Formation and Evolution of The Federation and its Institutions

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Introduction

The Trucial States, which in 1971 became the Federation of the United Arab Emirates, did not struggle for independence nor even seek it; it was thrust upon them. When the British government made the decision to withdraw protection from these states it was done without warning, compelled by the then ruling Labour Party's 1968 decision to relinquish the United Kingdom's security responsibilities east of Suez. Thus the rulers of these states, who had grown comfortable in their reliance on British political, diplomatic, and military power in an uncertain and dangerous part of the world, were faced for the first time with the prospect of determining and securing their own destinies. Because this eventuality had not been seriously contemplated and because the British government had taken only a slight interest in the affairs of these states, apart from their strategic importance along the imperial route of communications to India, and then only recently, there had been little preparation for independence and its challenges.

The Confused Prologue to Federation

Despite a widespread perception that the United Arab Emirates and the other small Gulf Arab states are artificial creations of the British, the UAE in fact reflects in its political form and dynamics a deliberate lack of British involvement in the Trucial States' internal affairs until a late date, leaving tribal loyalties and structures largely unaffected. The effect of British intervention through the series of treaties implemented between 1820 and 1892 was to freeze the principal power relationships of tribal groupings. Thus, the Al Qawasim and the Bani Yas tribal confederations which controlled what are now the northern emirates and the emirate of Abu Dhabi, respectively, were confirmed as the dominant elements within the Trucial States. The Bani Yas eventually gained the upper hand in their rivalry with the Al Qawasim, largely because the latter's naval power had been eclipsed by the British and because the Bani Yas were a broad, land-based confederation. The initial British military intervention in the southern Gulf had the effect of altering the power relationship between the two rival groupings. More importantly, by dealing with the Trucial States as a unit, the British gave some sense of natural

coherence to the grouping of the several sheikhdoms signatory to the 1820 treaty and later engagements. For a considerable period of time they were obliged to cooperate in various common, if limited, treaty obligations.

Nevertheless, it is fair to describe the fundamental British attitude towards the Trucial States as one of 'benign neglect,' at least until very late in the long period of British protection.[1] Only concern for control over oil exploration concessions, the development of imperial air routes, the exigencies of the Second World War, and the threats posed by the Soviet Union and Arab radicalism led to a significant upgrading of Britain's own political representation in the Trucial States and to some significant involvement in their social, economic, and political development. One manifestation of this was the creation of the Trucial States Council in 1952 which brought together the rulers of the seven sheikhdoms for periodic meetings (usually twice a year) to discuss issues of common interest.[2] This was done initially with the British Political Agent, the senior representative of the British government in the Trucial States, presiding. Later the chairmanship passed from one ruler to another on a rotating basis. The principal benefit conferred by the Council was to provide a systematic means of regular communication amongst the rulers for the first time. The Council and the Trucial States Development Office (which later carried out modest development projects) provided, during their brief existence, the basis for core institutions of the future independent union. Nevertheless, when the Labour government reached its January 1968 decision to withdraw British protection from the Trucial States, for domestic economic reasons having nothing to do with the sheikhdoms themselves, there had been little tutelary preparation for the new phase.

The time period allotted to the rulers of the Trucial States to prepare for the withdrawal of protection and federation was brief, and was imposed with no warning. Moreover, a lengthy list of other negative factors seemed to militate against the success of whatever state or states might emerge when British withdrawal was effected. A consideration of these factors and how they were overcome is instructive in seeking an understanding both of how the UAE was born and why it has endured.[3] It is true that in 1971 the UAE adapted major governmental institutions from the Trucial States Council (the model for the Supreme Council of Rulers), the Trucial States Development Council (from which the Abu Dhabi Fund for Economic Development evolved), and the Trucial Oman Scouts (core of the federal armed forces). Moreover, one of the seven sheikhdoms, Dubai, had experienced a 'reform movement' as early as 1938, when members of the merchant oligarchy and a branch of the Al Maktoum opposed to the ruler, forced on him administrative reforms, some of which endured.[4] Nevertheless, virtually the whole governing structure of the new federal state had to be devised and constructed in a short time with few relevant precedents and traditions to draw upon.

Another essential item of independent statehood was largely lacking: settled borders. The very concept of exact territorial borders was alien to a tribal society where a sheikh's dominion over people and control over various resources such as water and pasturage, as well as the extent of a tribe's *dar* or range, which waxed and waned according to circumstances, were what mattered. It was not until petroleum exploration concessions were signed that the need for precise territorial definitions of authority was seriously felt. The British made some efforts to promote agreements on boundary lines, notably those of the redoubtable diplomat Julian Walker whose careful research on relevant factors in the Trucial States helped obtain agreement to a significant amount of boundary-drawing. Nevertheless, when the decision to withdraw

from the Gulf was made, all the Gulf Arab states had extensive borders in dispute. This was true of Bahrain and Qatar, which have engaged in territorial disputes since the latter threw off Al Khalifa rule in the nineteenth century, and of the Trucial States, where boundary definition was only partial and deep-seated rivalries absorbed the individual sheikhdoms. These included, most significantly, the border dispute between Abu Dhabi and Dubai which had erupted into warfare in 1948, and the several border disputes of Sharjah and its neighbours. The Abu Dhabi – Dubai rivalry was of particular importance, because those two states would dominate any federation among the Trucial States by virtue of their size and wealth. The success of that federation would presuppose their ability to work together.

A further, critical uncertainty was the fundamental question of which states would come together as a federation. This was generally posed as a matter of whether it would be the seven Trucial States plus Bahrain and Qatar, or the former grouping alone. The uncertainty, however, extended to the question of whether all of the seven would unite. This unsettled issue of who would be in or out continued to vex the process of reaching independence and federation until the British withdrawal; in the case of one emirate, Ra's al-Khaimah, it carried even beyond that point.

Yet another deeply troubling issue which these states faced on the eve of their independence was the claims of powerful neighbours to some or all of their territory. Announcement of the British intention to withdraw from the Gulf brought renewed claims from the Shah's government of Iran to the island of Bahrain. Iran also claimed the lower Gulf islands of Abu Musa and the Tunbs, which belonged to two of the Trucial States, Sharjah and Ra's al-Khaimah, respectively. The other major claimant was Saudi Arabia which had long asserted claims to a large part of Abu Dhabi's territory and saw in British withdrawal an opportunity to redress what it considered an injustice perpetrated and sustained by the British.

Iran and Saudi Arabia presented conventional threats of territorial claims. The new state of South Yemen had emerged in 1967, when its leaders overthrew the Federation of South Arabia which the British had created on the eve of their withdrawal from Aden Colony and its hinterland. This state represented a new and different kind of threat when, in 1969, it came under radical Marxist leadership. South Yemen was a radical revolutionary state whose goal was the overthrow of all the traditional regimes in the region. During the time established for British withdrawal from the Gulf, South Yemen had begun actively to assist a radical leftist organization already in active rebellion against the Sultan's government in Oman. Its name, Popular Front for the Liberation of Oman and the Arab Gulf (in other permutations the organization was known as Popular Front for the Liberation of the Occupied Arab Gulf and Popular Front for the Liberation of Oman), suggested clearly its intent. While the circumstances of pre-independence Aden and the Gulf sheikhdoms were very different in many respects, there was widespread fear that something like what had occurred in South Arabia could occur in the Gulf.

Finally, the rapid evolution towards federation was complicated, if not jeopardized, by British vacillation after the decision to withdraw from the Gulf had been taken and announced. Indeed, there was considerable uncertainty in the Labour government of Harold Wilson even before the decision was taken. By May 1967 the government was seriously considering withdrawal from the Gulf; in the autumn of 1967 the devaluation of the British pound seem to confirm that policy; then in November 1967, two months before Wilson announced withdrawal, the Foreign Office issued an assurance that the British military presence would be maintained in the Gulf region. Following the 16 January 1968 statement, withdrawal remained the policy

until it was thrown in doubt by the election victory in June 1970 of the Conservatives. The government of Edward Heath temporized until 1 March 1971, nine months short of the date projected for withdrawal, before finally affirming that policy.[5]

The factors, then, that militated against the emergence of a successful federation of seven or nine Gulf Arab states were considerable. Informed observers were doubtful of the chances of any such grouping.[6] Interestingly and perhaps decisively, several of these seemingly negative factors had the paradoxical effect of working to the advantage of the future federation.

Britain's unexpected decision to withdraw from the Gulf was a rude shock to rulers who had contemplated development of their oil wealth under the continuing aegis of British-assured security. At the same time, it had the effect of concentrating their attention on the creation of a federation more forcefully than if they had enjoyed a more leisurely approach to those issues. The anomaly of British-protected states in the Middle East would almost certainly have come to an end soon, particularly after the termination of Kuwait's similar protected status in 1961 and the recent withdrawal from Aden and South Arabia. Moreover, further insulation from the challenges of an unprotected existence would arguably have made the eventual transition more complicated and difficult.

In the minds of many observers, a federation of nine was preferable to one of seven, since all the states involved were mini-states with tiny populations and few significant natural resources other than oil and gas. Indeed, Kuwait and Saudi Arabia urged this fully inclusive approach to federation. That it failed, however, was almost certainly an advantage for the Trucial States. The lower Gulf states had reason to fear that Bahrain would try to dominate such a federation, drawing on its much more advanced state administration, greater political sophistication, and a population then larger than that of the other states of the lower Gulf. Further, such a federation would have been riven by the long-standing enmity of Bahrain and Qatar, especially as those two states were closely aligned with Abu Dhabi and Dubai, respectively. The natural ties and habits of community were generally stronger amongst and between the seven Trucial States than in the larger grouping, reinforcing the case for the smaller federation on the basis of geographic contiguity. (Bahrain as an island is physically separated from all its neighbours, though attached now to Saudi Arabia by a causeway. Abu Dhabi's territory at the time adjoined that of Qatar but their population centres were separated by several hundred miles of roadless desert and Saudi Arabia had already strongly indicated its determination to alter its borders with Abu Dhabi to include establishing a Saudi corridor to the Gulf south and east of the Qatari peninsula, an arrangement which was in fact negotiated in 1974.)

At the same time, the meetings of rulers and other representatives from Bahrain and Qatar as well as from the Trucial States between 1968 and 1970 to discuss the possibility of federation were useful in fully exploring the issues that had to be faced. These meetings were, in effect, a kind of intense, practical seminar whose utility was enhanced by the inclusion of the additional interlocutors. Moreover, as one astute scholar has observed, the UAE reaped a very specific and enduring benefit from this exercise. In adopting, with suitable modifications, the constitution which had been drawn up for the projected federation of nine, it gained for its own use a document which had been carefully crafted to accommodate the concerns and interests of all the states in the anticipated wider grouping. Thus the Constitution of the UAE was from the outset an effective source of flexibility and creative ambiguity in coping with the challenges of a federal union.[7]

The collapse of the Federation of South Arabia and the subsequent emergence of a radical

leftist government in Aden, whose goal of overthrowing the Arabian Peninsula's traditional regimes seemed within reach as the rebellion which it was assisting gained ground in Oman, appeared to be a negative and distinctly threatening development affecting the birth of the UAE. In fact it served a highly useful purpose by offering a clear signal to the leaders of the new state that economic and social issues had to be seriously addressed to avoid the possibility of discontent and political radicalization in their own populations.

Sheikh Zayed bin Sultan Al Nahyan, the driving force behind creation of the UAE, had become ruler of Abu Dhabi in 1966. From the start Zayed was motivated by the conviction that it would be politically fatal not to use to its fullest advantage the extraordinary new source of wealth to promote the development of both Abu Dhabi and the poorer Trucial States. The escalating rebellion in neighbouring Oman, in large part a consequence of the ruler Sultan Said's parsimony and the leftward lurch of Marxist South Yemen, confirmed his belief that an improved life for the people of the area was important in securing their continuing support for traditional, conservative, hereditary government. In the years just after he had become ruler of Abu Dhabi, Zayed provided the great bulk of the funds dispensed by the Trucial States Development Fund; after the establishment of the UAE and with the growth of oil revenues he continued to do so on an increased scale.

Thus, early on, Zayed established with the whole Trucial States population the kind of compact that the other Arabian Peninsula oil producers had reached with theirs, whereby rapid economic development and widespread sharing of the wealth would be exchanged for continued acceptance of hereditary, patriarchal rule without political challenge. In the months just before the UAE became independent, he created the 'Abu Dhabi Fund for Arab Economic Development', later called 'Abu Dhabi Fund for Development' to provide aid to other Arab and, eventually, non-Arab countries. This helped to dampen some regional threats as when the UAE and Kuwait used foreign aid to encourage South Yemen to end its aggression against Oman and enter into negotiations which eventually led, in September 1982, to a border settlement and the establishment of diplomatic relations between those two states.

Movement towards creation of a federation among the Trucial States was also accelerated and reinforced by a pattern of various deficiencies among the seven which convinced them that none could go it alone. Ajman, Fujairah, Ra's al-Khaimah and Umm al-Qaiwain all had tiny populations and lacked both significant hinterlands and wealth. Sharjah had prospects of moderate wealth but otherwise shared the deficiencies of the above. All these had divided territories, except for Umm al-Qaiwain, forming a confused patchwork of enclaves and exclaves, while all but Sharjah lacked the modern bureaucratic structures that would be required to manage successfully a modernizing state, unitary or federated. Dubai had considerable wealth, both from its long mercantile career and incipient oil production, and possessed a lean but efficient state administration. It too, however, lacked territorial depth, while Abu Dhabi possessed over 80 per cent of the territory and the lion's share of the hydrocarbon wealth, but had only recently begun to develop the administrative structure which a wealthy, independent state would require. Although Ra's al-Khaimah briefly delayed joining the UAE, it never seriously contemplated existence outside the federation. In a dangerous neighbourhood all the Trucial States realized that if they did not remain together the chances were very high of their being toppled separately. Thus, whatever real differences and rivalries existed, the seven sheikhdoms were drawn together by the strong sense of a shared fate.

A further very great advantage was that the rulers of the seven states could conduct all their discussions and negotiations between 1968 and 1971 in comparative privacy and were able to take action on fundamental issues with virtually no reference to the great majority of their subjects. The process was elite-driven, quintessentially top-down. So long as the rulers maintained the support of their extended families, clans and tribes, they could act freely. Thus, it was possible for key decisions to be taken and implemented quickly without fear of domestic challenge. Had the rulers not been able to move towards federation in this way, it is hard to imagine that the process could have been completed successfully in the brief time allotted to them. This was particularly so as that interval (not quite four years) was further diminished by the lengthy false start towards a federation of nine and by the confusion resulting from the British Conservative government's vacillation on the question of withdrawal.

Formation of the United Arab Emirates

What was undoubtedly of greatest importance in ensuring the UAE's birth and survival was Sheikh Zayed's commitment of his state's resources and his own leadership to the success of the enterprise. Like the Prussian-led German empire, which Otto von Bismarck had created 100 years earlier, the UAE was built around a preponderant state whose leader had a forceful personality and considerable leadership skills. Despite Abu Dhabi's wealth and size, however, only intelligent and energetic exploitation of those assets could assure the birth and survival of the UAE.

It was Sheikh Zayed who began the process of moving towards a federation which would ensure the Trucial States' survival and security and when, at a late hour, the prospects for federation were in serious jeopardy it was he who rescued them. Following Harold Wilson's 16 January 1968 announcement of British withdrawal from east of Suez, including the Gulf, Zayed went almost immediately to Dubai to discuss with that state's ruler, Sheikh Rashid bin Said Al Maktoum, an appropriate reaction. On 18 February 1968 they concluded and announced agreement on a federation between them, urged the other five Trucial States to join, and invited Bahrain and Qatar to discuss the future of the region with them. When, three and a half years later, no federation had emerged with British withdrawal close at hand, Zayed again seized the nettle and engaged Rashid and the other Trucial States rulers in the decisive discussions which determined the essential nature of the UAE.

The last phase of the period leading up to the creation of the UAE began on 1 March 1971 when, following British envoy Sir William Luce's third mission to the Gulf to help determine the British course of action, the Conservative government finally determined on the withdrawal of military forces from the Gulf by the end of December 1971. As Bahrain and Qatar subsequently moved towards independence on their own, Zayed felt the need to act with dispatch. On 1 July 1971 he established Abu Dhabi's first cabinet as well as a consultative council to provide, with the help of advisers and civil servants from other Arab countries, an institutional structure for that state should it be compelled to stand by itself after British withdrawal. Zayed took this action because he feared that the go-it-alone course of Qatar, to which Dubai was closely aligned, might lead the latter to reconsider becoming part of a federation.[8] At the same time he hoped that by dramatically taking the initiative he could induce Dubai and the other Trucial States to unite with Abu Dhabi. Thus, at his urging, the seven rulers met in Dubai

on 10 July in their capacity as members of the Trucial States Council to consider the issue of federation and, on 18 July, formation of the UAE was announced. To achieve a workable union, Zayed first had to come to terms with his powerful Trucial States rival, Sheikh Rashid.

Despite the dominant role of Zayed and Abu Dhabi, the parentage of the new federation was decidedly mixed, with the interaction of two contrasting personalities who represented very different constituencies and interests shaping the birth and development of the UAE. The rivalry was deep-seated, dating to the 1833 defection of the Al Bu Falasah subsection of the Bani Yas in Abu Dhabi to establish a separate sheikhdom in Dubai. The latter became a cosmopolitan, outward-looking mercantile city-state, while Abu Dhabi remained a traditional tribal federation. The personalities of the two rulers perfectly reflected the character of their sheikdoms. Zayed was a forceful tribal leader who embodied the bedouin qualities of courage and magnanimity. He was strongly committed to a truly integrated union of the seven Trucial States and prepared to use his own state's resources generously to secure that end. Rashid was a merchant prince whose pragmatic vision embraced almost exclusively his own state and its prosperity. He was disdainful of less sophisticated neighbours and chary of committing his own state's resources to a larger enterprise. But his careful calculations persuaded him of the practical necessity of creating a political federation with the other sheikhdoms when British protection was withdrawn.

In their negotiations, Rashid's shrewd bargaining skills and Zayed's readiness to be magnanimous to ensure the success of the new union led the latter to make numerous concessions to the former, almost to the point of bestowing political parity on Dubai. Despite their pronounced disparity in size, wealth, and military power, Zayed agreed that Dubai would share with Abu Dhabi the right of veto in the federation's most important governing body, the Supreme Council; and that any substantive issue decided by the Federal Government must have the support of Dubai as well as Abu Dhabi. Rashid insisted on an equal number of votes in the Federal National Council, the UAE's federal advisory body, and secured senior positions for three of his sons in the Federal Government. He himself served as Vice-President. With these far-reaching concessions Zayed secured Rashid's commitment to support the federation, though not his support for Zayed's concept of a closely integrated union. For the rest of his life Rashid consistently supported the Federal Government's essential authority. He would not, however, yield more autonomy than was absolutely necessary and the contention with Zayed over the nature of the union continued long after 1971.

The Constitution and the Institutions of the Federal Government

The Constitution adopted on 18 July 1971 for the UAE was, as earlier observed, an adaptation of the document drafted for the projected union of nine. Its hallmark was its provisional ambiguity, designed to gain the approval of states and rulers with differing views of the federation into which they were entering. (The Constitution was made permament only in 1996.) This, in part, explains its length (151 articles) and the seeming contradiction between some of its stated principles and goals.

The language of the Constitution's preamble suggests that it is meant to be seen as a document charting an evolutionary course towards a new kind of government. Thus, it commits the union to progress 'towards a complete representative democratic rule' but precedes that with the

observation that federal rule must be established 'in harmony with the Amirates' existing conditions and potential,' clearly indicating that traditional social and cultural norms would shape the new state's evolution. Another interesting juxtaposition of modern, secular values with traditional values occurs in the articles dealing with religion. Like the constitutions of most other Arab countries, Islam is recognized as the official religion of the union (Article 7). At the same time, the 'freedom to exercise religious worship shall be guaranteed . . . provided it does not disturb public peace or violate public morals' (Article 32), and discrimination between citizens or inequality before the law on the basis of religion is explicitly rejected (Article 25).

The Constitution combines both blueprints for Western, representative institutions and formulas for preserving political power as exercised by traditional, patriarchal, elites. Thus, the pattern of governmental authority that was established betrays a marked contrast of both provenance and stated goals. The Federal Supreme Council – sometimes referred to as the Supreme Council of the Union – represents the union's highest political authority and has both executive and legislative powers. It sets the general policy of the UAE, elects the president and vice-president, ratifies federal laws and international treaties, and prepares the federal budget. Each ruler has a single vote and procedural matters are determined by a simple majority vote, but substantive issues require the concurrence of both Abu Dhabi and Dubai, reflecting the formula worked out between Zayed and Rashid, thus giving veto power to each. This explicit apportionment of political power represents a departure from traditional norms which emphasize decision-making by consensus (*ijma'*).[9] At the same time, membership in the Supreme Council is established on the wholly traditional basis of leadership of the tribes or tribal federations that dominate each emirate, thus giving institutional form to paternalistic, authoritarian rule. The substantial role of the president also reflects something of the society's patriarchal norms. He convenes and presides over the Supreme Council's meetings, represents the UAE in its foreign relations, oversees the implementation of federal laws and decrees, can commute judicially imposed sentences, and must approve the execution of any death penalty. With the Supreme Council's approval, he appoints the prime minister and, in consultation with the latter, appoints federal ministers. With the concurrence of the federal cabinet, or Council of Ministers, he appoints senior government officials.

The Council of Ministers also combines executive and legislative functions, but may be regarded as the real seat of legislative authority. Most laws are initiated in the council and it establishes regulations necessary for the implementation of federal laws. It also prepares the federal budget and supervises implementation of federal laws and decrees, Supreme Court decisions, and international treaties. Currently the Council of Ministers comprises 21 members, of whom ten are from ruling families. The balance are chosen as much for their positions in the emirates' elites, typically from merchant families close to the rulers, as for their technical and professional abilities. Thus, in the Council of Ministers, the most important government institution in which the politics of balance and inclusion are played out, that process is effectively limited to the members of ruling families, close commoner allies, and a handful of technocrats.

The Federal National Council (FNC) in its formal structure appears to approximate most closely a federal legislature. In spite of the fact that the Constitution devotes no fewer than 26 articles to describing the structure, functions, and prerogatives of the council, its powers are only advisory and it has, therefore, little capacity to affect the political process. Although the Constitution grants the council the power to approve, amend, or reject draft laws (Article 89),

it makes clear that the Supreme Council can ratify and the president issue a law regardless of the FNC's action (Article 110). The FNC has 40 members with its seats allotted according to a weighted formula which gives Abu Dhabi and Dubai eight each, Sharjah and Ra's al-Khaimah six apiece, and the remaining emirates of Ajman, Fujairah and Umm al-Qaiwain four each. It meets for annual sessions of not less than six months and members serve two-year terms, indefinitely renewable. The FNC was viewed at its creation as a means for promoting a stronger sense of community at the federal level and, presumably to that end, leaves open the possibility of popular election of its members. In practice, however, because each ruler has continued to select trusted supporters from the various emirate elites, the body does not represent the people of the UAE in a meaningful way.[10] Its deliberations can produce thoughtful critiques of draft legislation and it can and does raise issues of broad public concern through the questioning of ministers. Yet, in its essential nature, the FNC resembles more closely a traditional consultative *diwan* or *majlis* than a modern representative body.

The Constitution establishes a federal judiciary whose highest authority is the Supreme Court (sometimes referred to as the Higher Federal Court) and which also includes Courts of First Instance. The Supreme Court, whose president and member judges are appointed by the UAE President with the approval of the Federal Supreme Council, can rule on the constitutionality of federal laws, interpret the provisions of the Constitution, deal with inter-emirate disputes or contentions between individual emirates and the Federal Government, and serves as the nation's final court of appeal. The Courts of First Instance have jurisdiction over administrative, commercial and civil disputes between individuals and the Federal Government, as well as criminal and civil cases occurring in the federal capital (Article 102). The way in which the federal judiciary is defined, as in the cases of the other institutions of the Federal Government, reflects an attempt to embody both modern, Western norms of justice in the UAE and those of traditional Arab–Islamic society. On the one hand the Constitution defines all citizens as equal before the law, explicitly forbidding discrimination on the basis of religion and social status (Article 25) and it establishes that those accused of breaking the law are to be considered innocent until proven guilty (Article 28). On the other hand all judicial matters not delegated to the federal courts are left to local judicial bodies in the individual emirates (Article 104). This means that local justice is dispensed under the close supervision of the local ruler in traditional fashion. Moreover, a recent decree has given authority in nearly all criminal cases to *shari'a* courts (Muslim religious courts) rather than to civil courts.[11] At the federal level, however, the judiciary is the one branch of government which, as one scholar has noted, really represents the ideal of an integrated state.[12]

The Federation Secured

After an accelerated gestation period and anxious birth, the UAE's federal authority faced several potentially serious challenges in its infancy. In February 1972 the ruler of Sharjah, Sheikh Khalid bin Muhammad Al Qasimi, was assassinated by a cousin who had previously been removed by the British as ruler. This affirmed the primacy of federal authority over that of the Al Qasimi tribe which traditionally would have selected the new ruler. The Federal Government intervened to thwart the coup attempt and installed as the new ruler Sheikh Sultan

bin Muhammad, who had been UAE Minister of Education. Later in the same year Sharjah and Fujairah clashed with loss of life over a small disputed parcel of territory. Once again the Federal Government successfully intervened to assert its authority and impose order.

These and other successful assertions of federal power, combined with the 1974 Abu Dhabi–Saudi Arabia border agreement and the crushing of the rebellion in Oman's Dhofar Province in 1975, had removed doubts about the UAE's ability to survive within the first few years of its existence. Moreover, in keeping with Sheikh Zayed's concern for making tangible benefits available to the federation's populations, the UAE launched major programmes of physical and social infrastructure. In a very short time, modern highways joined all the population centres of the country (at independence, Abu Dhabi town and Dubai, separated by over 100 km of desert, were linked by dhow or four-wheel drive vehicles) and rapid construction of large scale housing projects and schools proceeded throughout the UAE. These were all visible and compelling evidence, most dramatic in the poorer emirates, of the benefits conferred by the Federal Government and helped to consolidate its legitimacy and support early on.

There remained, however, the question of whether the union would take the form of a centralized state, with the seven emirates closely integrated under the Federal Government, or would pursue a gradualist approach towards greater federal power with each emirate retaining its essential autonomy. Sheikh Zayed, as we have seen, embodied the former concept of the federal role and Sheikh Rashid the latter. While Rashid did not hesitate to support Zayed in the assertion of federal authority to thwart the 1972 coup attempt in Sharjah, he was, from the beginning, steadfast in opposing any significant enhancement of federal power or corresponding diminution in the exercise of emiral autonomy. The starkly opposed visions of the two leading political figures of the UAE on a fundamental issue of the nation's political structure and dynamics precipitated a series of what may be described as constitutional crises.

In 1976 Rashid and some other rulers, in opposition to Zayed, refused to accept a strengthening of the Federal Government and Zayed threatened not to serve another term as UAE President. He was induced to reconsider when general agreement was reached on unification of defence and security forces while the matter of adopting a permanent constitution (called for in the document itself after five years) was simply deferred. This compromise accord also left open the important issues of whether oil resources should be owned and immigration policy determined by the Federal Government. Twenty-five years later, moreover, the defence and security forces have not been fully integrated at the federal level. The 1976 crisis established a pattern whereby every five years the president would be continued in office and the Constitution would remain provisional while basic questions concerning federal and local powers were essentially deferred. It was in early 1979, however, that the most serious such crisis arose when, in part because of the threats to regional stability perceived in the Iranian revolution and the imminent Israeli-Egyptian treaty, the Federal National Council and the Council of Ministers urged the Supreme Council to adopt plans to make the UAE stronger and more cohesive.

Through the spring of 1979, the matter continued to be debated, and it was only when a senior member of the ruling family of Kuwait intervened that it was resolved. Rashid agreed to become Prime Minister (as well as Vice-President), implying greater support for federal authority but, again, with no meaningful movement towards the more integrated union that Zayed desired. The ongoing dispute between the unionists (*wahdawis)* and the federalists (*ittihadis)* will continue, rooted in the deliberately ambiguous compromises of the Consti-

tution and not susceptible of obvious solution because of the veto power which Zayed felt compelled to yield to Dubai to win that emirate's adherence to the union. While the Constitution is flexible in its interpretation of federal and local powers, it is inflexible in terms of the process by which it can be amended.[13] This difficulty did not disappear with the death of Rashid in 1990, as Dubai and the other emirates continued to see their interests as best served by a looser federal structure than that favoured by Zayed and Abu Dhabi.

Although the positions of the rulers on the Supreme Council would seem to preclude the creation of a stronger union through amendment of the Constitution, there has been some strengthening of federal authority. Shortly after the creation of the UAE, greater consolidation of federal powers was achieved when Abu Dhabi merged its cabinet with that of the Federal Government and Sharjah and Fujairah combined key departments of their governments with the corresponding federal departments. In the area of external security, the 1976 agreement gave at least formal expression to a federal UAE defence force, though real progress towards the goal has been slow. Further, there has been a diminution in the tendency of individual emirates to exploit their constitutional rights to pursue limited, independent foreign policies. No emirate has exercised its right to separate membership in the Organization of Petroleum Exporting Countries (OPEC) or, with the exception, briefly, of Dubai, the Organization of Arab Oil Exporting Countries (OAPEC) and Abu Dhabi has extended its OPEC membership to the whole federation. While Dubai and Sharjah caused embarrassment to the Federal Government by following independent courses of action towards Iran during the Iran–Iraq War, the experience of the Gulf War and the continuing intractability of the UAE dispute with Iran over Abu Musa and the Tunbs seems to have helped to forge a more unified position towards the region and its dangers. Finally, in the twenty-fifth anniversary year of the UAE, both the capital and the Constitution lost their provisional nature. The Constitution's call for the creation of a new capital midway between Abu Dhabi City and Dubai yielded to practical reality, with Abu Dhabi now recognized as the permanent capital, and the Constitution at last ratified as a permanent document. This provided appropriate symbolism at the country's quarter century mark in its suggestion of the federation's permanence.

While the *wahdawi-ittihadi* debate remains unresolved, there is much to suggest that the UAE will endure as the one really successful example of political union in the Arab world. (The Yemen Arab Republic, or North Yemen, merged with the Peoples' Democratic Republic of Yemen, or South Yemen, in 1990, but was maintained only by the North's military defeat of the South's attempt to secede in 1994.) The extent of the UAE's oil wealth is such that a high standard of living can be sustained for a long time, acting as an effective emollient for any political disaffection. Despite Iranian occupation of the lower Gulf islands claimed by the UAE, the country now enjoys much greater regional security than it did during its first two decades of existence. Inter-emirate border disputes have been largely resolved and rivalries, particularly that of Abu Dhabi and Dubai, have acquired a friendly character and appear unlikely to provoke really dangerous disputes.

Key to the federation's survival and stability has been the continued strength and vitality of tradition, combined with continuity in the institutions of government. The federal institutions created by the Constitution, despite their modern form, have operated in accordance with well established norms of traditional exercise of political authority. Both legislative and executive powers remain firmly in the hands of a hereditary elite whose legitimacy derives from effective

family and tribal leadership, reinforced by the wealth at its disposal. Equally important, the system as it has evolved has preserved key traditional institutions themselves. Thus, by well-established custom, rulers and other members of ruling families hold *majlises* or councils where subjects are invited to present petitions or raise issues. This mechanism and the inspection tours that bring Zayed and other UAE leaders close to their subjects provide means of personal communications between ruled and rulers which, despite the rapid growth and urbanization of the population, remain effective.

Moreover, together with the gradual consolidation and strengthening of federal authority noted above, there has been a noteworthy development of local government. Abu Dhabi has retained and extended its own central governing authority, established before independence, the Executive Council, under Sheikh Khalifa bin Zayed, the Abu Dhabi Crown Prince. Under this council, an Eastern and Western Region operate to make government more manageable in the largest and most populous of the emirates, together with a Consultative Council, parallel to the Federal National Council, and appointed municipal governments in the two large cities of Abu Dhabi and Al Ain. Roughly similar local governments, varying greatly in size and complexity with the size and wealth of the emirate in question, have been developed in each emirate. They deal with a range of local issues such as water and electricity supply and public works, as well as with external affairs, such as trade, in which the Constitution permits them significant independence. Paralleling this has been the development of municipal authorities in the other emirates, all of which, except Fujairah, are overwhelmingly urban. With its two enclaves on the east (Gulf of Oman) coast, Sharjah has devolved considerable authority to the local government in Khor Fakkan and Kalba.

Without question the most important factor in sustaining the UAE for 30 years and endowing it with its present strength and stability has been Sheikh Zayed's leadership, as notable for its longevity as for its effectiveness. From 1946 to 1966, as the representative in Al Ain of his brother Shakhbut, Zayed displayed special talents for securing and maintaining the loyalty of the tribes and gained a reputation, especially in his management of the local irrigation systems, for dedicated stewardship of the state's resources and their utilization for the people's benefit. As ruler of the whole emirate from 1966, Zayed combined these capabilities with the mastery of genealogical politics, the key to successful governance of a patriarchal state, by carefully distributing both incomes and positions of authority among the branches of the ruling Al Nahyan clan. Within the fairly narrow confines of the traditional system he has practised the politics of inclusion, ensuring the support of the *ulema* or religious scholars who apply the *shari'a*, as well as tribal elements and leading commoner families. Zayed naturally projects the bedouin qualities important to establishing legitimacy in the eyes of his followers. Thus he displays generosity in personal and official behaviour and, in stark contrast to the ruling family of neighbouring Saudi Arabia, evidences an almost austere lifestyle. A central factor in securing Zayed's legitimacy as ruler of Abu Dhabi and the UAE is his solicitude for Islamic education and institutions and his own unostentatious but sincere Islamic piety. His view of Islam emphasizes a flexible pragmatism which contrasts with the strident, confrontational nature of views expressed elsewhere in the Arab world and has helped to prevent the development of Islamic extremism in the UAE.

What is perhaps most striking about Zayed is his ability to embody and help sustain a system of traditional social, cultural, and political values while intuitively understanding and

effectively dealing with the modern world which has thrust itself upon Abu Dhabi and the UAE. But if his leadership credentials have to do with flexibility and broadmindedness, they derive equally from his ability and determination to champion the causes of those for whom he bears responsibility. He has established his credentials as a nationalist, first in defending and advancing the interests of Abu Dhabi, then those of the UAE. Whereas Rashid had been concerned with protecting his emirate from the consequences of the Saudi claim to Abu Dhabi territory, Zayed has made the Iranian actions against the islands, long claimed by Sharjah and Ra's al-Khaimah, fully a UAE question. Indeed, at the international level he has acquired something of the character of an Arab elder statesman, especially through his efforts to mediate the Iran–Iraq war, but also with regard to South Yemen and Oman and North Africa as well. All this has added to his stature as a father figure enjoying great admiration and affection throughout the UAE. Seldom if ever has an individual been so identified with the birth and development of a new country.

For so long as Zayed remains President of the UAE the country's survival and stability seem assured. He is, however, over 80, though in good health, which gives some urgency to the matter of what may happen after his passing.

What Lies Ahead?

Thirty years on, one could offer a compelling argument that the UAE can continue indefinitely on a secure and stable course without changing the institutions of government as they are today. In an astonishingly brief time it has made the transition from one of the world's poorest states to one of the wealthiest, securing the benefits of that wealth to all the population. There is no appreciable discontent or call for change and the people enjoy a considerable degree of freedom, with none of the repression that is all too common elsewhere in the Middle East. A pragmatic balance has been struck in the authority wielded by federal and local institutions of government which might well be the envy of devolutionary Republicans in Washington, DC. A modern, or at least modernized, state has been established on a solid foundation of traditional values and habits of governance.

It is interesting, in this regard, to reflect that even before the UAE and its sister Gulf Arab states had emerged from British protection, the conventional wisdom among most scholars and other analysts had consigned them to an early demise as feeble anachronisms while the secular, military-based, Arab socialist regimes of the day were hailed as the models of the future. The traditional, tribal, patriarchal states have endured and prospered while the careers of the bold new experiments of the 1950s and 1960s have fared less well. Moreover, in part due to Zayed's astute foreign aid diplomacy, the region is far less threatening than before. Indeed, with the defeat of Iraq in the Gulf War and the demise of the Soviet Union, the current regional and international environments are probably more favourable than at any time since the birth of the UAE. What might cloud this picture and suggest that the evolution of the federation's governing institutions is not or should not be considered complete?

The 1999 Yearbook of the UAE Ministry of Information and Culture states that:

Since the establishment of the Federation in 1971, the seven emirates comprising the UAE have forged a distinct national identity through consolidation of their federal status, and now enjoy an enviable degree of political stability. The UAE's political system, which is a unique combination of the traditional and the modern, has underpinned this political success, enabling the country to develop a modern administrative structure while at the same time ensuring that the best of the traditions of the past are maintained, adapted and preserved.[14]

It is difficult, however, to believe that such a neat dichotomy can be maintained indefinitely. The forces of modernization and change cannot be easily segregated and contained and will undoubtedly exercise progressively an impact on the political institutions of the country. Although, as noted above, there is no significant popular call for political change, a growing sentiment for democracy, or at least for increased political participation, may be found among the elites of the UAE and other Arab states, given voice by intellectuals, businessmen, and others.[15] The international arena, following the Gulf war of 1991 and the collapse of the Soviet Union together with the unchallenged global role of the United States, appeared to favour strongly the adoption of more democratic governments. Even if this impulse continues to wax and wane, it remains a force of consequence. Perhaps more important is that the educated elite of the UAE, which favours greater political participation, is growing.[16]

At the same time, there are, as many scholars have noted, significant obstacles to the introduction of democracy, not only in states with traditional, autocratic forms of government, but in the Arab world generally. In a country like the UAE, where most wealth has been generated through activities of the state, no strong middle class such as brought about the rise of democracy in the West has emerged. A civil society of associative linkages among citizens is only present in embryonic form. Even more fundamentally, it has been pointed out that democracy is not something which political leaders can bestow. It must emerge from a political culture and, in that regard, one is led to ponder that in an Islam-based society the source of legitimacy for political rule is God's command, not the accountability of rulers to the ruled.[17]

The dilemma, then, is how to manage an evolution from what one wag called a 'shu'ocracy' to democracy, however the latter may be defined. Without attempting an answer, it is certainly the case that it will be hard to compensate for the loss of Zayed's leadership when he departs the scene, even though there is wide popular support for the existing institutions. It may be wondered if the UAE could have weathered the 1972 coup attempt in Sharjah had not leaders of Zayed's and Rashid's stature been present and used their prestige in asserting federal authority. It could also be questioned whether the fall-out from the 1987 coup attempt in Sharjah could have been contained without Zayed's dominating presence. Certainly Zayed's commanding personal authority was a key factor in seeing the country through a long period of menacing external threat.

At the same time, the UAE and its institutions have now developed a maturity that did not exist in 1972 and was only partially apparent by 1987, the events of which helped in the process of its development. Stability and continuity are not only part of the political scene, but the pursuit of them is now a fundamental part of the political process. Thus while the personal style of the individual holding the office of President will, inevitably, change, the political traditions that have been established should contribute towards an unambiguous transfer of power. With the selection of the president in the hands of the seven rulers, the process is

really an exercise in traditional *shura* (consultation) and *ijma'* (consensus) among tribal leaders. When the leader (who has until now dominated the UAE and been the only real choice for president) has passed from the scene, there will be no obvious criteria, apart from Abu Dhabi's size and wealth, to determine the selection of his successor.

For many years, Zayed has effectively relinquished the majority of the domestic functions of the ruler of Abu Dhabi to his Crown Prince, Sheikh Khalifa. At the same time some presidential duties have also been progressively relinquished to Sheikh Khalifa, who will, thus, have had a considerable apprenticeship before his expected assumption of the presidential mantle. Khalifa has been handling state affairs especially in the absences of the President, and sharing in the decision-making inner circle in all matters for the state for almost three decades. He has also led the UAE delegation to Arab meetings, such as the summit in Cairo in 1996, marking the first time since becoming UAE president in 1971 that Zayed had not attended an Arab summit.[18] Khalifa may prove to be a capable successor to his father as UAE President. What is certain is that, however able he and subsequent leaders of the country may be, they cannot hope to enjoy anything like Zayed's stature. It has been the country's singular good fortune to have had as its principal architect and sole leader in its first 30 years of existence someone who could personify the state and serve as a father figure to all its people. In part, however, that has also contributed to the difficulty of creating, or even seriously contemplating the creation of strong, popularly based political institutions for the future.

The era in the lower Gulf which produced and shaped Zayed has passed. His like will not be seen again in the UAE or elsewhere. In an uncertain future, without a dominant personality to embody the nation and speak for its people, the old autocratic, tribal order, whatever its virtues, will not be able indefinitely to cope with future challenges.

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1 This description is used in Peter J.Vine, et al., *Yearbook of the United Arab Emirates* 1995, London, Planet Publishing Ltd, (1995) p 23.

2 British motivation in creating the council may have been a mix of highminded and more cynical impulses. For an instance of the latter interpretation, viewing the council as a scheme to consolidate British rule by reliance on political power indirectly wielded through the rulers, see A.O. Taryam, *The Establishment of the United Arab Emirates 1950-85*, London, Croom Helm (1987) p 16.

3 Good narratives of the events analysed below can be found in Frauke Heard-Bey, *From Trucial States to United Arab Emirates: A Society in Transition*, London and New York, Longman (1982) pp 336–69; Ali Mohammed Khalifa, *The United Arab Emirates: Unity in Fragmentation*, Boulder, Colorado, Westview Press and London, Croom Helm (1979) pp 19–35; and A.O. Taryam, *op. cit.*, pp 64–196.

4 On the reform movement in Dubai see Rosemarie Said Zahlan, *The Origins of the United Arab Emirates. A Political and Social History of the Trucial States*, London, The Macmillan Press Ltd (1978) pp 150–61.

5 See Heard-Bey, *op. cit.*, pp 336–7 and 360.

6 See for example David Holden, *Farewell to Arabia*, New York, Walker and Company (1966) p 159.

7 See Heard-Bey, *op. cit.*, p 371.

8 On this point see Heard-Bey *op. cit.*, p 362..

9 Khalifa, *op. cit.*, pp 34–35.

10 See Heard-Bey *op. cit.*, p 375 and Muhammad Saleh Al Musfir, *The United Arab Emirates: An Assessment of Federalism in a Developing Polity*, Ph.D. dissertation submitted to the State University of New York at Binghamton (1984) p 112.

11 Alfred B. Prados, with the assistance of Ross Kaplan, *United Arab Emirates: Background and U.S. Relations*, CRS Report for Congress, Washington, DC: The Library of Congress (19 June 1995) p 3

12 Al Musfir, *op. cit.*, p 134.

[13] Al Musfir, *op. cit.*, pp 104–5.
[14] Ibrahim Al Abed and Paula Vine, *Yearbook of the United Arab Emirates*, London, Trident Press (1999) p 58.
[15] For a thoughtful commentary on this phenomenon, especially in the UAE, see Jamal Al Suweidi, 'Arab and Western Conception of Democracy,' in David Garnham and Mark Tessler (eds), *Democracy, War, and Peace in the Middle East*, Bloomington and Indianapolis: Indiana University Press (1995) pp 83–4.
[16] See *ibid.*, p 108 on the attitudes of students at the UAE National University at Al Ain.
[17] See *ibid.*, pp 85 and 88.
[18] 'Sheikh Zayed Will Not Attend the Summit and He Designates the Heir Apparent to Represent the Emirates,' *Al-Hayat*, 18 June 1996.

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