

Constitutional History and Practice in the Persian Gulf: A Brief Introduction

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ABSTRACT

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Widely considered as the quintessential refuge of monolithic and patriarchal authoritarianism and the ultimate abode of absolutist dynasticism, the Persian Gulf region stands out as the world's less democratic area in most relevant indexes. Paradoxically enough, the region also harbors one of the most consolidated experiments in effective democratization of the wider MENA area: Kuwait, where parliament and the courts have consistently—and successfully—defended their independence *vis-à-vis* the encroachment of executive authority. Working from the viewpoint of Dworkinian hermeneutics, which aims at grasping the true significance of constitutional laws beyond the written text, this paper will compare the political evolution of three of the region's states (Bahrain, Kuwait itself, and the United Arab Emirates) in an attempt to understand the reasons behind their characteristically different political evolution. Furthermore, this article will also approach the processes of institutional consolidation and middle-class formation in these three countries to determine the role that these twin phenomena, essential in the success of democratic transition, have played in their politico-constitutional evolution. Finally, due attention will be given to the role that strategic, demographic, and economic factors have played in the political openings—or lack thereof—experienced by these countries since their independence.

Basra Körfezi'nde Anayasal Tarih ve Uygulama. Kısa Bir Tanıtım

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Monolitik ve ataerkil otoriterliğin en öne çıkan sığınağı ve mutlakiyetçi hanedanlık yapısının nihai mekânı olarak görülen Basra Körfezi bölgesi, ilgili demokrasi endekslerinin çoğunda dünyanın en az demokratik bölgesi olarak öne çıkmaktadır. Birbiriyle çelişen bir biçimde, bu bölge, aynı zamanda geniş MENA bölgesinde etkin demokratikleşme konusunda en sağlam deneyimlerden birini barındırmaktadır: Parlamento ve mahkemelerin yürütme otoritesinin müdahalelerine karşı bağımsızlıklarını sürekli ve başarılı bir şekilde savundukları Kuveyt. Dworkin'in hermeneutik görüşüne dayanan, anayasal yasaların yazılı metnin ötesindeki gerçek anlamını kavramayı amaçlayan bu makale, bölgenin üç devletin (Bahreyn, Kuveyt kendisi ve Birleşik Arap Emirlikleri) siyasi evrimini karşılaştırarak, karakteristik olarak farklı siyasi evrimlerinin ardındaki nedenleri anlamaya çalışacaktır. Ayrıca, bu makale aynı zamanda bu üç ülkedeki kurumsal güçlenme ve orta sınıf oluşumu süreçlerine yaklaşacaktır. Bunu yaparak, demokratik geçişin başarısında temel olarak kabul edilen bu ikiz olguların, bu ülkelerin politik-anayasal evriminde oynadığı rolü belirlemeye çalışılacaktır. Son olarak, bu ülkelerin bağımsızlıklarından bu yana yaşadığı politik açılışlarda veya bu açılışların eksikliğinde stratejik, demografik ve ekonomik faktörlerin oynadığı role özel bir dikkat gösterilecektir.

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INTRODUCTION¹

Amid all the world's regions surveyed in the elaboration of *The Economist's* 'Democracy Index', the Middle East ranks distinctively at the bottom of all categories, achieving a combined score of 3.41 points, well below the second-worst performer, Sub-Saharan Africa (Economic Intelligence, 2022: 52, 57-58). In the case of the Persian Gulf monarchies, the results are even worse, with a median grade that barely exceeds three points (3.01). It is particularly telling that, in the scores referring to *procedural democracy*, i.e., "the rules and institutions that make popular influence over political life possible" (Hardenius & Teorell, 2005: 8), the Gulf exhibits abysmal results, two of the seven countries obtaining zero points (Saudi Arabia and the United Arab Emirates), while two others fall below one point (Oman, 0.08; Bahrain, 0.42) (EI, 2022: 52). This implies that, even from the restricted understanding of democracy that identifies it with the *elective principle* as defined by Bobbio (2009: 18-19), or in the slightly wider—yet nonetheless limited—definition put forward by Dahl (1998: 38), most countries in the Gulf have been thoroughly unable to provide a direct link between citizenry and government through free and fair elections.

This introduction to the region's political reality seems to lend credence to the widely shared perception of the Persian Gulf as the quintessential abode of *sultanism*, an area dominated, in classical Weberian fashion,² by patrimonialist dynasties relying on their vast hydrocarbon wealth to sustain a rentier social contract where the political quiescence of the population is purchased through a generous distribution of welfare. The ability of these polities to maintain their redistributionist measures in the long run has afforded their authoritarian monarchs an effective independence from society that appears as the polar opposite of the classical motto of the American Revolution: *no representation without taxation*, in the context of a synallagmatic, *do ut des* relationship between authoritarian ruler and pampered subject (Richter, 2020: 225-237; Herb, 2005: 297-316). Together with the support they receive from the Western powers, these factors explain both the longevity of these régimes and the lack of serious societal challengers to the continuance of their authoritarianism (Gause, 2000: 167-186).

This characterization, while largely reflective of reality, does not take into account the many differences separating the political and constitutional evolution of the different Gulf monarchies, as well as the intersection of these factors with the region's socioeconomic dynamics. As a consolidated literature has repeatedly shown, regional monarchies can be distinguished according to their ability to fulfill their side of the rentier social contract (Luciani, 2016: 105-130; Ross, 2001: 325-361), their sources of legitimation—religious, tribal, or otherwise (Lucas, 2004: 103-119; Kéchichian, 2001; Herb, 1999), the nature of their dynastic policies (Kamrava, 2005: 297-306), or a combination of several of these characteristics (Bank, Richter, Sunik, 2014: 163-179). However, far less attention has been

¹ Arabic names have been transliterated according to a modified version of IJMES rules that does away with diacritics. In those cases where another translation has become usual in the literature, this has been preferred. All translations are mine unless otherwise stated.

² It was Max Weber (1978) who first identified sultanism as a system of political domination resting on patrimonialism and legitimized by tradition. This notion, and the apparent essentializing undertones that accompanied it, has been subjected to considerable criticism in the more recent literature (İnalçik 1992), with Juan Linz (2000; Chehabi & Linz, 1988) proposing a new understanding thereof that does away with the orientalist flair present in the Weberian definition. However, the connection drawn by Linz between *sultanism* and *extractivism*, while certainly useful on a global perspective, is less practical in a Middle Eastern context where the vast array of extant authoritarian régimes imposes taking into account nuances—often slightly—before proceeding to a classification. That is why, for the purposes of the present article, we will follow on Weber's footsteps by defining the Gulf monarchies as *sultanistic* polities. In order to do so, an updated version of the Weberian definition will be attempted that understands sultanism as a *monarchical régime legitimized by tradition, religion, or a combination of both where power, authoritarian de jure and de facto, is confined within a given family whose position is buttressed by a generous distribution of patronage and social services in pure rentier fashion*.

devoted to the varied constitutional dynamics separating these polities, despite the long-standing interest that the process of political liberalization and authoritarian survival in the Gulf has aroused among observers (Tétreault, 2011a: 629-637; Longva, 2005: 114-135; Anderson, 2000, 53-70; Halliday, 1979).

Trying to provide a contribution toward filling out this lacuna, this paper approaches the constitutional formation of the different Gulf countries from a comparative perspective. In so doing, it will be argued that these polities, their undeniably authoritarian character notwithstanding, have undertaken visible steps in the direction of opening their political systems to popular participation and accountability. While approaching the Gulf reality from a hitherto-unexplored historical-constitutional viewpoint framed by a Dworkian methodology that transcends the mere text of the constitution to understand the fundamental law as a living reality (Dworkin, 1986: 362-363), this paper also aims at providing a contribution to the small—yet growing—body of politological scholarship arguing for the Gulf as the Middle East’s most prominent candidate for successful democratization (Tétreault, 2011b: 247-269; Salame, 1994: 84-111; Tétreault, 2000; Rathnell, Schulze 2000: 47-62; Bahry, 1999: 118-127).

In order to achieve its goals, this paper is divided into three clear parts. Part one explores the process of historical construction of the Persian Gulf emirates. Part two analyzes in detail the political and constitutional history of three of the region’s states: Kuwait, Bahrain, and the UAE. The choice of these polities among the various countries integrating the Gulf Cooperation Council obeys to their peculiar political evolution. Finally, this paper concludes in part three by analyzing whether the Gulf states hereunder studied possess the social and political elements that would turn a transition to democracy into a successful endeavor. In so doing, particular emphasis will be devoted to the role that the process of middle class formation and bureaucratic consolidation that has characterized the Persian Gulf states ever since the beginning of the oil era has played—and may continue playing—in paving the road toward democratization.

1. PEARLS, OIL, AND IMPERIAL AMBITION: CONSTRUCTING THE GULF EMIRATES.

Alongside the eastern coast of the Arabian Peninsula, a number of small tribal and mercantile outposts eking out a meagre living off trade in pearls, horses, and ghee (Casey, 2007: 26), while living in an uncomfortable symbiosis with the Bedouin confederacies of Inner Arabia, were brought under British protection at different stages throughout the late eighteenth and nineteenth centuries. For the British, controlling the Persian Gulf statelets and chiefdoms was a function of their ever-present obsession with India: a Gulf in disarray or controlled by a foreign power could jeopardize the sea-lanes linking the ‘jewel’ of Empire and the metropolis (Jones, Ridout, 2015: 36-40; Casey, 2007: 36). Unsurprisingly, the growing British interest in the Gulf resulted in the signature of a series of treaties between London and the different rulers of Eastern Arabia, beginning by the 1798 alliance with Oman and culminating in the 1916 Qatari treaty. With the signature of these treaties, the rulers of the sheikhdoms received British military and financial support in exchange for their renouncing to full sovereignty in foreign affairs (Said Zahlan, 1989: 9).

British protection soon turned out to be useful for the Gulf rulers, who were defended from their ambitious and expansionist neighbors by a United Kingdom which insisted on the separateness of its protected states “with great firmness” (Zahlan, 1989: 14). Soon enough, these territories, which had been traditionally characterized as an imperial backwater, were to acquire much importance with the discovery of oil. Thus, in 1909, Sheikh Mubarak al-Sabah from Kuwait signed a treaty committing himself not to authorize any prospection without the previous agreement of the British government (Casey, 2007: 49-50). Shortly thereafter, monopolistic concessions favorable to British companies were signed throughout the region (Heard-Bey, 1982: 295-297).

It would be a mistake, though, to portray the history of the Gulf states as if conforming to one and the same model. On the contrary, the somewhat primitive political and constitutional conditions characterizing the Trucial States (Heard-Bey, 1982: 307-311) contrasted with the sophisticated politics of Kuwait. Thus, as early as 1938, and under the influence of the new winds generated by the growing spread of Arab nationalism, a popularly-elected assembly (*Majlis*) was set up, its members being a *who-is-who* of Kuwait's "richest and most influential" families (Casey 2007: 57; Zahlan, 1989: 25-30). Even though the experience was short-lived, for the assembly was disbanded a mere six months after its inception, it did force the emir to acknowledge public opinion (Alebrahim, 2022: 8-26) and, eventually, to set up a 'consultative council'.

Inspired by the Kuwaiti example, oil workers and students joined forces in Bahrain to request a *majlis* in 1938, in a conflict that revealed the fractious nature of Bahraini society. Whereas the local population, traditionally agricultural and, by then, employed in the oil rigs, was mainly Shi'i, the ruling élites were a restricted Sunni group of Central Arabian extraction that had been infiltrating the island, in successive waves, since the eighteenth century (Zahlan, 1989: 46-49). Although the protest was successfully subdued by addressing certain grievances voiced by the workers, the underlying discontent would periodically reappear, abetted by two new vehicles for political indoctrination: newspapers and, very especially, the radio (Zahlan, 1989: 53).

The discovery of oil was, however, to change the terms of the sociopolitical equation in the Gulf forever. While the first commercially viable wells were opened in Bahrain in October 1931 (Zahlan, 1989: 51), it would not be until after WWII that the exploration of the resource began in earnest across the region (Casey, 2007: 58-61). The benefits accrued by the hydrocarbon gave rise not only to a rentier economy, but also to a welfarist social contract which ensured popular access to public services in exchange for political quietism (Casey, 2007: 62-64). At the same time, a rapidly growing bureaucracy turned what had thitherto been mere trading outposts into true states, holding undisputed control over their hinterlands. Constitutions and other formalized legal codes, national assemblies and other vehicles for popular participation did not take long to emerge, thus endowing the Gulf polities with most of the trappings of a modern state (Zahlan, 1989: 72-74).

The end of WWII, with Britain much weakened by the conflict, and the subsequent independence of India, made the United Kingdom's continued presence *East of Suez* an increasingly onerous task for the British taxpayer, that, moreover, did also imply unpopular military deployments as had been the case with the Malayan Emergency (1948-1960) (Yao, 2016: 51-52). Against this backdrop and faced by a grave economic crisis at home, Prime Minister Harold Wilson announced, in January 1968, his intention to put an end to the British commitments in the Indian Ocean and neighboring regions (Dockrill, 2002). By then, Kuwait, by far the richest and most politically developed of the protected sheikhdoms, had already become an independent state (June 19, 1961), its neighboring emirates reaching the same status a decade afterwards.

2. CASE STUDIES

2.1. Kuwait. A Constitutional Monarchy in the Gulf.

Kuwait's early independence was accompanied by the adoption of a mildly liberal political system wherewith the ruling élite expected to rally international and internal support for a newborn state whose claims to sovereignty rested upon flimsy bases (Herb, 2016). Thus, in contrast to other regional constitutions, the Kuwaiti fundamental law not only provides for an elected 'National Assembly' and limits the executive powers of the cabinet, but also establishes an independent judiciary and recognizes

the fundamental rights and liberties of the citizenry (Majmu‘at, 2011: 16-50)³. Following the spirit of its time, the constitution recognizes Kuwait as part of the “Arab nation” (art. 1) and establishes Islamic Shari‘a Law as “a” source of legislation (art. 2), albeit not the only one, which, in Casey’s (2007: 69) view, sets “progressive Kuwait apart from so many traditional Islamic republics, even today.” More importantly, the constitution enshrines national sovereignty by proclaiming that the “nation is the source of all authority” (art. 6). Furthermore, the Kuwaiti magna carta incorporates wide protections for human rights, including the right to private property (arts. 17 and 18), non-discrimination (art. 29), and freedoms of belief, expression, communication, association—political or otherwise, and the press (arts. 35, 36, 37, 39, 43, and 44). That these principles have not remained *dead letter*, as is often the case with the *hypocritical* or *sham* constitutionalism that characterizes much of the Arab world (Law & Versteeg, 2013: 863-952; Spann, 2011: 557-580), is a merit of the National Assembly, which has enacted a voluminous legislation regulating, protecting, and extending these rights, as Fadi Nader (2000: 267-270) has not failed to point out.

In 1963, the first elections held after Kuwait became an independent state gave rise to a cross-sectional representation of society in parliament. Alongside several members of the ruling al-Sabah dynasty and the traditional mercantile oligarchies, representatives from the rising intelligentsia, the Bedouin, and the Shi‘i community, traditionally excluded from the political game, were elected to the representative body (Zahlan, 1989: 40). However, having come to life in the midst of the Pan-Arab era, the Kuwaiti legislature lived an agitated existence through its two first legislative periods (1963-1967 and 1967-1971), marked by competition between the elected body and the cabinet. The defeat of Arab arms in the 1967 war represented, rather paradoxically, a positive development for the Kuwaiti polity, insofar as the geopolitical risk accruing from Pan-Arabism, which, under Nasser’s leadership, had limited considerably the factual sovereignty of the different Arab countries, was substantially deflated. These developments facilitated a certain *rapprochement* between government and opposition during the third legislative period (1971-1975) (Zahlan, 1989: 40).

After 1975, a number of factors contributed to complicate the situation so that, in 1976, the emir proceeded to dissolve the Assembly and suspend several constitutional guarantees (Zahlan, 1989: 42; Casey, 2007: 72). Fears of a spillover of the Lebanese civil war (González Fernández, 2020: 396), alongside the massive expansion in national revenue engendered by the 1973 oil embargo—with its concomitant risk of social dislocation (Casey, 2007: 72-73), can be counted among the principal reasons behind the emir’s interference with the democratic process. For its part, the 1979 Iranian Revolution, in establishing a militantly Shi‘i régime, armed with a third-worldist ideology highly critical of the Gulf monarchies, came to represent a major threat for their continued viability, insofar as Tehran’s rhetoric put in question the legitimacy of dynastic rule in the Gulf. Faced by these risks, the emir’s decision to restore parliamentary rule in 1981 can be interpreted as a way to reinforce the legitimacy of al-Sabah rule “at a time when the legitimacy was under attack from without and within” (Casey, 2007: 73). The régime’s respect for the constitution was short-lived, though. In fact, the racuous 1985 assembly combined with a dangerous regional scenario to entice the emir to suspend the assembly once again. Thus, in July 1986, parliament was dissolved, opening the door to other limitations of constitutionally recognized rights and liberties (Plotkin Boghardt, 2006: 109-112).

Paradoxically enough, the Iraqi occupation of Kuwait (1990-1991) was instrumental in consolidating the emirate on the road toward a limited monarchy respectful of democratic rights. The inability of the régime to withstand the Iraqi onslaught, forced the ruling élite to reinforce its democratic

³ All references to the Kuwaiti constitution and other basic legislation quoted henceforward have been taken from this source unless otherwise stated.

credentials at a time when its legitimacy to rule had been badly battered by its apparent inefficacy (Yetiv, 2002: 257-271; T treault, 2000: 77-82). The 1992 elections, in giving a two-thirds majority to opposition candidates, revealed both the vitality of Kuwaiti participatory institutions and the discontent of large swaths of the population with the role the dynasty had played during the period of foreign occupation (Casey, 2007: 124). The war had given rise to a new sense of Kuwaiti nationalism that was no longer linked exclusively to traditional bonds and the composition of the new chamber revealed, precisely, the birth of this new consciousness. In fact, the assertiveness of parliament in investigating the behavior of the royal family during the war and the promulgation of legislation to guarantee public accountability and transparency in the management of oil revenues gave ample proof that a new era in Kuwait's political history had begun (Smith, 1999: 5).

However, the new attitude of parliament was not so well received by the public, who demanded "a unified political leadership providing solution to the concrete problems most worrying for them" (Smith, 1999: 5). Thus, the 1996 election was unsurprisingly won by pro-government candidates. Furthermore, the 1996 election also opened the way to a growing bipartisan divide between the—mainly tribal—pro-government MPs and the Islamists, who, in the diversity of their various currents, came in second position with sixteen out of the *Majlis al-Umma*'s fifty seats (Nohlen, Grotz, Hartmann, 2001: 161). The inability of the r gime to come to terms with the Islamists, after an initial attempt to reach a workable *modus vivendi* with them, explains the early dissolution of the chamber, pronounced by the emir in accordance with article 107 of the constitution, on May 3, 1999.

The 1999 elections, dominated by economic concerns in a scenario characterized by extremely low oil prices (Smith, 2016), brought about a surprisingly good showing of the liberal opposition and a heavy blow for both pro-government and Islamist candidates, who were punished for their role in the 1996-1999 political crisis (Alnajjar, 2001: 463-501). The 1999 assembly marked a highlight in the history of Kuwaiti parliamentarism, for it rejected a series of landmark decrees that had been unilaterally introduced by the emir in accordance with his powers under article 71.1 of the constitution. Dealing with such key issues as women's suffrage (Das, 2017: 198), nationality, and the economy, most of these measures were subsequently passed by the chamber as bills (Bacik, 2008: 117), their initial rejection revealing the willingness of parliament to assert its constitutional rights against the encroachment of the executive power on legislative functions.

After the relative stability that had characterized the 1999 assembly, the one elected in 2003, with the Islamists resurfacing again as the dominant force, was cut short (the dissolution decree was issued in May 2006) by the increasingly acrimonious disagreements between palace and parliament (Das, 2017: 198). Thenceforth, the chamber was prematurely dissolved in 2008, 2009, and 2011. In 2012, a new threshold in Kuwaiti institutional history was crossed when the Constitutional Court,⁴ in an unprecedented move, proceeded to nullify the two electoral contests held that year due to formal and material defects in the decrees convoking them (Almutairi, 2021a: 229-258). While the sentences threw the country into an unprecedented political crisis, they also confirmed the consolidated independence of

⁴ The Constitutional Court was established in accordance with article 173 of the Constitution, which specifically endows it with the responsibility to "settle disputes regarding the constitutionality of laws and regulations." According to its foundational law (14/1973, of January 9), the court is integrated by five justices elected by the Judicial Council (*al-Majlis al-Quda'*) (art. 2), who exercise their functions with independence (art. 1), their decisions possessing *erga omnes* effect (art. 6). Although it usually acts at the request of parliament or the cabinet (art. 4), the Constitutional Court also hears the appeals of lower courts or duly legitimized private individuals (art. 4 §b). An amendment to the court's foundational law (law 109/2014) widened access to the Constitutional Court considerably by allowing private individuals to directly dispute the constitutionality of laws, decrees, and regulations. Prior to these reform, private individuals had only been legitimized to challenge the constitutionality of a given norm in the context of an ongoing judicial contest held before the lower courts (Waheedi, 2021: 63-65)

the Kuwaiti constitutional interpreter, which had already been proven by the court's solid defense of fundamental rights against executive encroachment (Almutairi, 2021b: 137-159).⁵

2.2. Bahrain: A Troubled Island.

In parallel to the developments in Kuwait, post-WWII Bahrain had become a hotbed of Pan-Arabist activity, which explains why the island-emirate's politics were characterized by their fractious character between 1953 and 1965. The pre-independence period was, thus, dominated by frequent street clashes at the same time that a triangular political strife developed between the ruling sheikh, a self-appointed 'Higher Executive Committee', which called for political reforms, and the British agent on the island, who oscillated between both sides (Zahlan, 1989: 54-58).

Britain's decision to withdraw from the Gulf caused the sheikh intense preoccupation and forced the country, after a United Nations-engineered fact-finding mission ascertained the Bahraini people's willingness to become independent,⁶ to initiate an accelerated institution-building process. Thus, a constitutional charter was promulgated by emiral decree in December 1973 and was subsequently ratified by a thirty-member constituent assembly elected by universal male suffrage in that same month (Zahlan, 1989: 60). The constitution, containing 108 articles, consecrated the division of powers (art. 32⁷) and established a representative body, the 'National Assembly', tasked with legislative (art. 42) and government control functions (arts. 66-69). However, the overriding powers attributed to the emir, who had the exclusive right to introduce legislation (art. 35) and could dissolve the chamber at will (art. 65), allowed the monarch, never too keen on the existence of parliament, to dissolve the chamber and impose his personal rule in August 1975.

Throughout its brief existence, the first Bahraini parliament had become, despite its weakness *vis-à-vis* the emir, the scenario of a vigorous political debate exhibiting the many cleavages prevalent in society. However, the very interest aroused by these debates and the encroachment of parliament in delicate affairs traditionally pertaining to the emir's exclusive authority (national security, foreign relations, etc.) determined the chamber's eventual demise (Hooglund, 1994: 140). The popular discontent engendered by the monarch's authoritarian measures was somewhat assuaged by a shrewd combination of patronage and repression that availed itself of the new prosperity engendered by the post-1973 oil boom (Zahlan, 1989: 60).

The downfall of the Iranian monarchy had profound consequences for Bahrain insofar as Khomeini's radical message resonated among the country's Shi'i majority. Perhaps unsurprisingly, these risks, together with Bahrain's lack of abundant oil resources, has led the ruling dynasty to rely on

⁵ Within its committed defense of fundamental rights and principles, the Court has underlined the supremacy of substantive law over *Shari'a*, "whose rulings do not have [...] binding force [...] unless the legislator intervenes and codifies the Islamic principles" (Almutairi, 2021: 150). Thus, it has granted women the right to obtain passports without marital consent and emphasized the right of women to obtain employment benefits on a footing of equality with men (e.g., cases 5/2008, 56/2008, and 18/2006, *vid.* Almutairi, 2021: 151-158). A more recent example of the court's activism in favor of fundamental rights has been its declaration that article 198 of the Penal Code, criminalizing 'imitation of the opposite sex', was unconstitutional (CNN, 2022).

⁶ Claimed by Iran as part of its national territory, Bahrain became independent after a protracted and convoluted triangular negotiation involving Britain, Iran, and the Al Khalifa. As a result of their discussions, the United Nations dispatched a fact-finding mission (March-April 1970) that determined that "the overwhelming majority of the people [...] wish to gain recognition of their identity in a fully independent sovereign state" (Alvandi, 2010: 159-177). The results of the mission were ratified unanimously by the Security Council in its resolution 278, approved on May 11, 1970, while the Iranian parliament confirmed its acceptance thereof a few days afterwards (Alvandi, 2010: 159-177; Holden, Jones, 1981: 276-277).

⁷ All articles from the 1973 Bahraini constitution referred to hereinafter have been taken from the website of the Bahraini chapter of Transparency International (2003).

its powerful western neighbor, Saudi Arabia, which has assumed the protective role historically performed by Britain in the island-emirate. Faced by uncertain revenues and hosting the region's largest blue-collar population (Zahlan, 1989: 63), Bahrain entered the 1980s as the weakest link in the emiral system.

Facing internal contestation, the emir was forced to concede to popular pressures by re-establishing a semblance of parliamentary life in 1994. The newly-named *Majlis al-Shura* was, however, a poor travesty of a legislature, for it lacked legislative power. Furthermore, all its members were appointed by the sovereign rather than freely elected (Fakhro, 1997: 167-188). It would not be until the death of Emir 'Isa and the ascent to the throne of his son and heir, Hamad, that further institutional reforms were operated. In the course of a three-year transitional period (Peterson, 2002: 219), the new monarch provided Bahrain with a constitution that established a bicameral legislature whose lower house (the 'Chamber of Deputies') was to be popularly elected (art. 56⁸) (Herb, 2005: 178). While the chamber was endowed with legislative and budgetary powers (arts. 70, 87), it lacks the right to introduce legislation (art. 81), and its bills require the assent of the appointed 'Consultative Council' before they enter into force (arts. 82-85, 87). Therefore, this apparent liberalization could not hide how the real reins of power remained within the hands of the monarch and his relatives. In fact, the king not only appoints the prime minister and the Consultative Council (art. 33), but also holds an overriding legislative power that extends to his ability to unilaterally amend the constitution (art. 35 §a) (al-Ghanim, 2010: 140).

The half-hearted reforms brought about by the constitution and the fact that the Bahraini polity is constructed upon a rigid social stratification unlike anywhere else in the Gulf region (Peterson, 2002: 224) did not serve to diffuse the seeds of discontent in a country whose relative poverty impedes the conspicuous deployment of welfare measures comparable to those existing in its better-endowed neighbors. In this context of relative deprivation (Looney, 1990: 161-180), the continued—and almost caste-like—domination of the ruling dynasty and its Najdi tribal allies over all levers of political and economic power to the detriment of the native Shi'i majority (Nuruzzaman, 2013: 370), could only serve to stoke even further the flames of inter-communal tension. The outbreak of protests in the framework of the *Arab Spring* and the rapid confessionalization of the movement along the Sunni Najdi-Shi'i indigenous axis whereupon the country's politics permanently tilt could surprise no serious observer of the Bahrain's political and institutional reality.

Against the outbreak, the rapid intervention of Gulf Cooperation Council forces provides convincing proof of the vital role that foreign props represent for the survival of the Arab sultanistic monarchies. Bahrain's strategic position, at the very heart of the Persian Gulf, and its vital role as the operational center for a myriad of regional and international institutions and business conglomerates turned the possibility of a monarchical collapse into a dreaded nightmare not only for its fellow monarchs, but also to Western governments (Nuruzzaman, 2013: 367-369). However, the GCC-sponsored foray into Bahrain prevented the emergence of endogenous solutions to the conflict which might have resulted in an opening of its political system. The national dialogues sponsored by the Crown Prince failed from producing any tangible results after repression swooped down over the opposition in the aftermath of the GCC intervention.

2.3. United Arab Emirates: An Absolutist Federation.

As its name suggests, the United Arab Emirates is a federation of seven small principalities which came to life as a sovereign entity in 1971. The newly independent entity put an end to the so-called Trucial States, which, as has been mentioned hereinabove, were bound together by a series of treaties

⁸ All references to the 2002 Bahraini constitution have been taken from Majlis al-Shura (2002).

between their different rulers and the British, who thereby expected to halt their piratic expeditions. The boundaries between the various Trucial states remained, however, in a state of flux well into the twentieth century. (Heard-Bey, 1982: 296-297).

Throughout the first half of the century, the Trucial States remained, doubtless, the most backward and poorest of the British protectorates in the Persian Gulf (Heard-Bey, 2001a: 105-111). Politically, these humble communities, both settled and nomadic, were organized alongside tribal lines (Heard-Bey, 1982: 24-27), the paramount ruler of each emirate being slightly more than a *primus inter pares*, always having to tread a narrow line between a plurality of interests and competing demands from within his own family and society at large.

Even though oil was to forever change the life and politics of the Trucial States, it was only discovered and effectively exploited at a relatively late period. At a time when Kuwait was not only approaching independence, but doing so as an incredibly wealthy polity, hydrocarbon exploitation was barely in its infancy in its southeastern neighbor. It was not until 1959 that oil in commercial quantities was finally discovered in Abu Dhabi (Heard-Bey, 2001b: 119), whereas Dubai had to wait until 1966. This discovery not only filled the coffers of the regional dynasts, but also allowed them to start implementing welfare measures in a territory that had thitherto been sorely deprived of all infrastructural services (Taryam, 1987), thus setting the basis of the rentier social contract whereupon the modern United Arab Emirates are established.

However, the first steps toward the formalization of political rule in the area had already been taken before the discovery of oil. In 1952, a ‘Council of Trucial States’ grouping the sheikhs of all seven emirates was established as a consultative institution tasked with advising the British political agent (Fenelon, 1973: 39). While the organization had been primarily designed “as an informal gathering” and lacked “a charter, written code or regulations” (al-Abed, 2001: 125), it did provide a framework for cooperation among the different sheikhs, giving them “a chance to realize what interests and problems they had in common” (Zahlan, 1978: 198), thus setting the groundwork for the formation of the contemporary UAE. The establishment of the ‘Trucial States Development Office’ and a parallel ‘Development Fund’ in 1965 strengthened the bond among the different emirates even further by opening channels for the redistribution of wealth among the various emirates in true federal fashion (Heard-Bey, 1982: 322-325).

Britain’s decision to withdraw from *East of Suez* put an end to this placid state of affairs in the Trucial States. The announcement not only “took the rulers by surprise,” but was also “by no means welcome” (al-Abed, 2001: 128). Faced by Britain’s refusal to turn back on its withdrawal promises, the rulers of Dubai and Abu Dhabi met, on February 18, 1968, ostensibly to resolve certain outstanding boundary disputes between their emirates,⁹ but their reunion resulted in the establishment of a joint federation (NLUAE, 1968a). More importantly, the agreement left the door open not only the incorporation of the remaining Trucial states, but also of Qatar and Bahrain as part of a wider federation of Arab emirates. Just a few days afterwards (February 25-27), the nine rulers met in Dubai to sign a treaty which, stipulated to come into effect on March 30, 1968, signified their acceptance of the proposal (NLUAE, 1968b). The very complex nature of the legal arrangements governing the federation-in-the-making, together with the rivalries separating the various emirates, doomed it to failure. After complex—and unsuccessful—negotiations, the council of the so-called *Federation of Arab Emirates* met for the last time in October 1969. Despite further attempts at restoring the nine-states federation (Zahlan, 1978: 354-362), the northern emirates (Bahrain and Qatar) went on to become separate

⁹ The dispute was, indeed, solved. Vid. Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the United Nations (1968).

sovereign states in 1971. The remaining seven southern emirates constructed an alternative federation, the United Arab Emirates, which saw the light on July 18, 1971, becoming effectively independent on December 2 of that same year.

Under the leadership of the emir of Abu Dhabi, Sheikh Zayid bin Sultan, the new polity embarked on a rapid development process, further aided by the dramatic increase in oil prices that coincided almost simultaneously with national independence. With vast hydrocarbon reserves at its disposal (Shihab, 2001: 250), the UAE has been able to deploy extremely generous social policies that not only guarantee access to healthcare and education (Shihab, 2001: 255-258), but also provide their citizens with other perks within a typical rentier framework (Saldaña Martín, 2014: 60-129). At the same time, the development of the so-called *star architecture* in such cities as Abu Dhabi or Dubai attempted to craft a national narrative constructed around a materialistic developmental narrative (Reisz, 2021; Ledstrup, 2019; Haak-Saheem, 2011: 152-156; Ponzini, 2011: 251-259).

From a purely constitutional perspective, the entity crafted in the triennium spanning between 1968 and 1971 was built upon “a voluntary cession of powers by the rulers of the individual emirates to the new state” (al-Abed, 2001: 139). The UAE is not, therefore, a confederation of equally sovereign entities that decide to pool resources, as was the case under the Trucial States Council, but a true federal state where there is only one sovereignty, as explicitly acknowledged, *inter alia*, by articles 1, 2, and 6 of the constitution.¹⁰ The concurrent sovereignty of the individual emirates, which article 3 seems to recognize, is but a pious concession to the prestige of the different emirs, whose sovereign rights were effectively ceded to the Federation on its establishment. Moreover, the wide powers that the constitution bestows upon the Federation (arts. 120 and 121), together with its overriding enforcement authority (art. 125), reveal the dominance of the federal level over the emiral one, a fact explicitly acknowledged by article 151, which consecrates the supremacy of federal law.

Institutionally, the United Arab Emirates display the peculiar structure of being a federation of absolutist monarchies whose internal political structures are constructed upon the neo-patrimonialist, sultanistic model so common in the Gulf region. Thus, it can be argued that the constitution “combines both blueprints for Western, representative institutions and formulas for preserving political power as exercised by traditional, patriarchal, élites” (Peck, 2001: 152), which would explain the apparent antinomies and contradictions present in the fundamental law. Following the general trend in Arab constitutionalism, the constitution (adopted provisionally at the founding of the state, on December 2, 1971, and becoming definitely entrenched in July 1996 (al-Abed, 2001: 134)) favors executive power to the detriment of the legislative (al-Abed, 2001: 138). Thus, not only are half of the members of the ‘Federal National Council’ (FNC) appointed by the rulers of the respective emirates, the other half being elected on a limited franchise since 2006,¹¹ but the institution lacks the ability to propose legislation. Although article 89 charges the FNC with discussing, passing, or rejecting the bills put forward by the Council of Ministers, which it can, furthermore, amend, such amendments may be rejected by the Supreme Council according to article 92. Moreover, while the FNC is also legitimized to question the prime minister and individual members of the Council of Ministers (art. 93), it cannot initiate a vote of no confidence against them, given that they are solely responsible before the president and the Supreme Council (art. 64). As a result of the limitations weighing on its powers, it is impossible not to agree with

¹⁰ All references to the 1971 UAE constitution have been obtained from Wazarat al-‘Adl (2009).

¹¹ Active voting rights have been limited to a restricted collection of handpicked citizens, although the franchise has been considerably expanded from the 6,689 voters of 2006 to 337,738 in the last election (2019). The deliberative body’s lack of effective attributions serves to explain, however, the scarce interest that the electoral process has aroused among the Emirati public, with turnout well below the 50% mark in all the elections ever held in the country. For an analysis of the Emirati electoral process, vid. Zaccara (2013: 84-87).

Professor Peck (2001: 153) when he affirms that, “in its essential nature, the FNC resembles more closely a traditional consultative *diwan* or *majlis* than a modern representative body.”

Unsurprisingly, it is the executive which holds the true reins of power in the Emirati constitutional system. Its organization is, however, quite complex as befits a federation of monarchical states. At the pinnacle of the system sits the ‘Supreme Council of the Federation’ (SCF), which brings together the rulers of the different emirates or their designated representatives (art. 46). Alongside the formal functions commonly vested on the head of state in most constitutional monarchies (sanctioning federal laws, consenting to the appointment and dismissal of the prime minister and the judges, etc.), article 47 entrusts the SC with formulating the general policy “in all matters vested in the Federation by this constitution.” The supremacy of the SC over the UAE’s political structure is further reinforced by its “absolute legislative prerogative” which allows it to “issue any law, with or without the consent of the Council of Ministers and the Federal National Council” (al-Abed, 2001: 135). In its internal operation, the SC works on the principle of supermajority, requiring five out of seven votes for proposals to be approved, provided that this majority “includes the votes of the Emirates of Abu Dhabi and Dubai” (art. 49), thus reflecting the dominant role that these emirates play within the Federation (Taryam, 1987: 203), but departing from traditional Arab principles that emphasize decision-making by consensus—*ijma*’ (Khalifa, 1979: 34-35).

The president and vice-president of the Federation are elected by the SC from among its members (art. 51) and exercise their functions for five years after which they may stand for reelection (art. 52). While the president possesses essentially representative functions (art. 54 §§6, 7, 9, 10, and 11), he, most importantly, chairs the SC and directs its discussions (art. 54 §1). The president may also promulgate decree-laws, “[s]hould necessity arise for urgent promulgation” (art. 115). Thus, the federal president of the UAE is a constitutionally limited figurehead whose real power lies in his position at the forefront of the Federation. By constitutional convention, the UAE presidency befalls on the incumbent emir of Abu Dhabi (Zayid bin Sultan Al Nahiyān, 1971-2004; Khalifa bin Zayid Al Nahiyān, 2004-2022; Muhammad bin Zayid Al Nahiyān, 2022-present).

Although article 60 of the constitution describes the Council of Ministers as the “executive authority of the Union,” it is evident from what has already been explained that the essential faculties of the executive power in the UAE correspond to the SC rather than the cabinet. Integrated by the prime minister (who, by force of custom, is always the emir of Dubai), his deputies, and a variable number of ministers (art. 55), the Council is an essentially technical body tasked with drafting legislation and supervising its implementation (art. 60 §§2, 3, 4, 5, and 6). It also organizes and controls the functioning of the public administration (art. 60 §§8 and 9) and enforces the decisions of the federal judges (art. 60 §7). Therefore, it can be argued that the Council of Ministers is, at the same time, the real seat of legislative authority and the mainstay of UAE administrative organization.

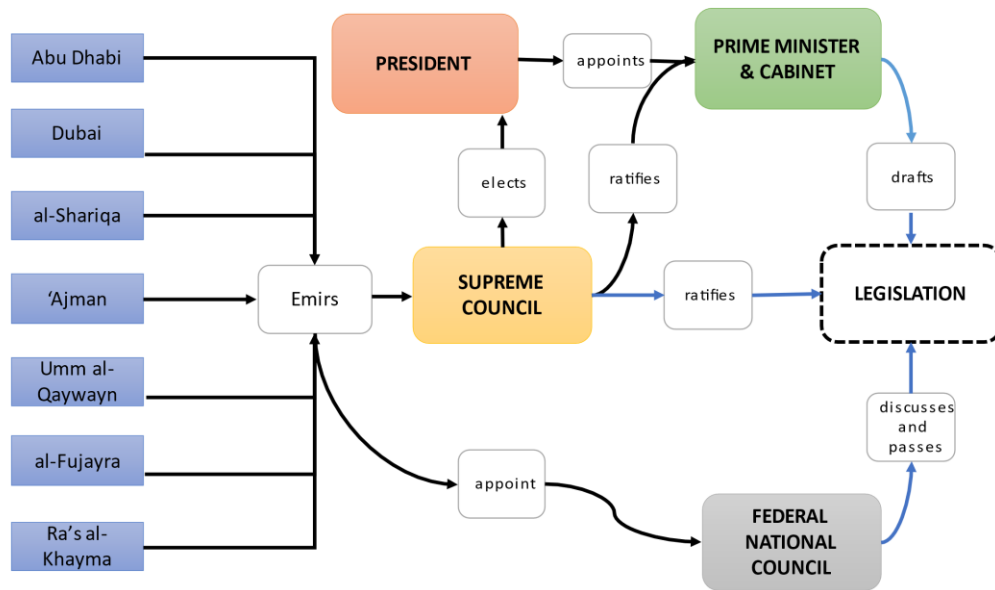


Figure 1. *The constitutional structure of the United Arab Emirates (Personal Elaboration)*

From this brief approach to the UAE’s political and constitutional history, it is impossible not to find the similarities linking it to the other sultanistic monarchies of the Persian Gulf. Like in the other countries thus far examined, the UAE has constructed its political structure upon a combination of dynastic absolutism, élite co-optation, and public acquiescence—purchased through a combination of traditional-symbolic bonds and, most importantly, the deployment of a generous and pervasive welfare state in typical rentier fashion. The originality of the UAE resides, therefore, in its curious federal structure, almost unique in the wider Middle Eastern scenario, as well as in the absolutist character of such arrangement. The combination between formal governing institutions crafted upon Western models and the continued dynastic appropriation of the political sphere has given way to a curious hybrid polity whose own resilience offers the best guarantee for the continuity of absolutist rule in each of the individual emirates. Just like sultanism was, in the classical Weberian approach, the ultimate expression of patrimonialism, federation is, in the UAE, the best guarantee for dynastic survival. In a quintessentially Lampedusian move, the emirs renounced their sovereignty in order to maintain their power.

3. INSTITUTIONS AND DEMOCRACY IN THE GULF: A BRIEF DISCUSSION

Writing in the early 2000s, Richard Rose and Doh Chull Shin (2001: 331-354) argued that the apparent failure of many *Third Wave* democracies to consolidate themselves was directly related to their lack of the “basic institutions of the modern state” (2001: 332). Criticizing the Schumpeterian (1952: 269) emphasis on elections as the quintessential marker of a democratic polity, they underlined (2001: 333-334), together with Dahl (1998: 196-199) and Karl (2000: 95-96), how the absence of a *Rechtstaat* turns elections into a mere decoy, a façade that may lead the way to the consolidation of *illiberal, gray-zone* or *incomplete* democracies (Miller *et al.*, 2012: 16; Rose & Shin, 2001: 351-354; Zakaria, 1997: 22-43), halfway between authoritarianism and a democratic state under the rule of law. Such polities are not only politically faulty and prone to collapse but seem furthermore unable to develop the stable regulatory frameworks that are needed for a modern market economy and an advanced welfare system.

Rose and Shin’s theoretical construction has been further confirmed not only by their own qualitative approach to *Third Wave* democratic transitions (2001: 339-348), but by a voluminous

literature (Gemici, 2013: 175-192; Hsu, 2012: 13-28; Karl, 2004; Ginsburg, 2001: 585-625) that underlines how ‘stateness’, i.e.: the existence of effective—if authoritarian—state institutions prior to democratization, is an almost indispensable *prius* to a successful transition and a stable democracy. The success of the transitions to democracy in Spain or South Korea appears, therefore, largely as a byproduct of the consolidation of state institutions and civil society under the developmental dictatorships led by Francisco Franco and Park Chung Hee respectively (Gemici, 2013: 179-181; Rosés, Sanz Villarroya & Prados de la Escosura, 2010). By contrast, the faulty character of Italian, Greek, or Argentinian democracy, or Russia’s relapse into semi-authoritarianism speak to the prior weakness of effective state institutions in those countries at the time of introducing electoral practices (Fish, 2018: 327-346; Fabbrini & Lazar, 2013: 106-112; Danopoulos, 2004: 41-55; Cohen, 1988: 95-113).

These general observations have been replicated in the Gulf context by Mohammed al-Ghanim (2010: 138-147) or Luciano Zaccara (2013: 80-101), both of whom found a lack of correlation between the holding of regular elections and effective democratization. In contrast, Ghanim underlined how, in the three countries he approached (Saudi Arabia, Bahrain, and Kuwait), an increasing emphasis has been devoted to crafting powerful institutions. While he argued that such an institution-building process is directly related to a reinforcement of authoritarianism (Ghanim, 2010: 144), it could be counterargued that, in so doing, the Gulf autocrats are inadvertently establishing the foundations of a future democratization. Strong institutions—and strong bureaucracies—not only provide a *condicio sine qua non* for successful democratization once the transition process begins, as proven counterfactually by the failure of Yemeni democracy in the late 1990s (Sharif, 2002: 82-93), but can also become autonomous power-holders, separate from and rival to the ruling élites in a given régime.

The relationship between institutionality and democratization in the Gulf can be particularly illustrated by the failed attempts at building representative institutions embodied by the 1938 *Majlis* movement in Kuwait, Bahrain, and Dubai. While these episodes embodied the aspirations of the merchant élites *vis-à-vis* the dynastic rulers rather than an episode of grassroots popular mobilization—with the partial exception of Bahrain (Yanai, 2014: 138-147), their inability to engender long-term political change reveals how suffrage-based representative institutions are insufficient to craft stable democratic change. In the context of the skeletal state framework characterizing most Gulf polities in the first half of the twentieth century (Fromherz, 2012: 76) rather than the formal, law-bound institutions of a modern *Rechtstaat*, the expectations of democratic success were, to say the least, extremely reduced.

By contrast, the present-day Gulf polities have managed to develop the political infrastructure of a modern state. In all three case studies examined hereinabove, the colonial encounter opened the door to the establishment of an increasingly solid bureaucracy characterized by “centralization of authority, hierarchy of office, and standardization and equity of law” (Khuri, 1984: 85). Hence, if it is admitted that the emergence of bureaucracy represents the first step in the rupture of the old order (Lefort, 1986: 89-121), the establishment of such institutions in the Gulf countries embodied the end of the pre-modern era of tribes and their substitution by the abstract, standardized, and universal Public Law bonds imposed by the modern state. The discovery and effective exploitation of hydrocarbons in the aftermath of WWII provided the region’s states, moreover, with the income necessary to further expand the institutions of a modern state, including the development of generous welfare mechanisms. In light of the intimate relationship between strong bureaucratic institutions and democratization that a recent literature has emphasized (Peters, 2010: 209-222; Vigoda-Gadot, 2008; Meier & O’Toole, 2006), the establishment of such institutions in the Gulf can be properly construed as the moment *post quam* democratization became a practical possibility.

Naturally enough, bureaucratic consolidation across the Gulf has been a protracted process that has also been directly related to the emergence of an indigenous middle class. The technical requirements of a modern administrative apparatus fostered the emergence of a conspicuous social formation, alien to traditional tribal attachments and directly linked to their sprawling administrative polities (Rugh, 1973: 7-20). While the generous distributionist policies undertaken by the Gulf states have awarded middle class living standards to most *Khalijis*, the development of a local *noblesse d'état* (Bourdieu, 1989) not only has provided the bureaucracy with technical operators but has given rise to a quintessentially political class (Donoso Cortés, 2020: 96-104; Zimmt, 2017: 59-69; Dai, 2012: 62-83; Kimura, 2003: 264-284), which stands at the forefront of demands for political change.

In the Kuwaiti case, in particular, the middle classes have been instrumental in defending parliamentary rule, both before the Gulf War (Tétreault, 2000: 69-70) and afterwards (Alnajjar, 2000: 258). In fact, in this 'nation of bureaucrats' (Herb, 2009: 375-395), the very success of the middle classes in having their priorities taken into account by a powerful legislature and their rights defended by an assertive Constitutional Court has had the unexpected result of stifling economic growth and preventing diversification. By contrast, in the United Arab Emirates, the continued dominance of patrimonial dynasties, despite the increasing solidity of its state apparatus and the consolidation of formal institutions, has permitted them to undertake more daring economic policies (Herb, 2009: 384-386).

These different economic trends provide useful clues as to why power-wielding democratic institutions were able to develop in Kuwait and not in the United Arab Emirates despite the similar conditions that characterize both countries. In the Kuwaiti case, independence and political liberalization came before the rise of oil that would identify the post-1973 period and in a context where the emerging Kuwaiti state was in dire need of legitimization. However, the United Arab Emirates came to independence at the height of the oil era in the Middle East and just before the boom that followed the Yom Kippur War. Thus, the Emirati authorities, free from the political and strategic constraints suffered by their Kuwaiti counterparts, were able to nip in the bud any semblance of political contestation through the deployment of an extremely generous welfare state. Moreover, the presence of a large foreign population in the country turns democracy into a somewhat dangerous game.¹² Although prominent members of some of the country's most consolidated foreign communities have explicitly rejected integration within the Emirati national community (Vora, 2011: 122-139), excluding these groups permanently from participating in democratic institutions could raise questions as to the legitimacy of any transition effort.

Paradoxically enough, in Bahrain, whose *Rechtstaat* was developed at an early stage of the region's contemporary history, as witnessed by the prosecution of members of a collateral branch of the ruling dynasty as early as 1924 (Huseyn, 2015: 35; Khuri, 1984: 94-95), the hopeful transition heralded by the 1972 constitution did not take long to collapse, despite the presence of a large middle class and an—even larger—urban proletariat (Zunes, 2013: 151). In this case, the stifling of democratic institutions is largely a byproduct of the internal tensions affecting the island-kingdom's polysegmented society (Busafwan & Rosiny, 2015: 7, 14-16) as well as a consequence of Bahrain's strategic value as the fulcrum of the Persian Gulf region (Husayn, 2015: 43-44, 47-48; Zunes, 2013: 149-164). In fact, the contraposition between the dominant Sunni community and the majoritarian Shi'is, whose dialectical

¹² It has been estimated that foreign workers in the UAE represent between 80% and 90% of the country's population (Khalaf & Alkobaisi, 1999: 272-273), and more than 90% of its private sector workforce (Malit & al-Youha, 2013). Largely hailing from South Asia (there are close to three million Indian nationals living in the UAE, which represents a third of the total population (Malit & al-Youha, 2013)), the legal position and working conditions of these migrants have elicited much criticism in recent years (Hamadah, 2022: 173-189; Naffis-Sahely, 2020: 104-113; Salazar Parreñas & Silvey, 2016: 36-41; Sönmez *et alii*, 2011: 17-35).

relationship is interwoven not only with sectarian but also with class and cultural undertones, and the refusal of the country's main political actors to entertain power-sharing notions (Busafwan & Rosiny, 2015: 19-26) has so far doomed all attempts at an effective liberalization of the Bahraini regime.

CONCLUSION

For what has been said thus far it seems as if the promise of democratic opening in the Gulf that the literature observed at the dawn of the millennium has not materialized. Two of the three case studies herein examined—Bahrain and the United Arab Emirates—have failed to construct a direct link between the will of the people and executive decision-making, in spite of their having constructed effective state apparatuses and prominent indigenous middle classes. In the third of our examples—Kuwait, the consolidation of its participatory institutions in the aftermath of the Gulf War has not prevented the emergence of crises that reveal both the weakness of these bodies and the commitment of the Kuwaiti people to preserve them. Beyond essentializing notions relying on questions of identity or local tradition (Fakhro & Mallat, 2022: 17-24), the apparent imperviousness of Middle Eastern régimes to democratization relies largely upon their complicated neighborhood and their equally complicated demographic composition.

As the Kuwaiti case explicitly demonstrates, the ups and downs of its democratic institutions have been largely related to the exposed position of the oil-rich emirate, sandwiched between three far larger and more powerful countries. It was the search for legitimacy as a sovereign state that propelled the constituent process after it became independent in 1961, and fears arising from the regional scenario explain both the constitutional suspensions of 1975 and 1986. By the same token, the definitive reestablishment of constitutional normalcy after the Gulf War also speaks to the emirate's willingness to portray itself as a participatory *Rechtstaat* rather than another sultanistic petro-monarchy.

In Bahrain, the collapse of its first serious attempts at constitutional liberalization after independence, and the unfulfilled promise of a political *infītah* opened by King Hamad in 1999 reveal both the island-country's complex strategic and demographic situation. While the claims of Iranian interference which the Bahraini authorities employed to justify its clampdown on demonstrators during the 2011 protests have been dismissed as unfounded (Mabon, 2019: 35-37, 41; Zunes, 2013: 156, 157; Mitchell, 2012: 32-36), they expose quite openly the psychological fears (Mabon, 2019: 33-34) of a minority-led régime enmeshed in a zero-sum game with its opposition. Equally, the interests of global and regional powers in Bahrain, which has been qualified as “the best ally the United States has anywhere in the world” (Zunes, 2013: 160), turn régime preservation into a major point of interest for these foreign powers, which have become the kingdom's main props.

In the United Arab Emirates, for its part, it is demographics which plays the determinant role. The minor proportion that the indigenous Emiratis represent among the total population turns democracy into a dangerous game which risks turning them into a pampered *Herrschergemeinschaft* ruling over a vast population of disenfranchised foreign-origin workers. Furthermore, as the Kuwaiti case aptly demonstrates, there are serious possibilities that democratizing the UAE political structure may jeopardize its economic success. In fact, the effective power of the middle classes in the case of the former has led to a sluggish pattern of economic growth that stands in stark contrast to the accelerated expansion of the Emirati economy and its daring attempts at diversification (Sarker & al-Athmay, 2019: 330-371; Antwi-Boateng & Binhuwaidin, 2017: 522-536; Keshodkar, 2016: 93-151).

There are, therefore, powerful hurdles in the path toward democratization in the Gulf. However, all three states examined in this paper have achieved the degree of institutional and social maturity that would make transition a successful process. As the case of Kuwait sufficiently demonstrates, moreover,

the crafting of functioning democratic institutions may even contribute to rend further legitimacy to the existing dynastic polities. While the combination of rentier tactics and foreign support may continue to provide stability to the existing regimes in Bahrain and the UAE in the short-to-mid-term, it is only legitimate to venture the destiny of either of them were any of these props—or both—to be withdrawn. In this case, a negotiated and gradual transition, as argued by Terry Lynn Karl (2005: 24-31), may provide the best way out for the preservation of internal stability and a guarantee for the maintenance of the regional order.

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