and a person excluded from the local jurisdiction were involved in a civil or criminal conflict. Article 62 of the Trucial States Order of 1959 provided for the creation of a Joint Court for these cases. In practice, all criminal cases in which the offender was a person subject to the British jurisdiction was tried under the British system. The law did not specify which procedure to follow in what it called “mixed cases,” so the British law was employed at the exclusion of any other legal system. This application of the British law was an extra extension of the British jurisdiction that never earned the written or tacit consent of the local rulers.⁵

Finally, was justice served with the British system? The Political Agent and the Assistant Political Agent were respectively Judge and Assistant Judge in the cases processed by Her Majesty’s Court. The administrative rulers and representatives of the British Government were serving as administrators, ambassadors, and judges. It is not difficult to imagine that there might have been many instances in which decisions were made to protect the economic and political interests of Great Britain more than those of justice.

3. SHAKHBOUT vs. THE BRITISH GOVERNMENT: THE DIPLOMATIC AND LEGAL CRISIS OVER THE CONTROL OF JURISDICTION

Confronted with his own signature of the 1945 letter and all the weight of a legal system

constructed based on this document, Sheikh Shakhbout made a decision that could be regarded as a full declaration of independence: he declared those agreements null. The Sheikh argued, “he had never meant it to have any effect. He had thought the suggestion of the Political Agent at the time so preposterous that he had merely copied out his words and repeated them back to him.”⁶ A latter internal British correspondence gives credit to Shakhbout’s arguments. The British administrators recognized that there were no vestiges of the “old custom” to which the 1945 exchange referred. There were very few westerners or foreigners for that matter in the Trucial States before 1939, and all of them had been judged by Sheikh Shakhbout.⁷

Those “technicalities” aside, the Political Agent reiterated the validity of the 1945 accords and reminded Shakhbout that the British government was going to continue exercising its jurisdiction over the emirate on the basis of that agreement. Sheikh Shakhbout finished the conversation and ended the meeting. He secluded himself in the Buraimi oasis and was not willing to talk to the British government until they came back with a positive answer to his request.

Things got more complicated over the summer when the Abu Dhabi Police captured three individuals described as “two Indians and a Tunisian Arab” drinking methylated spirits. According to the Trucial State Orders, they all fell within the jurisdiction of Great Britain, but Sheikh Shakhbout warned the British government that they should be judged by his own courts, and he threatened to leave the country if any other foreigners were judged by the British.⁸ Shakhbout’s claims were a major and increasing problem. Edward Henderson, the Political Resident in Abu Dhabi, advised his colleagues in Bahrain that if the incident was not resolved in a timely fashion, “relations with the Ruler are likely to be impossible”⁹ and that Great Britain was risking losing what many considered one of its best allies in the region. To the good luck of the British Government, the three individuals were released and the case closed before starting a trial.

The crisis over jurisdiction had reached new limits. The British government understood that as Shakhbout’s “primitive state [began] to emerge into the 20th century,” they needed to act fast in order to placate his demands as soon as possible. Shakhbout was claiming the right of

every sovereign to judge the people inside his territory. It became absolutely impossible for London to challenge to the logic of his demands. The British knew that Shakhbout's honor was at stake. If he was the ruler of Abu Dhabi, then he did not want to be only in paper; he wanted to be seen as the "fountainhead of law by all persons" living in Abu Dhabi regardless of their nationality.¹⁰

4. PLACATING SHEIKH SHAKHBOUT: ALTERNATIVE PATHS

Britain's first reaction was to start thinking about the possibility of placating the ruler of Abu Dhabi with some concessions that would not be too costly to the British government. Three alternatives emerged from the correspondence between the British authorities in charge of the administration of the Gulf emirates. One position, which was supported by the British Resident in Bahrain, Sir George Middleton, argued for the immediate reclassification of persons subject to the British law. Specifically, this alternative sought to evaluate and discriminate among several categories of foreigners that the British authorities would not have any problem releasing to Sheikh Shakhbout immediately. This release of jurisdiction would be accompanied by the implementation of a Joint Court for those "mixed cases" – cases involving a subject to the Abu Dhabi jurisdiction, or that of another Trucial emirate, and subjects outside the local system – providing that the whole judicial process was basically under full control of the British authorities.

A second approach, presented by Donald F. Hawley, the Political Agent in Abu Dhabi, pretended to have a somewhat more generous approach to the ruler. It would concede the release of certain nationals to his authority, and would also enforce the TSO and call for the submission to a Joint Court – with a judge most probably selected by the British – for all criminal and civilian cases involving foreigners, with the caveat that the British law and procedures would have to be applied at all times. This would, in theory, allow the rulers to save face, allowing them to argue that they did indeed have control over the jurisdiction in their emirates over all its local and foreign inhabitants.

This, Hawley argued, could also be regarded as the first step in setting up an independent

judicial system, as it would be an educational opportunity to teach (by example) a cadre of judges and the public in general the benefits of a modern judicial system. Local rulers would be encouraged to employ judges that could serve in local courts and sit in Joint Courts so they would learn the law, procedures, and ethical dimensions of their jobs.¹¹ The first idea was to fly a Sudanese judge, who they thought would have the cultural sensitivity to talk to the rulers and would have excellent judicial expertise after years of British colonial rule. The Political Agent in the Trucial States also asked London for funds under the Trucial States Development Scheme to furnish the rulers of the Trucial States with judges – "that could be Pakistani or Indian, Palestinian or Sudanese" – to solve cases for the Trucial States while helping them to reconcile "a more advanced judicial system with the Sharia,"¹² putting an end to "autocratic and disorganized courts."¹³

The third option would not proceed any further than to cede the jurisdiction of subjects of certain nationalities to the ruler of Abu Dhabi. Moreover, it would refuse to grant more rights to the ruler until local courts were functional and ready to receive a complete transfer of jurisdiction.

What these three options clearly reveal was the unanimous understanding that the local judicial system was "primitive in extreme,"¹⁴ hence the resistance to submit "high level" foreigners to Sheikh Shakhbout's courts. According to the British Political Agent, part of the problem was the lack of a uniform judicial system compatible to a western country, and the uncritical attachment to the traditional Shari'a law. In his words: [T]he great majority of people, however, including the Rulers, have no conception of a western system of law, whether one based on the Common Law, or, as is more common in the Middle East, on the Code Napoleon. They have an implicit belief in the Sharia law and are highly suspicious of anything else. However, experience elsewhere has shown that Sharia law is not suitable as a basis for the civil and criminal law of a modern state unless it is considerably modified¹⁵

The idea was proposed by the British Agent in Abu Dhabi and insisted on the judgment of "high level" in Joint British/Abu Dhabi Courts, but it was rejected immediately in Bahrain and London. Shakhbout needed a codified system of law and properly trained judges working within

a coherent judicial system. Until that time, London argued, “the presence of an Abu Dhabi ‘judge’ and the influence of Abu Dhabi ideas of ‘law’ would make a Mixed Court unworkable.”¹⁶

The resolution to the internal British dispute was resolved in London. In a letter to the local British administrators in Bahrain and the Trucial States, the Foreign Office informed that it was ready to renounce immediately the right of jurisdiction over certain categories of subjects to the ruler of Abu Dhabi, a renunciation that was going to be extended to rulers of other emirates. The subjects listed in memorandum No. 270 Saving of September 4, 1959 were:

Persons who are nationals of Saudi Arabia, Iraq, Jordan, Iran, the U.A.R., the Lebanon, the Yemen, Muscat and Oman, Libya, Morocco, Tunisia, Afghanistan, Indonesia, the Sudan and subjects of the Rulers of the other Gulf Sheikdoms, and Stateless persons of Palestinian origin.

A further release would include the following subjects in the near future:

Protected persons from the Aden Protectorate, Protected persons from the French Somaliland Protectorates, and

Persons originating from the Italian trust territories of Somalia (not being Italian citizens).¹⁷

The Political Resident in the Trucial States pleaded his case once again, insisting on the need to educate local rulers in the judging of “high level” individuals. He stressed to London and Bahrain that only by opening the doors of the Joint Courts to all foreigners would the emirate finally develop a sense of a modern judicial system. He acknowledged the fact that people from developed parts of the world would be submitted to a very “primitive” judicial system. However, he argued, this was the only political and administrative if they wanted a modern judicial system in the Trucial States in the long term. In any case, only a few Europeans were going to be among the “unfortunate” to be submitted to the system.¹⁸ Those to be judged by a Joint British/Abu Dhabi Court would have to accept their fate as “an occupational hazard of obtaining employment in this part of the world.”¹⁹

The Foreign Office was not that enthusiastic about Hawley’s idea of a Joint Court that would judge “high” and “low” degree foreigners and locals in one court. The idea might sound logical but they could not trust a ruler who was

claiming the right to be the sovereign of his own land. In other words, the problem was Shakhboub himself. In a dispatch to the British Residency in Bahrain, R.A. Beaumont summarized the impossibility of making any concession to a Joint Court because of him. “If Shakhboub were a reasonable man,” he argued, “or, indeed, could be represented as a ‘simple savage,’ then it could be easier for the British to consider the risk of making these set of concessions. But according to the British administrators, he is in fact about the least responsible of the Trucial States’ Rulers, temperamental to a degree and all too prone to ignore written or tacit agreements.”²⁰

The British government had to act with one voice. Hawley’s last attempt was rejected on February 25, 1960, and London rejected idea of having all foreigners under a Joint Court. It would “expose British and other foreign nationals to entirely unacceptable dangers.”²¹ Some transfer of jurisdiction was taking place all over the Gulf region, starting with Kuwait, under the notion of gradually expanding the devolution to Qatar and Bahrain, and finally to the seven Trucial States. The demands of Sheikh Shakhboub and the plan of the Political Agent of accepting a Joint Court System were far ahead of what the British were willing to give in at this point to any other ruler in the Gulf. Shakhboub’s Abu Dhabi was regarded as being far more a “primitive state” than Kuwait, Bahrain, Qatar, and even Dubai and Sharjah. The British could not offer more sovereignty to him than to, in their opinion, more advanced states.

The Foreign Office instructed its representatives to communicate their decision to Sheikh Shakhboub. The subjects listed in the memorandum No. 270 Saving of September 4, 1959 could be immediately released to the Abu Dhabi ruler, and by extension, each of the other six rulers would also receive the same rights. London was also going to propose the implementation of Joint Courts for mixed criminal and civilian cases, which were already approved in the Trucial States Order but never implemented. This was decided with the proviso that an effort would be made to convince the Ruler of Abu Dhabi that the procedure to be followed was necessarily going to be the one prescribed by the British Law.²² Finally, the Ruler was also going to be invited to send observers to the British courts, if he so desired.

Edward Henderson, the British Political Officer in Abu Dhabi, was charged with communicating the news to Sheikh Shakhbout. Disgusted with the British position, he secluded himself in the Bureimi Oasis with his family. Not even Sheikh Zayed, who was considered by the British as more approachable and open, was willing to entertain the British position. Edward Henderson wrote in despair that Zayed, “who is the only one capable of thinking for himself, feels if possible even more strongly over jurisdiction that does the Ruler.”²³ Nevertheless, the message was clearly delivered: Abu Dhabi will only have its independent jurisdiction when, and if, the Ruler could meet at least the same standards of the administrative and legal development of Kuwait, and for now, that was all they could offer the ruler of Abu Dhabi. Shakhbout rejected the offer and cancelled the negotiations.

Suddenly, in June 1960, almost one year into the crisis, Shakhbout made an abrupt about face and accepted the British proposal. The crisis reached an end at the moment in which the confrontation was at its zenith. The development of the oil industry was perhaps the most important item in Shakhbout’s agenda and the key to Abu Dhabi’s inevitable, and real, independence. Without the British, the development of such industry was impossible. Its development would require the arrival of thousands of Europeans who would be more attracted to Abu Dhabi knowing that they would be protected from the local jurisdiction. For now, all Muslims, except Pakistanis, were going to be under the jurisdiction of the Trucial Emirates. Except for the Iranians, who totaled a few thousand but were regarded as part of the local population in the majority of cases, the change did not significantly alter their lives in the emirate of Abu Dhabi. Arab foreigners were a small minority. For each nationality, Arabs did not surpass a total of a few hundred per less than one hundred thousand people.

The crisis was over, but it taught profound lessons to the British government. The region was no longer the isolated place it once was. It was increasingly connecting to the world economy through the development of the oil industry and was connected to the broader movement of Arab Nationalism that was boiling all over the Middle East.

5. THE RISING TIDE OF ARAB NATIONALISM AND THE DEVOLUTION OF JURISDICTION

Demands for an independent judicial system in the emirate of Abu Dhabi were not only the impulse of the local leader but also connected to the growing phenomenon of Arab Nationalism. The British representative understood this very clearly when the crisis exploded: “the question has become one of personal and national pride.”²⁴

The Trucial States were no longer the isolated and desolated place it once was. Despite its small population, an increasing number of non-local Arabs who were connected to the events in other parts of the region were giving echo to the words of the British government’s declared archenemy: Gamal Abdel Nasser, the leader of Egypt and the champion of Arab Nationalism. Throughout the 1950s, Nasser and his ideas were becoming an increasing problem in the Gulf region, and the presence of Britain in the Gulf Emirates was a fertile source for his attacks. In discussing the demands of Sheikh Shakhbout, the political agent in the Trucial States declared, “our aim should be progressively to reduce the target which our extra territorial position presents to local and Arab nationalists and to end a situation which is anomalous and has few parallels left in the world.”²⁵

Since 1952, the Egyptian government had been emphasizing the new regime’s identification with the notion that the Arab world should not only reject imperialism, but also do so in one united front. The defense of the Arab world should be based on Arab cooperation and organization, and must not be tied to any Western power. This message was transmitted throughout the region by Egypt’s public radio and its newly developed program, “The Voice of the Arabs,” which was used to mount a very aggressive and effective propagandist campaign to rally public support domestically and internationally in favor of the Egyptian regime. In July 1954, Nasser addressed his audiences in the region and proclaimed, “the goal of the government of the Revolution is that the Arabs become a united nation, its sons cooperating for the common good.”²⁶ According to the “Voice of the Arabs,” Egypt’s policy was that the Arabs should “expel the British, to cleanse the land of Arabdom from this plague, to obtain with their own money and to make for themselves arms which will repulse aggression, and to maintain peace and justice.”²⁷

In the Trucial States, the British were fearing that this message was being transmitted to the local population by non-local Arabs. The British government had identified the emirates of Sharjah and Dubai as the places where these ideas were having a stronger echo. The amplifiers of these subversive ideas were mainly identified as Arab schoolteachers coming from Jordan, Palestine, and Kuwait. The demands for an independent judicial system represented a clear dilemma: the British government needed to bring education and “good administration” in order to stop the spread of “revolutionary nationalism,” but at the same time those capable of bringing that development were Arabs, many of whom were thought to be preaching Nasser’s credo.²⁸ A judicial system under the British could be an easy nationalist target for its obvious significance, but a transfer of jurisdictional powers could not take place, because the British had absolutely no trust whatsoever in the local system of law and needed time to build one that they could feel confident was judging their people fairly.

Things could not continue under the present state of affairs. Britain’s position was compromised by its monopoly over jurisdiction. The increasing development of the country meant that more foreigners were about to settle in Abu Dhabi. That would mean that the British would be more, not less, involved in controlling the emirate; therefore, the British position would be more open to attacks by local pro-nationalist agitators. According to the Political Agent: [O]ne of the results of the present jurisdictional position is that it gives Her majesty’s Government a stake in the internal affairs of the Trucial States greater than is nowadays normal in independent states in other parts of the world and it is in fact a limited derogation from the state’s sovereignty. However the greater the development in any particular state the greater the influx of foreigners which at present has the effect of drawing Her majesty’s Government into an even greater interests in internal affairs. This fact alone may well in future attract the unfavorable attention of local nationalists and indeed of Arab nationalists elsewhere.²⁹

Not doing anything meant infuriating the rulers. Infuriating the rulers could also mean that Britain loses its one ally in the Arab Nationalist camp. Loosing Shakhbout’s friendship, the British lamented, would mean “losing our best friend in the Gulf.”³⁰ Therefore, there was an urgent need for the British to proceed with

extreme caution in the case of claiming jurisdiction. By 1956, and increasingly ever after, the British government was deeply concerned about Nasser’s assertiveness and his ever-strengthening position as a leader who was antithetical to Western interests in general, and British interests in particular. Concern in Britain verged on hysteria. According to Sir Ivone Kirkpatrick, the Permanent Under-Secretary at the Foreign Office, Britain had to act before Nasser destroyed Britain itself: [I]f we sit back while Nasser consolidates his position and gradually acquires control of the oil-bearing countries, he can, and is, according to our information, resolved to wreck us. If Middle East oil is denied to us for a year or two our gold reserves will disappear. If our gold reserves disappear we shall not be able to maintain a force in Germany or, indeed, anywhere else. I doubt whether we shall be able to pay for the bare minimum necessary for our defense. And a country that cannot provide for its defense is finished.³¹

Increasingly, Nasser was loudly supported in the streets of the Arab world, and governments in the region, unable to stop his rising popularity, had accepted quietly Nasser’s command to reject the defense pact proposed by the West in 1954. Only Egypt’s rival, the pro-western government of Iraq, accepted the invitation and announced on January 13, 1955 that it would join the defensive pact later known as ‘The Baghdad Pact,’ together with Turkey, Iran, and Pakistan.³² Egypt saw Iraq’s participation in the Baghdad pact as a threat to its security and throughout 1955, Egypt and Iraq struggled intensely to persuade as many Arab countries as they could to support their own position. After Syria and Jordan rejected the Baghdad Pact, no other Arab country ventured to show any interest in the Western-sponsored organization. By 1956, Nasser prevailed after a military attack launched by Israel and supported by France and Great Britain, which catapulted him to the zenith of his power in the region.

For three years, the British feared the possibility that their 1956 fiasco in Egypt could have spread to the Gulf. In a report on the political situation in the region after the Suez crisis, the British authorities recognized the spread of Arab nationalism in the region, but were sure that nothing beyond the sympathy would materialize unless there was “a local organization on which they can act, and a situation of discontent, tension or instability to focus them on the local

scene.”³³ When Shakhbout emerged with his proposal for full power of jurisdiction, the British government feared immediately that this could be a potential rallying cry that Arab Nationalists could have had been waiting to have in their hands.

It was under these circumstances that the British government had to operate during the 1959-1960 crisis over an independent jurisdiction. The crisis was connected to this broad movement of Arab Nationalism and could have easily been exploited by those inimical to the British presence in the region. Not knowing for how many years Nasser’s power was going to last, or how much stronger the movement was going to grow, the British tried to protect the best they could their sphere of influence in the Gulf Region. As negotiations were taking place, trade and political delegations from Iran were visiting the Trucial States with the acquiescence of the British government. Their visits were received with suspicion by Arab Nationalists, who feared that Great Britain was facilitating “some sort of association with Iran rather than falling under the influence of Arab nationalism.”³⁴

6. ENSURING SHAKHBOUT INVESTS IN THE UNITED KINGDOM

The diplomatic crisis over jurisdiction was also intimately related to the development of the oil industry in the emirate. Abu Dhabi was emerging as a promising producer of oil, but 1959 had not brought good news to the ruler. The explorations of the offshore wells of Das Island that had been so promising at the beginning of the year failed to meet expectations by the end of 1959. Yet, by early 1960, in the middle of the diplomatic crisis, good news began to surface. The offshore well of Umm Shaif No. 3 began to produce at surprising levels. Abu Dhabi was emerging as a confirmed major oil producer. Great Britain needed to be on the best possible terms with its ruler—“by the end of 1961, Abu Dhabi will be in the “‘big money’,” a British internal communiqué confirmed in February 1960.³⁵

“Abu Dhabi’s prospects have brightened considerably,”³⁶ confirmed D.W. Hawley, the person responsible for dealing directly with Sheikh Shakhbout. The need to have Shakhbout side with British interest was evident. According to the Political Agent in Abu Dhabi, London had to move quickly to make sure the Sheikh would be always on their side when he asked advice on

how and where to invest his money. Hawley saved no adjectives when talking to his colleagues in London: “There is at present a lull before any activity which may result from the likely announcement about oil production and a favorable move by us at this stage would cause a good impression and achieve the maximum affect; (sic) it is most important if we are to be in a good position to influence Shaikh Shakhbout.” Influence was needed to make him accept favorable agreements with the British oil industry, and influence to “give him advice which he will accept over the future development of his State.”³⁷

Oil brought new and fresh royalties. The numbers were very promising and far surpassing other emirates in the Trucial States. By 1959, those revenues were of the order of £ 137,000 per year, but in two or three years, they were expected to reach close to £1.250.000 pounds per year.³⁸ For now, British Petroleum was ready to give Shakhbout the 225,000-pound loan it had denied him the year before. Electricity would come to the palace and to other buildings in Abu Dhabi, but soon more projects would follow, so the British government needed to be ready to provide advice on these expenditures.

It is difficult not to factor this change into the economic outlook of Abu Dhabi as a clear element of influence in the more favorable position that the British representatives in the Trucial States had in regards to Sheikh Shakhbout demands. They knew that the economic boom would bring thousands of expats and a number of new industries to Abu Dhabi and that Great Britain needed Shakhbout on their side. For example, Political Agent Edward Henderson knew the potential consequences that a rupture with Shakhbout could entail. He insisted to London and Bahrain that they were risking losing not only an ally, but a big client. Henderson insisted, “In the slightly more distant future we should probably have difficulty in making him follow any sound advice on the expenditure and investment of his money. We should probably find it difficult to get him to take our advice in development projects, and the use of what we regard as sound firms for his contracts.”³⁹

Shakhbout’s last minute decision to change course and accept the British limited concessions prevented the escalation of the crisis. Shakhbout’s demands for total control of jurisdiction were tantamount to a declaration of

independence and had created a diplomatic crisis that forced the British government to give the ruler some concessions in order to safeguard higher economic and political interests. The British interests were threatened by a ruler opening the door to what could have been used by Arab Nationalists as their next battle flag against the British presence in the region. It also forced the British authorities to acknowledge the profound and evident deficits of the legal and judicial system they had installed in the region. It ultimately revealed their self-righteous approach to their legal and moral systems over those of the local emirs. For now, the British could be sure that Shakhboub was going to “invest in the United Kingdom rather than elsewhere, for example Egypt,”⁴⁰ and “high grade” foreigners would be relatively safe when coming to the Trucial States.

NOTES

¹ D.F. Hawley, to Sir George Middleton, KCMG, British Residency, Bahrain, May 30, 1959 in *Records of the Emirates: Primary Documents 1820-1960*. Volume 11, 1958-1959. (16415/59) 287.

² *The Persian Gulf Historical Summaries 1907-1953* Volume II. Archive Editions, Gerrards Cross, England 277-278.

³ D.F. Hawley, to Sir G.H. Middleton, “Her Majesty Political Resident”, Bahrain; Oct 20, 1959, dispatch No. 11 in *Records of the Emirates: Primary Documents 1820-1960*. Volume 11, 1958-1959. (16415/59) 298-299.

⁴ D.F. Hawley, to Sir George Middleton, KCMG, British Residency, Bahrain, Feb 17, 1960 in *Records of the Emirates: Primary Documents 1820-1960*. Volume 12, 1959-1960. (16415) p. 300. Underline not present in the original text.

⁵ D.F. Hawley, to Sir George Middleton, KCMG, British Residency, Bahrain, Feb 17, 1960 in *Records of the Emirates: Primary Documents 1820-1960*. Volume 12, 1959-1960. (16415) p. 300-301

⁶ D.F. Hawley, to Sir George Middleton, KCMG, British Residency, Bahrain, Feb 17, 1960 in *Records of the Emirates: Primary Documents 1820-1960*. Volume 11, 1958-1959. (16415) 287-288.

⁷ D.F. Hawley, to Sir George Middleton, KCMG, British Residency, Bahrain, November 26, 1959 in *Records of the Emirates: Primary Documents 1820-1960*. Volume 12, 1959-1960. (16415) 319.

⁸ Dispatch from Bahrain to Foreign Office. August 10, 1959 BA 1649/5 in *Records of the Emirates: Primary Documents 1820-1960*. Volume 12, 1958-1959. (16415) 290-291.

⁹ *Ibidem*.

¹⁰ Foreign Office Selwyn Lloyd, Desp No. 93 to British Residency –Bahrain-. 1645/1 British Residence, Bahrain, Nov 5, 1959 in *Records of the Emirates: Primary Documents 1820-1960*. Volume 11, 1958-1959. (16415) 312.

¹¹ That ideally should follow the Common Law instead of the Napoleonic System employed in continental Europe and most of the Middle East. D.F. Hawley, to Sir George Middleton, KCMG, British Residency, Bahrain, Feb 17, 1960 in *Records of the Emirates: Primary Documents 1820-1960*_Volume 11, 1958-1959. (16415) 320

¹² D. .F. Hawley, to Sir George Middleton, KCMG, British Residency, Bahrain, Feb 17, 1960 in *Records of the Emirates: Primary Documents 1820-1960*. Volume 11, 1958-1959. (16415) 308

¹³ D. .F. Hawley, to Sir George Middleton, KCMG, British Residency, Bahrain, Feb 17, 1960 in *Records of the Emirates: Primary Documents 1820-1960*. Volume 11, 1958-1959. (16415) 306

¹⁴ The only emirate in the Trucial States whose dispensation of justice was regarded as being more advanced was Dubai, which had a “Qadhi” from Aden who had some “practical experience of more developed systems of criminal and civil law.” *Ibidem*. 301

¹⁵ D.F. Hawley, to Sir George Middleton, KCMG, British Residency, Bahrain, Feb 17, 1960 in *Records of the Emirates: Primary Documents 1820-1960*. Volume 11, 1958-1959. (16415) 305.

¹⁶ From Foreign Office to Bahrain. Addressed to Bahrain Telegram No. 270 Saving of September 4 in *Ibidem* 294.

¹⁷ Foreign Office to Bahrain No. 270 Savings, September 4, 1959, in *Records of the Emirates: Primary Documents 1820-1960*. Volume 11, 1958-1959. (16415) 294-295.

¹⁸ D.F. Hawley, to Sir George Middleton, KCMG, British Residency, Bahrain, Nov 26, 1959 in *Records of the Emirates: Primary Documents 1820-1960*. Volume 11, 1958-1959. (16415) 320.

¹⁹ *Ibidem*, 321.

²⁰ R.A. Beaumont Esq., Foreign Office, to British Residency, Bahrain. December 10, 1959 in *Records of the Emirates: Primary Documents 1820-1960*. Volume 11, 1958-1959. (16415) 325

²¹ His Excellency George Middleton, KC.M.G. Bahrain to Foreign Office, S.W.1. February 25, 1960 to in *Records of the Emirates: Primary Documents 1820-1960* Volume 12, 1959-1960. (16415) p. 219

²² Foreign Office, S.W.1. February 25, 1960 to His Excellency George Middleton, KC.M.G. *Bahrain in Records of the Emirates: Primary Documents 1820-1960*_Volume 12, 1959-1960. (16415) 219-220

²³ Henderson to Man Esq. British Residency March 6, 1960 in *Records of the Emirates: Primary Documents 1820-1960*_Volume 12, 1959-1960. (16415) 228

²⁴ D.F. Hawley, to Sir George Middleton, KCMG, British Residency, Bahrain, Oct 29, 1959 in *Records of the Emirates: Primary Documents 1820-1960*. Volume 12, 1958-1959. (16415) p. 302.

²⁵ D. W. Harley Political Agency Trucial States, to His Excellency Sir G.H. Middleton Bahrain in *Records of the Emirates: Primary Documents 1820-1960*. Volume 12, 1959-1960. (16415) p. 303

²⁶ James Jankowski, *Nasser's Egypt, Arab Nationalism, and the United Arab Republic*, (Boulder: Lynne Rienner Publishers 2002), 60.

²⁷ *Ibid.*, 61.

²⁸ *The Persian Gulf Administration Reports 1873-1957*, volume XI 1948-1957 Archive Editions, 1989, report for the year 1956. 512

²⁹ D.F. Hawley, to Sir George Middleton, KCMG, British Residency, Bahrain, Oct 20 1959 in *Records of the Emirates: Primary Documents 1820-1960*. Volume 11, 1958-1959. (16415), 301-302.

³⁰ Bahrain Telegram No. 564 to Foreign Office, August 10, 1959. in *Records of the Emirates: Primary Documents 1820-1960*. Volume 11, 1958-1959. (16415), 291.

³¹ Ivone Kirkpatrick, letter to Makins, 10 Sept 1956, FO 800/740. quoted by Kyle Keith, "Britain and the Crisis, 1955-1956," in Wm. Roger Louis and Roger Owen, eds., Louis, Roger and Roger Owen eds. *Suez 1956: The Crisis and its consequences*. New York: Oxford University Press, 1989: 123.

³² "Egypt-Iraq Split ends Arab Parley," *New York Times*, 7 Feb 1955, 1.

³³ Sir Bernard Burrows to Mr. Selwyn Lloyd in *Persian Gulf: Annual Review for 1956*, 15 Apr 1957 in *The Persian Gulf Administration Reports 1873-1957*, Volume XI. 505.

³⁴ Political Agency Trucial States, Dubai, June 10 1959 to British Residency. In Bahrain in *Records of the Emirates: Primary Documents 1820-1960*. Volume 11, 1958-1959. (16415); 331.

³⁵ British Residency, Bahrain, to R.A. Beaumont Esq. -Foreign Office. Feb 11, 1960 in *Records of the Emirates: Primary Documents 1820-1960*. Volume 12, 1959-1960. (16415); 292.

³⁶ Foreign Office to Sir George Middleton, K.C.M.G. Bahrain, February 12, 1960 in *Records of the Emirates: Primary Documents 1820-1960*. Volume 12, 1959-1960. (16415); 296.

³⁷ D. F. Hawley, to Sir George Middleton, KCMG, British Residency, Bahrain, January 27, 1960, in *Records of the Emirates: Primary Documents 1820-1960* . Volume 12, 1959-1960. (16415); 212.

³⁸ British Residency in Bahrain to R.A. Beaumont Esq. in Foreign Office, March 8, 1960 in *Records of the Emirates: Primary Documents 1820-1960* . Volume 12, 1959-1960. (16415) 301-302.

³⁹ Henderson to Man Esq. British Residency Bahrain, March 6, 1960 in *Records of the Emirates: Primary Documents 1820-1960*. Volume 12, 1959-1960. (16415); 228.

⁴⁰ D.F. Hawley to Sir George Middleton, KCMG, British Residency, Bahrain, in *Records of the Emirates: Primary Documents 1820-1960*. Volume 12, 1959-1960. (16415); 213