Chapter Three

Corruption, Fragmentation, and Despotism

BRITISH VISIONS OF OTTOMAN IRAQ

British actions in Iraq, undertaken within the framework of the "sacred trust" of the Mandate system, were a self-conscious attempt to build a modern state. How the British perceived the legacy of the Ottoman Empire profoundly shaped their interaction with Iraqi society and their reform of its governmental structures. These structures still operated largely as they had under Ottoman rule. The geographical area within which the state was to be constructed was not subjected to a detailed examination by any of the four British High Commissioners charged with the responsibility for its creation. This lack of knowledge was compounded after 1914 by the failure of the Indian General Staff to collate and distribute what information it held on the Ottoman *vilayets* that eventually made up Iraq.[1] The situation was exacerbated by the retreating Ottoman officials who took or destroyed many government records.[2] Financial constraints contributed to a general lack of empirical knowledge about Iraqi society and the old Ottoman system.[3]

Personnel sent from across the British Empire to build the new state interacted with the remnants of the Ottoman Empire on the basis of popular imaginative constructions influential in British and wider European society from the eighteenth century onwards. A lack of empirical data allowed a collective understanding of the nature and effect of Ottoman rule in Iraq to become dominant and to go unchallenged amongst the British staff charged with building the Mandated state.

This European vision of the world the British staff confronted was sustained by two central tenets. First, the Ottoman Empire in Iraq was conceived as an Oriental Despotism. Under this rubric it was unchanging and unable to escape the constraints of its inherent superstition, violence and corruption. Secondly, Iraq was perceived as fundamentally divided. For the British, the urban centers of Iraq were largely made up of *effendis*, remnants of the Ottoman Empire, who were tainted by training and working within corrupt institutions. Juxtaposed against the contaminated cities was the Arab countryside. Here the "true" Iraqi lived, unscathed by Ottoman influence

and in need of protection from the grasping *effendis*. The coherence and pervasiveness of this core vision had far-reaching effects.

The separation of state and society central to this vision of Oriental Despotism supported the British Empire's clash with its Ottoman adversaries but hampered its interaction with the governing institutions the Ottomans left behind. With the entry of the Ottoman Empire into the First World War, British propaganda had begun to use Orientalist tropes to portray "the Turk" as degenerate, slavish and brutal. As the war progressed, strategic thinking and public imagination focused on the role of the Arab revolt and hence on the non-Turkish populations within the Ottoman Empire. This conscious and subconscious separation of Ottoman and Arab became more accentuated with the birth of the mandate ideal in 1919. The Arab populations of the Ottoman Empire were now allies of the victorious powers. Free from Turkish oppression, they were worthy candidates for states of their own, capable of benefiting from European tutelage.

To give the Mandate ideal credibility, the pathological aspect of Orientalism was distinguished from the political "immaturity" in European thinking. To this end, state and society in the non-Turkish Middle East were prised apart. The corrupt Ottoman administration was separated from the Arab populations who had suffered under it. The past role of the "bad" Ottoman Empire could then unambiguously be contrasted with the present and future role of the "good" British one. The selfless British colonial administrator was then juxtaposed with the corrupt and venal Turk. The Iraqi state constructed by the British was to be an occidental one, operating in a balanced and harmonious way with the Iraqi people. It was to be defined in absolute ideological contrast to the Ottoman state, seen as despotic, inefficient and tyrannical.

This stark vision intersected with the reality that the majority of those with an education in the Arab Middle East in 1920 had gained it within the Ottoman system. Those who were available to staff the new state's institutions were, within the imagination of Oriental Despotism, tainted by Turkish corruption. The state, staffed and then run by Ottoman-educated Arabs, became an object of mistrust. In the British mindset, it could easily return to type, developing despotic aspirations to dominate the majority of the people living in the countryside.

This conception of the Ottoman Empire led the British to place their

trust in those who inhabited the countryside, those identified as "tribal." The tribes, relatively untouched by Ottoman corruption, were to become the bulwark against the dangers of a new Iraqi despotism. Rural society was to be reinvigorated, organized to pose a virtuous counterweight to the inherently corrupt proclivities of the centralizing state. The focus of British hopes, and the key to rural organization, were the tribal shaikhs. It was they who would guard against the despotic tendencies of the *effendi* class. It was they who would mobilize society against the dangers of oriental despotism.

The European orientalist imagination was the means by which a normative vision of Europe was used as a standard by which to judge the non-European world. It allowed societies external to Europe to be divided into two broad categories: those judged to be immature and those condemned as pathological.[4] The immature were perceived to be on a unilinear historical path whose final destination would prove to be a European modernity. Those judged pathological were perceived to have deviated from that developmental path or had never been fit to join it. Why different parts of the Orient were classified at different historical moments reflected European developments and political preoccupations. These can be linked to sex and gender, but also to the dynamics of European social and political development. The essences that supposedly divide the Orient and the Oriental from the Occidental reflect the hopes and fears of western society. They provide little access to the historical or social truth of the societies they are meant so definitively to characterize.

In 1916, with the war in Europe bogged down in a bloody stalemate, there was a strategic and even ideological need to shift attention and effort elsewhere. This coincided in the Middle East theatre with the need to erase the humiliating defeats at Gallipoli and Kut from popular memory.[5]

Encouraging Sharif Husain to raise the standard of revolt against the Ottoman Empire at Mecca met several of these aims at once. By dividing the Turks from a larger Islamic *umma,* the danger of calls for a *jihad* against Britain spreading to India was reduced.[6] At the same time Britain's Red Sea communications were protected while tying up large numbers of Turkish troops. Once the Arab Revolt got under way its ideological portrayal also provided a heroic counterpoint to the mass mechanized killings on the Western Front.[7]

But the myth of the Arab Revolt ran counter to the general Orientalist portrayal of "eastern peoples." Large numbers of these apparently lazy, timid and ignorant Orientals had fought courageously against the Ottoman Empire alongside British troops. The distinction between pathology and immaturity within the western Orientalist imagination was used to allow these Arabs to be separated from their oppressive Ottoman rulers. Through this construction, the untainted, courageous, honest and pre-modern rural population of Arabia and Iraq came to be juxtaposed with the troublesome town dwellers, corrupted by close proximity to Ottoman culture and administration.

The influence of Oriental Despotism had clear policy implications for structuring the relationship between the new Iraqi state and society. The distinction between European feudalism and Oriental Despotism turned on the existence of autonomous European landlords.[8] In England the rural nobility, citing the "sacredness" of common law and ancient privilege had thwarted the Tudor monarchy's aspirations to absolutism.[9] The rural aristocracy defended the balance between Crown and Parliament, state and society, while retaining their parochial links to the peasantry and the land. When the British set about righting the perceived wrongs of Ottoman Despotism it made sense for them to try to strike a balance between state and society by recognizing the "loyal feudatories," the tribal shaikhs, as those who could act as society's guardians over the state.[10] The Administration Report for Basra Division in 1918 describes those of influence in the area in the following way: "These landlords are men of gentility and pride, occupying a position of influence and status reminiscent of that of the feudal landlords in English history."[11]

A history of Iraq first published in 1925, written by the British administrator and scholar Stephen Longrigg, captures perfectly the worldview of the British staff in Iraq.[12] Longrigg's views were considred authoritative. His first hand experience in Iraq was perhaps greater than that of any other non-Iraqi who served there. He first entered the country as a soldier with the British Expeditionary Force in the early stages of World War I and did not leave until 1931.[13]

Longrigg's books represent and reproduce the self-understanding of the community in which he spent a large part of his adult life. They accurately reflect the worldview held by the corps of British personnel,

both military and civilian, charged with building and overseeing the Iraqi state. His first book, a detailed and influential account of the Ottoman influence in Iraq, was written as he served as a Political Officer in Hillah on the Euphrates south of Baghdad. It serves up a full-blown rendition of Oriental Despotism and applies its lessons without a moment's hesitation or doubt. According to Longrigg, Iraq had passed through 400 years of stagnant Ottoman rule with little or no change. Iraq's present may seem a "little less wild and ignorant," but it was certainly "not less corrupt."[14] The Ottomans had failed the Arab population in nearly every aspect. Despite the abundance and renown of Iraq's fabled resources they had gone undeveloped. The government had refused to recognize its "essential duties" of leading the country to progress and its "yet clearer task of securing liberty and rights to the governed (however backward)."[15] Longrigg's explanatory narrative was semi-official; his book was frequently cited as evidence in government reports.[16]

The highly ideological nature of Longrigg's perception of Ottoman Iraq becomes visible when its core themes are revisited in light of recent academic research based on Ottoman archives in Istanbul. Key to Longrigg's understanding of Ottoman domination was its static nature: Iraq under the Turks could not and did not change. In fact, Ottoman rule in Iraq and round the general periphery of Empire (especially during the nineteenth century) was active and dynamic. Government initiatives from the Sublime Porte in Istanbul were both reactive, attempting to counter or meet local events, and proactive, attempting to integrate Iraq fully into the governing structures and economy of the Empire while increasing its security and productivity.

The reign of Sultan Mahmud II, 1808–1839, for example, marked a conscious effort by government in Istanbul to strengthen its control over the provinces.[17] In Baghdad this meant the removal of Da'ud Pasha, the autonomous Mamluk *Vali*, and the occupation of the city by Ottoman troops.[18] The pace of change quickened after the promulgation of the *Tanzimat* reforms by Sultan 'Abd al-Majid. In 1848 a new military formation, the Army of Iraq and the Hijaz, was formed and by 1867 a new round of government initiatives, aimed at the periphery of Empire:

> led to a series of transformations in the economic life of frontier districts. Enhanced security, regulation of weights and measures and growing monetarization encouraged the development of markets which, in turn, attracted merchant participation in the state's project of direct rule.[19]

Longrigg and the entire British staff, by accepting and deploying the frames of perception created by the cognitive schemata of Oriental Despotism, saw the Empire as constrained by its own nature. Internal reform was impossible. It was the intrusion of the British that would save the Iraqi population from the corrupt, "dead hand" of the Ottoman Empire. In fact, empirical evidence reveals a governing Ottoman élite, very much aware both of the Empire's weaknesses and the changing nature of the world's political and economic systems, attempting to meet these challenges.[20]

> The Turkish Government has never sanctioned any other system of administration in Arabia than one of oppression towards the weak and deceit towards the strong.[21]

The Ottoman Empire was understood to be hopelessly corrupt and unreformable. It was seen as being detached from the society it unsuccessfully sought to dominate. The unbridgable gap between corrupt state institutions and innocent society implied that those who staffed the Empire had little to do but effect western-style mannerisms and dress and perfect the exploitation of the subject races under their control.

Longrigg blames the emergence of the corrupt class of Ottoman officialdom in Iraq on the administrative reforms initiated by the Governor of Baghdad, Midhat Pasha from 1869. These, he thought, created a group of Iraqi civil servants who were detached from society. They were neither landlords, nor merchants nor religious figures. They constituted a distinctly secular, separate and parasitic middle class. They were, in British eyes, a fifth column, acting as a bridgehead between Turk and Arab: "the effendis formed a great part of the social element receptive of Turkish culture."[22] All that was wrong with the Ottoman Empire was embodied by this governing élite. First and foremost, they were "corrupt and remote

from all spirit of public service"; but these weaknesses were part of a larger set of pathologies that included being "complacently urban," "barely literate," "persistent Turkish-speakers," "decorous in social habit" and, finally "uniform in their travesty of European dress."[23]

Descriptions of the "befezzed *effendi,*" condemned as pathological because he sought to be modern, are telling. The trappings of modernity that the British saw him "flaunt" were the wrong type. The *effendi*s were seen as impertinent. They had adopted the costumes of modern Europe without putting in the hard work of mastering its substance. By attempting to bypass the slow unilinear path to modernity, they had corrupted themselves and ran the danger of corrupting the society over which they asserted despotic control. Hubert Young, an influential civil servant in the Colonial Office, when discussing the possibility of Faisal being involved in plotting the murder of an Iraqi politician, explained that there was no need to harbor any illusions about his morality. "His early training at the court of Abdul Hamid in Constantinople would of itself be quite sufficient to qualify him for this unpleasant role."[24] Sir Henry Dobbs, in describing Abdul Muhsin Beg, the Prime Minister in 1928, began by positively noting his tribal origin but then lamented his education in Constantinople as having "infected him with a townsman's ideas."[25]

The potential corruption wrought by the *effendi* on the population was considered to have two sources: first, the pathological degeneracy associated with Turkish rule, morality and society; second, a bastardized modernity. The *effendi*, having come under a "foreign influence," might dabble in what he did not properly understand, the civilization and science of the west. This would then be flaunted as a sign of his superiority over the population from which he had been elevated. By bringing to bear the influence of modernity on Iraq too soon, the *effendi* would drag the population out of the natural order of things and force it to develop too quickly.[26]

The distinction between an oppressive and corrupt Ottoman administration and an oppressed and immature Iraqi society was a powerful organizing trope. The division between ruler and ruled explained the supposedly all-pervading corruption and neglect. But such a stark state-society divide was what the British needed to see and is not sustained by the historical evidence. Like that of all empires, Ottoman rule was

dependent upon a close working relationship with key members of society. In a symbiotic interaction, the government's officials looked to notables to provide information, order and taxes. In return for this the notables had their social position recognized and enhanced.[27] But to view this relationship in purely instrumentalist terms would be to ignore the ideological commitment that ensured its smooth reproduction over generations. The *naqibs* of Baghdad, for example, had an independent source of wealth and prestige as the descendants of one of the most celebrated religious figures of the Sunni world. Pilgrimage from the Indian subcontinent meant that the family had a flow of income from outside the Empire. But from the 1870s, the *naqib's* family had consistently used their local, regional and international religious influence to bolster the divine and secular legitimacy of the Ottoman regime. During the Turko-Russian war, *Sayyid* Salam *Effendi* started a fund to raise money in India and Iraq for wounded Turkish soldiers. He visited Istanbul on at least two occasions and sat on a committee formed by the Sultan in November 1886 to investigate and attempt to stop a serious tribal uprising in Mosul and Baghdad *vilayets*.[28]

Examples such as these point towards a much more balanced, integrated and negotiated relationship between state and society in Ottoman Iraq than the discourse of Oriental Despotism allows. The Sultan frequently consulted Iraqi notables, appointed them to high position and listened to their grievances. Similarly, a more nuanced reality prevailed with regard to corruption and attempts to control it.

Evidence from both British colonial records and more recent academic literature shows that corruption was a problem amongst the lower levels of the administration in Iraq staffed by the *mutasarrifs* and *qa'immaqams*. But the influence of the ideology of Oriental Despotism on British colonial officials led them to see corruption as endemic to Ottoman rule, debasing it from top to bottom. One of the sources for this misunderstanding may have originated in the practice of *badal*. This was the sum each new *Vali* had to pay on being granted his office, in lieu of the estimated amount of revenue he could be expected to raise while he was in post. But the practice of *badal* was abolished with the appointment of Midhat Pasha as *Vali* of Baghdad in 1869.[29] Indeed Ottoman attitudes to corruption can be judged by the case of Namik Pasha. His time in office saw a rapid growth in maladministration and by January 1901 a special commission had been

appointed to report on his alleged misdeeds. It requested that Namik Pasha and several other officials be removed for their misdeeds and their overtly favorable treatment of a specific notable family.[30]

Oriental Despotism informed British understanding of Ottoman law and administrator's attempts to reform the legal system. The Ottoman state was not only irrational and bound by Islam but structurally stagnant and weak. In effect, written law could be as rigid or liberal as the drafters desired because ultimately it would stand little chance of being enforced. For Gertrude Bell, by "their blind impulse to draw all authority into a single net, the Turks not only neglected but actively discouraged the delegation of power."[31] For Bonham Carter, the Iraqi government's Judicial Adviser, "the Ottoman Code as it now stands is unscientific, ill-arranged and incomplete." [32] For C. A. Hooper, under the influence of "western civilization" limited parts of the law had managed to break free of "pure Mohammedan jurisprudence."But because one of the central traits of Oriental Despotism was the lack of private property, general property law was beyond the influence of any external forces.[33]

By understanding Ottoman law as both a symptom and cause of Oriental Despotism, the British developed two approaches in their attempt to reform it. First, in the early years of the civilian administration, they set about attempting to systematize and unify the whole system.[34] The application of British logic could regularize it, while a new and rational governing system could fairly apply it. But as their role moved from Mandatory to advisory, and as they sought to create a more permanent and institutionalized government, they encountered a more subtle problem.

In 1922 a joint committee of Iraqi and British lawyers was convened in Baghdad under the chairmanship of Hubert Young to draft the Organic Law. This was to be presented to the League of Nations as evidence of the new state's liberal and progressive legal system. The overtly liberal and progressive appearance of the new Organic Law was of heightened importance, as it was negotiated under the shadow of Curzon's battle with the Turkish state about which government was best suited to take control of Mosul. Curzon's successful argument hinged on the modern and reasonable approach of the Iraqi state when compared with the harsh and undemocratic practices of their former rulers.

A problem arose when the two Iraqi drafters of the Organic Law, Sassoon *Effendi* and Naji Beg al-Suwaidi, complained that the Turkish Con-

stitution, instigated after the Young Turks' revolution, was a more liberal document than that proposed by the British.[35] It was difficult to reconcile the self-understanding of the British role in Iraq with the drafting of an Organic Law less liberal than the Turkish one it was to replace. Yet the solution to this problem already presented itself from within the British understanding of Oriental Despotism. The Turkish Committee of Union and Progress, as part of a despotic regime, could afford to grant all the paper concessions it wanted. The power to rule, based as it was on the army and the use of unrestrained force, meant that "they could afford to disregard the Constitution whenever they thought that the stability of the State (to put their action on the highest level) required it." The new Iraqi state, on the other hand, being a democratic and liberal one, needed a stronger rule of law to keep the interests of state and society in equilibrium.[36]

Under the rubric of Oriental Despotism, Ottoman jurisprudence was bound to be driven by an adherence to Islam and therefore could not evolve rationally. The application of law, and the creation of order, were structured by two competing images of Turkish rule. First, influenced by the more general trope of orientalism, the Turkish personnel charged with keeping the peace and enforcing the law were classified as universally despotic, corrupt and violent. It was the job of the new liberal and western Iraqi state to overcome this legacy of ruthless oppression.[37]

But the dominant conception of the Ottoman state in Iraq simultaneously emphasized its overwhelming weakness. The state, hidebound as it was by stagnation and corruption, could not possibly project its power and influence to any great degree across the vast majority of the population it sought to oppress. The imagery that pervades British notions is that of a regime trapped within the city walls of Baghdad or in its outpost towns scattered across Iraq. Ottoman rule could and did order urban life, infecting it with negative pathologies, but the weak, cowardly and ineffectual instruments of rule had little influence beyond urban areas. Sir Ernest Dowson was the pre-eminent expert on land tenure in the British Empire. He arrived in Iraq in 1929 to advise on land reform.

His 1931 summary of Ottoman rule typifies the generally held perception:

> It is evident that for several preceding centuries the officers of the Central Government were not in a position to exercise any system-

> atic control over the large areas throughout the country. . . . Under the conditions that commonly prevailed the authority of the Central Government ran slowly, while the effective local and social units were tribes or sections of tribes.[38]

Ottoman law was written off because of its inability to evolve to meet the changing needs of the Iraqi population. Once the legal system had been reformed, any unfavorable comparison between Turkish codes and the new state's record on law and order could be discounted on the grounds that the Ottomans had never been able to impose law and order and so could be as idealistic and liberal on paper as they wanted.

British attitudes to Iraqi land and its abuse under Ottoman rule throw into stark relief the crucial leverage provided by the division at the heart of the Orientalist vision between the corrupted Turkish state and virtuous traditional Arab society. This use of the Orientalist perspective was played out in an interpretation of Iraq's history. Iraq, in the distant past, according to this view, had been "one of the most prosperous tracts of agricultural land in the world," an area of "untold wealth."[39] This prosperous land of yore stood in sharp contrast to present-day Iraq. Ancient Iraq had been the province of specifically *Arab* tribes. The historic renown of the fertile land between the two rivers had been due to the hard work of the Arab population. The rot had set in with the arrival of the Turks.[40] For Gertrude Bell the "Ottoman conquerors" had enforced alien property rights upon the Arab tribes, claiming that all lands were now to be owned by the state. For the Political Officer in the Samarra district, the Dujail plain could once again be restored to its legendary productivity when "the blasting and withering neglect" it had experienced under the Turkish regime had been put right.

> Upon the Turkish conquest the agricultural land of Iraq became state property. In theory it would seem that the state was entitled to their whole produce, and the Qanun al Aradhi definitely lays it down—Articles 30 and 107—that forests and mines belong solely to the state.[41]

But the Ottoman Empire, according to the narrative structure of Oriental Despotism, was both arbitrary and weak. The land and revenue staff

of the Empire were seen by the British as "feeble" and hence the "Ottoman Government were never in a position to exercise any systematic control of the large areas of miri land throughout the country."[42] The result of such pretensions to dominance combined with an inability to enforce them was a "hotch-potch of Turkish archaisms, puzzles, and caprices," with land tenure and practice apparently differing in each *liwa* depending on the level of Turkish power and the existing social practices they had to deal with.[43]

Muhammad Shafiq, Midhat Pasha, Ottoman Governor of Baghdad from 1869 to 1871, might have posed a challenge to this monolithic perception of the Ottoman Empire as a corrupt, stagnant and oppressive regime. Midhat Pasha set about attempting to instigate the reformist spirit of the *Tanzimat* movement.[44] As part of his overhaul of the governing system, he imposed the *vilayet* system and reformed the administration of land and revenue. He also enacted the 1858 Ottoman land decree under which *miri* land could now be granted to private individuals under a new system known as *nizam tapu*.[45] Indeed Sir Henry Dobbs recognized the three years of Midhat Pasha's reign as the most stable and secure period of Ottoman rule.[46] The motivation driving Midhat Pasha's innovations was seen by Dobbs and his colleagues through the prism of Oriental Despotism. The reform's aims, it was argued, were not primarily to increase government revenue and efficiency or the living standards of the population but to "break the power of the great tribes" and thus increase the dominion of the state over the society.[47]

Dobbs's and Longrigg's understanding of Midhat Pasha was based on a comparison with previous Ottoman governors. For the British, Midhat Pasha's reign was unique. His reforming zeal was seen as an aberration based on individual strength of personality. Those in the Mandate administration interpreting the results of his work saw them as preordained to fail. Those who took the time to study the detail of Midhat Pasha's work could not escape the analytical framework of Oriental Despotism or see Midhat's polices as a general Ottoman response to changing international circumstances. Midhat Pasha could not succeed given the inherently inefficient and corrupt nature of the state and the fractured and oppressed nature of society.

Midhat Pasha's imposition of *tapu* land tenure was a conscious attempt to modernize Iraqi landholding, but according to the British, an oriental

state could only half-heartedly ape occidental rationality. Dobbs exemplifies this understanding of Midhat Pasha. He pours scorn on the "rigid land-laws" elaborated in text and law books.[48] For Dobbs it was typical of the Turks that idealistic and highly theoretical laws dreamt up for European Turkey, "a very different state of society, should be applied in such a doctrinaire fashion to a totally different geographic and social area." This misfounded attempt to be modern was compounded for Dobbs by a "faulty assessment and slipshod methods."[49] For Ernest Dowson attempts to apply the *Tanzimat* reforms were undermined by the lack of detailed investigation.[50] Longrigg had more sympathy with the logic of the *tapu* system. But he saw its failure in the Turks' inability to realize the "immense practical difficulties" in its imposition. With the state unable to enforce its will over the majority of the country, no cadastral survey was possible. A result was title deeds and records that were "incomplete and entirely inaccurate in respect of names, areas, and boundaries, sometimes forged, sometimes overlapping, sometimes duplicated in respect of identical properties."[51] Ultimately, "the tapu system could do little save create new disputes, bestow rights on parties powerless to exercise them, and destroy the best elements in the shaikh-tribesmen relationship."[52]

The modernizing aspirations of Midhat Pasha's reforms were, according to the British, unrealizable. The Ottoman system itself undermined this reformist ethic by its very "nature." The "corrupt" and "venal" approach of those Turks put in charge of the new land registry meant *tapu* rights would, irrespective of prescriptive rights, be bought by those with the money or influence to bribe the land registry. [53] Again, it is the motif of urban-based corruption spreading into the unspoiled countryside that structures this understanding of failed land reform. The "rich merchants" and "town dwelling speculators" bought up the land "over the heads of the tribes." For Dobbs the use of law, of an *iradah*, to grant *tapu* rights to the tribes would under the corrupt circumstances of the Ottoman state be a feeble instrument to stop "land-hunger of the rich city-men."[54] Instead land that had been farmed "for generations by the local tribes" was sold out from under them in the name of speculation and greed.[55]

The blame for the failure of the *Tanzimat* reforms in Iraq was mainly directed towards the pathological incompetence and venality of the Ottoman state. But the *tapu* rights were also understood not to have been taken up by an immature and fractured society that shunned their poten-

tially modernizing effect. Although a fear of conscription and government control deterred tribal society from utilizing *tapu* rights, the "other evils" of "accessibility, toil, dependence on canals and markets" were large incentives not to join the property-owning classes.[56]

There may have been a fundamental misunderstanding at the heart of British notions of land ownership in Iraq. Timothy Mitchell argues that, before the *Tanzimat* reforms, Ottoman understanding of landholding did not designate an absolute right of possession to land as an object in itself.[57] Ottoman state claims to *miri* land were not as the British supposed aspirations to absolutist control of the agricultural means of production. Instead local representatives of government, legal-religious authorities and the fellaheen themselves all had prescriptive rights to the produce of the land. The Ottoman claim was for recognition that the government was due a proportion of the crop, not a demand for ultimate control of the land. So several different groupings at the local level all claimed a proportion of the produce, not by means of abstract, externally imposed laws but through a negotiated and evolving ad hoc approach.

In this light, Midhat Pasha's reforms can be seen as an attempt to impose a modern logic on existing land laws. He attempted to impose abstract laws of single possession on shifting and diffuse local practices. But again the motivation attributed to this policy has been misdescribed by the British because it was seen through the paradigm of Oriental Despotism. Midhat Pasha's explicit intention in implementing *tapu* legislation was to give individual cultivators more control over the land they farmed.[58] His goal was to raise the productivity of the land. To this end he actually cut the share of produce that the state demanded from the producer. He went on to propose even greater reductions if the rural population would not rebel against the state and would promise to pay the revenues due. Ultimately his aim, much like that of the Mandate administration itself, was to improve law and order and settle the nomadic population. He set about achieving this aim with a mixture of financial incentives and negotiations — not, as Dobbs would have it, through double-dealing and the use of force.[59]

Ultimately Midhat Pasha's reforms did not achieve what he had hoped, and he was removed from his post after three years. But to see his time in office as an aberration in Ottoman rule, as Dobbs and Lon-

grigg did, is to misinterpret the agency behind Ottoman government policy in the late 1800s. Midhat Pasha was a product of a governing élite which clearly saw the profound crisis the Empire was in and the dire need for reform both at the center and the periphery. Midhat was one of a series of reforming *Valis* sent to Baghdad in an attempt to improve agricultural production and law and order. This conscious policy of modernization was instigated in the face of European economic and military encroachment and succeeded in increasing the prosperity and output of the area.

Midhat Pasha's reforms were actually similar in their nature and goals to the policy promoted by a section of the British officials dealing with land reform under the Mandate. He was attempting to impose a modern logic on landholding by solidifying personal ownership, thereby raising production. The British viewpoint, however, commited them to reject Midhat Pasha's attempts at land reform along with the wider Ottoman system. They were completely unable to derive from his efforts any lessons for their own policies.

The British projected simplistic but powerful notions of their own historic past on to the rural population of Iraq. The population was perceived as being largely tribal, but divided into competing and locally bound interests. These units were individually strong, warlike and militant in their resistance to the Turkish state, but because they were split and hostile to each other they could not collectively resist the corrupt and negative effects of Ottoman rule.

Tribal society, for the British officers encountering it in the wake of the Ottoman Empire's defeat in Iraq, was caught between two dynamics. On the one hand, it was simple and primitive. Remote from civilization, the tribal way of life and organization represented people as being as close to their natural state as could be encountered in the modern world.[60] The further away from government tribal society was, the stronger its tribal structures and the more powerful the individual's allegiance to the shaikh.[61] On the other hand, Iraqi tribal society was the victim of the disintegrating influences of enmeshment in the corrupt, devious, and despotic machinations of Ottoman power.

Ottoman policy was aimed at fracturing the society it sought to control. The Ottoman state, weak but devious, had planted the seeds of disunity amongst the once great tribal federations.

> Instead of utilizing the power of the shaikhs, the Turks pursued their classic policy of attempting to improve their own position by the destruction of such native elements of order as were in existence . . . To recognize local dominion and yoke it to his service was beyond the conception of the Turk, and the best that can be said for his uneasy seat upon the whirlwind was that he managed to retain it.[62]

The Ottoman Empire, personified by the "feeble Turkish tax gatherers," brought the contaminating effects of the pathological state to the weakened society. The results were "endless bickering" amongst the tribes and "the tendency towards leveling, division, disunity."[63] For Longrigg this led to the visible decline in the lifestyle and character of the tribesmen as they struggled to adjust to the new and unfamiliar situation. The Turks' attack on important tribal shaikhs became one of the central arguments for explaining tribal disintegration for many years afterwards.

This perception of the Ottoman state as corrupting and fragmenting Iraqi society is typified in Sir Henry Dobbs's understanding of the cause of instability in the Muntafiq district. The problem of violent unrest around issues of land ownership in the Muntafiq district had dogged the British since the beginning of their involvement in Iraq. Dobbs first investigated the sources of the trouble in 1915 and 1916 as head of the Revenue Office, with the issue still consuming his time in 1926 when he was High Commissioner.

For Dobbs, Ottoman actions in this area personified their influence over the whole of the country, "The Muntafiq agrarian troubles were caused by the Turkish policy of divide and rule, a policy beloved by weak oriental Governments."[64] They set about imposing the wholly unsuitable *tapu* laws on the Muntafiq, unwilling and unable to see the radical difference between western Anatolia and southern Iraq.[65] In conjunction with applying "their own Procrustean Tapu principles to the Muntafiq tribal land system" they introduced to a previously "strong and healthy" society a cause of conflict and degeneration.

For Dobbs, the Ottomans were the cause of Muntafiq's problems but the Sa'dun family were the effect. This "purely non-tribal family" had previously played a secondary role to the tribal shaikhs. But the Turks had granted them *tapu* rights over huge tracts of Shia tribal lands, over which they had never had ownership or possession and which the Muntafiq

shaikhs and tribesmen would never even in their most subservient mood, have conceded to them.

Dobbs saw the Turks as having, by a devious stroke, changed the social relations of the Muntafiq area, "turning the Sunni Sa'dun city overlords into landowners," thereby sowing the seeds of inevitable conflict between them and the tribal shaikhs. In order to add to this source of instability the Ottoman government "artfully tempted the Sa'duns" into becoming the representatives of the Turkish government.

> The Sa'duns foolishly accepted, for, having fallen out with the Muntafiq Shaikhs over the land question, they felt that their position needed bolstering up, not realizing that they would lose the last vestige of their power and influence among the tribesmen, if they allowed themselves to be cunningly transformed from representatives and champions of the tribal confederation into representatives and bureaucrats of the Turks. That was their end. The rest was a welter of confusion.[66]

Turkish actions in Muntafiq according to Dobbs, esemplified the pathology of Oriental Despotism. Turkish administrators had to bolster their own power by destabilizing the Muntafiq and undermining its social structures. The great fault of the Turks had been to mix rural and urban in an effort to divide and rule. The Sa'duns were the personification of this policy, bringing Ottoman degeneration into the heart of the Muntafiq tribal society.

The role of the Sa'dun and the Muntafiq tribal confederation through the mid-1800s to the turn of the century was certainly one of decline and division. But this decline had as much to do with the growing military strength of Ottoman government in the south of Iraq as it did with a policy of divide and rule. Recent studies of the relationship between the Sa'duns and the Muntafiq confederation have them at the head of the confederation in the 1850s. Faced with the growing reach and strength of the state, the confederation's geographical influence was shrinking, forcing it to relinquish control to the state over Samawah, Suq ash-Shuyukh and the area between Shatra and Qalat Salih.[67]

From the 1850s until the 1900s the history of the Muntafiq region can be divided into two periods: that up until the 1880s, when key members

of the Sa'dun family, in the face of increased Ottoman power, did indeed take up positions in the administration and that after 1880 (until the early 1900s), when the Sa'dun power was broken and the majority of the family left the area to live in the Syrian desert.[68]

The period after 1880 was marked by the armed conflict conducted by one arm of the Sa'dun family, led by Mansur Pasha and Farhad Pasha against the Ottoman administration. After falling out with a family of Baghdad notables, this branch attempted to raise a tribal revolt. In the resulting action by the Sublime Porte both branches were exiled to Baghdad and a large portion of the family left their lands in the area. This resulted in the growth in power of smaller "intermediate chiefs," who took over the organization of production and interaction with government.

It can be surmised that the unrest in the Muntafiq region that the British had to deal with when they took control was a result of the contest for power between the returning Sa'dun and these *sarkals*. The fact that the Ottoman army played a key role in breaking the power of the Sa'dun and exiling them is not mentioned in Dobbs's explanation. Under the rubric of Oriental Despotism, a weak state interfering in society had to be the cause of instability. The Sa'dun, then, were not rebellious leaders of a tribal confederation in decline but the tool with which the Ottoman state sought (with partial success) to corrupt a strong and vigorous society. The terms of the Oriental Despotic discourse ruled out an explanation that saw a comparatively strong state imposing order on rebellious sections of society. The British administration, by relying so heavily on their Orientalist vision, failed to appreciate the nature and extent of societal change already underway. Dobbs classified the Sa'dun and a despotic Ottoman state as the root cause of the problem. He was unable to recognize that the defeat of a much stronger Ottoman state in 1917 had created a vacuum that allowed the once vanquished Sa'duns to return.

For the British building the Iraqi state, the Ottoman Empire had become a distorted screen upon which to project and rework a deep unease about developments within English society stemming from the turn of the century.[69] The pathologies of the Ottoman state — the corruption of its sprawling administration, the contamination of the countryside, by its presence and propensity to absolutism — were projections in a bitter ongoing dispute about the imagined social trajectory of post-

war Britain. The Ottoman Empire provided a useful external focus for these inner anxieties. Unfortunately for the future development of the Iraqi state, this internal English struggle had very real and far-reaching consequences over which Iraqis had no control. The vast majority of literate and educated people with whom the British Expeditionary Force and then the Mandate administration came into contact were subjected to the contempt reserved by the British for the Ottoman *effendi*. Those who would, in the end, staff the institutions of the Iraqi state were perceived under this label to be inherently corrupt and corrupting. The danger that the state built under British tutelage would revert to an Ottoman-like despotism dominated British fears. Like de Tocqueville surveying state-society relations in the aftermath of the French revolution, the British considered that the dangers of despotism could be avoided only by reconstituting society to act as an independent check over the state.[70] The British view of the Ottoman Empire led them to seek out a counterbalance to the new state they were building in rural society. The tribal Shaikhs were the group readily available to act as "loyal feudatories" of British imagining. They were given the role of the rural aristocracy in establishing and holding the balance between state and society — retaining their parochial links to the peasantry region, while ensuring the accountability of inherently corrupt state institutions.