

Modern Political Institutions in the Gulf Monarchies: History and Traditions of Governance

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Abstract

The introduction of modern political institutions in the Gulf Arab Monarchies, being a part of large-scale modernization processes, was aimed at a qualitative transition in socio-political development without violent changes in the society structure.

The author explains the process of establishing the political organization of Arab societies while preserving their uniqueness, taking into account their authentic development. The article can contribute to the clarification of the conditions of shaping, structure and functioning of the general mechanism of public fundamental reforms, which is also important for understanding the peculiarities of the modern state and social structure. The research introduces a brief historical excursus into the unique experience of state- building and socio-political transformations in all six Gulf monarchies, highlighting common features.

Keywords: *Gulf Arab Monarchies, socio-political development, modernization of society, political institutions, parliament, executive power, judicial system.*

Introduction

The development of society and state institutions evolution are inextricably linked processes. In the Gulf Arab societies, these processes were quite different from those in Western countries, requiring time to strengthen and settle into place. It is impossible to consider the formation of power institutions without considering historical traditions, the established way of life of society, as well as the requirements of time. A separate niche is occupied by religion - Islam, which defines the basic norms of society and, at the same time, is enshrined as the state religion. Nevertheless, the historical tradition of the nomadic population, their values and the specifics of social life played a crucial role in the emergence and development of institutions of power.

The stages of development of state institutions have their own logic and general patterns inherent in all six monarchies of the Gulf, which have simultaneously passed their paths of historical development.

Historical prerequisites for shaping political institutions

Climate and geography role. Hot climate, scarce flora, lack of water resources, desert environment and other factors caused the settlement of nomadic and semi-nomadic tribal entities on the territory of the Arabian Peninsula. The constant need for water and land suitable for livestock forced people to change their place of habitation frequently, and therefore, the borders of a particular tribe were rather conventional. At the meantime, people were accustomed to living within the permitted borders of the area, where each tribe had its own settlement territory, and inter-tribal wars were waged for violations of the borders. The harsh living conditions forced people to live in large groups, obey the rules of the tribe and have good military training, so the Bedouins became a military and political force in Arabia. The survival of the tribe also depended on the personal traits of the leader, his ability to manage people and negotiate with other tribes. The constant struggle for resources and influence forced tribes to gather in complex kinship alliances, in which a special role was given to influential dynasties and clans.

Over time, some nomadic and semi-nomadic tribes became sedentary, but they still retained the kinship system of society. M. Asanbaev believes that the difficult natural and climatic conditions of the region, which objectively influenced the life of Arabian tribes for many centuries, caused the conservation of the tribal organization of power in Arabian society ¹. In his opinion, the stagnating character of social development was the result of the geographical factor, which had a significant influence on the long conservation of the proto-state stage of the social organization of the Arabian tribes, since this part of the Arabian East lacked favorable soil for the emergence of full-fledged state entities of the oriental type, which in its time determined the emergence of other oriental communities ².

The kinship social organization. Modern statehood in the Gulf Arab monarchies is built precisely on the kinship organization of society, and the social construct "family-kin-tribe" has become a structure-forming element of society. This construct

¹ Асанбаев М.Б. Аравийские монархии: общество, власть и государство. Алматы: Казахстанский центр гуманитарно-политической конъюнктуры, 2009. С. 29. [Asanbaev M. B. Arabian Monarchies: society, power and state. Almaty: Kazakhstan Center for Humanitarian and Political Conjuncture, 2009. P. 29.]

² Asanbaev M. B. P. 33.

was preserved for centuries not only because of common family ties, but also largely since the members of this group were interconnected economically, as the system of tribal solidarity and cohesion worked. This institution of tribal solidarity, known as *asabiyyah*, was particularly developed in the pre-Islamic period, when the most important survival imperative for tribe members was their group identity, common interest, and loyalty to their tribe ³. Each member of the organization had to share his wealth with others, and the growth of one's welfare led to the growth of the welfare of all others in the group, which gave rise to the development of community corporatism.

The institution of ruling families and dynasties. The 18th century was marked by the acquisition of the statehood features in the tribal territories, at this time there were significant changes in the social development in the Arabian Peninsula. The consolidation of territories into one state under the banner of ruling dynasties had an artificial nature. The tribal communities fought internecine wars and faced many external invaders. The most influential dynasties of Al Khalifah, Al Sabah, Al Nahyan, Al Maktoum, and Al Sani signed peace treaties with Great Britain in the 1850s, automatically recognizing themselves as colonies of the Empire.

Even after the collapse of the colonial system and the independence of Qatar, Kuwait, Bahrain, and the UAE in the 1960s and 1970s, statehood in these territories was necessary to grant exclusive economic and political rights to the former colonizers. The ruling dynasties gained political power through British support, just as the territories gained the features of statehood.

If the statehood fundamentals of the UAE, Bahrain, Qatar, and Kuwait were laid because of the intervention of external forces to make it convenient to rule a colony with a group of people in power hierarchy living under specifically designated borders and within the framework of formal institutions, in the case of Saudi Arabia and Oman the key role was played by an internal factor – religion. It was in the 18th century that the ideas of Abdul Wahhab, an adherent of Islam, were gaining popularity in Saudi Arabia and in the lands of Oman there was a historical

³ Asanbaev M. B. P. 30-31.

commitment to the Ibadite interpretation of Shiite (Kharijite) Islam.

The establishment of Saudi Arabia was possible due to the military victories of Abdulaziz Al Saud and the Islamic purity movement of Abdel Wahhab, who later signed an agreement to establish a theocratic monarchy with Salafi ideology, and the king obtained the status of "Custodian of the two Holy Mosques of Islam - Mecca and Medina". Nevertheless, there were tribes of nomadic Bedouins who did not recognize Abdulaziz's authority. They were less subject to religious influence, recognized the authority of the sheikhs and rulers of their tribes exclusively, and did not recognize the new borders created by the consolidation of lands. Specially created for them were the *hujar* settlements, later a system of paramilitary type, a kind of "socio-economic development plan" aimed at accelerating the Bedouin's transition to a sedentary way of life ⁴.

The *Ikhwan* settlements subsequently took an active part in the establishment of Saudi statehood and were provided with weapons and generous funding. As time went on, the *Ikhwans* began to threaten the authority of Abdulaziz himself, which led to a fierce struggle against them, which eventually led to the establishment of the Kingdom of Saudi Arabia under the Al Saud dynasty. Since 1932 the history of modern Saudi Arabia begins, under the leadership of King Abdulaziz the bases of statehood were laid, from various groups the society was formed, the kingdom was assigned the status of "the Center of the Muslim world", which determined the further vectors of domestic and foreign policy.

As shown by history, there were no solid political institutions in the Arabian Peninsula, each sheikh or tribe leader considered himself an independent ruler. Arabian societies had a network structure in which there was no centralized governance.

There was no sole governor among the leaders, whose power would extend to all the others. The power of any leader was based on the support of tribesmen and the council of the elders. The concept of "power" in the political entities of the

⁴ Мунавваров З.И. Страны аравийского полуострова в международных политических и экономических отношениях XX века Автореферат дис. доктора политических наук. ТашГИВ, Т.:, 1997. С. 25-26. [Munavvarov Z.I. Countries of the Arabian Peninsula in international political and economic relations of the twentieth century Abstract of thesis Doctor of Political Sciences. TSIOS, T.:, 1997. P. 25-26.]

Arabian Peninsula was, first, connected with the position of this or that tribe in the hierarchy of kinship relations ⁵. Among the main criteria allowing a particular clan or tribe to claim supreme power, in addition to wealth and power, was its noble origin, defined by Bedouin lineage ⁶.

The Arabian tradition of division of powers. In the political system of Arabian societies there was no division of power into several branches as is customary in Western political systems. There were no written laws and no legislative branch of power as such. Instead of laws, the society was governed by customs, traditions, and Sharia rules, except for the latter, laws based on customs and national traditions were not documented anywhere. Since Arab societies had a traditional community nature, the only deliberative body for making decisions of state importance was the Collective Council, the *Majlis*. It was assembled by the leader consisting of the elders of the kin subordinate to him, authoritative close relatives, and advisers. It was a non-permanent body that met as required.

Decisions of the *Majlis* had a recommendatory character, the last word always remained with the leader, but the leaders rarely opposed the decision of the Council of Elders as it could lead to negative consequences for their power. Rosemary Said Zahlan stated that sheikhs ("governors" – author's note) could have "in general...absolute power", but in practice they acted together with influential advisory councils consisting of other family members and "social and religious authorities" ⁷. We believe that the collegiality in decision-making was dictated by the weblike and mosaic nature of social structures and the plurality of power. At this stage of development, there was no question of institutionalizing the power of the governor. The judicial system in Arabian societies was based on Muslim law - Sharia. But it mainly decided cases related to marriage, divorce, inheritance of property and related property and household disputes ⁸.

⁵ Asanbaev M. B. P. 72.

⁶ Ibid. P. 73.

⁷ Zahlan, Rosemarie Said. The making of the modern Gulf States: Kuwait, Bahrain, Qatar, the United Arab Emirates and Oman. Routledge: London and New York, 2016. P.78.

⁸ Asanbaev M. B. P. 73.

By the beginning of the spread of the British Protectorate, the territories had acquired clear borders, sole governors, and political institutions of the Western model. On the one hand, the governors enlisted British support to eliminate internal enemies, consolidate power and gain recognition in society as a single governor; on the other hand, it was more advantageous for the Center to deal with a singular group of individuals than with a multitude of small leaders who did not recognize any authority other than their own. The support provided by external forces to several nomadic dynasties was perceived in the society not as usurpation, but as legitimization of the power of these governors among neighboring tribal entities ⁹. While major regional external powers used local governors to fulfill their geopolitical goals in the region and beyond, these alliances proved to be beneficial to the Gulf monarchies.

Since the declaration of independence by the Gulf Arab monarchies, attempts have been made to establish modern political institutions and institutionalize power, the state apparatus and central government, local authorities, judiciary and much more. These processes have gone hand in hand with fundamental transformations in the economy, accelerated urbanization and the financing of critical social infrastructure.

The origins of constitutionalism. Islam is the state religion in all the Gulf monarchies and secular laws adopted there must strictly comply with Sharia norms. The constitution (except for Saudi Arabia, which has no constitution) in Qatar, Kuwait, Bahrain, Oman, and the UAE is based on the sacred sources of Muslim law – the Holy Quran and the Sunnah. Islam is positioned as the dominant ideology in the domestic and foreign policy of the states in the region. Article 23 of the Basic Law of Governance (Nizam) of the Kingdom of Saudi Arabia says: “The state stands for the protection of the Islamic faith, implements its regulations, ensures the absence of sinfulness, prevents vice, and fulfills the duty of spreading Islam” ¹⁰.

⁹ Ibid. P. 73.

¹⁰ Текст Основного низама правления КСА URL:
http://legalportal.am/download/constitutions/195_ru.pdf/ (дата обращения –
14.02.2024). [Text of the Basic law of the KSA. URL:
http://legalportal.am/download/constitutions/195_ru.pdf/ (Accesssed –
14.02.2024).]

Constitutions are a new phenomenon for the Gulf Arab monarchies. The first quasi-constitutions regulating the statehood fundamentals were adopted under the external influence. Modern constitutions of the Arab monarchies were adopted in the last 30 years, mainly in relation to the change of governor. These documents legislatively enshrine and legitimize the rights and powers of the monarch, the fundamentals of state and political structure. According to M. Sapronova, modern elites have very actively begun to use constitutional provisions to strengthen their power structures and create mechanisms of continuity and stability of power ¹¹. At the same time, social rights and freedoms in Arab countries are represented in a much larger volume than political ones, and they are more detailed and specifically formulated in the texts of most constitutions ¹².

Mechanisms of power formation. The specificity of power formation in the Gulf Arab monarchies dates back to their history of political development. A special type of state paternalism has been formed in these countries, in which power is concentrated in the hands of a limited number of people belonging to the ruling families. Until recently, the polity and power structure in the Gulf monarchies, especially in Saudi Arabia and the UAE, were largely understood as derivative of the “sheikh governance” ingrained in their local culture.

In these political systems, the government and state resources were effectively intertwined with the ruling families, yet the supreme sheikh was almost always consulted by a wide range of elder advisors, authoritative relatives, and tribal allies. From a religious point of view, the sheikh regime is entirely consistent with the canons of Islam, as the governor abides by the principle of *shura* (consultation) and is reinforced by *uli al-amr* (obedience), an *Ayat* of the Quran on obedience that calls on believers to obey not only Allah and his prophet Muhammad,

¹¹ Сапронова, М. А. (2008). Арабский Восток на современном этапе: эволюция институтов власти и модернизация традиционного общества. URL: <https://cyberleninka.ru/article/n/arabskiy-vostok-na-sovremennom-etape-evolyutsiya-institutov-vlasti-i-modernizatsiya-traditsionnogo-obschestva/viewer> (дата обращения – 14.02.2024). [Sapronova, M. A. (2008). The Arab East at the present stage: the evolution of institutions of power and the modernization of traditional society. URL: <https://cyberleninka.ru/article/n/arabskiy-vostok-na-sovremennom-etape-evolyutsiya-institutov-vlasti-i-modernizatsiya-traditsionnogo-obschestva/viewer> (Accessed – 14.02.2024).]

¹² Ibid.

but also “those who have power among them”. In all Arabian states, head of state, the Monarch, stands over the legislative, executive, and judicial branches of power. For example, as Article 44 of the Basic Law of the KSA states, “the supreme authority of all kinds of power is the King”¹³. And in the case of Saudi Arabia, the King is also the embodiment of religious authority for the entire Muslim *Ummah*.

In all Arabian monarchies, without exception, the institutions of executive power were the first to be introduced: State Councils, Councils of Ministers, and so on. They were created under the supervision of British advisors but differed from Western institutions of this kind. Monarchs acted as heads of state and head of the executive power at the same time. Along with the central executive, there were also local executive bodies, authorities appointed by the monarchs from among tribal leaders and kin elders.

The point of introducing central governments was to eliminate the collective tribal influence on state policy in order to create a Western model power hierarchy. At the same time, there was a process of defining administrative and territorial borders within states and between neighbors in the region. It dragged on for several decades. For example, in Saudi Arabia this process was completed only by 1992, 60 years after the establishment of the modern Saudi statehood. The main principle of the whole political system was to build a centralized administration and a strict hierarchy of power in order to prevent possible centrifugal tendencies, to organize effective local government in the regions and to streamline the whole system of power relations between the center and the regions

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Up to the present time, the right of the monarch to form, control and dissolve the executive branch is fixed at the legislative level in all states. The King of SA is the Chairman of the Council of Ministers and the members of the Council of

¹³ Текст Основного низама правления КСА URL:
http://legalportal.am/download/constitutions/195_ru.pdf/ (дата обращения –
14.02.2024). [Text of the Basic law of the KSA. URL:
http://legalportal.am/download/constitutions/195_ru.pdf/ (Accessed –
14.02.2024).]

¹⁴ Asanbaev M. B. P. 94.

Ministers “shall assist him in the performance of his duties”¹⁵. The King also “makes decisions on the formation and reorganization of the Council of Ministers”¹⁶. As practice shows, the positions of ministers are occupied by persons from ruling families or close to them. It is very remarkable that never before in the history of Saudi Arabia the position of Minister of Defense, Economy and Oil or Foreign Affairs has been held by a person outside the Al Saud family. The country’s practice of appointing the heads of ministries and departments requires that their heads be from the Al Saud family or, as in the case of the Ministry of Justice, from the family of Abdel Wahhab’s descendants¹⁷.

When it comes to legislative branch, with some exceptions in Bahrain, Kuwait, and Oman, in the states of the region the parliament is of an exclusively symbolic nature, its powers are limited and/or minimal. As M. Sapronova explains, adherence to the principle of *shura*, which forms the basis of the Islamic concept of state governance, implies that the most important issues are resolved on a collegial manner through an exchange of views between representatives of different groups of the population to reach a consensus¹⁸.

Advisory councils can also be seen as a mechanism that can not only participate in the elaboration of decisions, but also bring information from the field to the attention of the ruling circles, serve as a transmitter of regional interests, and ensure communication between the provinces and the central authorities¹⁹. All researchers agree that in Arab monarchies

¹⁵ Текст Основного низама правления KCA URL:
http://legalportal.am/download/constitutions/195_ru.pdf/ (дата обращения –
14.02.2024). [Text of the Basic law of the KSA. URL:
http://legalportal.am/download/constitutions/195_ru.pdf/ (Accessed –
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¹⁶ Ibid. Article 57.

¹⁷ Нейматов А.Я. Основные приоритеты внешней политики и дипломатии Саудовской Аравии на современном этапе: Автореф. дис...канд. пол. наук. Москва. 2012. С. 15. [Neymatov A.Y. The main priorities of foreign policy and diplomacy of Saudi Arabia at the present stage: Author's abstract. dis...cand. polit. sci. Moscow. 2012. P. 15.]

¹⁸ Сапронова М. А. Эволюция институтов власти в арабских монархиях в новых условиях общественно-политического развития. Вестник МГИМО-Университета. 2008;(2(2)): С.3. <https://doi.org/10.24833/2071-8160-2008-2-2-39-49>. [Sapronova M. A. Evolution of institutions of power in Arab monarchies in the new conditions of socio-political development. Bulletin of MGIMO University. 2008;(2(2)): P.3. <https://doi.org/10.24833/2071-8160-2008-2-2-39-49>.]

¹⁹ Сапронова, М. А. (2008). Арабский Восток... [Sapronova, M. A. (2008). The Arab East...]

the advisory council cannot be called a legislative body, but rather a representative body in the structure of the government, as its functions are very limited and do not go beyond consultative-advisory and recommendatory nature ²⁰. G. Kosach referred to the institution of advisory councils in the Gulf monarchies as a proto-parliament ²¹. As with the executive branch, the functioning of parliament in all countries is considered to be the prerogative of the monarch. In the KSA and the UAE, parliament is a body with an advisory and consultative function appointed by decree of the head of state.

Qatar's Basic Law of 2003 assigned the Shura Council the function of legislature. In Saudi Arabia and Oman, the advisory councils are subordinate to the Royal Office (KSA) and the Council of Ministers (KSA and Oman), are in the executive system, and are chaired by the King himself. It is also worth noting that in Saudi Arabia there are no elections for the Advisory Council, all deputies are appointed by the King himself. Deputies do not represent political parties, as it is believed that the prophet Muhammad predicted the division of society into different fractions as one of the signs of the Judgment Day, so the creation of political parties, labor unions and other associations is prohibited by law. The practice of banning political parties is common to all Gulf monarchies.

Despite the fact that historically Arab societies practiced the principle of *shura* in the governance of territories and the resolution of the most important matters, the advisory councils that were formed in the Arabian monarchies in accordance with the deliberative tradition were a kind of response to the emerging political challenges as the monarchies embarked on the path of constitutional development and modernization of traditional Eastern society ²².

From the Soviet-Russian scholarly point of view, despite the constitutional limitation of the powers of advisory councils in the Arabian monarchies, which did not allow them to be regarded as an independent branch of power, they

²⁰ Asanbaev M. B. P.103.

²¹ Косач Г.Г. Саудовская Аравия: внутривластные процессы «этапа реформ» (конец 1990–2006 г.) М., 2007. С 134. [Kosach G.G. Saudi Arabia: internal political processes of the "reform stage" (end 1990–2006) М., 2007. P/ 134.]

²² Сапронова М. А. Эволюция институтов власти... С.3. [Sapronova M. A. Evolution of institutions of power... P.3.]

nevertheless performed an essential political function, legitimizing the power of the monarch through the participation of representatives of broad layers of society in the discussion of draft laws and conveying the public mood to the sovereign²³. The status, functions, and objectives of advisory councils vary from one political system to another. Arab scholars themselves believe that decision-making based on the principle of *shura* combines traditional mechanisms of power functioning with elements of parliamentary democracy²⁴.

Meanwhile, in the Western discourse, sheikhism has been seen as something between "patrimonialism" (when governance is dominated by the ruler, his family and friends) and "neo-patrimonialism" (when modern-looking institutions and laws serve as a shell for patrimonialism), but with a greater propensity for consensus-building than is usually seen in other authoritarian regimes. It is Western scholars who, although recognizing authoritarian tendencies in sheikhism, portray governors as "fathers of their people" and recognize their general accessibility to all residents and reputation as "open houses"²⁵.

Conclusion

Attempts to form modern political institutions and institutionalize power in the Gulf Arab monarchies have had mixed success. There is no constitutionalism and parliamentarism of the Western model in these political systems; everything is based on centuries-old traditions of tribal relations, religious ideology and the desire of ruling families to consolidate their status by laws. Neither is there the political pluralism, party struggle and representative elections achieved by Western societies as a result of major revolutions. However, the current progress in the development of the political system by the Gulf monarchies has been achieved within the framework of the existing pillars in society, based on

²³ Ibid. P. 6.

²⁴ Кхалаф М. Реформы в ОАЭ – эффективный инструмент социально-экономического развития государства.

Ближний Восток и современность. Сборник статей (выпуск тридцать восьмой). М., 2009, С.315-319. [Khalaf M. Reforms in the UAE are an effective tool for the socio-economic development of the state. The Middle East and modernity. Collection of articles (issue thirty-eighth). M., 2009, pp. 315-319.]

²⁵ Davidson C. M. From Sheikhs to Sultanism: Statecraft and authority in Saudi Arabia and the UAE. Oxford University Press., 2021. P.47-76.

the path and evolution of historical development. In the Gulf Arab monarchies, the modernization of society and political reforms had the character of "revolutions from above". While at the initial stages of modernization the introduction of political institutions was "catching up", not without external influence, later this process became purposeful and systematic. In all stages of introduction and implementation, the authorities in local societies have never sought to achieve the development of society according to the Western model, clearly understanding that this is impossible.

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