UNSETTLING STATE:
NON-CITIZENS, STATE POWER AND CITIZENSHIP IN THE UNITED ARAB EMIRATES

by

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for the degree of Doctor of Philosophy in Political Science

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This dissertation examines the development and enforcement of citizenship and immigration policies in the United Arab Emirates in order to revisit an enduring puzzle in comparative politics: why are resource-rich states resiliently authoritarian? The dominant explanation for the ‘oil curse’ assumes that authoritarianism emerges because regimes ‘purchase’ the political acquiescence of their citizens by redistributing rents. However, prior to the redistribution of rents comes the much more fundamental question of who will be included in the group of beneficiaries. I argue that oil facilitates the creation of authoritarian power structures because when political elites gain control over fixed assets, they can more effectively erect high barriers to political incorporation. By combining stringent citizenship policies with temporary worker programs, political elites develop their resources while concentrating the redistribution of assets to a very small percentage of the total population. In the UAE, this policy combination has been so effective that non-citizens now comprise 96 percent of the domestic labor force. The boundaries of the UAE’s citizenry became increasingly stringent as oil production was converted into revenue in the 1960s. Since oil reserves are unevenly distributed across the emirates, the political elites who signed concessions with successful oil prospectors have since monopolized control over the composition of the citizenry. As a result, domestic minorities who were previously incorporated by smaller emirates who did not discover oil have since been excluded from the citizenry. The enforcement of stringent citizenship and temporary worker policies led to the growth of an extensive security apparatus. This apparatus prevents the formation of horizontal ties by seeding out political dissidence and labor strikes through the deportation or denaturalization of agitators. The vast majority of the population is now not necessarily temporary, but permanently deportable.
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The second cup of coffee was one I shared with an Emirati professor at a sunny kitchen table in a home in Dubai in 2009. In one conversation, she single-handedly turned my project on its head, and imprinted a question that has guided me throughout the many iterations of this dissertation: “what about us?” Since then, I have attempted to answer this question by examining how immigration policies impact citizens and not just foreign residents. I do not do this by focusing on political demands and mobilizations (or the lack thereof), or make any attempts to generalize about the political consciousness of the Emirati people. Instead, I used the question of ‘what about us’ to generate a series of
other questions. Who is the ‘us’? How do we distinguish between ‘us’ and the foreign residents? How are these distinctions erected, documented, and enforced over time? How does the informal lived reality of the profound interdependence between ‘us’ and them challenge or subvert these formal distinctions, and how does the state respond? Most importantly, what are the economic and political stakes of keeping ‘us’ and them in separate juridical categories? And how does this change the way we think about redistribution and authoritarian resilience? Out of respect for her privacy I will not name this professor here, but I am grateful for her time and support and I hope that she will recognize her question and know the impact she has had on my work. I am also profoundly grateful to Dr. R for introducing us, and opening her home and world in Dubai to me. The many conversations we had in her garden guided me through the process of unlearning that I had to do when I got to the field with all of the preconceived and misconceived ideas I had coming in.

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Cambridge, Massachusetts, October 2013
Chapter 1  INTRODUCTION: OIL AND UNSETTLING STATE POWER

In a 1967 brief to the British Government on Dubai’s stability and security, the Political Agent D. Roberts argued that Dubai was unique because in it “one finds a mixed community living in apparent harmony whilst in the rest of the Gulf, and particularly in Abu Dhabi and Qatar, there are all the signs of xenophobia which seems to be such a common trait of the nationalistic Arabs, perhaps of nationalism generally” (British Records of the Emirates, 1967: 129). For Roberts, despite the proximity between the two city-states, there was a discernable difference in Dubai and Abu Dhabi’s approaches to cultural accommodation. He argued that this difference could not be attributed to pre-existing cultural, tribal or religious differences: the ruling and prominent families in Dubai share the same religious school (Maliki), come from the same tribal confederation (Hinawi), and even stem from the same specific tribal group (Bani Yas), as the ruling family in Abu Dhabi. Nonetheless, he asserted, the “Abu Dhabi nationals exhibit none of the tolerance towards foreigners which is so characteristic of Dubai” (BRE, 1967: 129). Ruling out primordial, tribal or religious differences between the ruling elites in Dubai and Abu Dhabi, Roberts came to the conclusion that the root of their divergent approaches to ethnic heterogeneity had to be economic. Dubai’s cosmopolitan character stemmed from the city-state’s extensive trading activities and maritime economy. The ruling elite was dependent upon revenues generated by mobile populations who came from an array of different ethnic groups. Roberts explained:
The Arab gold smuggler of Dubai needs the Pakistani seaman and the Indian currency exchange dealer. The immense trade, legal and illegal, with Iran calls for close co-operation and understanding between the Arab and the Irani. All of this leads to the question, “Will Dubai retain its tolerant outlook when it has an oil income and its Ruler and prominent merchants and citizens are no longer dependent upon trade and smuggling to make their fortunes but turn, probably, to real estate, civil list incomes from the oil revenues and other alternative sources of income?” (BRE, 1967: 129)

Just as oil revenues were starting to trickle into Dubai, Roberts presciently questioned how the transition from an economy based on mobile assets to one based on fixed assets would re-orient the polity’s approach to migrant incorporation. In 1967 he already saw what many current analysts of resource-reliance miss—that small groups monopolize fixed assets by creating high barriers to political incorporation.

1.1. Revisiting Oil and Authoritarianism

This dissertation examines the development and enforcement of citizenship and immigration policies in the United Arab Emirates to revisit an enduring puzzle in comparative politics: why are resource-rich states more likely to be authoritarian? This question arises because of a large and influential body of scholarship claiming that oil production impedes democratization. The rentier literature has provided robust empirical evidence demonstrating a strong positive correlation between natural resource endowments, especially oil, and authoritarianism. Recent political developments make this correlation increasingly difficult to ignore. In the wave of uprisings that have spread across the Arab world since 2011, the large oil-producing states have fared much better than the regimes with less fossil fuels. The uprisings began and spread in the smallest oil producers of the region—Tunisia, Egypt, Yemen, Bahrain and Syria. From the large oil
producers of the region, only Libya experienced a similar kind of widespread mobilization—one that quickly unraveled with violence and foreign intervention.¹

The theory that oil wealth leads to authoritarianism was first posited to explain the political development of the large oil producers of the Persian Gulf (Mahdavy 1970). However, the general formula was quickly applied to other regions of the world, leading to growing consensus among political scientists about the presence of a so-called ‘resource-curse.’ Ross (2001) first implemented a cross-case large N regression to demonstrate the existence of a relationship between oil reliance and authoritarianism. His findings have since been replicated by a plethora of studies demonstrating a consistent correlation between oil reserves and authoritarianism (Aslaksen 2010; Goldberg, Wibbels, and Myukiyehe 2008; Jensen and Wantchekon 2004; Papaioannou and Siourounis 2008; Smith 2007; Wantchekon 2002).

The dominant explanation for why oil leads to authoritarianism largely hinges upon an untested assumption about the political behavior or ‘mentality’ of citizens in oil-producing states. The causal mechanism specified by rentier theory is that redistribution breeds political acquiescence; citizens supposedly forfeit government accountability when the state provides financial support and robust social services without taxation. Huntington states this argument succinctly, “the lower the level of taxation, the less reason for publics to demand representation” (Huntington, 1991:65). Rentier theory posits that authoritarianism emerges because citizens do not have sufficient demand for

¹ Mitchell (2011:1) also notes the correlation between large oil producers and relative political stability since the 2011 uprisings. In 2011 eight of the world’s top 20 oil producers were in the region, including Saudi Arabia (#1), Iran (#4), the United Arab Emirates (#8), Iraq (#9), Kuwait (#11), Algeria (#15), Libya (#17) and Qatar (#20). Libya’s production declined before the uprisings, and it has since dropped to the position of (#30).
democracy. However, there is little evidence to support the claim that redistribution produces political acquiescence, or conversely, that demand for democracy is a sufficient condition for regime-change.

1.2. Fixed Assets and Barriers to Incorporation

By focusing oil rents to explain the resilience of authoritarianism in the region, the rentier literature ignores the fact that, prior to the redistribution of wealth comes the much more fundamental question of who will be included in the group of beneficiaries. I argue that oil facilitates the creation of authoritarian power structures because when political elites gain control over fixed assets, they are able to be much more exclusionary in defining the boundaries of the body politic. If oil production commences before the state is formed, political elites can combine stringent citizenship policies with temporary worker programs to develop their resources while concentrating the redistribution of assets to a very small percentage of the total population. Explanations of the ‘resource-curse’ that begin with the national unit and accept the boundaries of a citizenry as givens overlook the competition over resources preceding the consolidation of resource-reliant states. Doing so effectively omits the most contentious dimension of the politics of wealth and redistribution—the determination of who will be included in the group of beneficiaries.

Despite the fact that rentier theory emerged to explain the political development of the oil producers in the Persian Gulf, the rentier explanation completely elides the fact that these same states also have some of the highest concentrations of non-citizens in the world. The Arab Gulf is the third largest receiving region for global migrants and non-
citizens now outnumber citizens in four out of the six the GCC states.\(^2\) The six oil-producing states of the Gulf Corporation Council (GCC) have depended upon guest workers since the early phase of oil exploration (1930s) and this dependence has only increased over time, spreading to virtually every economic sector. The region’s aggregate population has increased more than tenfold in a little over half a century, making it the highest growth rate of anywhere in the world during that period (Kapiszewski 2006). While the speed of this demographic growth is unparalleled, large-scale migration is certainly not exceptional to the Gulf; other regions have expanded through migrations prior to democratizing. What differentiates the Gulf is not its economic and demographic expansion through migration, but rather the degree to which the region’s governments have been able to erect high barriers to political incorporation by excluding domestic minorities and new migrants from becoming citizens.

In the UAE the policy combination of stringent citizenship and temporary migration has been so effective, that after four decades, non-citizens comprise 96 percent of the domestic labor force. Using archival and ethnographic methods, I demonstrate how the boundaries of the UAE’s citizenry became increasingly stringent as oil production was converted into revenue in the 1960s. By the time the union was formed in 1971, the constitution inscribed a series of elite safeguards against the expansion of the population. The nationality law stipulated that only the populations who had been in the territories since 1925 and were identified by the ruling tribes as constituent members would be recognized as citizens, effectively disenfranchising anyone who came after that date. The

\(^2\) The GCC is comprised of Bahrain, Kuwait, Oman, Saudi Arabia, the United Arab Emirates, and Qatar. Non-citizens outnumber citizens in the UAE, Qatar, Kuwait and (by a smaller ratio) Bahrain.
federal nationality law also erected an extremely stringent naturalization policy (over 30 years of residence) that would make it difficult for new migrants to gain citizenship. Finally, no naturalized citizens would “have the right of candidature, election or appointment”—circumscribing political rights to the individuals who were incorporated in the founding national pact.\(^3\) Oil production played a key role in the erection of this system of stringent citizenship and temporary migration. From very early on in the oil production process the British authorities and rulers of the emirates attempted to control the flow and origin of migrants into the oil fields to prevent widespread political mobilization and labor strikes. Oil rents supplied the funds that went into building the expansive security apparatus to enforce this system. And this extensive security apparatus prevents the formation of horizontal ties by seeding out political dissent and labor strikes through the deportation or denaturalization of agitators. The vast majority of the population is now not necessarily temporary, but permanently deportable.

1.3. Isolating Causality

The main difficulty with testing the rentier hypothesis resides in the fact that the theory concerns the impact of resources on political development over time—causal mechanisms are manifested through a diachronic process. However, the large N studies listed above all test the relationship between oil reserves and authoritarianism by employing cross-national data to make synchronic comparisons. Oil-rich states are compared to resource-poor states rather than to their own pre-oil pasts.

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\(^3\) This clause comes from Article 13 of the Federal Law No. 17 of 1972, Nationality and Passports. The same article stipulates that this restriction does not apply to citizens of Omani, Qatari, or Bahraini origin after they have held Emirati citizenship for seven years.
In their recent *APSR* article, “Do Natural Resources Fuel Authoritarianism? A Reappraisal of the Resource Curse” Haber and Menaldo (2011) highlight the problem of using a correlation between two variables to infer causality when that correlation is produced by a technique that primarily exploits variance between countries. They explain:

The fundamental issue is that the resource curse is about a dynamic process purported to unfold over time. Moreover, it requires the specification of a counterfactual: the discovery, production, and export of natural resources is hypothesized to distort a country’s regime type, putting it on a different path of political development than it would otherwise have followed. The empirical tests that have been used to test the resource curse hypothesis, however, do not tend to employ time series-centric methods, nor specify counterfactual paths of political development. Instead, they tend to compare resource-reliant countries with resource-poor countries (Haber and Menaldo 2011: 2).

To deal with the problem of how to measure a diachronic process within a case in a way that facilitates cross-case comparisons, Haber and Menaldo construct original datasets with time-series dimensions that extend back to the period “before countries became reliant on natural resources” (*ibid*). The authors provide an impressive panel that covers 168 countries from 1800 to 2006; they then employ time-series centric techniques and operationalize explicitly specified counterfactuals. They construct four different measures of natural resource reliance and employ the most popular measures of regime used in the literature (1-100 Polity score, -10 to +10 Polity 2 score, and a binary regime type score of 0 or 1).

Contrary to the conventional wisdom, Haber and Menaldo’s findings suggest that resource-reliance is not associated with authoritarianism. Instead, they argue that the results they generate demonstrate that in many instances, significant resources actually lead to increased democratization (or the strengthening of existing democratic
institutions). The authors designate these states as “resource-blessed.” The number of cases they categorize as potentially resource-blessed outnumber the potentially resource-cursed cases by a ratio of more than two to one. Table 1-1 reproduces Haber and Menaldo’s classification of the potentially resource-blessed and cursed states. The table illustrates the mixed results generated by 53 resource-reliant countries. The authors

Table 1-1 Potentially Resource-Blessed and Cursed States

<table>
<thead>
<tr>
<th>Panel A: Potentially Resource-Blessed Countries</th>
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<tbody>
<tr>
<td>Remained Democratic during a Resource Boom</td>
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<td>Jamaica</td>
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<td>Lithuania</td>
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<td>Netherlands</td>
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<td>Norway</td>
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<td>Trinidad and Tobago</td>
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<th>Panel B: Potentially Resource-Cursed Countries</th>
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<tr>
<td>Democratizes after Resource Boom Collapses</td>
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<td>Bolivia</td>
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<td>Indonesia</td>
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</tbody>
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<th>Panel C: Neither Blessed nor Cursed</th>
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<tbody>
<tr>
<td>Inconclusive: No Discernable Pattern, or Movement in Polity Precedes Movement in Resources</td>
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<td>Azerbaijan</td>
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<td>Chile</td>
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</table>
determine their classification of resource-blessed versus resource-cursed states based on whether a case remained democratic during a resource boom, democratized during or after a resource boom, remained at a threshold of democracy during a resource boom, or had a polity score that changed by at least one standard deviation during or after a resource boom.

The authors argue that resource-reliance is not associated with authoritarianism because there is a 2 to 1 ratio of resource-blessed (19) to resource-cursed (8) states. This 2 to 1 ratio only holds, however, because the authors remove the remaining 26 resource-reliant states from the top two panels (resource-blessed/resource-cursed). Seven countries are found to be inconclusive because there is no discernible pattern or the changes in their polity scores precede changes in their resource-reliance. More importantly, 19 other states are placed in the ‘neither cursed nor blessed’ category because they were autocratic before experiencing resource booms and remained so afterward.

Haber and Menaldo justify removing these 19 cases from the resource-cursed category by arguing that a large part of this group is found in the Middle East—a region

Source: Haber and Menaldo 2011: 6 <(https://iriss.stanford.edu/sshp/datasets)>
that they deem to be resiliently authoritarian. To quote this explanation in their own words:

Twelve of the 19 cases are clustered in the Middle East and North Africa (MENA), a region that has a long history of tribal social organization, foreign conquest…and authoritarian government. Virtually all had been kingdoms, sheikhdoms, or imamates for centuries before they found oil. Moreover, their neighbors, Jordan and Syria, share these same historical legacies but importantly not their natural resource wealth—and they are not democracies either…Much the same is true of the three cases that are clustered in the former Soviet States of Central Asia (Kazakhstan, Turkmenistan, and Tajikistan). In fact, until they were absorbed into the Russian Empire in the nineteenth century, they were populated by tribal peoples who were not organized into territorial states (Haber and Menaldo 2011: 11).

Here, the authors make several assumptions about the permanence of authoritarianism in the Middle East and North Africa. The first assumption is that one explanation is able to encompass the political development of the entire region—despite the fact that the large oil producers have completely different political economies and histories of state formation than, for example, Jordan or Syria. The second assumption is that tribal politics is necessarily hierarchical and undemocratic, such that the mere organization of people into tribal entities (as opposed to territorial states) is evidence of their authoritarian nature. These assumptions point to a primordial and civilizational explanation for the shape of contemporary political structures—associating the Arab world with hierarchy and authoritarian government “for centuries” prior to the discovery of oil.

Even a cursory examination of tribal politics in the Arabian Peninsula would demonstrate that tribal organization was not antithetical to democratic practices. While tribal units are often treated as genealogical or primordial groupings because they are constituted of families, it is important to emphasize that they were—above all—political units, and fluid ones at that. Tribal structures were incredibly dynamic; allegiances
shifted rapidly and power was not exercised in a purely ‘top-down’ or hierarchical manner. Accountability within tribal units was developed through the principles of *shura*, the ruler’s consultation with notables and elders; *majlis*, the direct access that tribal members had with the ruler on an almost daily basis; and *baiah*, the approval of an ascending ruler (Heard-Bey 1982; Khalifa 1979).

By excising the group of 19 ‘permanently authoritarian’ states from the regression, Haber and Menaldo render the relationship between resource-reliance and authoritarianism inconclusive. Their entire project is based on the argument that polities must be examined before and after they become reliant on natural resources, but this condition is not met for the large oil producers in the ‘autocratic before and after resource boom’ category. This is because the data on the most important cases does not actually go back to 1800; it extends back to the date of independence or state formation. The Kuwait data does not commence until 1963, and the polity scores for Bahrain, Qatar, and the UAE are not available until 1971. In all of these cases, oil production was already well under way, since oil prospecting and development preceded (and directed) state formation. More critically, the assumption of permanent authoritarianism already pervades the coding and collection of the data that is employed to measure the dependent variable. The limitation of using the polity databases is that, since they are explicitly designed to compare cross-nationally, the criteria for coding is too crude to show substantive shifts in power balances between competing groups within the domestic sphere over time. Instead, territorial states with formal democratic institutions are measured against other forms of political entities, and all the MENA cases are coded as authoritarian using scores that do not change regardless of major demographic, economic,
and political changes that occurred during the timeframes provided. The polity data for Saudi Arabia, for example, begins in 1926, and the country is consistently coded as a -10 (the lowest possible score) from 1926-2010, showing no polity changes despite the massive economic and political transformations that occurred in Saudi Arabia over the past century.

The list of 19 countries excised from the regression includes some of the largest oil producers in the world, including Saudi Arabia (#1), the UAE (#8), Iraq (#9), Kuwait (#11), Kazakhstan (#18), and Qatar (#19)—all of whom are excluded from the resource-cursed category based on the unsubstantiated assumption that these polities were authoritarian before becoming reliant on oil resources.\(^4\) Considering the fact that the vast majority of the world’s oil production comes from 20 producers, and the remainder is spread across 204 countries who produce less than 500 barrels a day, the removal of these oil-producing heavyweights from the analysis leaves it to the small oil producers (and states endowed with resources other than oil) to demonstrate the impact of resources on regime-type. Figure 1-1 demonstrates the top 10 countries with oil reserves in 2012, I highlight in red six of the cases that Haber and Menaldo remove from the regression based on the authors’ claim that these countries were authoritarian prior to the discovery of oil.

\(^4\) These rankings come from the Energy Information Agency’s (EIA) list of oil production in 2011. www.eia.gov
1.4. Approach and Case Selection

The determination of whether resource-reliance leads to authoritarianism pivots on the accurate evaluation of the large oil producers of the MENA region. An accurate assessment of these cases is only possible by applying methods that are sensitive to diachronic processes and within-case variation. The technique has to be sharp enough to measure changes in the distributions of power between competing domestic political actors that occur alongside the emergence and growth of resource-reliance.

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Source: EIA Oil and Gas Journal 2012 estimates [www.eia.org](http://www.eia.org)

Source: EIA [http://www.eia.gov/countries/country-data.cfm?fips=TC. The countries highlighted in red are: Saudi Arabia, Iran, Iraq, Kuwait, the UAE, and Libya.](http://www.eia.gov/countries/country-data.cfm?fips=TC)
This dissertation adopts a ‘nested analysis’ approach (Lieberman 2005) that builds upon the statistical analysis of a sample of cases by developing an in-depth investigation of one or more of the cases contained within the larger sample. The goal of a nested analysis is to make inferences about a unit of analysis that is shared among the larger sample (typically nation-states), but it requires a shifting of the level of analysis with a small N component that can capture within-case variation. Large N analyses like those of Ross (2001) and Haber and Menaldo (2011) have led to opposing conclusions based on assumptions about causal mechanisms that cannot be tested by the data created for cross-national regressions. Small N in-depth analyses are needed to produce valuable causal inferences by process-tracing causal chains within cases over time and identifying key intervening variables. To accomplish this task, this dissertation draws on 18 months of fieldwork in Dubai and Abu Dhabi. I conducted 123 interviews in Arabic and English with civil servants in the Ministry of Interior, police officers, security consultants, naturalization applicants, and refugees. I analyzed over 2,000 Arabic, English, and French documents, including security directives, police studies, government memos, the British archives of the Emirates (1938-1971), UNHCR records and Comoran and Emirati identity documents.

The United Arab Emirates case is selected for this study because it has high values on the independent (oil production) and dependent variable (authoritarianism) as well as an exceptionally high value on the intervening study variable (non-citizen population). The UAE consistently ranks among the top 10 oil producers in the world, and the most commonly used databases for coding regime-type rank the UAE as autocratic or authoritarian. The UAE is in the group of large oil producers in the MENA...
region, and is therefore one of the pivotal cases in determining the existence of a relationship between oil and authoritarianism. It’s pre-oil and pre-state structure was tribal so it is one of the states that was supposedly authoritarian prior to the development of oil reserves. The UAE case is also selected because—unlike the other large oil producers in the MENA—it provides two different forms of within-case variation. A historical approach to the development of oil production and state formation in the UAE enables the assessment of the impact of oil on political development over time. However, the UAE also has the added advantage of containing multiple cases in one due to its federal structure and the uneven distribution of oil reserves across its territories.

The United Arab Emirates is a federation of seven political units: Abu Dhabi, Dubai, Sharjah, Ras Al-Khaimah, Ajman, Fujairah, and Umm Al-Quwain. It currently has the seventh largest reserve of crude oil in the world, and it is the seventh largest oil producer. It possesses between 7 to 10 percent of the world’s oil reserves. The emirate of Abu Dhabi controls more than 85 percent of the UAE’s oil output capacity and more than 90 percent of its oil reserves (Butt 2001) (See figure 1-2 for a map that shows the distribution of oil fields). Dubai is the next largest producer in the UAE, but its output has been decreasing since the mid-1990s. With the exception of Dubai’s reserves and a much smaller amount of hydrocarbons on an offshore field that Sharjah shares with Iran (allocating 20 percent to Umm Al-Quwain and 10 percent to Ajman), oil prospecting in the remaining emirates has been unsuccessful. Successive oil companies have fruitlessly

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6 At the height of Dubai’s oil output in 1991 it was producing 410,000 barrels per day, by 2000 this figure dropped to 170,000 b/d, and the emirate is expected to exhaust its oil reserves in the next 20 years (Butt 2001). This figure is modest compared to Abu Dhabi’s production capacity; Abu Dhabi produces over 600,000 b/d from just one of its oil fields (Bu Hasa).
searched for oil in Ras al-Khaimah’s (RAK) territories since 1967. Fujairah’s role in the oil industry has been limited to refining (Butt 2001). Because of this uneven distribution of resources, it is possible to compare the balance of power between similar political units and examine how the discovery and extraction of oil by some of these units impacted their position vis-à-vis the other members of the union. This case thus provides a means of examining the effect of oil production on the development of political institutions while holding cultural variables constant. In examining the erection and enforcement of citizenship and migration policies, this work primarily focuses on the contestations between the two heavyweights in the union of seven: Dubai, the historical financial center, and Abu Dhabi, the main oil-producer and rising power.

The UAE case illustrates how small groups of actors use citizenship and immigration policies to monopolize fixed assets even at the sub-national level. Moving away from primordial characterizations of Emirati citizenship, I show that citizenship was a key mechanism of political competition among rival political units. Tribal rulers competed over the allegiance of populations as oil prospecting heightened the urgency to codify territorial borders and the boundaries of the populations that inhabited them. Since oil reserves are unevenly distributed across the seven emirates of the UAE, the political elites who signed concessions with successful oil prospectors have since monopolized control over the composition of the citizenry. As a result, domestic

7 Ras Al Khaimah initially produced 11,000-12,000 b/d from its offshore field (Saleh)—this small initial amount immediately declined has now been suspended. Despite drilling in RAK’s other offshore fields (Aman-1), the emirate has failed to find any hydrocarbons.
minorities who were previously incorporated by the smaller emirates who did not discover oil have since been excluded from the citizenry.

Figure 1-2 Major Oil Reserves in the UAE


At the inception of the union in 1971, the main source of contention between the seven political units was over how the large number of Persians residing on the Trucial Coast would be counted. Since Dubai and some of the northern emirates had large Persian populations, they had a strategic interest in counting the population as citizens and issued passports to many of these individuals. Abu Dhabi, on the other hand, required Iranians to have visas to enter its territory. As a result the UAE did not have a unified immigration policy at its formation; there were two policies, one for Abu Dhabi and
another for the rest of the emirates. The naturalization policy was also striated, with individuals becoming citizens first through the emirate of their residence before gaining federal nationality. The result of this dual system is that some of the populations (particularly Persians and Baluchis) who were given citizenship by emirates other than Abu Dhabi have become stateless over time. They were never granted the federal nationality document, instead carrying birth certificates, rulers’ documents, or passports that have not been renewed as the responsibility of issuing documents devolved to the federal government in Abu Dhabi. This has led to a growing population of individuals who are neither citizens nor guest-workers. In 2008, elites from Abu Dhabi devised a strategy for resolving this statelessness problem without incorporating this population. Partnering with a private company and foreign state (the Union of Comoros), elites from the Abu Dhabi Ministry of Interior issued Comoros Islands passports to stateless (and denaturalized) populations in the UAE—effectively turning domestic minorities into ‘guest workers.’ I call this strategy “offshore citizenship”—and it is just one example of the manifold safeguards that the elites who control oil rents implemented to keep the incorporated population small.

The policies that determine whether domestic minorities will become citizens are important because more than just the ethnic composition of the state, at stake is the distribution of power within the union. Constitutionally in 1971, the weight of the votes in the federation’s highest authority (the Supreme Council of the Union (SCU)) was dependent upon the size of the citizenries of each of the constituent member-states. At the inception of the union Abu Dhabi and Dubai had the largest populations of roughly the
same size. Accordingly, their rulers had veto powers in the SCU. This allocation of power based on the size of the citizenry was also used in determining the number of seats each emirate would have in the parliament or Federal National Council (FNC). Eight seats were allocated for the emirates of Abu Dhabi and Dubai, six seats for the emirates of Sharjah and Ras Al Khaimah, and four seats each for the emirates of Ajman, Fujairah, and Umm Al Quwain. As Abu Dhabi has monopolized decisions over naturalization cases, the citizenry of Abu Dhabi has grown much more rapidly than any other constituency. Though the constituencies of Dubai and Abu Dhabi were roughly the same size at the inception of the union, now the population of citizens in Abu Dhabi is three times the size of the citizenry in Dubai (while their total population sizes remain comparable). Figure 1-3 shows this growth in the citizenry by emirate from 1975-2005 based on the national census figures.

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8 The governmental structure of the UAE, as inscribed in the state’s constitution, ranks the hierarchy of the federal political authorities as follows: 1) supreme council of the union (SCU) 2) federation president and vice president, 3) federation cabinet 4) the federal national council (FNC) and 5) the federal judiciary. The SCU consists of all the rulers of the member emirates. Initially this council was conceived to be the highest authority in the land, and charged with electing the president and vice president of the federation every five years. However, since the UAE’s formation in 1971, the ruler of Abu Dhabi has always filled the president’s role and the ruler of Dubai has always held the position of the vice-president.
The goal of the interviews and archival research was to examine how the system of temporary migration and stringent citizenship was erected and enforced. I commenced by sketching out the formal administrative structure of naturalization policies using the archival materials of federal and local laws in Abu Dhabi and Dubai. I then used interviews with civil servants in the naturalization and residency departments of both
emirates to glean the major differences between the written laws and bureaucratic practices. This process highlighted discrepancies between formal laws and informal practices. Through interviews I found that the criteria for applying for Emirati citizenship is much more stringent in practice than on paper. I then used interviews with naturalization applicants to sketch the informal barriers to naturalization and track differences between the waiting times and procedures described by civil servants and those undergoing the process. The integration of archival and ethnographic data provided a lens into the enforcement patterns of naturalization policies, demonstrating that the jurisdiction of a case was a more important factor in determining the outcome of citizenship decisions than the ethnic origin of the applicant. Cases originating outside of the emirate of Abu Dhabi—across a variety ethnic origin groups—had been stalled. The analysis of local history (as far as written sources are available and the historical memory of the population can be interrogated) points to the coexistence and entwinement of Arab, Persian, African, and South Asian populations prior to the formation of the state. Accordingly, a position is taken that opposes a hegemonic Arab historiography, which for both ideological and political reasons grants a homogeneity to the national population that does not withstand empirical inquiry. ⁹

1.5. Chapter Summaries

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⁹ This finding complements the results of previous studies that demonstrate that a local history of the Iranian coastal region cannot be constructed without considering its interaction with the Arab countries on the Persian Gulf (see Nadjmabadi 2009).
Chapter 2 of this study reviews the literature on authoritarianism in the Middle East, identifying the two main competing explanations for the high incidence of authoritarianism in the region: political culture and rentier theory. In assessing these extant explanations, the chapter problematizes two dominant assumptions about the relationship between political subjectivity (individual/collective consciousness) and political outcomes (institutions). The first assumption is that a society’s civic culture determines its political institutions. This claim is upheld to explain the ‘deviation’ of the political development of the MENA by pointing to the psychological or cultural disposition of its populations. It builds upon long-standing tropes that equate Western civilization with egalitarian values (leading to the emergence of democratic governance) while inscribing Islamic or Arab civilization as inherently despotic or hierarchical. The second assumption is that redistributed wealth (‘unearned’ income) leads to political acquiescence and insufficient demand for government accountability. Abandoning these assumptions guides the reader away from exceptionalizing the region. Instead, the GCC cases are analyzed by asking how small groups of power-aggrandizing actors develop policies and tactics that enable them to maximize decision-making power and wealth. Focusing on migration and citizenship policies, I argue that a key intervening variable that determines whether resource-abundance will enable political elites to create and sustain authoritarian power structures is the state’s institutional capacity to use citizenship as an instrument of political closure. Oil facilitates the creation of authoritarian power structures because when political elites gain control over fixed assets, they can more effectively erect high barriers to political incorporation.
Chapter 3 begins illustrating this argument by examining how the stringent citizenship policy and temporary worker program emerged in the UAE. The chapter draws on the British records of the emirates to illustrate the political and strategic concerns that drove the codification of citizenship laws and the regulation of migrant flows into the UAE. I show that the British authorities and the rulers of the Emirates (then called ‘Trucial States’) associated Arab migrants with subversive threats and consciously attempted to prevent migrants of particular Arab nationalities from settling in the territories. The efforts to combat labor strikes and manage the threat of insurrection led to the development of an expansive domestic security apparatus. In order to enforce migration, the British erected a system of ‘No-Objection Certificates’ (NOCs) that created the foundations for the current *kafala* (guest worker) scheme that links employment contracts to residency permits.

Chapter 4 then moves on to address the *kafala* guest worker program more extensively, demonstrating how the system of permanent deportability is enforced and how non-citizens cope with restrictions on their residency. Shifting from the UAE, to the commonalities the country shares with the other GCC states, this chapter examines the formal and informal institutions that support the inward flows of large numbers of foreigners while excluding non-citizens from full integration into Gulf citizenries. Demonstrating what distinguishes the *kafala* from other guest-worker programs, the chapter explains the formal restrictions the guest worker scheme places on permanent settlement and highlights the key roles played by the Ministries of Interiors and citizen-sponsors in regulating and enforcing the *Kafala* system. I argue that while the Ministries of Interior have effectively foreclosed non-citizen access to citizenship, they have not
successfully prevented ‘temporary workers’ from increasingly becoming permanent residents. By highlighting the informal institutions of the Kafala system, I demonstrate how firms, citizens, and non-citizens adopt strategies that often complement and facilitate their navigation of the legal framework on the one hand, and implicitly subvert the formal rules of the Kafala system on the other. These complementary and accommodating informal institutions have enabled non-citizens to systematically settle in the Gulf by tempering and modifying the formal restrictions on their settlement. Because of the sponsorship structure of the Kafala system, citizen-sponsors simultaneously play a critical role in both of these opposing dynamics—at once aiding in the enforcement and subversion of restrictions on the residency and settlement of non-citizens.

Chapter 5 examines the growth of the security apparatus that accompanied the rapid demographic changes in the United Arab Emirates (UAE) from the 1990s onward. I show how the different agencies of the UAE’s Ministry of Interior have taken active roles in responding to the demographic changes and in developing preemptive policing strategies that include community policing, extensive surveillance networks, and increasingly individualized and standardized forms of identification. The chapter assesses how that institutional growth has shaped the way the UAE has come to manage its guest worker program over time. It explains how the security apparatus is deployed by the state for managing the criminal and cultural impact of expatriates on the national body politic, and pays special attention to the enforcement of naturalization policies.

Finally, chapter 6 provides an in-depth analysis of ‘offshore citizenship’—one of the elite safeguards that political actors in the UAE implemented to create concentrations of power through citizenship policies. I show how elites in Abu Dhabi used the transition
from paper identity documents to a digital national ID system to consolidate the exclusion of domestic minorities who were previously incorporated by the remaining emirates. Elites in Abu Dhabi formed an alliance with a private company and the Union of the Comoros to issue Comoros Islands passports to domestic minorities and stateless persons in the UAE. By adopting the strategy of offshoring, elites in Abu Dhabi were able to circumvent the established naturalization process, effectively vetoing the citizenship decisions of the remaining emirates by turning some of their previously naturalized citizens into “guest workers.” I argue that the Ministry of Interior in Abu Dhabi adopted offshore citizenship in order to maximize and further entrench Abu Dhabi’s power in the UAE federation. The strategy allowed Abu Dhabi to gain a jurisdictional monopoly over the other emirates in what has been a key domestic political issue since the union’s formation—the sovereignty to determine who will be counted as a citizen. The practice of offshore citizenship entrenches a broader trend of a skewed distribution of citizens in favor of Abu Dhabi. In contrast to previous work that has equated offshore outsourcing with an erosion of state sovereignty, this case demonstrates that competing actors at different levels of a state bureaucracy can strategically outsource bureaucratic processes in order to consolidate monopolies over domestic jurisdictions.

To fully explain “offshore citizenship” as an elite safeguard against the expansion of the incorporated national population, chapter 6 summarizes the dissertation’s main argument and recapitulates the stakes of naturalization policies in the UAE. Accordingly, the concluding chapter is dedicated to exploring the theoretical and comparative implications of the study. I also assess some of the limitations of the study, and discuss my plans for improving it for publication as a book manuscript.
Chapter 2 The Immigration Curse: Fixed Assets, Stringent Citizenship, and Temporary Workers

This chapter revisits an enduring puzzle in comparative politics: why are resource-rich states more likely to be authoritarian? The dominant explanation for the ‘oil curse’ assumes that authoritarianism emerges because regimes ‘purchase’ the political acquiescence of their citizens by redistributing rents, ignoring the much more fundamental question of who will be included in the group of beneficiaries. I argue that oil facilitates the creation of authoritarian power structures because when political elites gain control over fixed assets, they can more effectively erect high barriers to political incorporation. By combining stringent citizenship policies with temporary worker programs, political elites can develop their resources while concentrating the redistribution of assets to a very small percentage of the total population.

In the Gulf Cooperation Council this policy combination has been so effective that non-citizens now outnumber citizens in four of the six states. Guest workers currently comprise 60 percent of the region’s aggregate workforce, ranging from 30 percent of the domestic labor force in Saudi Arabia to over 90 percent in Qatar and the UAE. When, as in the GCC, economic modernization involves a transition from an economy based on mobile assets (pearling, maritime and inter-desert trade) to an economy primarily based on fixed assets that can be monopolized (oil), political elites no longer have to depend upon a large proportion of the labor force for generating income.

10 The Gulf Cooperation Council is comprised of the Arab states of the Persian Gulf: Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates (hereafter referred to as the ‘Gulf’).
Indeed, today only 1% of the workforce is employed in the oil and gas sector that produces 47% of the GCC’s GDP (Al-Khour 2010). This autonomy from the labor force does more than alleviate the need for taxation—it creates the opportunity and provides the resources that political elites need in order to erect high barriers to political incorporation.

The boundaries of the Gulf’s citizenries became increasingly stringent as oil production was converted into revenue. Since oil reserves are unevenly distributed across the territories, the political elites who signed concessions with successful oil prospectors have since monopolized control over the composition of the citizenry. The enforcement of stringent citizenship rules and temporary worker policies has led to the development of an extensive security apparatus that prevents the formation of horizontal ties by seeding out political dissent and labor strikes through the deportation or denaturalization of agitators. The vast majority of the population is now not necessarily temporary, but permanently deportable. Stringent naturalization and temporary worker policies are thus key tools for evading what structural theories of democratization predict—the enfranchisement of the working and middle classes. This alternative explanation for the oil curse is supported by the findings of a recent large N study that demonstrates that when controlling for immigration, the standard resource variables lose significance in a democratization model.

2.1. Economic Development and Democratic Citizenship: The ‘Deviant’ Middle East
What are the roots of and routes to democratic citizenship? In other words, why does economic development and nation-state formation lead to the emergence of democratic institutions in some cases but not in others? This question has driven much of the research in comparative politics since it began coalescing as a field in the American academy after World War II. These research stakes intertwined with the imperatives of American Foreign policy in the post-war era. As Lowenstein wrote in the *American Political Science Review* (1944), investigating the foundations of political development was necessary so that comparative politics could become “‘a conscious instrument of social engineering…[in order to]…impart our experience to other nations and… [to]…integrate scientifically their institutions into a universal pattern of government” (541, reprinted in Blyth 2006: 347). The subsequent research agenda was spearheaded by the modernization theorists who fused elements of functionalism and economics to provide an anti-Marxist theory of historical development in the 1950s and 1960s. These early works (Almond 1973; Lipset 1959; Rostow 1960) built upon the structural sociology of Talcott Parsons (1951) to combine a developmental telos with functionalist explanatory categories. Like Marxism, modernization theory provided a macro-structural explanation of stability and change that posited an endpoint to history. For the Marxists that endpoint is the revolutionary overcoming of capitalism. For the modernization theorists, economic growth proceeds over a series of stages that drive a nation to mature into a liberal capitalist society with democratic institutions.\(^{11}\)

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\(^{11}\)This characterization of the foundations of American political science employs the framework provided by Blyth and Varghese (1999) who argue that the discipline has been constituted by three approaches since its inception: behavioralism, functionalism, and economism. This organization of the literature is similar to the framework provided by Lichbach and Zuckerman (1997) who identify rationality, culture, and structure
In Rostow’s (1998 [1955]) classic articulation of this argument (aptly subtitled a ‘Non-Communist Manifesto’), there are five stages of economic growth that can be manipulated through targeted institutional changes to push countries further along the path of modernity and ‘catch-up’ with the West. This approach argued that traditional “exotic and uncouth” peoples did not lag behind the West because of a purported biological inferiority, but rather because of their underdeveloped institutions. The more specialized and differentiated institutions were, the more developed the state and society (Almond and Coleman, 1960:10). To connect macro-structural conditions to political outcomes, the modernization theorists turned to social psychology and linked the stages of development to stages of consciousness, so that the modernization of political institutions was being driven by a ‘modernizing’ personality. This transition to modernity was thus characterized as an imagined transition from an undifferentiated mind and mass to a rational self and society. This effectively linked together the modernization of institutions and individual psychology as part of one historical process, a passage from tradition to modernity (Lerner 1958).

Modernization theory has been extensively analyzed and critiqued for isolating the ‘Rise of the West’ from the development of the rest of the world. But the central preoccupation of this research agenda—linking capitalist economic development to the

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12 The dependency theorists linked western development to the underdevelopment of other regions (Cardoso and Faletto 1979; Caporaso 1980). Meanwhile revised Marxists like Halperin (1997) provided alternative narratives of the rise of the west by emphasizing that prior to World War I, European development exhibited features that are commonly associated with the development of the ‘third world’ (such as unstable and partial democracy, sharp inequalities, and increasing poverty). John M. Hobson, also argues against the dominant ‘rise of the west’ narrative in The Eastern Origins of Western Civilisation (2004), where he employs the concept of the “Oriental West” to index how the East enabled the “rise” of the West through the complementary processes of diffusionism/assimilationism and appropriationism.
emergence of democratic forms of rule—propelled the direction of much of the subsequent research on democratization. Comparative studies have consistently found a positive correlation between economic development and democracy (Przeworski and Limongi 1997). Qualitative historical studies in turn explained this correlation by associating the emergence of democratic regimes with the destruction of the agrarian world, the formation of cross-class coalitions, and the growing strength of the working class. This positive correlation between economic development and democratic rule, replicated by researchers using a variety of methods, led to an optimistic view of political liberalization accompanying economic liberalization. This optimism was supported by the political developments of the late twentieth century. In 1974, there were 40 democracies in the world, most of them concentrated in the West. By the time the Journal of Democracy began publishing in 1990, there were 76 electoral democracies, growing to 117 by 1995 (Diamond 2010). Democracy ceased to be a mostly Western phenomenon and took on global dimensions with a ‘third wave’ of political liberalizations (Huntington 1991). The breakup of the Soviet Union further lent credence to the argument that economic and political liberalization was inevitable, leading to calls that the developmental telos was being fulfilled and the ‘End of History’ was at hand (Fukuyama 1992). This global trend, however, appeared to miss one critical part of the globe—the Middle East—which has come to be seen as a region marked by “enduring authoritarianism” (Posusney 2004). Over the past two decades, scholarship on

13 In his seminal study on democratization, Huntington (1991) argues that the first long wave of democratization was from 1828-1926, and had its roots in the American and French revolutions. This was followed by a shorter ‘reverse’ wave from 1922-1940, when previously democratic states shifted to traditional forms of authoritarianism or new mass-based totalitarianism. The second short wave of democratization immediately followed WWII from 1943-62. Finally the third wave began in 1974 when democratic regimes began replacing authoritarian ones in Europe, Asia, and Latin America.
democratization has thus focused more sharply on explaining the deviation posed by the “Arab democracy deficit” (Diamond 2010) or the problem of Muslim “democratic underachievers” (Fish 2002).

2.2. Political Culture:

Comparative studies explaining the high incidence of authoritarianism in Muslim and Arab states initially subscribed to a ‘prerequisite approach’ to democratization. Studies that fall into the democratic prerequisite category aim to identify the necessary economic, cultural, or institutional pre-conditions for transitions from authoritarianism to liberal democracy. In this view, democratization is not a contingent relationship between regimes and opposition actors, but a temporally-bound outcome that requires the fulfillment of specific socioeconomic and cultural conditions. According to this approach, states in the Middle East are authoritarian because the region lacks the necessary prerequisites for functioning democracies, such as strong civil societies, market-driven economies, adequate income and literacy levels, democratic neighbors, and a democratic culture. Within these studies, cultural analyses compete with economic-structural arguments, but both variations link the macro-structural level with political outcomes through an assessment of how certain conditions distort political subjectivity and therefore political demands.14

Initially, the dominant and most common explanation for the Arab ‘democracy deficit’ was that it is caused by Arab culture or the Muslim religion (Kedourie 1992; 14

14 For examples of the prerequisite approach that explain the lack of democracy by pointing to weak civil societies see (Norton 1996, 2001; Brynen, Korany and Noble 1995). Other examples focus more on culture (Kedourie 1992; Fish 2002). For a renewed emphasis on the prerequisites for democratization approach see (Carothers 2002). For a critique of the prerequisites approach see (Bellin 2005: 23-25). For exhaustive overviews of approaches to political liberalization in the Arab world see (Anderson 1999; Posusney 2004).
Miller 1997; Naipaul 1982; Pipes 1983). This political culture version of the prerequisite argument builds upon two long-standing and inter-twined narratives about the relationship between subjectivity, culture and political institutions. First, it subscribes to a civilizational explanation for the ‘Rise of the West’ through a Weberian lens of the Protestant ethic or Western ‘civic culture’ as the driver of economic prosperity and political liberalization (Almond and Verba 1963; Weber [1904] 2009). Second, this explanation for democratic emergence is often coupled with what Edward Said influentially called ‘orientalism’—a depiction of Islam as an inherently undemocratic religion (1978). Early versions of this argument attribute the incompatibility of Islam and democracy to the political and spiritual leadership of the Caliphate, which created non-secular political authority that inculcated a patriarchal tribal mentality allowing for the subordination of civil society to a menacing state (Sharabi 1988). In the ‘neo-orientalist’ approach, Islam is seen to suppress democracy in the opposite way—by fostering weak states that can never achieve the concentration of power needed for its subsequent distribution across the polity (Sadowski 1993). Other versions of this argument isolate the connection between Islam and authoritarianism to the ‘problem of female subordination’ in Muslim societies (Fish 2002). The trifecta of Islam, tribalism, and despotism is particularly strong in explanations of the survival of the Gulf monarchies. Pryce-Jones argues that tribalism leads to despotism because it makes members of tribes incapable of impartiality, resistant to authority, and prone to resorting to violence to resolve conflicts (1989).

The Political Culture approach thus explains institutional variations by positing that there is a change-resistant quality about certain populations, a “deep-seated
psychological orientation” that makes them less capable of developing modern political institutions (Wedeen, 2002: 713). The different versions of this argument all similarly link the ‘lack’ of liberal institutions to the ‘lack’ of individual enlightenment. Indeed, for Kedourie the very idea of democracy is alien to the Muslim mind-set for “there is nothing in the political traditions of the Arab world—which are the political traditions of Islam—which might make familiar, or indeed intelligible, the organizing ideas of constitutional and representative government” (1992: 5). In other words, what the political culture approach seeks to explain is not the emergence of authoritarianism, but its resilience. To put it bluntly, this approach posits that Arabs and Muslims are already despotic—the puzzle is why they are particularly recalcitrant to liberalization with economic development.\(^{15}\)

### 2.2.1. Causal Mechanism: Civic Attitudes drive Democratization

The political culture argument has four limitations.\(^{16}\) First, the political and normative implications of this view are that it can be (and has been) used to justify totalitarian forms of rule based on the argument that the people in question are not quite

\(^{15}\) For extensive critiques of the argument that Islam and democracy are incompatible, see (Abootalebi 1999; Beinin and Stork 1997; Esposito and Voll 1996; Kurzman 1998).

\(^{16}\) For an exhaustive critique of the Political Culture approach as it applies to the Middle East see Anderson (1995). The discussion of the political cultural approach provided here is not a comprehensive treatment of how research in comparative politics has developed to use culture as a variable for explaining political outcomes. As Hanson points out in his review of cultural approaches (2003) there is a growing consensus among political scientists that the standard use of culture by the modernization theorists is insufficient. Civilizationational or macro-cultural explanations of institutional emergence have fallen out of favor, and scholars are focusing more sharply on the role of ideas and hermeneutic narratives. When it comes to the study of the Middle East, however, variants of this early political cultural approach continue to be applied. Lisa Wedeen’s work is an important exception to this trend, and her research demonstrates the utility of cultural analyses for understanding political outcomes without reifying culture as an explanatory variable. Her approach privileges the practices of agents (work habits, self-policing strategies, and leisure patterns) instead of their psychological orientations (2002).
ready for self-rule. Historically, theories of historical underdevelopment critically underpinned European imperial expansions. This is especially true of the French empire, which did not assert the biological inferiority of other races (as in the British imperial tradition), but instead framed colonialism around the purported cultural and historical deficiencies of certain peoples who were incapable of guiding their own development. Today, the utility of this narrative is not lost on ruling elites who can argue that self-rule must be gradual and come when ‘the people are ready’—a level of maturation that is constantly postponed.

A second limitation of the political culture approach is that it generalizes from the Western experience and assumes an absence of development elsewhere. This leads to a tendency to read difference as absence—masking indigenous institutions and forms of accountability that may not be intelligible to observers who lack in-depth localized knowledge.

The third limitation of this approach is that it narrates a history of the rise of the West that does not withstand empirical investigation. The dominant linear account of democratization—beginning with the Greeks and unfurling over time with the age of industrialization—has been called into question by studies that demonstrate the persistence of anti-democratic rules and practices accompanying the emergence and consolidation of formal democratic institutions. Scholars have applied new analytical tools to revisit the old question of democratization in Europe in an effort to illuminate the

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17 Goldberg (2002) denotes this view (what he calls “historicism”) as one of the two strands of racism (along with “naturalism”) underpinning colonial expansions. Naturalism is predicated upon the assumption that the non-European is inherently inferior, whereas historicism makes claims of historical underdevelopment and immaturity. On the relationship between liberalism and conquest, as well as decolonization and narratives of progress see (Césaire 2001; Mommsen 1982; Peabody and Stovall 2003; Pitts 2005; Shepard 2006).
micro-foundations or societal underpinnings of regime-change (Acemoglu and Robinson 2006; Boix 2003; Collier 1999; Tilly 2005). In his review of these works, Daniel Ziblatt seeks to embed the study of democratization in a framework that can account for European totalitarianism preceding the Second World War rather than exceptionalizing it. He argues that “rather than deviations, the antidemocratic currents cutting across Europe's democratic age were key parts of the democratic age itself. If we give proper weight to the presence of antidemocratic rules, institutions, and practices that were often invented and institutionalized during Europe’s age of democratization, we can revise the dominant narrative of European exceptionalism” (2006: 313). In so doing, Ziblatt demonstrates the important commonalities between democratization in Europe during the nineteenth century and the rise of ‘hybrid regimes’ (Diamond 2002) or ‘competitive authoritarianism’ (Levitsky and Way 2002) in the twentieth century.

The fourth, and largest limitation of the political culture approach stems from its causal claims; it assumes that democracy is caused by the presence of an ‘enlightened’ public. Timothy Mitchell explains, “if democracy is an idea, then countries become democratic by the idea getting into people’s heads. The problem of democracy becomes a question of how to manufacture a new model of the citizen, one whose mind is committed to the idea of democracy” (2011:3). Democratization is treated as the political outcome of a deeper psychological and civilizational process—an ‘awakening’ of those people who did not understand, demand or know how to create democratic rule before.  

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18 The widespread use of the term ‘Arab Awakening’ in the popular media and the scholarly literature to describe the political mobilizations in the Arab world exemplifies this view. In an article entitled “The Arab Awakening” Rami Khouri (2011) writes: “We are witnessing nothing less than the awakening, throughout the Arab world, of several phenomena that are critical for stable statehood: the citizen, the citizenry, legitimacy of authority, a commitment to social justice, genuine politics, national self-
This orients the analytic attention of scholarly inquiry to search for the signs of
democratization at the level of the individual attitudes, measured through public opinion
surveys. This is the basic motivation behind Mark Tessler and Amaney Jamal’s Arab
Barometer project. In 2006, Tessler and Jamal carried out opinion surveys in five Arab
countries (Morocco, Algeria, Palestine, Jordan, and Kuwait) to measure how conducive
individual attitudes and orientations are to the establishment of democracy. Since then the
project has expanded to include Sudan, Tunisia, Iraq, Lebanon, and Saudi Arabia. The
Arab Barometer project is part of the broader Global Barometer project, a network of
public opinion surveys in Latin America, Sub-Saharan Africa, East Asia and South Asia.
The survey design comes from the authors’ assessment that “available evidence suggests
that successful democratization requires a citizenry that values democracy and possesses
elements of a democratic political culture” (Tessler and Jamal, 2006: 434). The surveys
therefore aim to measure factors such as “political tolerance, respect for diversity, civic
engagement, and interpersonal trust” (ibid). Their findings strongly demonstrate that
support for democracy in the Arab world “is as high or higher than in any other world
region” (Tessler and Jamal, 2008: 97).

Table 2-1 Support for Democracy

<table>
<thead>
<tr>
<th></th>
<th>All Countries</th>
<th>Jordan</th>
<th>Palestine</th>
<th>Algeria</th>
<th>Morocco</th>
<th>Kuwait</th>
</tr>
</thead>
<tbody>
<tr>
<td>Despite</td>
<td>86%</td>
<td>86%</td>
<td>83%</td>
<td>83%</td>
<td>92%</td>
<td>88%</td>
</tr>
</tbody>
</table>

determination and, ultimately, true sovereignty. It took hundreds of years for the United States and Western
Europe to develop governance and civil society systems that affirmed those principles, even if incompletely
or erratically, so we should be realistic in our expectations of how long it will take Arab societies to do so”
19 These surveys have been made publicly available at (http://www.arabbarometer.org/?q=home).
Empirically, the Arab Barometer project effectively debunks myths about a purported Arab or Muslim psychological affinity for despotism. Working with regional partners, the project has significantly expanded the scope of public opinion research in the Middle East and does so in a way that facilitates cross-regional research, which is integral for a region that is all too often exceptionalized in popular media and scholarly literature. However, by design, the Arab Barometer project and other projects that adopt its approach can only demonstrate the degree to which public opinion is in favor of democratic rule. It provides a causal estimation between the variables of political culture and political outcomes, but does not and cannot actually isolate the causal mechanism between these two variables. Indeed, the causal link between political culture and political outcomes is not actually measured by this kind of survey data. Rather, it is inherited from a larger hegemonic discourse imputing democratization in the West to its civic culture.

There is little reliable proof to demonstrate that democracy emerges because of attitudinal traits—whether those traits are derived from religious practices (especially the
individualism of Protestant Christianity) or a secular civic culture. Modeling the relationship between religious practices and democratization formally, Carles Boix (2003) finds that a higher level of religious fragmentation actually reduces the likelihood of democratic breakdown. His results suggest that democratic emergence is an outcome of the distribution of power among different social groups rather than the attitudinal traits of those groups.

Mitchell similarly draws an important distinction between the exercise of civic values among the members of a political class, and democratization, or the application of those same values to people outside the body politic. As Mitchell explains,

There is no reliable evidence... that the presence of a civic culture—attitudes of trust, tolerance, mutual respect and other liberal virtues—facilitates the emergence of democracy. There is, in fact, no shortage of historical evidence to suggest the opposite. One can find repeated examples in the history of democratic struggles in the West of tolerant, educated, liberal political classes who were opponents of democratization, fighting to prevent the extension of effective political rights to those who did not own property, to religious and racial minorities, to women, to colonial subjects (2011: 4).

The historical record of liberal states further demonstrates that civic values and democratization should not be conflated. As Uday Mehta (1997) explains, “in its theoretical vision, liberalism, from the seventeenth century to the present, has prided itself on its universality and politically inclusionary character. And yet, when it is viewed as a historical phenomenon, again extending from the seventeenth century, the period of liberal history is unmistakably marked by the systematic and sustained political exclusion of various groups and ‘types’ of people” (1997: 59). In delineating how liberal strategies of exclusion function, Mehta explains “liberal exclusion works by modulating the distance between the interstices of human capacities and the conditions for their political effectivity” (1997: 62). In other words, since consent is the fundamental ground for the
legitimacy of the political authority in the liberal model, the basis of exclusion revolves around an individual’s capacity to exercise the necessary conditions for consent. The capacity to reason is critical here. This is why children are temporarily excluded from political participation (for Locke, for example, the ability to reason, practice discretion, and understand the laws of England is not possible under the age of 21). According to the liberal model, the purported inability of particular groups of people to reason or practice discretion is what instantiates (and justifies) their exclusion from the body politic.

It is therefore only possible to assert that liberal ideals promulgate democratization if the sustained exclusionary practices of liberal states are artificially excised from our characterization of liberalism. The assertion that liberal political institutions are an outcome of liberal values and civic culture orients researchers to focus on “what Arabs think” about democracy, and to explain authoritarianism by attempting to identify the conditions that cause them to “not demand” it. This search for the cause of political acquiescence has critically informed another dominant explanation for the high incidence of authoritarianism in the Middle East—rentier theory.

2.3. Rentier Theory:

Since its formulation in the early 1970s, rentier state theory has become one of the most enduring explanations for the high incidence of authoritarianism in the Middle East. The basic premise of rentier state theory is that surplus oil revenues provide oil-producing states with the resources to repress dissent and ‘purchase’ political support through subsidies. The classic formulation of the rentier state comes from Hossein Mahdavý’s (1970) discussion of the Pahlavi regime in pre-revolutionary Iran. It was then
applied to explain the political development of the oil producers in the Persian Gulf. \(^{20}\) Michael Ross later took up the task of expanding the study of the inverse relationship between oil and democracy to other regions (1999; 2001; 2004; 2012).

Rentier states are defined as “countries that receive on a regular basis substantial amounts of external economic rent” (Mahdavy 1970: 428). In classical economic theory, rent is the surplus left over after all the costs of production have been met, or paid to the owner of the land for the use of its natural resources. In petroleum economics, the rent is the difference between the price of oil sold in the form of petroleum products and the cost of discovering, producing, transporting, refining, and marketing crude oil. Oil rents are ‘external’ because they provide revenue that is not expropriated from the income of the domestic population and have historically been remitted by foreign companies to national governments in the form of US dollars. Expanding Mahdavy’s state-centered theory, Beblawi and Luciani (1987) focus on the rentier economy, of which the state is a subset. To be classified as a rentier economy, rent situations must dominate the economy but a minority of the labor force should be engaged in the generation of rent, while the majority are instead involved in its distribution and consumption. The external source of this rent is key to this argument, and the government must also be the principal recipient of the external rent, because the defining feature of this kind of political economy is that it “liberates the state from the need to extract income from the domestic economy” (Yates 1996: 14-5). Rentier states are thus able to support large-scale expenditures without resorting to income taxes.

\(^{20}\) The first comprehensive volume on the topic was published by Hazem Belbawi and Giacomo Luciani (1987) and features the work of Stauffer, Belbawi, Luciani, Abdel-Fadil, Chatelus, Amara, Vanderwalle, Jaidi, Garabeh, and Nafmabadi.
There is compelling evidence to support the claim that oil production stymies democratization, often referred to as the ‘resource curse.’ Michael Ross statistically models the correlation between resource wealth and democracy across 113 states, from 1971-1997, and finds that both oil and minerals have strong ‘antidemocratic effects’ (2001). His regression model uses the Polity98 data developed by Gurr and Jaggers (1999) for the dependent variable of regime-type, and oil and minerals as the independent variables (he also includes five control variables to capture the factors that are most robustly associated with regime type: per capita income, Islam (percentage of Muslims), OECD, Regime (the dependent variable lagged by five years) and dummy variables to mitigate autocorrelation and time-specific effects).

Table 2-2 Resource Wealth and Democracy

(Dependent variable is regime)

<table>
<thead>
<tr>
<th></th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regime</td>
<td>.253***</td>
<td>.894***</td>
<td>.25***</td>
<td>.246***</td>
</tr>
<tr>
<td></td>
<td>(.0203)</td>
<td>(.00846)</td>
<td>(.0203)</td>
<td>(.0204)</td>
</tr>
<tr>
<td>Oil</td>
<td>-.0346***</td>
<td>-.0078***</td>
<td>-.0339**</td>
<td>-.0393***</td>
</tr>
<tr>
<td></td>
<td>(.0051)</td>
<td>(.0024)</td>
<td>(.00506)</td>
<td>(.00543)</td>
</tr>
<tr>
<td>Minerals</td>
<td>-.0459***</td>
<td>-.00718*</td>
<td>-.0438***</td>
<td>-.0455***</td>
</tr>
<tr>
<td></td>
<td>(.00778)</td>
<td>(.00317)</td>
<td>(.0081)</td>
<td>(.00804)</td>
</tr>
<tr>
<td>Income (log)</td>
<td>.922***</td>
<td>.119***</td>
<td>.935***</td>
<td>.965***</td>
</tr>
<tr>
<td></td>
<td>(.105)</td>
<td>(.0342)</td>
<td>(.106)</td>
<td>(.107)</td>
</tr>
<tr>
<td>Islam</td>
<td>-.018***</td>
<td>-.0031***</td>
<td>-.0178***</td>
<td>-.0173***</td>
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<td>(.00208)</td>
<td>(.000665)</td>
<td>(.0021)</td>
<td>(.00211)</td>
</tr>
<tr>
<td>OECD</td>
<td>1.47***</td>
<td>.176*</td>
<td>1.42***</td>
<td>1.44***</td>
</tr>
<tr>
<td></td>
<td>(.308)</td>
<td>(.0781)</td>
<td>(.305)</td>
<td>(.308)</td>
</tr>
<tr>
<td>Observations</td>
<td>2183</td>
<td>2498</td>
<td>2182</td>
<td>2178</td>
</tr>
<tr>
<td>States</td>
<td>113</td>
<td>115</td>
<td>113</td>
<td>113</td>
</tr>
<tr>
<td>Log Likelihood</td>
<td>-3133</td>
<td>-3283</td>
<td>-3129</td>
<td>-3123</td>
</tr>
</tbody>
</table>

Source: (Ross 2011: 341) *significant at the 0.05 level; **significant at the 0.01 level; ***significant at the 0.001 level. Variables are entered with five-year lags (except in column 2 where they are entered with a one-year lag). Standard errors are in parentheses below coefficients.
Ross’s results suggest that the inverse relationship between oil and democracy is substantial. A single standard deviation increase in the Oil variable produces a 0.49 drop in the 0-10 democracy index over a five-year period. The inverse relationship between Minerals and democracy is also significant, but less robust: a standard deviation rise leads to a 0.27 drop. Ross’s findings have since been replicated by a plethora of studies that have consistently isolated a correlation between oil production and authoritarianism (Aslaksen 2010; Goldberg, Wibbels, and Myukiyehe 2008; Jensen and Wantchekon 2004; Papaioannou and Siourounis 2008; Smith 2007; Wantchekon 2002).

In explaining this correlation between oil and authoritarianism, rentier theory links oil wealth to political behavior. This argument comes in several forms. One version focuses on taxation, subscribing to the inverse of the maxim “no taxation without representation.” It is argued that since oil revenues enable a government to fund itself with little to no taxation of the citizenry, in turn the public demands less accountability or representation from that government (Belbawi and Luciani 1987). Another argument focuses on the role of government spending, linking oil wealth to greater patronage, and therefore less pressure for democratization (Entelis 1976; Vandewalle 1998). A third version focuses on the effect of oil wealth on civil society. Specifically it is argued that oil revenues provide a government with enough money to intercept the formation of independent social groups (see Moore 1976; First 1980; Bellin 1994). In Shambayati’s version of this argument, in tax-based countries (like Turkey) economic competition leads to the emergence of interest groups that make demands on the state. In rentier states (like Iran), the state and its clients do not engage in the economic exploitation of the
domestic population, which means that there is “no conflict over the means of production” (1994: 308).

2.3.1. Causal Mechanism: Economic Redistribution produces Political Acquiescence

The various causal mechanisms specified by the rentier framework all revolve around the impact that economic benefits, specifically ‘unearned’ income, have on citizen demands. As Yates points out, rentier theory is essentially about how oil production creates a ‘rentier mentality.’ Rentier theory inherits from the classical economists a distinction between earned and unearned income. Yates explains that since rent is unearned income, there is little consideration or discussion of rent in the theories of Locke, Smith, and Ricardo; the rentier violates the “most scared doctrine of the liberal ethos: hard work” (1996: 18). In a system in which property is defined through work, rent is treated as a by-product of surplus or artifact of the feudal order—not a factor internal to the capitalist system itself.

By treating rent as an economic category, economic theory can tell us little about the rentier. For the rentier is a social agent who does not actively participate in the production process yet still shares in the fruits of the product... it is clear that rent as a factor income is unlike the other traditional costs of production. Wages are paid for labor, interest for capital employed, profits for the successful management of risk. For each of these factor incomes some element of sacrifice and effort is involved. But the rentier is a member of a social group that is devoid of such value added. The purest rentier is but a parasite feeding on the productive activities of others (Yates: 17).

Earning income ‘without work’ deforms productivity and conventional economic behavior and by extension political behavior. Instead of rational self-interest, agents (state and citizens) in this kind of economy engage in repression, corruption and cronyism. Rentier theory thus explains the strong negative correlation between oil and
democracy by postulating a theory about how economic benefits impact individual political judgment and action (or more accurately, inaction).

What proof is there to demonstrate that the redistribution of oil wealth actually leads to political acquiescence on an individual level? In his recent dissertation (2011) on Bahrain (and the Arab Gulf), Justin Gengler takes up the task of isolating the causal mechanism of rentier state theory. As Gengler adeptly points out, despite the dominance of rentier state theory, there are no existing studies that adequately demonstrate “the individual-level link between material contentment and political apathy that is the explicit theoretical mechanism underlying the rentier framework” (2). He aims to do so by conducting a political survey of 500 Bahraini households in 2009, using the Arab Barometer survey as a guide. For Gengler, the Bahraini case is representative of a larger class of cases that he defines as ‘dysfunctional rentier states.’ A dysfunctional rentier state is “a state flush with historical levels of resource revenues yet unable to buy the political acquiescence of its citizens—or, of a particular sort of citizen” (2). The importance of this subset of rentier states is that it points to identifiable circumstances under which the formula for political stability does not hold. For Gengler, the source of Bahrain’s dysfunction as a rentier state comes from a “longstanding societal division” between the Sunni and Shi’a communities over the character of the state (4). He finds that the Sunni-Shi’a conflict disrupts the buy-off mechanisms of the rentier state in two ways. First, the political orientations of Bahrainis are not primarily driven by economic gain but rather by ethno-religious affiliation and concerns about the empowerment of the rival group. Second, this conflict prompts the government to avoid the liberal use of public-sector employment to appease its opponents due to fears over national security and an
Iranian-inspired Shi’a revolution, opting instead to withhold public sector employment from those who are perceived to lack national loyalty. Accordingly, the rentier contract of political acquiescence holds for the Sunnis but not the Shi’as.

Gengler’s successful implementation of a mass political survey in Bahrain—where confessional census data has not been made available since 1941—is no small feat. His work provides an important and timely window into the country’s ethnic demographics. His analysis of that data, however, ahistorically interprets the current political contestations in Bahrain as an age-old Sunni-Shi’a/ Arab-Persian regional conflict. This obscures the highly politicized process of Persian and Arab ethnic identification. The very notion that the categories of Persian and Arab can be accurately disentangled is highly dubious when hybridity and miscegenation have been dominant features of the Persian Gulf shoreline (see figure 2-3) since medieval times. This is not to say that there are no differences between Arabs and Persians or that people do not strongly identify as one or the other, but rather that manifest cultural, social, political, linguistic, religious, and material differences do not fall neatly on top of genealogical ones.

Figure 2-1 Persian Gulf littoral cultural world
A historical survey of political mobilization in Bahrain presents a different picture. As Ahmed Al-Dailami argues in his careful excavation of the historical record, “class has repeatedly trumped sect as the basis for political mobilisation in Bahrain, in 1938, 1953-56, 1965, and 1974, all of which were sustained periods of widespread, cross-sectarian political mobilization” (Al-Dailami: forthcoming 2014). Moreover, there are extended periods in Bahrain’s history during which both Sunnis and Shi’as mobilized for...
Pan-Arab, or Pan-Islamic causes that had little to do with the Al Khalifa’s rule or its expenditure of oil wealth. Political identification and the narratives that individuals use to define their ‘allies’ and ‘enemies’ have radically and rapidly shifted with changing political demands. The deeper problem with Gengler’s argument does not originate with his work; it is one he inherits from the underlying assumptions of rentier theory.

Rentier theory shares the assumption of the political culture approach that democratization is driven by the emergence of a particular kind of political consciousness. Rather than an absence of political consciousness, rentier theory assumes that consciousness of economic rights is largely absent. This assertion is deeply engrained in the literature on democratization more generally, which defines citizenship and the social contract between state and citizen primarily in terms of the right to self-governance. Born out of the liberal tradition, rentier theory defines political rights as citizenship and redistributive economic rights as a deviation, or ‘buy-out.’ This assumption leaves no room for the possibility that the instantiation of citizenship based on redistributive economic rights is a result of an altogether different social contract—one in which citizens are not ‘acquiescent’ but hold the state accountable for their material well-being and security.

2.4. Citizenship and Redistribution

A conception of citizenship based on economic rights does not originate with, nor is it limited to, the oil-producing states of the Gulf. In their enduring work on the political economy of the Middle East, Richards and Waterbury (1990) explain that economic intervention and redistribution have been primary functions of states across the region
over the course of the twentieth century. The authors, integrating Turkey alongside the Arab states, demonstrate the primacy of the state’s role in the extraction and allocation of resources (see chapters 7 and 8 especially). The authors note that despite the wide variation in the ideologies adopted by Middle Eastern states (liberalism, socialism, pan-Arab nationalism), there has been strikingly little divergence on the perceived need for state intervention in the economy. No state in the region has been able to forgo elaborating a national plan, and there is a relative lack of variation in the degree and scope of state intervention across what are otherwise quite different countries. Arab states are characterized by their large sizes: they employ large numbers of people as civil servants, laborers, and managers; they monopolize resources by controlling large investment budgets, strategic parts of the banking system, and virtually all subsoil minerals; they control most basic infrastructure in roads, railroads, power, and ports; and they have large and well-funded security and military arms.

This attention to the large sizes of Middle Eastern states helps explain the high concentration of authoritarian power structures in the region by identifying common features at the meso-level of institutions instead of common cultural or civilizational characteristics. As Eva Bellin (2004; 2011) has explored in greater depth, states across the Middle East and North Africa (MENA) tend to have robust security systems. Bellin argues that the strength, coherence, and effectiveness of a state’s coercive apparatus determine the degree to which democratic transitions are possible. Successful transitions can only be carried out when the state’s coercive apparatus lacks the will or capacity to crush the reforms or mobilization. According to this theory, the exceptionalism of the MENA is not due to the ‘absence’ of democratic prerequisites but the large presence of
robust coercive apparatuses. Abundant natural resources (especially oil) help subsidize domestic security systems, as does the continued financial, technical, and diplomatic support from international partners, especially in the West, who have been critically engaged with the area’s security and resources since before most of the states were formed.

Richards and Waterbury emphasize the widespread legitimacy of the interventionist state; “this does not mean that most Middle Easterners accept the legitimacy of the particular state under which they live—that is frequently not the case. Rather, it has been conceded in the abstract that the state and its leaders have a right and an obligation to set a course for society and to use public resources to pursue that goal” (1990: 179). This legitimacy diverges from the Western liberal tradition’s commitment to a minimalist state that is confined to the protection of law and order, limited economic regulation in deference to the ‘free market,’ the provision of basic social welfare (healthcare and education), and national defense. In contrast, states in the Middle East have taken on much more extensive and complex functions that have been largely endorsed by the public and political opposition groups. Even the Islamist opposition groups have largely adopted a similar stance towards economic intervention—critiquing the means by which authorities have intervened rather than the necessity of intervention and redistribution as state functions. Rather than imputing this legitimacy to an Arab or Islamic cultural norm, Richards and Waterbury draw an important link between the interventionist state in the Middle East and post-colonial developmental states elsewhere. ‘The goal has been to overcome ‘backwardness’ and build a prosperous, educated citizenry, a diversified economy, and national power. These tasks and goals are culture-
blind. Hence we find basic similarities in the goal orientation and interventionism of states in societies as widely varied in cultural origins as Indonesia, India, Burma, Ghana and Tanzania” (Richards and Waterbury 1990: 180).

Richards and Waterbury are careful to make two important clarifying points. First, the state is not a homogenous bloc, it always contains diverse interests and factions which prevail at different times and in different combinations; this requires the researcher to pay careful attention to the direction and intent of state intervention in addition to the factors of ownership and economic weight. More importantly, Richards and Waterbury emphasize that state size does not necessarily translate into state strength, which should also be assessed on a case-by-case basis. While the potential for strength is clearly present, particularly when resources are combined with military control—large states can often be weak due to dysfunctional bureaucracies, the diversion of resources into corruption and patronage, and the difficulties authoritarian rulers face in effectively controlling the speed and direction of administrative agencies. Such are the contradictions of state-led growth, “for all this to work—to promote overall growth, industrialization, and more equal distribution of income—required that planners accurately anticipate the complex interaction of all the economic variables, that the managers pursue efficiency even while protected by tariffs and monopoly status, and that the civil servants put in an honest day’s work. By and large none of those requirements were met” (Richards and Waterbury 1990:188). Indeed, large interventionist states are particularly vulnerable during economic downturns, because the exigencies of the economy are not viewed as outcomes of a self-regulating market but as evidence of an incapable or corrupt state.
If the state’s role in the economy is taken into account, then the synchronicity of the ‘Arab Spring’ protests and the global economic downturn is of utmost importance. The recent widespread mobilizations against Middle Eastern states are less about the ‘awakening’ of a previously absent collective consciousness, and more about a widespread response to significant losses in what are seen as the fundamental rights and entitlements of citizenship: employment, healthcare, education, and social mobility. There are specific material and technological factors (the rise of information and communication technologies and widespread availability of smartphones) that magnify the organizational capacities of protestors during this current wave of mobilizations. However, the ‘Arab Spring’ should not be analyzed independently of the larger cycles of state intervention and state exhaustion that have led to political mobilization and Islamic revivalism in previous periods. Redistribution plays a pivotal role in theories of democracy and authoritarianism but it is often treated as being interchangeable with political rights of self-governance (Acemoglu & Robinson 2006; Boix 2003). Yet there is little evidence to suggest, as implied by rentier theory, that economic benefits lead to political acquiescence, or inversely that the acquisition of political rights will lessen the demand or need for economic redistribution. On the contrary, it is likely that individuals who understand their citizenship in terms of social and economic rights will want to preserve those entitlements while claiming more political rights.

22 For a more extensive discussion of the relationship between state exhaustion and mobilization see Khoury (1983). Khoury argues that Islamic revivalism is a reaction to a crisis in the secular state—what he calls ‘state exhaustion.’ State exhaustion is the “state’s inability to bring all of society into modernity. More specifically, it is a reaction of certain classes in Arab society to the failure of the modern secular state to live up to its professed goal: to mobilize and assimilate these classes to a new socioeconomic order” (214-5). While these classes are more closely attached to the values of traditional society most commonly associated with Islam, the more important point is that in recent years they are classes that “have been drawn into the modernization process but have not been assimilated by it” (215).
2.5. Is the “Resource Curse” an “Immigration Curse”?

If economic benefits do not lead to political acquiescence, then what explains the robust empirical evidence supporting a strong correlation between oil reserves and authoritarianism? In their recent effort to explain this relationship, David Bearce and Jennifer Hutnick (hereafter B&H) (2011) argue that the “resource curse” is actually an “immigration curse.” The authors find that when controlling for immigration, the standard resource variables lose significance in a democratization model. Their argument is comprised of two parts. First, they demonstrate that energy resource endowments strongly correlate with incoming labor flows. Regressing a measure of immigration (net immigration per capita) on a measure of energy production (energy production per capita), they find that a one standard deviation increase in energy production per capita represents a .027 increase in net immigration per capita (a 2.7% increase in immigrants relative to the size of the domestic population).

In the second part of their argument, B&H adopt Acemoglu and Robinson’s (hereafter A&R) (2006) democratization model to present a theory about why immigration curbs democratization. The A&R democratization model commences with an autocracy in which a small group of rich elites control state institutions and have de jure political power. Since it is in their interest to maintain the autocratic regime, their preferences are opposed to the larger group of poorer citizens who would stand to gain financially in a more democratic regime (according to the logic of the median voter theorem). Though lacking de jure power, the larger class of poor citizens has de facto power, as a collective actor, over the smaller group of rich elites by virtue of its size. To
avoid a revolution, the elite (as a collective actor) has two strategies: it can provide redistributive concessions to appease the poor and maintain the autocratic regime, or it can acquiesce to the citizenry’s demand for a more democratic regime, facilitating democratization.

The key mechanism of the A&R model is the regime’s credibility. They argue that the credibility of the elite’s commitment to the redistribution of wealth is based on the *de facto* power of the non-elite population. When the population’s *de facto* power is transitory, then the elite’s promise is not credible because the redistributive concessions could be retracted at a later point. Knowing that the elite’s promise is not credible, the population is likely to revolt. If, on the other hand, this population’s *de facto* power gets larger and more permanent, the elites face a greater revolutionary threat, making their promise of economic concessions more credible. In this argument, democratization is less likely when the elite face a greater revolutionary threat, because the elite will continue to appease the population with economic concessions. B&H deliberately choose this democratization model because its causal mechanism is very similar to the rentier argument—it is a theory about how economic concessions lessen demands for democratization by producing political acquiescence.

Building on this somewhat counter-intuitive theory that links greater revolutionary threat to less democratization, B&H argue “immigration makes democratization less likely because it facilitates redistributive concessions to appease the population within an autocratic regime” (2011: 689). In national economies that are both resource-rich and labor-scarce, immigration facilitates redistributive concessions in two ways. First, immigrants help develop energy resources that provide elites with the rents
necessary for redistributive concessions. Second, “without the increased revolutionary threat created by immigration, the promise by the rich elites to redistribute within an autocratic regime would be less credible” (2011: 691). This argument is based on B&H’s assumption that immigrant preferences will align with the native poorer population (as a collective actor) over elites, therefore creating a larger and more permanent revolutionary threat, which in turn pushes the elites to provide consistent economic concessions to the population. Accordingly, placated with economic concessions, the enlarged population (of citizens and immigrants) does not demand democratization. In operationalizing this argument statistically, B&H find that there is a strong negative correlation between net immigration and democratic regimes (using the Polity2 indicators for regime-type).

When controlling for immigration, the coefficient of the resource curse variable is more than cut in half (-.041 to .019), losing its statistical significance.

B&H’s model sharpens the “resource-curse” argument by isolating immigration as a key variable. However, immigration plays a minimal role in the causal mechanisms they specify. In their model, immigration is primarily important in terms of helping develop future rents and increasing the size of the population (and therefore the revolutionary threat)—in that sense it does not substantively differ from a larger native population. B&H also continue to subscribe to a theory of political acquiescence to explain the correlations they observe. The causal mechanism of their “immigration curse” depends upon a theory of human behavior and collective action that is not captured by their data, but assumed as the logical explanation for the negative correlation between net immigration and democratization that their model does capture. Most importantly, the authors do not specify what is particular about immigration into oil-producing states or
provide a compelling reason for why resource-rich countries import more migrant workers. The relationship between energy production and immigration is spuriously explained by stating that many resource-rich countries “also tend to be labor-poor” (691).

By highlighting labor scarcity the authors are able to account for the cases that are not well captured by the basic rentier theory that predicts an unconditional inverse relationship between oil production and democracy. Examples of these anomalous cases include the North Sea oil countries of Britain, Denmark, and Norway as well as oil-producing national economies like Mexico, Venezuela, Ecuador, Russia, and Nigeria. B&H point out that although Britain, Denmark, and Norway are major migrant-receiving countries, their oil reserves were not discovered until the late 1960s after they were already well-consolidated democracies. While the authors are careful not to argue that any of the remaining states could unproblematically be characterized as well-consolidated democracies, they note that all have made positive progress on the Polity2 index that B&H employ to code regime-type. The authors explain that Mexico, Venezuela, Ecuador, Russia, and Nigeria “are all relatively labor abundant, at least compared to the GCC countries: Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates. Consequently, the former set does not need to import foreign laborers to exploit their oil resources (unlike the latter set). Given the lack of associated labor inflows, the natural resources in the first set of countries should not pose much of an obstacle to democratization” (2011: 713).

Ultimately, then, B&H use the ‘immigration curse’ to explain the emergence of authoritarianism in the GCC. However, their emphasis on labor abundance vs. labor scarcity does not provide an explanation for what is particular about immigration into the
GCC. Large-scale migrant labor flows are certainly not exceptional to the region. Other migrant-receiving states in North America, Europe, and Oceana have expanded through permanent migrations prior to democratizing. Why does the ‘immigration curse’ apply to the GCC and not elsewhere? Why does immigration stymie democratization in resource-rich labor-scarce states and not in other labor-scarce migrant-receiving states?


I argue that what distinguishes the Gulf is not its economic and demographic expansion through migration, but rather the degree to which the region’s governments have been able to erect high barriers to political incorporation by excluding domestic minorities and new migrants from becoming citizens. Oil facilitates the creation of authoritarian power structures because when political elites gain control over fixed assets, they are able to be much more exclusionary in defining the boundaries of the body politic. If oil production commences before the state is formed, political elites can combine stringent citizenship policies with temporary worker programs to develop their resources while concentrating the redistribution of assets to a very small percentage of the total population. Explanations of the resource-curse that begin with the national unit elide the competition over resources preceding the consolidation of resource-reliant states. Doing so omits the most contentious aspect of redistribution—the determination of who will be included in the group of beneficiaries.

B&H capture a correlation between immigration and oil production that is far from spurious. However, their analysis of the role that immigration plays in the political
development of resource-rich states is limited because, like rentier theory more generally, it searches for the causal link between oil and authoritarianism far too late in the process of oil production. Oil impacts political development long before it is converted into large government incomes. Indeed, as Timothy Mitchell has explained, “the transformation of oil into large and unaccountable government incomes is not a cause of the problem of democracy and oil, but the outcome of particular ways of engineering political relations out of flows of energy” (2011: 5). Resource extraction depends on exploration activities, which depend on agreements with multi-national companies, technology, prices, and expectations. Instead of taking oil rents as the starting point, Mitchell points out that “the building of pipelines, the placing of refineries, the negotiation of royalties” were part of a strategic effort by oil companies and their domestic allies “to evade the demands of an organized labor force” from the start (2011:5).

‘Resource-wealth’ is not exogenous to institutions and processes of political contention. This point is made by economists David and Wright (1997) in their examination of increasing returns and American resource abundance between 1870-1910. The authors argue that natural resource abundance was not ‘geologically pre-ordained’ but endogenously produced by legal, institutional, technological and organizational adaptations that shaped the US supply-responses to expanding domestic and international demands. Likewise, Norman (2009) examines mineral abundance (stocks), as distinct

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23 Mitchell’s account is ultimately less about oil production and authoritarian rule in the Arab world as it is a revision of the emergence of democratic politics in the West. Beginning with the nineteenth century he first links the rise of mass politics to increases in coal production, arguing that the threat or act of interrupting energy flows (through large-scale strikes and labor mobilizations) advanced democratic claims. He then turns to the building of a global energy order around oil in the twentieth century, showing that domestic political struggles were transformed into struggles with international oil companies over resources. Critically, his account pivots on the differences between the materiality of coal (as a labor-intensive energy source) and oil (which can be extracted and transported across far distances with pipelines and is thus less amenable to disruptions by laborers).
from a resource extraction intensive economy (flows), to test whether mineral abundance has a systematic impact on economic growth. She finds that when controlling for extraction, resource-abundance has a negative effect on rule of law measurements (which may impact growth) but finds no robust evidence for a direct effect on growth. “The link between stocks and institutions rather than directly to growth suggests that the anticipation of future resource flows itself can change the incentives of political actors as they make decisions about drivers of current and future institutional quality, or as they engage in conflict to acquire expected future rents” (2009: 203). In other words, even when measured in stocks rather than flows, resources only have an impact on revenue and growth through the intervening variable of institutions.

Thus in order to measure the expected volume of rents, let alone predict the impact that revenue will have on the economy and polity, researchers have to identify the antecedent conditions and characteristics of institutions that transform resources into redistributed wealth. In recent years, the scholarship on the ‘resource curse’ has adapted to this task, showing that resource extraction can actually sustain both authoritarian and democratic regimes based on the conditions of the domestic political economy and pre-existing institutions. In Crude Democracy Dunning (2008) theorizes that resource booms can mitigate the redistribution of private income through taxation, increasing the attractiveness of democracy. He argues that the democratic effects will be stronger in states that are less economically dependent on the resource and those that have high inequality in the non-resource economy. Meanwhile, Morrison (2009) finds that increases in non-tax revenues (regardless of the source) lead to less taxation in elites democracies, more social spending in dictatorships, and more stability for both regime types. Political
economists have also argued against blanket assertions of a rentier curse by pointing to the key variable of state capacity. In his recent book on oil in Saudi Arabia, Hertog (2010) argues that the meso-level fragmentation of the Saudi state means that it has a low capacity to integrate policies between different agencies and networks. He finds that the timing of elite decisions has a strong impact on the state’s shape, and that state malleability declines as the bureaucracy grows larger. The fragmented shape of the state attenuates the regime’s ability to actually redistribute the wealth that is assumed to ‘placate’ the citizenry. These works point to important antecedent conditions and intervening variables that shape the delivery mechanisms of rent distribution. The state’s redistribution of wealth, however, requires first and foremost an administrative apparatus of classification and surveillance that identifies, codifies, and enforces the boundaries of the incorporated group.

2.6.1. Intervening Variable: Citizenship as Political Closure

A key intervening variable that determines whether resource-abundance will enable political elites to create and sustain authoritarian power structures is the state’s institutional capacity to use citizenship as an instrument of political closure. While much of the scholarship on citizenship has focused on analyzing the practices of rights, obligations and patterns of civic participation, the most fundamental feature of modern citizenship is that it sets the conditions for political inclusion. Brubaker explains, “citizenship is not simply a legal formula…as a powerful instrument of social closure, citizenship occupies a central place in the administrative structure and political culture of the modern nation-state and state system” (Brubaker, 1992: 23). Brubaker primarily
focuses on the way that formal citizenship circumscribes participation in social interactions, but his framework also highlights how citizenship functions as an instrument of political closure. Building on Weber’s classic distinction between open and closed social relationships in *Economy and Society*, Brubaker defines citizenship as “both an object and an instrument of closure” (*ibid*). A social interaction is open when access is granted to all outsiders, or closed when the participation of outsiders is restricted. Since the state is the guarantor of specific institutions, practices, and privileges that it reserves exclusively for citizens, closure pivots on the enforcement of naturalization and denaturalization policies. Indeed, “naturalization, which governs access to the status of citizens, is itself closed, restricted to the qualified” (*ibid*).

Citizenship is an instrument of closure because it can be used to withhold or striate access to social benefits and political rights. But it is also an object of closure because access to citizenship is itself an arena of political contention over the boundaries of the body politic. In emphasizing formal citizenship, Brubaker redresses a territorial bias in the study of the state, and provides a framework for integrating immigration in the study of citizenship. As Joppke has pointed out, the dominant picture of the modern state, from “Max Weber to Charles Tilly…had been in terms of a territory-centered rather than a person-centered organization” (*Joppke* 2010:15). Brubaker’s definition of the modern state as a membership association, rather than simply a territorial association, creates the analytical space for examining the contentions that surround the acquisition of citizenship rather than treating citizenship as “a mere reflex of residence” (1992: 21). Second, in formulating citizenship as both an instrument and an object of closure,
Brubaker’s framework combines the ‘internally inclusive’ and ‘externally exclusive’ aspects of modern citizenship.

Building upon Brubaker’s attention to formal citizenship and the study of the externally exclusionary and internally inclusive aspects of citizenship in conjunction, I diverge from the constructivist argument he adopts to explain differences in citizenship outcomes. Brubaker argues that citizenship is instrumental in two different forms of social closure. The first is territorial closure, or a state’s expulsion of noncitizens from the territory, which “serves vital and tangible state interests” (Brubaker 1992: 27). The second is domestic closure or the exclusion of noncitizens from the “nation,” exemplified by the routine barring of noncitizens from modern systems of suffrage, military service, or positions of public administration. He argues that domestic closure is not driven by interests, but by intangible yet forceful conceptions of nationhood. By dividing citizenship into these two forms of closure, Brubaker is able to argue that states are driven by interests when they choose to expel non-citizens from their territories, but are driven by ideas of nationhood when they allow non-citizens to reside in their territory but continue to exclude them from the national body politic. He uses this formulation to explain why Germany and France have different approaches to the incorporation and naturalization of new immigrants—they have long-standing competing visions of nationhood.

The argument that domestic closure is driven by symbolic rather than material prerogatives is problematic for two reasons. First, empirically, it overemphasizes the coherence and longevity of citizenship regimes in a way that imputes homogeneity to the
French and German nations prior to the twentieth century. More importantly, by focusing on the symbolic threat of immigrants, Brubaker reduces the problem of migrant incorporation to a cultural contestation, depoliticizing an issue that is critical to the political economy of modern states. For Brubaker, naturalization policies are driven by conceptions of nationhood because “most of the immigrants [in France and Germany] already enjoy a secure residence status and broad economic and social rights that differ only at the margins from those of citizens” (1992: 181). Given these rights, he argues, the political contestations over naturalization laws reflect the threat that immigrants pose to the political imaginary of the nation, rather than the material interests of the state.

This view is not limited to Brubaker’s work; cultural difference is the dominant explanation for why migrant incorporation has been contentious in Europe (Castles and Miller 1993; Cornelius, Martin and Hollifeld 1994; Ireland 1994; Koopmans and Statham 2000; Rex 2000). Koopmans and Statham, for example, argue that economic liberalization forces the question of migrant incorporation because of who the immigrants are; cultural differences make immigration problematic. A comparative approach to migrant incorporation that includes the Gulf quickly reveals, however, that in that

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24 For Brubaker, the French conception of nationhood has been state-centered and assimilationist, which is why the French republic has a more inclusive *jus soli* (birthright) citizenship regime. Meanwhile in Germany, the national community was imagined as a racial community, accounting for its more ‘differentialist’ *jus sanguini* (bloodline) citizenship regime. However, as Patrick Weil (2001) has pointed out, the French revolution actually broke away from *jus soli* nationality laws, which were an inheritance of the feudal tradition. Instead, the French Civil code of 1804 implemented a *jus sanguini* system to elevate family links over subjecehood to the land and lord. It remained that way for most of the nineteenth century (1889), until the exigencies of war pushed policy-makers to adopt a birthright system to expand the population of fighting men. Moreover, as Eugen Weber explains in his sweeping history of nation-building in France *Peasant into Frenchmen* (1976), the country was culturally and linguistically diverse until the large-scale modernization projects of the 1880s (especially railroads and education reform) produced a more homogenous and unified political community. The symbolism and boundaries of the French patrie are not constructed independently of shifting material interests; nationalism is a powerful political project precisely because it fuses these different dimensions.
context, the more ‘problematic’ foreigners are other Arabs, despite the fact that Arab migrants are closer to the “national imaginary” of the host. Especially after the rise of Arab nationalism, Gulf governments perceived the cultural affinity of other Arab migrants as an insurrectionary threat and actively recruited non-Arab migrants for strategic and political purposes.25

The current ‘problem of migrant incorporation’ is not a new cultural challenge posed by the increasingly heterogeneous immigration flows of the post-war era; it is the contemporary articulation of a fundamental tension that sits at the base of the liberal capitalist state. An in-group’s impetus to maximize power and assets clashes with a growing economy’s structural need for more and more labor and resources from the outside. Interpreting naturalization outcomes as being determined by ideas instead of interests masks the critical difference between a citizen and a resident alien—conditional inclusion. States have a strategic interest in domestic closure; indeed, the non-citizens who are most important to a political economy are not the ones who are expelled from the territory, but those who are conditionally part of the residential labor force. Foreign residency, as a legal category, provides a political authority and private sector with a legitimate means of striating access to sectors of the economy, jobs, benefits, and protections. Deportability provides a state flexibility in managing its labor force during periods of economic strain or political instability.

In the large oil producers of the Persian Gulf, the codifications of national identity were driven by the competition over resources. Since the boundaries between all the GCC

25 For a more sustained discussion see chapters 3 and 5 especially.
states were more fluid when oil prospecting began, the customary usage of land by a group was translated into territorial jurisdiction for the ruler recognized by that group. Ruling elites thus competed for the allegiance of roaming populations to gain rights to prospecting agreements and eventually the rents remitted by oil companies. The delineation of certain members of the population as ‘nationals’ and the codification of that category in civil lists and national censuses reflects the outcome of a contentious process in the conflict over resources rather than a primordial fact. Stringent citizenship codes were especially enforced after the 1960s when oil wealth began to accrue and Gulf governments passed a slew of legislation that defined the national body in increasingly homogenous and Arab terms (Longva 1997; Crystal 1990; Crystal 1992). The Gulf’s ‘labor scarcity’ was thus more than simply a reflection of the territory’s low population density—it was the result of extending citizenship to a portion of the total population residing in the Arabian Peninsula’s territories at the time that oil was discovered.

The variable of labor scarcity is not pre-ordained by demography or exogenous to legal and cultural institutions—it is essentially a measure of population density within a particular jurisdiction. The concept of scarcity only makes sense within the context of a political authority; it is a count of how many people are included in a particular legal category within a bounded territory. The new ‘nationals’ who would be become citizens of the new GCC states had to be identified and codified. Large groups of the pre-existing populations were excluded from (or only partially included in) these national pacts and civil lists, including the generations of African, South Asian, and Persian minorities who were part of the pre-oil maritime economy of the Gulf shoreline.
2.6.1.1. Enforcing Closure: Apparatus of Classification and Surveillance

As an instrument of social and political closure, citizenship is only as effective as the apparatus that regulates and enforces it. As Brubaker explains, “the development of citizenship proceeds pari passu with that of an administrative apparatus of classification and surveillance (in the broadest sense) and a corresponding body of administrative knowledge” (1992: 30 fn 27). For a political authority, citizenship can be a powerful way of organizing the distribution of power within a polity, but it is an instrument that requires an extensive enforcement apparatus and specialized agents. Territorial closure is regulated by immigration law and is “enforced by specialized agents such as border patrol officers and officials at points of entry who employ formal identification routines based on specialized instruments such as passports, visas, and computerized files” (ibid). As security forces adapt to non-state threats to national security, they increasingly create identity-checks within the domestic sphere. This practice is also driven by the impetus to protect wealth and strategic assets. In cities where the surveillance apparatus is highly developed—as it is in Dubai and Abu Dhabi—identity-checks may be more robust around strategic locations within the domestic sphere then they are at the territorial boundaries of the state. 26 While territorial closure is generally enforced at the entry points of a territory, domestic closure is enforced through internal identity checks—in interactions with traffic police, hospital personnel, or school officials. Domestic closure

26 To give an example of how the apparatus for identity checks is more robust domestically than at the territorial boundaries, in the UAE GCC citizens are able to enter the territory with their national ID cards, but once inside the territory, they are often unable to rent cars or hotel rooms without a valid passport.
can also be enforced in commercial spaces such as office buildings, hotel lobbies, bars, car rental offices, and malls.\(^{27}\)

The strength of citizenship as an instrument of political closure is directly determined by a state’s capacity to enforce migration. This capacity is determined by how easily non-citizens can gain access to identity documents and how important national identity documents are for gaining access to basic goods and services on a local level. Successful migration enforcement requires the state to centralize and monopolize the issuance of identity documents. This is critical because decentralized access to identity documents is one of the key ways that illegal immigrants access the benefits of citizenship. In *Paper Citizens* (2008), Kamal Sadiq’s study of citizenship in developing countries, the author examines the consequences that arise when the generation of identity documents not completely monopolized by the state. Focusing on India, Pakistan, and Malaysia, Sadiq finds that ‘illegal immigrants’ use counterfeit documents to gain access to state-provided resources such as ration cards for subsidized food grains, cooking oil, and school letters. Thus, undocumented non-citizens (irregular migrants or stateless minorities) find that the absence of formal citizenship forecloses their access to social and political participation only if a state successfully monopolizes access to national ID documents and enforces identity checks on a local level. The capacity to enforce citizen/non-citizen distinctions increases significantly with economic and technological development.

\(^{27}\) In the UAE and Qatar, there are signs of ‘no traditional clothing’ in bars to designate the space as being made for expatriates only (this does not necessarily prevent citizens from consuming alcohol, but it does demonstrate that the spaces of consumption are not uniformly open to a population). Likewise, malls in the UAE, Qatar, and Kuwait have signs that explicitly bar construction workers or have designated ‘family days’ that prevent single men from entering the commercial space.
Migration enforcement depends upon the degree to which security forces can communicate with one another about the identity of the individual document-holder. This capacity is critically driven by the development of new technologies. While earlier passport systems were primarily developed by national governments, the monitoring of national identity is now a multi-billion dollar industry that is driven by private companies in alliance with national governments. In the GCC, private oil companies, with the support of their national governments (US and Britain) were critically involved in erecting the security apparatus to enforce citizenship as a form of political closure. The state capacity to enforce migration requires coordination between the state and private sector, as well as between the central government and local bureaus. Most importantly, the security apparatus must have significant autonomy and authority vis-à-vis other domestic institutions, especially the courts and labor unions.

2.6.2. Conditioning Variables: Capital Mobility and Timing of Population Growth

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28 Migration enforcement depends on the tools that are available to security forces. To give a historical example, Lloyd (2003) recovered a passport from 1795 in France that illustrates the crudeness of identity documents during that period. The passport consisted of a single piece of paper which described the physical traits of the passport holder Robert Planchon in the following way: “aged forty eight years height four feet eleven inches brown hair and eyebrow brown eyes nose like a duck large mouth wide chin round forehead round face with a small spot on the right cheek and going a bit grey” (2003:66).

29 To give a contemporary example, Advanced Integrated Systems (AIS) is one of the pre-eminent security companies for identity systems today. A US company housed in Abu Dhabi, AIS operates in the UAE, USA, Brazil, Europe, China, South and South East Asia. The system sold by AIS provides security forces with a comprehensive electronic profile of all individuals in a particular geographic scope. It collates data from (a potentially infinite) number of electronic sources including but not limited to data taken from traffic cameras, smoke detectors, work and school absences, mobile phone texts, internet browsing habits, Facebook posts, tweets and twitter following patterns, GPS coordinates from mobile phone usage, and even driving patterns (from Radio Frequency Identification Tagging or RIFD inserted in license plates).

30 See chapter 4 for an explanation of how the migration enforcement of the Kafala (guest-worker) program in the GCC differs from that of the temporary worker programs in the United States and Europe precisely because of the skewed balance of power between the ministries of interior and ministries of labor.
Two conditioning variables determine the degree to which elites will be successful at applying stringent citizenship as an instrument of political closure. First is the proportion of the economy that is based on mobile versus fixed assets. Boix (2003) highlights the critical importance of rising levels of capital mobility as a source of regime change. He predicts that as the mobility of capital increases, tax rates decline to prevent capital flight because capital holders can move their assets outside the country. Mobile capital is more difficult to tax and expropriate, which means the state is less able to confiscate it. As a result capital-holders will be less resistant to democratization because the threat of redistribution will not be as high. Therefore as capital mobility increases, the likelihood of democracy also rises. This helps explain why economies with a large proportion of fixed assets remain authoritarian despite having extremely high levels of per capita income (contrary to the predictions of modernization theory). The strong correlation between economic development and democracy is thus not driven by changes in political consciousness, but is attributable to the transformation that capital experiences with economic modernization.

Drawing from Western cases involving a rural to urban transition, Boix associates economic modernization with capital mobility. This is because “economic modernization implies, first, a shift from an economy based on fixed assets, such as land, to an economic system based on highly mobile capital. It is also associated with the accumulation of human capital, which is generally harder to expropriate than physical capital” (2003: 13). This linkage between economic modernization and capital mobility, assumes first, that all pre-industrial political economies are land-based, and second, that human capital is increasingly mobile. Both of these generalizations must be tempered, because
modernization can also involve a transition from mobile to fixed assets, and because human mobility is highly striated, especially globally.

Boix’s attention to transformations in the nature of capital is particularly useful for explaining how and why the Gulf diverges from the expectations of modernization theory. In the rural-urban transitions that inform the core of democratization studies, economic modernization produces a transition from fixed to mobile assets (type 1 below). In the Persian Gulf, however, where maritime and inter-desert trade formed the pre-oil political economy, assets were already highly mobile. Economic modernization produced, in contrast, a transition from mobile to fixed assets—namely, oil.

**Economic Modernization Type 1: Fixed to Mobile Capital**

Example: European Cases

![Diagram of Rural to Urban transition](image)

**Economic Modernization Type 2: Mobile to Fixed Capital**

Example: Persian Gulf

![Diagram of Maritime & Inter- to Oil transition](image)
Second, oil production has to commence prior to the ‘take-off’ stage of economic development that leads to rapid demographic growth. If oil reserves are discovered after the population has already swelled due to the growth of the labor force needed for infrastructural state building, then it is too late for elites to use citizenship policies to erect high barriers to incorporation. For example, Britain, Denmark, and Norway are all well consolidated democracies despite being oil-producing migrant-receiving countries, because state-building and infrastructural development preceded the discovery of oil reserves. Democratic consolidation, or the large-scale enfranchisement of the labor force, occurred as these economies transitioned from agricultural to industrialized economies. As such, economic modernization implied a shift from economies based on fixed assets (ex. land), to an economic system based on mobile capital.

States that experience an agrarian to industrial transition do not necessarily require less migrant workers than oil-producing states. Fixed assets, especially when discovered prior to state-building, enable elites to continue to exclude the labor force even as the economy and population grows because elites can use citizenship as an instrument of political closure. Resources that provide highly concentrated wealth like oil can create the conditions for rapid economic and demographic growth—making immigration a larger and more visible aspect of development in resource-rich cases. However, infrastructural development and state-building always requires the movement of populations—the need for guest workers is not limited to the Gulf, developing world, or the Twentieth century.
Even the ‘core’ group of developers critically depended on guest workers, as Saskia Sassen (1999) demonstrates in her far-reaching history of state-building in Europe from the 1700s. Sassen breaks the dominant narrative of Europe as a continent of mass emigration by pointing to the crucial role of migrants in the beginnings of European industrialization, especially in the shift to factory-based manufacturing and the development of railroad systems. In her analysis of the historical record she finds that “international and inter-regional labor migrations have been both a widespread and a strategic component of Europe’s urbanization and industrialization over the last three centuries, whether it was the seasonal long-distance migrations of the Hollandganger from Westphalia to Amsterdam in the late 1700s or the migrations of Italians to build railroads and cities in Germany in the 1800s” (IX). The quintessential examples of modern state-building—such as Haussman’s extensive renovations of Paris’ water system and boulevards—were supplied by foreign labor forces (in the case of Haussman’s Paris those migrant workers were German).

Studies of Europe’s democratization have largely elided the role of migrant labor because during this early period of industrialization governments did not have the capacity to enforce migration. Central governments did not have the administrative structure to document citizen/non-citizen distinctions and foreclose non-citizen access to benefits or rights on a local level. Indeed, security forces found it challenging to even track or count immigrants during that period. Sassen explains that the Napoleonic Inquiry could gather information about ordinary people in the countryside much more easily than it in the cities. And while some German records indicate that almost half of the burghers in trading towns were migrants, the absence of registries for less wealthy urban residents
makes it difficult to estimate the concentration of migrants in preindustrial European cities (Sassen 1999: 8). The most visible and meaningful differences in terms of what could be measured and what appears in the historical record are the differences between urban and rural dwellers. As such, studies on the working class have primarily examined the rural to urban shift (and generalized from this transition) to explain regime change.

This is not because earlier migrations were seamless or less politicized; Sassen finds that temporary migrants in the Eighteenth century experienced the same dynamics associated with the “culturally distant” immigrants of the post-war era. These dynamics include “anti-immigrant feelings, racialization, a crisis mentality about controlling immigration, rapid fluctuations from periods of acute demand for foreign workers to mass unemployment blamed on these same workers” (1999: X). Critically, she points out that contention has less to do with the type of immigrants, and more to do with the racialization of foreign labor. The immigrant is marked as the other simply because he or she does not belong to the extant community:

Phenotype, religion, or ‘culture’ have never been, in fact, the most important markers. In the nineteenth century large numbers of migrant laborers moved from one area of Europe to another, typically at fairly short distances, usually also within the same broader ethnic/cultural setting. More often than not the migrants looked like the locals, typically had the same diets, the same religion, similar music, similar life rituals such as christenings, weddings, burials. No matter: they did not belong to the local community or town (1999: xvi).

The political incorporation of the urban industrial population was not seamless or driven by a collective consciousness; pre-existing elites simply not have the administrative and technological capacity to enforce the juridical difference between incorporated citizens and ‘temporary’ non-citizens over time.
2.7. Concluding Remarks:

The most fundamental feature of modern citizenship is that it sets the conditions for political inclusion. Foreign residents are integral to the emergence and consolidation of modern citizenship regimes; the ‘impossible’ elements solidify the parameters of a polity and the distributions of power within it. It may be tempting to limit the political importance of foreign residents to major migrant-receiving countries like the UAE (where non-citizens comprise 89 percent of the total population) or assume that the regularized exclusion of certain laboring bodies is tied to the ‘exclusionary’ practices of authoritarian states. But the institution of citizenship, since its earliest manifestations, has critically depended upon the labor of those who are outside the body politic while remaining inside that polity’s territory and playing an integral role in its economy. Indeed, Demetra Kasimis (2013) shows that the Athenian democracy was based on a political economy supported by not only slavery, but also a large class of resident aliens—the metics (metoikoi)—a free immigrant population that was assimilated but disenfranchised, on the basis of blood, generation after generation. As elsewhere, democratization in Europe did not involve the “wholesale replacement of one regime for another but often entailed and - perhaps required - combining democratic reforms with microlevel formal and informal undemocratic elite safeguards, including undemocratic upper chambers, gerrymandered electoral districts, clientelism, and corrupt voting registration rules” (Ziblatt 2006: 313). When the subsequent chapters are read alongside the plethora of studies showing how democracies have systematically withheld enfranchisement from domestic populations (non-property holders, foreign residents, slaves, women, minorities), it becomes clear that incorporation is contentious because at
stake is power itself. Incorporation changes the distribution of power in a society (whether that power is voting rights and electoral distributions or the right to assets and services). Citizenship and immigration policies should thus be included in analyses of the repertoire of instruments that political actors use to mitigate the impact of enfranchisement or monopolize resources and power.
Chapter 3 MAKING CITIZENS AND ‘GUESTS’: ERECTING

A SYSTEM OF CITIZENSHIP AS POLITICAL CLOSURE

In the summer of 2010, Dr. Ali Al-Khour, the Director of the Emirates Identity Authority, gave a keynote lecture on “The Question of Identity in the Gulf” at the Gulf studies conference hosted by the University of Exeter. He explained that the Gulf region experienced the fastest demographic growth rate of the late twentieth century when its aggregate population increased ten-fold in the span of fifty years. This exceptional demographic growth required Gulf governments to develop new instruments of population management—including extensive surveillance and DNA imaging—to preempt the security threats associated with migrant populations. Al-Khour stated that while forensics had typically been used in criminal investigations, they were now being applied to the field of population management. The Emirates Identity Authority was spearheading a DNA initiative in ‘civil biometrics’—the use of forensics to categorize the population into genealogical sub-groupings associated with different threat levels. Preempting possible objections from an audience located in the United Kingdom, Al-Khour emphasized that in the Gulf the role of security and the nature of citizenship differed from other regions. According to him, in the UK this would lead to “the fear of invasion of privacy, but in the GCC states we trust our governments. We can see that they are keeping us safe” (Al-Khoui, 2/7/2010). He later elaborated further, “I trust my government, and most of the people in the GCC trust our governments. Believe me, if
they said Ali give me your head to chop it off, I will give it to them” (ibid).31 Although addressing the use of new technologies, Al-Khouri’s claims about the acquiescence and allegiance of GCC citizens exemplify a common and long-standing narrative about security and immigration in the region. Even prior to the formation of the UAE in 1971, foreign and domestic political elites in the territories linked its migrant populations to security threats, arguing that open borders required the extensive use of surveillance. Accordingly, it was argued that security must take precedence over individual rights and privacy in this context—a reality that citizens must live with or (according to Al-Khouri) actively embrace.

Just under fifty years earlier, a British security official in Dubai made a similar point in his report on the security situation in Dubai in 1963. P.G. Lorimer, the Superintendent of the Dubai Police at the time, linked migration into Dubai with the need for constant vigilance and pre-emptive security measures:

Although it can not be said that there is an immediate security threat to Dubai, such a threat is constantly with us… With the changing security situation in the Middle East, caused by the revolution in Yemen and the threat to the Monarchy in Saudi Arabia, which would bring Arab Nationalism to the borders of the Trucial States, we must extend our activities to cover the movements of foreigners in and out of Dubai” (British Records of the Emirates 1963: 629).

Lorimer explicitly linked the movement of populations to the revolutionary threat of Arab nationalism. As new migrants entered the UAE (then known as the Trucial States) territories in search for work, British officials and the Trucial state rulers became increasingly concerned with controlling the inward flow of Arab migrants in particular.

31 These quotes from Al-Khouri’s speech (which I attended) diverge from the written version of his paper. The speech was recorded and available for download by conference attendees using the following link: http://socialsciences.exeter.ac.uk/iais_old/all-events/audio/khouri1.php.
Evading insurrection would require that security forces continue to track the activities of migrant populations after they entered into the territories, keeping watch on their collusions with citizens, even in the private or domestic sphere. In a letter to the Arabian Department of the Foreign Office in London in the same year, the British Political Agent in Dubai continued this line of linking population flows with the necessity to privilege security over the protection of individual rights. The British Political Agent had been approached by Shaikh Rashid, the ruler of Dubai, who “was very concerned about the police’s habit of searching houses without a warrant” and wanted to know “what was the system in England and to advise what he ought to do in Dubai” (British Records of the Emirates 1963: 631). Like Al-Khoury, the Political Agent’s response was that the protections in place in England could not be applied to Dubai. The Political Agent explained that in England the police had the right to search and arrest without a warrant only when there was a good reason to believe that a serious offence had been committed, or in pursuit of an individual evading arrest, or when an offence had been committed in the presence of the police officer. However, Shaikh Rashid “should bear in mind that Dubai was not England, that the task of the police here was much more difficult and that it might therefore not be possible to attach quite so much importance to the rights of the individual as one did in a settled and orderly community” (1963: 631).

According to the British Political Agent, the UAE, and especially Dubai, could not be considered a ‘settled’ community. Today this assessment may appear to be even more accurate than it was in 1963. Due to the country’s rapid demographic growth over the past five decades, the vast majority of the UAE’s total population (87 percent) is officially transient and ‘temporary.’ This overwhelming dependence on non-citizen labor
is a feature that the UAE shares with its oil-producing neighbors in the Gulf Cooperation Council—Bahrain, Kuwait, Oman, Qatar, and Saudi Arabia. The early works on Gulf migration explained this rapid growth by focusing on the pull-factors of capital wealth and labor scarcity, subscribing to classical, neoclassical, and historical-structural theories of labor migration. Whether privileging individual economic incentives (*homo economicus*) or inherent economic inequalities in the world system, these works explained the dynamics of Gulf migration as part of a global movement from lower-wage, labor-surplus regions to capital-rich, labor-scarce regions (Birks and Sinclair 1980a; Birks and Sinclair 1980b; Arnold and Shah 1986; Kapiszewski 2001). By hinging on capital wealth and labor scarcity, these studies tended to emphasize the economic and commercial interests driving the demand for foreign labor. The bulk of this literature therefore focused on the large-scale population movements that followed the dramatic oil price increases of the early 1970s. However, the region’s dependence on foreign workers actually dates back to the inter-war period even before the fifty-fifty profit-sharing agreements with oil companies in 1965 made capital resources available to local rulers. From the beginning, the pattern of migration flows was driven more by political and strategic concerns than commercial ones.

In this chapter, I use the British records to illustrate the political and strategic concerns driving the regulation of migrant flows into the UAE. The archival record demonstrates that the British authorities and the rulers of the Trucial States associated Arab migrants with subversive threats and consciously attempted to prevent migrants of particular Arab nationalities from settling in the territories. The attempts to prevent labor strikes and the threat of insurrection led to the development of an expansive domestic
security apparatus. As the British began preparing for the withdrawal of their forces in 1971, the funding for the security forces across the territories came from Abu Dhabi’s oil wealth (with the exception of Dubai). While this strength was only beginning to emerge by 1971, the funding of the security forces in the smaller emirates would later grant Abu Dhabi a monopoly over the coercive apparatus and eventually union. The impetus to enforce migration also led to the development of a system of ‘No-Objection Certificates’ (NOCs), creating the foundations for the current Kafala (guest worker) scheme that links employment contracts to residency permits. In demonstrating how the current immigration system was gradually erected, I also use the archival record to highlight the heated contestations between the rulers of the Trucial States about the formation of a unified citizenship regime and common immigration policy.

Moving away from primordial characterizations of Emirati citizenship, this evidence counters the hegemonic nationalist discourse that depicts the territories as ethnically homogenous and ascribes its cosmopolitanism to its post-oil development. Instead, the archival record demonstrates that citizenship was a key mechanism of political competition among rival political units. Tribal rulers competed over the allegiance of populations as oil prospecting heightened the urgency to codify territorial borders and the boundaries of the populations that inhabited them. Moreover, as the seven rulers moved to unionize ahead of the British withdrawal, contestations between Abu Dhabi and the remaining Emirates over whether to recognize Persians and other non-Arabs as citizens became particularly heated. More than the ethnic composition of the state, at stake was the distribution of power within the union.
This chapter is primarily based on the archives of the British Records of the Emirates (hereafter BRE), from 1938 to 1971, with most of the analysis based on the records from 1961 onward, when oil revenues increased the stakes of citizenship and immigration policy. The multiple volumes of this collection, published in 1990, collate all of the British records of the Emirates from all of the respective branches of the British Government, particularly from the Foreign Office in London, the Political Residency of the Gulf (first located in Bushire and then in Bahrain), and the Political Agencies in the Emirates (first in Dubai only, and then in Dubai and Abu Dhabi after 1966). Within the British administration, the Trucial States were first under the jurisdiction of the Government of India, before the Foreign Office took over following the demise of the India Office with Indian partition and independence. The Second World War delayed this transfer of authority. For one year between April 1947 to March 1948 the Gulf posts continued to be administered by the Government of India, while political control was exercised through the Commonwealth Relations Office. On the 1st of April 1948, the Foreign Office assumed all responsibility for the Residency and Agencies in the Gulf (British Records of the Emirates, 1946-1948). For the sake of coherence and legibility, the in-text parenthetical citations refer the year and page number of the BRE collection. A full list of the specific documents that were consulted, with corresponding record locators and page numbers, are included in the appendix.

Since all of the archival materials in this chapter are culled from one broad source (the British authorities), it does not aim to provide an exhaustive history on the state formation of the United Arab Emirates. Instead, it provides a lens into how the political agency in the UAE and the political residency in Bahrain viewed the ‘problem’
of Arab migration and security in the Gulf, especially with regard to labor strikes and political subversion. Since the British agency had jurisdiction over foreigners, this source is appropriate for illustrating how the current migration system was erected. It cannot give a comprehensive view of the internal dynamics among ruling elites, but it does illustrate the intransigent disputes between rival ruling elites that changed the shape and delayed the formation of the federation that was envisioned by the British authorities.\(^{32}\)

3.1. The Division of Jurisdiction: Political Controls over Migration in the Early Oil Period

While international labor migration into the UAE and Gulf was considerably accelerated by the oil price increases of 1973, oil-driven migration began during the initial phase of petroleum exploration in the 1930s. Oil companies recruited foreign workers to bring in skills that the local population did not have, but the composition of the immigrant workforce was closely controlled by the terms of the oil concessions and subject to political and security calculations. First, with the exception of Al-Hasa (eastern Saudi Arabia), the British monopolized the commercial contracts of the entire Arabian side of the Persian Gulf. The British authorities claimed jurisdiction over all foreigners who entered into the territories. As a result, the migrant workers recruited by British oil companies were largely sourced from other British holdings, particularly the Indian subcontinent, while in Saudi Arabia the American oil companies recruited labor from a broader array of locales, including the Italian settlements in Eritrea (Seccombe and

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Lawless 1986).\textsuperscript{33} This commercial monopoly over oil prospecting and worker recruitment was due to the British Empire’s political control over the Gulf shoreline. Before examining the mechanisms by which control over migrant flows was established and enforced, the first section below briefly establishes the political history of the British presence in the UAE and Gulf more generally.

3.1.1. Precursor to ‘Citizens’ vs. ‘Guests’: The Order in Council

The United Arab Emirates occupies the south east corner of the Arabian Peninsula, bordering the Persian Gulf to the north and north west, Oman to the east and south east, Saudi Arabia to the west and south west, and Qatar to the north west. The federation stretches from Abu Dhabi, its capital in the west, to Fujairah in the east. Formed in 1971, the union is comprised of seven administrative political units known as Emirates: Abu Dhabi, Dubai, Sharjah, Ras Al-Khaimah, Ajman, Fujairah, and Umm Al-Quwain (see figure 3-1). Until the eighteenth century these territories were a part of Oman, which extended from south Qatar to the Indian Ocean, comprising the Sultanate of Oman and the Emirates. While European colonial powers could never penetrate the territories’ arid and inhospitable desert interior, the Gulf shores enticed colonial powers as a key waterway for trade between Europe and Asia. In the early sixteenth century (shortly after Vasco da Gama discovered the trade route to India) the Portuguese sent their armies to seize control of the coasts, setting up military forts and crushing rebellions for the following 100 years. By the early seventeenth century, the British fought with and eclipsed the Portuguese to dominate the region, especially after the establishment of the

\textsuperscript{33} Much to the disappointment of the British, the American oil companies also gained oil concessions in Bahrain and (in partnership with a British company) in Kuwait.
East India Company in 1600. In the early nineteenth century, British dominance was temporarily weakened by the coordinated efforts of the tribes on the Southern shores of the Gulf. There were two major tribal coalitions that fought the British, the Qawasim, a maritime power that controlled today’s Sharjah and Ras Al-Khaimah, and the Bani Yas federation, which controlled the territories of today’s Dubai and Abu Dhabi. After protracted battles, the British naval forces succeeded in quelling the rebellions, and forced the Shaikhs of the Emirates to adopt a maritime treaty called the General Treaty of Peace in 1821 (Al-Muhairi, 1996). The series of treaties that followed culminated into a maritime truce in 1853, after which the Emirates came to be known as the ‘Trucial States.’

Figure 3-1 Map of the United Arab Emirates
Some British sources treat these truces as paternalistic agreements that the British adopted to ‘protect’ the region’s inhabitants from piracy (Kelly 1968; Lorimer 1908-15). This tendency depicts the Arabs along the Gulf shores, especially the Qawasim, as being engaged in violent looting that aimed to disrupt international trade in the Gulf, Red Sea, Arabian Sea and Indian Ocean from the end of the eighteenth century into the first two decades of the nineteenth century. This view fits into a larger discourse equating Arab
tribes with a proclivity for violence and blood lust. This historical narrative is challenged by others who have pointed to the seizing of assets as the rightful resistance to the encroachments of colonial powers (Al-Qasimi 1986). By either account, from the early nineteenth century until 1971, the tribes of the Gulf shoreline lost their independence to the British forces. The British policed the area and controlled its foreign relations, while granting the tribal Shaikhs internal autonomy in dealing with their own populations. The Trucial agreements were brokered between the British and five Trucial States in 1853, which only became seven in 1866 after the Qasimi Shaikhdom broke down into Sharjah, Ras al Khaimah, and Fujairah. This division of political authority between the British and Sheikhs was formalized in the Trucial States Order in Council of 1946.

Two features about these agreements between the British and ruling tribes should be underscored. First, the fact that the British authorities had to develop separate Trucial agreements with the ruling tribes illustrates that, prior to the discovery of oil, there was no singular political authority that could adequately consolidate its power over the entire territory. Populations shifted between competing tribes for political and economic gain.

34 Kelly quotes John Malcom about the Qawasim in 1808: “their occupation is piracy, and their delight is murder; and to make it worse they will give you the most pious reasons for every villainy they commit…If you are their captive, and offer all you possess to save your life, they say ‘No! It is written in the Koran that it is unlawful to plunder the living, but we are not prohibited in that sacred work from stripping the dead’; so saying they knock you on the head. But then… that is not so much their fault, for they are descended from a Ghoul or monster” (Kelly 1968, reprinted in Al-Qasimi 1986: xiv).

35 The Trucial States Order in Council codified British jurisdiction over four different subsets of the population. The first was ‘British subjects,’ defined as such in the British Nationality and Status of Aliens Act of 1914 (or in the case of those born prior to 1914, any person who is a British subject under the common law and acts that preceded the Nationality act). The second category included ‘British Protected persons,’ defined as any person who is not a British subject but is deemed to have his majesty’s projection in the Trucial States. The third category includes any corporation incorporated under the law of any part of his Majesty’s dominions, protectorates, protected states or mandated territories. Finally, the Order in Council granted the British jurisdiction over all ‘foreigners’, defined as any person, or corporation, who is not a British or Trucial States subject (BRE 1946:170).
As British oil companies began prospecting for oil from the 1930s onward, it became increasingly imperative to clearly define and codify the jurisdictional boundaries of each of the ruling sheikhs over their populations. The concessionary agreements with oil companies dictated that the usage of a particular area by a certain tribe was translated into territorial possession for the ruler that tribe recognized. Unsurprisingly, the development of the oil industry led to a series of heated disputes between the ruling tribes over which population constituted their subjects.

Secondly, the Trucial agreements specified that local rulers could not permit the residence of any foreign agent without British consent, and could not grant any oil concession without British approval. This division of jurisdiction not only gave British subjects immunity from the purview of local courts, it also defined property rights and inheritance. Critically, the Order in Council gave the British control over which foreigners could enter or invest in the country, and preference was given to subjects of the British Empire—strengthening the economic ties between the Trucial States and India in particular.

While the Order in Council carved out the political jurisdiction over the different inhabitants residing in the Trucial States, it is important to emphasize that census categories are political rather than primordial or natural classifications. This meant that individuals could (and did) claim to belong to competing authorities for strategic purposes. The category an individual fell into had a direct impact on his or her legal rights. If an individual fell under the jurisdiction of the British, then he or she could refuse to appear in the Rulers’ courts or accept their judgment. British subjects could opt to appear in the Ruler’s court in civil matters, but were explicitly prohibited from
appearing in local courts on criminal matters. Clearly delineating jurisdiction became particularly difficult when it came to the status of Pakistanis and other populations from South Asia after the partition of India. As an official in the Chief British Court in Bahrain asserted in a letter to the Political Agent in Abu Dhabi, “I do not really see how we can avoid insisting that all Pakistanis etc. are under our jurisdiction and so long as they remain so they have the right to expect our protection” (BRE 1969: 336). The real issue was whether a subject could provide the necessary identification to prove which legal category he or she fell under:

As most of the Pakistanis in Abu Dhabi are, I imagine, illegal immigrants, they are unable to prove easily that they are Pakistanis and if, in fact, they are Baluchis they could, I suppose, have Iranian nationality. We have at the moment a very difficult case on our hands in Dubai in which a Baluch was convicted of murder by the Ruler’s Court some years ago and is now claiming to be a Pakistani. In fact he probably is, but he will have the greatest difficulty in proving it…. I do not of course mean that a Pakistani loses his rights simply because he is an illegal immigrant, but if we claim jurisdiction and are challenged, we have to be able to prove the nationality (BRE, 1969: 336-7).

The presence of these kinds of cases in the records points to the fact that—even before this division of jurisdiction was translated into the current categories of ‘citizens’ and ‘guest workers’—the boundary between ‘local’ and ‘foreign’ populations was often nebulous, contested, and politically charged.

While much of the media coverage and scholarly literature ascribes migration to the UAE’s post-oil development, ‘foreigners’ were already present in the territories in the early twentieth century. The ‘scarcity’ of the national citizenry is a measurement of the density of the population that fell under a particular jurisdiction (the ruling tribes) when the UAE state was formed. The entanglements between the Persian Gulf and South Asia (independently and through the British) enabled the Persian and Indian communities to
flourish in the UAE long before oil was discovered or the UAE federation was created. Though the official nationalist narrative paints the UAE as an ethnically homogenous space, historians and anthropologists of the Indian Ocean have traced the historical networks of travel and trade between the Persian Gulf, South Asia and East Africa that made the Persian Gulf shoreline (though not the interior) an ethnically heterogeneous space for centuries prior to the discovery of oil (Abu-Lughod 1989; Ahmad 2012; Al-Madawi 2005; Al-Sayeh 1998; Allen 1981; Bishara 2012; Bose 2006; Das Gupta 2004; Ghosh 1993; Ho 2004, 2006; Onley 2007; Osella and Osella 2008). The exploration for and discovery of oil changed the pre-existing patterns of labor migrations across these regions, as the British attempts to monopolize commercial and political influence on the Persian Gulf led to the establishment of controls on who could enter or work in the Trucial States.

3.1.2. Nationality Clauses and Political Control of Migrant Flows

“I am, as I hope you know, only too happy to do all I can to assist your company in regard to its operations in Qatar and elsewhere, but that happiness diminishes to a point of nonexistence when I am invited to assist in facilitating the employment of foreigners” (Weightman, reprinted in Seccombe and Lawless, 1986: 561).

The above excerpt comes from a letter sent by Hugh Weightman, the British Political Agent in Bahrain, to E.V. Packer, the local manager of Petroleum Concessions Ltd. (PCL) in Qatar on April 23, 1938. Weightman was expressing his displeasure with PCL Qatar’s request to employ a large numbers of Iraqis, contrary to the ‘nationality clause’ (article 3) that had been integrated into all of the oil concessions signed with the Gulf rulers. Since the British government had jurisdiction over all foreigners who entered
into their protectorates, they used political controls on migrant flows to exclude competing foreign commercial and political interests in the Persian Gulf. The nationality clauses required that oil companies grant preference to British and native employees first and foremost and then to other British subjects, particularly from the Indian subcontinent. Any importation of non-British employees was subject to the approval of the Political Resident in the Persian Gulf. Through these nationality clauses, the British authorities restricted and guided the sourcing of foreign workers at every level of the oil industry, from senior staff to semi or unskilled labor.

The British authorities were particularly concerned with preventing U.S. American companies (and authorities) from gaining political and commercial influence over the Gulf. This fear was exacerbated by the fact that it was two American oil companies, the Gulf Oil Corporation of Pennsylvania (Gulf) and the Standard Oil Company of California (SOCAL), who took the lead with oil concessions in Saudi Arabia and Bahrain. The fear was that the increase in American personnel in Bahrain in particular (where the American Mission was already established and actively encouraging American trade) would lead to pressure from the State department for the opening of a US consulate. As Seccombe and Lawless explain, the nationality clauses were “initially conceived to minimize U.S. penetration [but] these clauses were later invoked to restrict the entry of other foreign nationals, notably Persians and Iraqis” (Seccombe and Lawless, 1986: 554). The British attempts to prevent Arab labor from entering the Persian Gulf became much more explicit in the second half of the twentieth century as the momentum of Arab nationalist movements grew, but political controls on foreign recruitment and
employment were in place from the very beginning of the petroleum industry’s presence in the Gulf.

It should be noted that the nationality clauses were a largely unwelcome imposition on British oil companies, who often wanted to employ American geologists and experienced drillers. Moreover, from the point of view of these companies, Persians and Arabs provided distinct advantages over Indian workers. First, Persians and Arabs often came at their own expense, and since they did not enter the territory under a formal contract with oil companies they could be easily hired and fired. The recruitment of Indians, on the other hand, was a much more complicated and lengthy process, especially after the 1922 Indian Emigration Act abolished the indentured labor system. This law specified that formal Foreign Service Agreements (FSA) controlled the terms of contracts offered to Indians, and that these agreements had to be authorized by the Protector of Emigrants, a government of India official (Seccombe and Lawless, 1986).

While this chapter largely focuses on the practices of the British interests in the Trucial States in particular, it should be emphasized that despite their rivalries, the British and Americans converged in the way they organized the labor process in the oil industry. In both American and British oil companies, wages were linked to national origin, so that people of different nationalities received different wages for the same job. This practice was first implemented in the oil industries of the Gulf in the early twentieth century, and it has since spread to other industries as an increasingly codified practice of the Kafala (guest worker) system across the region.  

36 A more sustained discussion of this wage system is provided in chapter 4.
Robert Vitalis refers to this system of paying labor different wages according to race as the ‘racial wage.’ And as he explains in *America’s Kingdom* (2009), his far-reaching history of the development of the oil industry in Eastern Saudi Arabia, the practice did not begin in Saudi Arabia, but was an inherited and sustained practice of the way American firms organized the labor process for over a century prior. He links the American labor practices in the Gulf to the practices of the US mining industry in the American West and Northern Mexico (the Indian territories of Arizona and New Mexico) from the late nineteenth century to World War I, and the American oil industry’s expansion into Mexico, Trinidad, Colombia and Venezuela in the 1920s. In all of these places, including Persian Gulf after the 1930s, the racial wage was a core issue that pitted laborers against white owners and managers as well as privileged casts of workers. Indeed, as explored in the next section, wage differentials were a critical factor in igniting the first rounds of labor strikes in the oil industry of the Trucial States.

### 3.2. Labor Strikes and the Subversive Threat of Arab Migration

The first round of labor strikes in the Trucial States occurred in May of 1963, when workers interrupted the operations of the oil fields in Jebel Dhanna, Tarif and Murban in Abu Dhabi and on Das Island (also an Abu Dhabi concession). Across the camps, the strikers had four overarching demands. The first demand was an increase of 50 percent on existing wages. Secondly, the workers demanded equal pay for equal work. Local employees were particularly resentful of the fact that (especially) Indians and Northern Arabs (Jordanian and Lebanese employees) were being paid higher wages for the same work. The third demand was that local men should be allowed to do more of the
jobs that were currently being given to expatriates (such as driving trucks). The fourth demand was that a list of individuals involved in disciplining and managing the labor force (especially the Labour Officer) should be sacked. In addition to the grievances about the employment of foreigners and low wages, the strikers were also critical of Shaikh Shakhbut Al Nahyan (the former ruler of Abu Dhabi) who was beginning to accrue vast incomes from the oil concession without providing more services or redistributing the wealth. The strikes were largely concentrated among the Arab members of the labor force, and the movement followed shortly after a broadcast on the ‘Voice of the Arabs’ radio about British Petroleum’s (BP) wage discrimination.\textsuperscript{37} Since the demands were virtually identical across all of the camps, the British authorities immediately suspected that the strikes were the result of coordinated outside interference by Arab nationalists—a suspicion that could not be proven. Nonetheless, the association of Arab migrants with a subversive threat to the security of the Trucial States and the operations of oil concessions gained traction, and the British authorities and Trucial State rulers began revamping their security tactics in light of the strikes (BRE 1963: 559-599). This was especially the case because of the more sustained labor strikes and Arab nationalist movements occurring in other parts of the Arabian Peninsula including Saudi Arabia, Bahrain and Kuwait, North and South Yemen, and Oman (Chalcraft 2010, 2011).

In a correspondence with the Political Resident in Bahrain in 1966, the Political Agent in Abu Dhabi summarized the new security approach in the following way:

> Our intelligence task here is divisible into four parts:
> (i) to keep a watch on Northern Arab circles in Abu Dhabi and Buraimi.

\textsuperscript{37} \textit{Sout al-Arab} or the ‘Voice of the Arabs’ was a Cairo-based radio station that the former Egyptian President Gamal Abdel Nasser used to broadcast messages of Arab unity and nationalism. It was popular across the Arab world, especially in the 1950s and 1960s.
(ii) to keep a watch on Labour organisations in the oil fields
(iii) to keep a watch for subversive elements among the people of Abu Dhabi, both townsmen and the tribes;
and (iv) to keep a watch for links among (i) and (iii) (BRE, 1966: 231).

The labor strikes in the oil fields were not seen as grievances specifically related to oil industry wage practices, but rather understood to be part of a larger subversive threat that was brought in by Arab migrants. Accordingly, while the British had already attempted to encourage the employment of people from the Indian subcontinent over those from Arab countries, the labor strikes made this policy more explicit. By 1967, the British officials in the region began referring to Arab migrants as ‘undesirables.’ The label was generally used to describe Palestinians, but was also applied to Yemenis, especially after 1968 (see for example, BRE, 1967:145-7).

The British authorities’ heightened scrutiny of Arab migrants extended beyond the oil fields. There was a sustained effort to increase the surveillance and supervision of Arabs in a wide range of domains—especially in education since many of the teachers came from Egypt or Palestine. The meetings of the Abu Dhabi Local Intelligence Committees involved detailed reports on the exact number of Arab populations entering the territory. In the minutes of one such meeting that was held in 1968, security officials explained that in spite of their advice to the contrary, Shaikh Zayed of Abu Dhabi would not refuse entry to Egyptians but allowed them to enter under supervision. Linking Egyptian school teachers to a subversive threat, they also argued that all school textbooks, especially those originating in Egypt should be scrutinized and vetted for possible subversive influence (BRE 1968: 393). The British intelligence officials consistently cautioned that their ‘adversaries’—particularly the Egyptians, Iraqis and
Saudis—would use labor migration as a guise for infiltrating the Trucial States through propaganda campaigns, intelligence agents, and terrorism (BRE, 1966: 219-223). In the annual review of 1970, the Political Agent in Dubai expressed the British view that Arab migrants were subversive agents:

I am not being sarcastic when I say that some of my best friends are Palestinians, but I hate to see the northern Arabs invading the Trucial States with their bigotry, nepotism and greed... Yet it seems impossible to keep these people out. They percolate nimbly through the loopholes in our visa system, and once established they send for their nephews and cousins... Some bring talents that are needed here, just as they are in Kuwait and throughout the area of the Palestinian diaspora, but others are natural material for NDFLOAG and its polysyllabic sister organisations. Indeed these may well be their agents (BRE, 1970: 5).

One of the challenges of controlling the influx of Arab migrants was the fact that, though the British technically had jurisdiction over all foreigners, there was little they could do if the rulers of the Trucial States authorized the entry of Arabs and employed them. The British could refuse the visa of a particular individual, but if a ruler sent a letter of invitation, that letter would be presented to immigration officials upon entry and could not be refused by those officials. The erection of a system of split jurisdiction thus multiplied the visa loopholes that individuals could use to enter into the territories of the Trucial States.

3.3. Policing the Shoreline

As the British authorities and Trucial State rulers became increasingly concerned with the spread of Arab nationalism and subversive elements among the local population, they attempted to prevent widespread mobilization by allocating increased funding toward security forces and migration enforcement. The British established the Trucial Oman Levies (TOL) in 1951 for the purposes of defense cooperation across the Trucial
coastline. This force was initially raised to maintain interstate security and protect oil survey parties. The TOL headquarters were in Sharjah and were led by a British major with officers and ranks from the Jordanian Arab legion. By 1957, this force grew from its initial size of 35 men to over 500 men, and it was renamed the Trucial Oman Scouts (TOS) (Khalifa 1979: 25). The TOS acted as a peace-keeping force throughout the territories of the Trucial States and Oman, and became particularly involved in territorial disputes that emerged due to competition between rulers over oil concessions. It was also mandated to obtain the political and security intelligence necessary for deterring armed infiltration into the Trucial States, and maintain a prison for persons subject to the British jurisdiction (BRE 1961: 187-9). The TOS was the precursor to the federal army and it became the Union Defense Force (UDF) in 1972 when it was handed over to the new federal authorities of the United Arab Emirates. By that time, it had over 1,700 men.

In addition to the TOS, which was a regional force, migration enforcement was largely handled by local police forces. Because of its status as a port city, the police force in Dubai was “a model of its kind in the Gulf” (BRE 1963: 619). It was by far the strongest in the Trucial States—much stronger than that of Abu Dhabi—despite the fact that Abu Dhabi’s population was one quarter of Dubai’s and its police force was three times as big. The British paid for the Dubai police force initially, and it was (according to the Political Resident in Bahrain) the most efficiently run. From 1960 to 1963, the population of Dubai grew by fifty percent from 40,000 to 60,000 people while the budget of the security forces only allowed an increase of 20 men (BRE 1963: 620). By 1962-3, the Dubai police force began cooperating with the antecedent to Interpol (the International Criminal Police Organization, I.C.P.O) on arms and narcotic trafficking. It
also regularly provided valuable intelligence to the TOS and the political residency in Bahrain about Omani rebel activities and commercial sabotage of British vessels, and had the most robust searches of passengers and ships.

However, as the Political Resident in Bahrain explained to the Foreign Office in London, even in Dubai, “the only effectively policed state on the coast, there may be at this moment, according to the Commandant of Police, about 15,000 persons who have entered the state illegally. There is no control whatsoever on immigrants into any of the other states either and no significant control at all on the movement by land between them” (BRE, 1966: 224). By the late 1960s, the only identity checks on incoming population flows were in the ports of Dubai, Sharjah, and Ras Al Khaimah. There was little the authorities could do to stop people from entering the country outside of these checkpoints. The pressing need to strengthen the Abu Dhabi police force in particular became especially clear when the police provided little help in quelling the labor strikes of 1963. After Shaikh Zayed Al-Nahyan took control over Abu Dhabi (deposing Shaikh Shakhbut Al-Nahyan in 1966), he began using the oil revenues to finance the building of institutions. He commenced by increasing the wages and training of the Abu Dhabi police force (and subsequently the police forces of the remaining Trucial States).

The police forces in the Trucial States were mercenary forces, following the general pattern of more or less all the other police forces in the Gulf. As the head of the Dubai police explained in a secret note to the Political Agent in Dubai in 1966: “there are a number of so-called Dubai subjects in the Force but these are either Beduin or of Iranian or Balouch parentage. The Rulers are all against having their own subjects in the police forces and armies and prefer to rely on mercenaries” (BRE, 1966: 520). The
political agencies in Dubai and Abu Dhabi provided a plethora of justifications for why foreign individuals should be recruited for these posts, usually revolving around the familiar tropes of the purported laziness and ineptitude of locals (BRE 1963:632). The main reason for the use of mercenaries, however, was that British and local officials wanted to ensure that the ranks of the security forces would remain allegiant to the rulers and British authorities, particularly in responding to revolutionary or Arab nationalist threats. The Dubai police chief explained that he had doubts about how “particularly those from the South Arabian Federation and Yemen, would act if committed to action involving the use of force by the police against persons demonstrating for some Arab Nationalist, or anti-Imperialist cause” (BRE 1966: 520). The historical use of mercenary forces in the British protectorates of the Persian Gulf, which continues today (especially in Bahrain), further demonstrates that foreigners were present in the Trucial States prior to the large-scale migration flows of the early 1970s and played an integral part in forming the state.

3.4. Policing the Interior: Domestic Identity Checks

While the approach to migration security had initially been about creating more efficient checks at the borders, this tactic was not proving to be an effective way of combatting illegal immigration for several reasons. First, the border control officials could not stop people who entered surreptitiously by boat during the night, and the Trucial States’ long shoreline only exacerbated this difficulty. Secondly, people who entered legally with a visa would often stay past its expiry date and become ‘illegal’; this situation could not be addressed by simply instituting stricter border controls (BRE 1966:619-626). The issue was that once immigrants entered illegally there was “nothing
to make it administratively more difficult for the immigrants to live and obtain work” inside the territories (BRE 1967: 164). Consequently, from 1966 onward, there was a growing attempt to approach migration enforcement through surveillance and “periodic checks inside the state” (BRE 1966:621).

Several possible systems of internal control were debated, including the requirement that people carry their passports at all times. The problem was that many of the foreigners (especially Persians and Baluchis) who were employed across the Trucial States did not have passports. While many of these individuals did get passports from some of the Trucial States, others did not, which meant that passports could not be used as a universal system for conducting identity checks. Large portions of the nomadic Beduin populations also did not have passports, and when it came to identifying them (especially for the purposes of oil surveying) it fell upon a ruler to claim the population as his subjects and the leader of the tribe to pledge allegiance to that ruler. Moreover, the passport/visa approach was also problematic because people from within the Gulf—especially Kuwaitis, Bahrainis, Qatars and Omanis—did not need visas to enter into the Trucial States.

By 1967, a new approach to migration enforcement had emerged in the negotiations between British intelligence officials, the British Political Agents, and the Trucial State Council (the rulers). It was comprised of two important parts. First, going forth, visas would be checked even prior to passengers landing on the Trucial coast. It would be the responsibility of the master of every ship to assure that every passenger carried a valid passport and visa for entry into the Trucial States before delivering them
to the coastline. Failure to comply with these regulations would result in heavy fines and jail time.

Secondly, and more importantly, the authorities decided to implement a joint system of resident permits and labor contracts, similar to the system of resident permits that had been in place in Bahrain. This joint system would tie residency to specific labor contracts, so that (in theory) no one could legally enter or reside in the Trucial States without having a job for which they were specifically recruited. The visa system would be based on local sponsors (individual employers or companies) who would have to obtain “No Objection Certificates” (NOCs) from the British authorities (this was transferred to the Trucial States when the British withdrew their forces). As explained by the Abu Dhabi committee for the transfer of visas and immigration, NOCs:

> are the most important documents in the whole machinery for issuing visas. The essential feature of the system is that the applicant for a visa must be recommended to the H.M. Political Agent in Dubai or Abu Dhabi by a sponsor, who must already be legally resident in the Trucial States. The sponsor undertakes to pay the cost of repatriating the visitor if so requested, and gives a guarantee of his good behavior (BRE 1971: 506).

The NOC system privatizes migration enforcement by holding individual sponsors responsible for the repatriation of their foreign employees. The idea was that since applications had to be made locally, the NOC system was designed to make it relatively easy for a reputable employer to bring in necessary labor, while making it difficult for immigrants to “drift in” in search for work (BRE 1971: 508). Critically, all visa applications would have to go through the security authorities, and Arab migrants in particular would have to undergo an additional vetting process through the intelligence department in Abu Dhabi (BRE 1971: 504).
The policy implementation plan consisted of a three-step process for documenting the population and enforcing migration. The first step was to set up resident permits for all of those who had been resident in the Trucial States and employed by local governments for a period of 12 months. The second step was to circulate a notice to private firms notifying them that their employees who could prove they were employed for at least 12 months would be issued work and resident permits. In the third and final stage of policy implementation, a short public amnesty would be declared and those who could prove that they have been in the territories for a year would gain work and resident permits. The length of the amnesty period would depend on how many illegal and undocumented immigrants were in the country, but the goal was to keep this amnesty period short enough that new immigrants could not take advantage of it (BRE 1971:528).

The implementation of this policy required that the Trucial States first agree upon a common immigration law and guidelines for issuing passports and identity documents to their own citizens. This proved to be an exceptionally difficult task. The entrenched disagreements in the domain of immigration and citizenship policies delayed the formation of the union because at stake was more than simply illegal immigration. The way that the population would be divided into citizens and ‘guests’ would determine the relative size of the citizenries of each of the Trucial States and, consequently, the distribution of power in the union.

3.5. Challenges to a Common Citizenship and Policy

From 1966 until 1971, the Trucial States were under immense external pressure to form a federation and agree upon a common citizenship and immigration policy. The British defense review of 1966 led to the decision to withdraw the British forces from
South Arabia (ending colonial rule in Aden in 1968). This created an exodus of Adenis, Yemenis, and Somalis from Aden into the Trucial States, heightening the pressure on the Trucial State rulers to agree upon a common immigration policy and strengthen security. This pressure mounted even more by 1968, when the increasing deterioration of Britain’s economic situation led the British government to reduce its public expenditure at home and overseas. Consequently, it announced its withdrawal from the Gulf for March 1971.

The British had envisioned handing over their jurisdictional authority (external affairs and security) to a union of nine, encompassing the seven Trucial States, Bahrain and Qatar. There were two issues that dominated the discussions on the mechanics of the union and delayed its formation: the structure of representation and the location of the capital. Bahrain had the largest population, and wanted the capital and representation in the union council under permanent construction to be based on a population census. The five smaller Trucial States (Sharjah, RAK, Fujairah, Umm al Quwain, and Ajman) attacked provisions that would allocate voting power based on census representation because their populations were far less numerous. Dubai and Qatar supported the smaller Trucial States, and Abu Dhabi abstained. Eventually, the larger union of nine failed for several reasons—including Iran’s claim to Bahrain and tensions between the Bahraini and Qatari royal families. Bahrain (especially) and Qatar strengthened their ties with Saudi Arabia to increase their security in light of the British withdrawal and were able to secure recognition from the UN as independent states. The Trucial States, however, proceeded with negotiations to form a union. Two of the intransigent issues that had been historical obstacles to unionization were disputes over tribal allegiance and disagreements over a common immigration policy. Citizenship and immigration policies were
contentious because they would determine the concentration of citizens across political units in the new federation—raising the issues of representation and the distribution of power.

3.5.1. Trucial State Passports and Visas for Iranians

A large part of the challenge to forming a common immigration and citizenship policy stemmed from the fact that individual Trucial States had been issuing their own passports based on their own assessments of who their citizens were since 1952. The reason that the individual Trucial States began issuing their own passports is because the Saudi Arabian government levied heavy fees on travelers carrying British passports or identity certificates. These Trucial State passports were only recognized in Saudi Arabia, around the Persian Gulf, and in India and Pakistan. The British attempts to unify the nationality policies of all the Trucial States in the early 1950s failed due to the fact that the territorial boundaries between states were still not fully determined. In addition to the question of territorial boundaries, the matter of nationality was further complicated by the uncertain allegiance of some of the populations.

Oil prospecting heightened the need to clearly define the jurisdictional boundaries of each of the ruling sheikhs over their populations. This is because the concessionary agreements with oil companies dictated that the usage of a particular area by a certain tribe translated into territorial possession for the ruler of the tribe. In addition to the resources the ruler could gain, the codification of tribal allegiance was important because rulers paid subsidies to tribe members in exchange for allegiance, and without codification individuals could potentially receive subsidies from and declare allegiance to
more than one authority. This redistributive aspect of tribal authority preceded the
discovery of oil, but the stakes increased significantly because of the resource. As such,
by the early 1950s, “tribal allegiance to one Ruler or another—at all times the most
important issue in tribal politics—became the subject of a great deal of probing and
research” (Heard-Bey 1982: 54). To settle territorial disputes, the concerned parties
sought to collect as much evidence as possible on the wandering habits and allegiances of
tribes, and on the number, habitat, occupation, tax payments, seasonal movements and
other questions regarding the settled or semi-nomadic population.

As Abu Dhabi’s oil production grew, especially after 1966, families from
elsewhere in the Trucial States began to migrate and declare allegiance to the Ruler of
Abu Dhabi due to the increased financial benefits of belonging to that Trucial State. In an
illustrative dispute from 1969, the Ruler of Ras Al Khaimah (RAK) sent some of his
security forces to intercept vehicles from Dubai and Sharjah that were loading the
luggage of 100 people from the Jazirat Al Za’ab area in RAK to relocate in Abu Dhabi.
They had heard that every male Abu Dhabi citizen would receive a stipend and house.
The Ruler of RAK forbade their emigration without proof that they had the agreement of
their families and were not leaving any debts. He also announced that they would not be
able to return on their own terms and that all who left the territory would have to write a letter
from Shaikh Zayed announcing that he would accept them into Abu Dhabi (BRE 1969:
379).

Contestations over allegiance where particularly heated when it came to the
populations inhabiting border regions between Trucial States with significant water or oil
resources. One such example was in 1967 when a number of Dubai families transferred
their allegiance to Shaikh Zayed of Abu Dhabi. This prompted Shaikh Rashid of Dubai to complain to the British that Shaikh Zayed was attempting to gain possession of the wells used by those tribes, and demand that Shaikh Zayed return the firearms (rifles) that Shaikh Rashid had supplied to those families. In a letter to the British Political Resident in Bahrain, the Political Agent in Abu Dhabi reported that Shaikh Zayed’s response to the incident was to assert that:

[T]here should be freedom of movement and employment around the Trucial States for the subjects thereof but that he had made it clear to people from elsewhere in the Trucial States who wished to work in Abu Dhabi that he would prefer them to come without their families and leave them in their native Shaikhdom. Shaikh Zaid then went on to restate his belief in ‘State Rights’ and his determination never to permit the depopulation of any one of the Trucial States (BRE 1967: 409).

The rivalry between Dubai and Abu Dhabi was particularly strong, since Abu Dhabi’s oil wealth was shifting the balance of power away from Dubai, the historic commercial center. The tensions were alleviated somewhat when prospectors found oil in Dubai in 1966 and Shaikh Rashid could count on the prospect of an external source of revenue to alleviate his dependence upon the (Indian, Arab and Persian) merchants and fund subsidies to citizens. Nonetheless, these reserves ended up being modest compared to what Abu Dhabi has—it now controls more than 85 per cent of the UAE’s oil output capacity and more than 90 per cent of its oil reserves (Butt 2001). With the exception of Dubai’s reserves and a much smaller amount of hydrocarbons on an offshore field that Sharjah shares with Iran, the oil prospecting in the remaining Trucial States was unsuccessful. Consequently, in the years immediately preceding and succeeding the formation of the federation, there was an exodus of populations out of the remaining Trucial States into Abu Dhabi in particular.
In addition to disputes over tribal allegiance, there was no joint agreement to decide under which circumstances non-Arab populations on the Trucial Coast should “be regarded as having acquired local nationality” (BRE 1952: 44). The key question was how the populations that fell under the jurisdiction of each of the Trucial States would be counted in the population census. Who—from the range of populations that lived in the Trucial State territories—would be considered a citizen? The large and entrenched Indian population in Dubai was not considered in these negotiations because South Asians fell under the authority of the British political agencies. This status meant that Indians and other South Asians present in the territories at the time were considered foreigners and not counted in the national census figures. Thus although all Indians and other South Asians today are legally temporary ‘guest-workers,’ not all of them entered into the territory with this status. The South Asian community has existed in Dubai for over a century and some of its members are into their second, third, and in some cases even fourth generation. However, when it came to other ethnic minorities—particularly Persians and Baluchis—the determination of whether they were citizens or foreigners was far less clear.

The main source of contention was over how the large number of Persians residing on the Trucial Coast would be counted. Since Dubai and some of the northern emirates had large Persian populations, they had a strategic interest in counting the

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38 Anthropologist Neha Vora’s recent book *Impossible Citizens* (2013) is by far the most comprehensive work on the Indian community in Dubai. Vora argues that while Indians cannot become legal citizens of the UAE, their everyday practices, forms of belonging, and claims to the city make them Dubai’s quintessential, yet impossible, citizens. In examining Dubai’s largest community she points out that there are spaces of the city that are culturally much more Indian than Emirati. So much so, that one of the book’s recurring themes is that while Indian foreign residents disavow formal citizenship in the Emirates, they simultaneously also stake claims on Dubai as “‘an extended city of India’” (Vora 2013: 71). Chapter 6 in particular examines the coping strategies Indians have adopted to continue residing in the UAE for generations.
population as citizens and issued passports to many of these individuals. A population estimate from 1946 shows that Persians formed 40 percent of the total population in Dubai, 25 percent in Sharjah and Kalba, 10 percent in Abu Dhabi, and about 5 percent in the remaining Trucial States. The British had taken this population estimate to gauge how many people fell under their jurisdiction. They found that the majority of the people in this Persian population were born in the Trucial Coast and regarded by the rulers as Trucial subjects. The majority had been issued Trucial State passports (BRE 1946:166).

While Abu Dhabi required Iranians to have visas and considered regarded them as foreigners, the remaining six Trucial States did not. Their policy towards Iranians was to encompass them within the visa-free access given to citizens of other Persian Gulf states. The distance between the Persian and Arab sides of the Gulf shores is much shorter than the distance between South Iran and Tehran in the North. As such, for Iranians living far way from Tehran it was extremely inconvenient to attain visas to Abu Dhabi. Iranians also knew that, in practice, they didn’t really need a visa as they could enter the territories through Dubai and then make their way to Abu Dhabi quasi-illegally (BRE 1968: 421). Maintaining this visa-free access was especially important for Dubai, whose pre-oil economy was based on a long history of maritime trade with the Persian shoreline of the Gulf, as well as the Indian subcontinent and East Africa. Its population was ethnically heterogeneous and its three merchant communities of Arabs, Indians, and Persians were powerful and well entrenched. The pre-oil economy in Abu Dhabi, on the other hand, was not as dependent upon merchants and maritime trade. The Al-Nahyan rulers of Abu Dhabi come from the Bani Yās tribe that was originally nomadic, but began to lead a more settled existence in the Liwa Oasis and later in Abu Dhabi town. The ruler’s pre-oil
income came from these settlements and inter-desert trade, making Abu Dhabi much more ethnically homogenous than Dubai. Thus, at the inception of the union, the UAE did not have a unified immigration policy. Administratively, there were two distinct immigration regimes, one for Abu Dhabi and another for the remaining six emirates.

In addition to Persians, some of the Northern Trucial States had issued passports to Baluchis and Adenis. The British authorities were wary of this practice because other Rulers in the Gulf, especially the Kuwaitis, did not require visas of Trucial State subjects but did not accept Baluchis, Persians, and Adenis as Trucial State subjects. The rulers of the smaller Trucial States were accused of selling passports to supplement their revenue. While at first the records show that the Trucial State rulers rejected this accusation and insisted that these populations were citizens, by 1965 Dubai, Sharjah, and Ras Al Khaimah took initiatives to cancel all existing passports. They then required their populations to apply for new ones that would be re-issued under stricter control (BRE 1965: 47-100). By the mid1960s there was thus a concerted effort to make citizenship requirements more stringent than they had previously been (creating a growing undocumented population in the process).

While the negotiations almost failed at times, by 1971 the five smaller Trucial States conceded on some of their demands and an agreement was reached. This was due, in no small part, to the efforts by Shaikh Zayed, who committed to allocating Abu Dhabi’s oil wealth to finance the development of the smaller Trucial States. The leverage of the five smaller Trucial States was also weakened when the British government announced in 1971 that it would not recognize them in the absence of a union. Disputes over the allegiance of populations and the criteria for citizenship underpinned the
negotiations that went into the formation of the UAE federation. As explained in greater depth in chapters 5 and 6, the UAE’s current multi-level naturalization process codifies citizenship by emirate before an individual can attain federal nationality. That dual process emerged out of the compromises that were made to preserve state rights. The federal nationality law of 1972 aimed to forge a new unified citizenry that would continue to recognize pre-existing identities and the sovereignty of each emirate.

3.6. Concluding Remarks

The policies that determined whether domestic minorities would become citizens were particularly contentious because they determined the distribution of power within the union. When the federal government was formed in 1971, the state’s constitution ranked the hierarchy of the federal political authorities as follows: 1) supreme council of the union (SCU) 2) federation president and vice president, 3) federation cabinet 4) the federal national council (FNC) and 5) the federal judiciary constitution. The SCU consisted of all the rulers of the member emirates. Initially this council was conceived to be the highest authority in the land, and charged with electing the president and vice president of the federation every five years. However, since the UAE’s formation in 1971, the ruler of Abu Dhabi has always filled the president’s role and the ruler of Dubai has always held the position of the vice-president. Constitutionally, the weight of the votes in the federation’s highest authority (the Supreme Council of the Union (SCU)) was dependent upon the size of the citizenries of each of the constituent member-states. At the inception of the union Abu Dhabi and Dubai had the largest populations of roughly the same size. Accordingly, their rulers had veto powers in the SCU. This allocation of power based on the size of the citizenry was also used in determining the number of seats
each emirate would have in the parliament or Federal National Council (FNC). Eight seats were allocated for the emirates of Abu Dhabi and Dubai, six seats for the emirates of Sharjah and Ras Al Khaimah, and four seats each for the emirates of Ajman, Fujairah, and Umm Al Quwain.

The boundaries of the UAE’s citizenry became increasingly stringent as oil production was converted into revenue in the 1960s. Under pressure from Abu Dhabi and the British prior to the formation of the union, the rulers of the smaller emirates began making their own citizenship requirements more stringent. By the time the union was formed in 1971, the constitution inscribed a series of elite safeguards against the expansion of the population. The nationality law stipulated that only the populations who had been in the territories since 1925 and were identified by the ruling elites as constituent members would be recognized as citizens. This stipulation disenfranchised anyone who came after that date. The federal nationality law also erected an extremely stringent naturalization policy (over 30 years of residence) that would make it difficult for new migrants to gain citizenship. Finally, no naturalized citizens would “have the right of candidature, election or appointment”—circumscribing political rights to the individuals who were incorporated in the founding national pact.  

39 This clause comes from Article 13 of the Federal Law No. 17 of 1972, Nationality and Passports. The same article stipulates that this restriction does not apply to citizens of Omani, Qatari, or Bahraini origin after they have held Emirati citizenship for seven years.
Chapter 4 PERMANENTLY DEPORTABLE: THE FORMAL AND INFORMAL INSTITUTIONS OF THE KAFALA SYSTEM

“The first impression of most foreign visitors to the region is, “where are the locals?!” That is a question that many of us have heard time and again... And probably have even asked ourselves. Whether it is at one of the GCC states’ international airports, shopping malls, restaurants, or even at traffic signals, native citizens are a rare sight to behold.”

- Dhahi Khalfan, Dubai Police Chief (The Peninsula 2010)

This chapter contextualizes the UAE case by examining the guest worker system across the Gulf Cooperation Council (GCC). The Arab Gulf is the third largest receiving region for global migrants (after North America and the European Union). The six states of the GCC are the richest Arab economies, boast some of the highest GDP per capita rankings in the world, and all depend upon guest workers in virtually every economic sector. Guest workers have played an integral role in the Gulf, especially since the 1970s, supplying the labor and expertise needed to implement ambitious development plans. The demographic changes incurred by these labor flows occurred at an extraordinarily rapid pace. The region’s aggregate population has increased more than tenfold in a little over half a century (from four million in 1950 to 40 million in 2005), making it the highest growth rate of anywhere in the world during that period (Kapiszewski 2006). Non-citizens now outnumber citizens in four out of the six the GCC states40 (see table 4-1). Non-citizen workers represent between 49.5 percent (Saudi

40 Non-citizens outnumber citizens in the UAE, Qatar, Kuwait and (to a lesser extent) Bahrain.
Arabia) to 95.8 percent (United Arab Emirates) of the domestic labor forces and over 60 percent of the region’s aggregate workforce (Forstenlechner and Rutledge 2010).

Table 4-1 GCC Citizens and Non-Citizens in Absolute Numbers and Percentages (2010)

<table>
<thead>
<tr>
<th></th>
<th>Citizens</th>
<th>%</th>
<th>Non-Citizens</th>
<th>%</th>
<th>Total Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bahrain</td>
<td>568,399</td>
<td>46%</td>
<td>666,172</td>
<td>54%</td>
<td>1,234,571</td>
</tr>
<tr>
<td>Kuwait</td>
<td>1,056,900</td>
<td>39%</td>
<td>1,616,026</td>
<td>61%</td>
<td>2,672,926</td>
</tr>
<tr>
<td>Oman</td>
<td>1,957,336</td>
<td>71%</td>
<td>816,143</td>
<td>29%</td>
<td>2,773,479</td>
</tr>
<tr>
<td>Saudi Arabia</td>
<td>20,941,242</td>
<td>73%</td>
<td>7,745,391</td>
<td>27%</td>
<td>27,136,977</td>
</tr>
<tr>
<td>Qatar*</td>
<td>174,279</td>
<td>11%</td>
<td>1,357,563</td>
<td>89%</td>
<td>1,531,842</td>
</tr>
<tr>
<td>United Arab Emirates</td>
<td>947,997</td>
<td>11%</td>
<td>7,316,073</td>
<td>89%</td>
<td>8,264,070</td>
</tr>
</tbody>
</table>

Officially, the non-citizens residing in the Gulf are not immigrants, but temporary contractual laborers with little to no recourse for permanent settlement or citizenship. They enter the country as guest workers under fixed-term employment contracts and are obliged to leave upon the termination of their work. Their stay is regulated through the *Kalafa* or sponsorship system, which makes an individual national citizen or company

sponsor (known as the kafeel) legally and economically responsible for the foreign worker for the duration of the contract period. It is through this guest worker system that Gulf States are able to use citizenship as an instrument of political closure, applying specific practices and mechanisms that prevent new migrants from becoming citizens.

While the structure of the Kafala enables Gulf governments to maintain some formal/legal control over how long individual workers can reside in the country, the guest worker program as a whole is far from the temporary measure it was envisioned to be. Rather, following the trend of most other guest worker schemes, the Kafala has produced a structural dependence on foreign labor that is not subsiding despite growing public discontent and rising unemployment rates among Gulf citizens. Since the 1990s, Gulf governments have attempted to alleviate their dependence on migrant labor through campaigns aimed at training and indigenizing their domestic labor forces. The general approach has been through job training programs and quotas on the number of nationals private business must employ. However, these policies have been largely unsuccessful and the presence of non-citizens has continued to grow in both absolute and relative terms—a disparity that is only projected to increase over the next twenty years.

In no other region of the world do citizens comprise such a small proportion of the population. While this ‘demographic imbalance’ (as the growing disparity between the number of non-citizens and citizens has been called) makes the Gulf unique, large-

[42] For an overview of workforce nationalization campaigns in the GCC states see (Shah 2008), for an overview on labor market governance see (Dito 2008).
[43] The Economist Intelligent unit estimates that the Gulf’s population will continue to increase by a third over the next decade, reaching 53.5 million by 2020. These figures reflect an assumption that the current growth rate will decrease slightly after 2015 with the expected completion of major construction projects. However, based on the patterns of 2010 census reports, the Emirates Identity Authority estimates that this figure is likely to be closer to 60 million (Economist Intelligence Unit and Kinnimont 2009; Al-Khoury 2010).
scale migrant labor flows are certainly not exceptional to the GCC.\textsuperscript{44} Other receiving regions like North America, Europe, and Oceana have all expanded through permanent migrations. What differentiates the Gulf is not its economic and demographic expansion through migration, but rather the degree to which the region’s governments have been able to exclude foreign workers from being integrated into the national citizenry. It is not the scale of immigration, but rather “the exceptional closure of local societies that makes the Gulf states unique” (Fargues 2011: 274). As Fargues also points out, the exclusion or non-inclusion of foreign workers is not the result of an essential characteristic of Gulf societies, but rather that of a conscious policy. The social closure of non-citizens had to be erected and continually enforced through specific policies and institutions that differentially impact a wide variety of non-citizens and the local citizenry.

This chapter examines the formal and informal institutions that support the inward flows of large numbers of foreign laborers while excluding non-citizens from full integration into Gulf societies.\textsuperscript{45} This analysis builds upon studies in comparative politics that demonstrate that the study of formal rules is often insufficient for explaining political outcomes. The institution of the \textit{Kafala} defines the formal rules that actors have to abide by, but actors also systematically develop informal rules that complement or subvert formal restrictions. Helmke and Levitsky define informal institutions as “socially shared rules, usually unwritten, that are created, communicated, and enforced outside of

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\begin{quote}
44 The term ‘demographic imbalance’ is used by both government officials and the English news media (see \textit{The National} newspaper (UAE) and \textit{The Peninsula} (Qatar)) and is most frequently applied to the UAE and Qatar. In 2010 the UAE even established a federal body (the Federal Demographic Council) in Abu Dhabi to restore the ‘demographic balance’ of the population. \textit{See also} (Shah 2008).

45 This emphasis on formal and informal institutions is in line with the policy-centric approach advocated by (Fargues and Brouwer 2011). The authors argue that the demographic imbalance of the Gulf is a result of a mix of policy successes and failures.
\end{quote}
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officially sanctioned channels” (Helmke and Levitsky 2003: 9). Informal institutions are distinct from weak institutions, informal behavioral regularities, culture, or informal organizations. They interact with formal institutions in four ways. When formal institutions are effective, informal institutions can be complementary (compatible goals) or accommodating (incompatible goals). When formal institutions are ineffective, informal institutions can substitute (compatible goals) or compete (conflicting goals) with formal institutions.

The first section of this chapter provides a general overview of guest-worker programs to contextualize what is particular about Gulf institutions. The second section introduces the reader to the policies and regulations of the Kafala system. It explains the formal restrictions this guest worker scheme places on permanent settlement and highlights the mechanisms that states use to enforce temporary residency from the top-down. It points to the key roles played by the Ministries of Interiors and citizen-sponsors in regulating and enforcing the Kafala system. This section argues that while the Ministries of Interior have effectively foreclosed non-citizen access to citizenship, they have not successfully prevented ‘temporary workers’ from increasingly becoming permanent residents. The third section then explains the importance of two informal institutions of the guest worker system—one complements the Kafala’s formal institutions, the other is accommodating of them. Specifically this section demonstrates how firms, citizens, and non-citizens have adopted strategies that often complement and facilitate their navigation of the legal framework on the one hand, and implicitly subvert the formal rules of the Kafala system on the other. These complementary and accommodating informal institutions have enabled non-citizens to systematically settle in
the Gulf by tempering and modifying the formal restrictions on their settlement. Because of the sponsorship structure of the *Kafala* system, citizen-sponsors simultaneously play a critical role in both of these opposing dynamics—at once aiding in the enforcement and subversion of restrictions on the residency and settlement of non-citizens.

4.1. Guest Workers vs. Permanent Migrants: How Temporary is ‘Temporary Contractual Labor’?

The following statement epitomizes the official stance of Gulf governments towards non-citizens residing in the region:

First of all, workers hosted by the UAE and other GCC countries cannot be considered migrant workers, as they work on a temporary basis and according to fixed-term employment contracts. Upon expiration of these contracts, they return to their home countries. Therefore, the immigration laws applicable in Western countries cannot be applied to these workers… the internationally accepted concept of migration does not apply to them (Ghaemi 2006:70-71).

This statement was made Nasser Al-Shamsi, the Permanent Representative of the United Arab Emirates to the United Nations, in a letter sent to Human Rights Watch on September 29, 2006. In this letter Al-Shamsi argues that there is a clear legal distinction between temporary contractual laborers and migrants—one that the non-citizens in the Gulf are themselves aware of prior to accepting employment in the region. He also notes that this formal distinction is recognized and protected by several international agreements between sending and receiving countries. He cites the findings of the Third Asian Ministerial Consultation Conference (2005) held by the International Organization for Migration (IOM) in Bali, to argue that the temporary residency of expatriate workers has “become one of the agreed upon concepts of International Migration Organization concerning foreign labor working in the GCC” [sic](Ghaemi 2006: 70).
What distinguishes a temporary contractual laborer from a permanent migrant?

Contrary to what is suggested by the terms ‘temporary’ and ‘permanent,’ the difference has less to do with the duration of stay and more to do with the formal and legal restrictions that structure the nature of a non-citizen’s stay. Guest worker programs are designed to increase the supply of a labor force without increasing the number of permanent residents to a population. They are supposed to produce only a temporary surge in the demographic make-up of a receiving country for a specific developmental purpose when the domestic labor force cannot meet the demand (such as postwar reconstruction). Guest workers generally do not have free access to the labor market. Restrictions on visas prohibit them from being able to legally apply for permanent residence or naturalization or bring their families with them. In contrast, open or permanent migration schemes result in the incorporation of immigrants and their families and impact the receiving country demographically, culturally, socially and politically. These ideal-type models rarely maintain coherence in reality. Indeed, as a general trend, migration that begins as temporary quickly takes on a more permanent quality as governments struggle to control settlement once workers have entered the country. As one migration scholar neatly put it, “there is nothing more permanent than temporary foreign workers” (Martin 2011:1).

Guest worker programs become permanent for two reasons: expansion of initial demand and dependence. The first reason is that the initial demand for workers grows and adapts with the promise of an almost unbridled labor supply. In the cases of the

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46 To explain distortion Martin uses the farming example of “if foreign workers are readily available, employers can plant apple and orange trees in remote areas and assume that migrant workers will be available when needed for harvesting” (Martin 2011:1).
US-Mexico Bracero programs and the German and other European guest worker schemes of the 1960s and 1970s, the employers’ “need” for guest workers lasted longer and proved to be larger than originally expected. This dynamic is operating in the GCC across all economic sectors. The most illustrative examples are found in the construction industry, where foreign workers have permitted governments to implement ambitious building projects—such as the tallest building in the world—without having the indigenous manpower to meet these goals. The dependence upon foreign labor can also discourage innovation and the application of new and more efficient technologies in specific sectors. Relatedly, dependence occurs because employers in the receiving country come to rely on foreign workers, and those workers in turn form attachments to the receiving country, as do their families who now depend on the remittances sent home.

Summing up the German experience, Max Frisch said: "We asked for workers, and we got people" (cited in Martin 2011:3).

This is no less true of the people who work in the Gulf. The governments of the GCC may not officially recognize non-citizens as migrants, but de facto settlement is occurring across the region. However, while temporary guest workers in the United States and Europe managed to leverage the long duration of their stay to gradually gain legal access to permanent residency, family reunification, and citizenship, this transition

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47 The US government implemented the Mexico-US Bracero program to supply farmers to US farms from 1917-1921 and again from 1946-1967. For a comparison of the German and US cases see (Martin 2011). The term “guest worker” is a literal translation of the German “Gastarbeiter” and Germany’s guest worker program of the 1960s and 1970s is often cited as one of the illustrative cases of how governments struggle to prevent the permanent settlement of temporary workers. The United Kingdom, Switzerland and France also developed guest worker schemes in the second half of the Twentieth century, ultimately leading to a European recruitment ban in 1973-1974 see (Philip Martin and Miller 1980; Castles 1986). For an analysis of the European Commission’s current policy plan to revive temporary migrant worker programs see (Castles 2006). Castles points out that the current debates are about introducing skilled foreign workers (as opposed to the unskilled workers of previous European guest-worker schemes).
is not happening in the Gulf. The discrepancy in these two outcomes is not due to the more ‘welcoming’ nature of the liberal governments of the United States and Western Europe. On the contrary, these rights were often extended in spite of government efforts to circumscribe residency and deport workers. Rather, temporary workers were able to legalize their status by pitting one state institution against another. The intervention of domestic courts played (and continues to play) an integral role in preventing deportations and inhibiting migration enforcement. In Europe, European courts directly challenged national decisions and policies on migration enforcement. European norms on family reunification and the general convergence of a common immigration and asylum policy with the implementation of the Schengen agreement also hampered government attempts to deport workers. The European Court of Justice continues to play an important role in checking national migration enforcement, often aligning with domestic courts. These court decisions, combined with the efforts of labor unions and civil rights groups, produced new citizens out of former foreign guest workers in Europe and the United

48 Continuing this trend, Supreme Court judges in the United Kingdom have recently dealt a “hammer blow” to Home Office attempts to reduce the number of migrant workers entering the UK. In a case against Hussain Zulfiquar Alvi (a man of Pakistani origin who was refused a renewal of his work permit in 2010) the judges ruled that ministers could not ban non-European workers from the country unless the regulations used to reject their claim had first been shown to parliament. This seminal decision means that applicants whose visa claims were denied as far back as 2008 (when the points-based system was introduced) can now appeal against their decisions. See (Warrell 2012).

49 For example, the first chamber of the European Court of Justice recently issued a decision that Italy cannot criminally punish a third-country national for illegally staying in the national territory in violation of an order to leave within a given period. The court ruled that EU Directive 2008/115 (which was supposed to implemented by December 2010) precluded the ability of any member state to imprison a third-party national on the sole basis of having stayed in the country after being issued a deportation order. The Italian law in question was enacted as part of a ‘security package’ (“pachetto sicurezza”) of immigration laws that punishes migrants who violate the terms of their residency with 1 to 4 years in prison. The court’s ruling in the case of Hassen El Dridi alias Soufi Karim (Case C-61/11 PPU, 28 April 2011) has repercussions for migration enforcement in Italy and across the union. Italy’s Interior Minister Roberto Maroni criticized the decision for making expulsions ‘difficult or impossible’ but the ECJ decision is consistent with Italian court rulings, including the Constitutional court and the Supreme Court. See Overview (Migrants at Sea 2011), court decision: (http://curia.europa.eu/juris/liste.jsf?language=en&num=C-61/11). And EU Directive: (http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:348:0098:0107:EN:PDF)
States. Such avenues for legal permanent settlement and integration are largely foreclosed for migrants in the Gulf—including those migrants who have worked and lived in the region since the very formation of these states. The difference in these outcomes is due to key differences in the state structures that shape the enforcement and implementation of migration policies.

4.2. Formal Institutions of the Kafala: Building and Enforcing Temporary Residency

What distinguishes the Kafala system from other guest worker schemes? How do Gulf governments organize, regulate, and enforce the temporary residency of their guest workers? In an effort to highlight what is distinct about the structure and enforcement of migration in the Gulf, this paper emphasizes the important structural similarities between these resource-rich, labor-importing countries and discusses them as a regional bloc.

Across the region, the formal institution of the Kafala has two key defining structural features. First, the Kafala is centrally administered and regulated through the Ministries of Interior of each of the Gulf States. This means that the same institution that decides to permit or revoke residency can also enforce those decisions without any outside intervention by the courts or other institutions. Second, the Kafala regulates foreign labor through citizen sponsorships. This arrangement functions as a built-in enforcement mechanism for temporary residency by holding citizens directly responsible

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50 In 2006, Bahrain officially abolished the Kafala system and established a government agency, the Labor Market Regulation Authority, to manage the guest worker program. However, this reform has not substantively eradicated the sponsorship relationship, since non-citizens still require national sponsors. This reform has nonetheless lessened some of the barriers against switching national employers. See “Act No. 19 (2006) With Regard to the Regulation of the Labour Market” (http://portal.lmra.bh/english/page/show/5).
for the residency violations of non-citizens. Effectively, the combination of these two formal aspects of the *Kafala* means that the mechanisms for enforcing temporary residency are widely dispersed while the authority over residency decisions remains highly concentrated.

This chapter contextualizes the UAE by drawing important similarities across the GCC cases. This is not to suggest that there are not important differences between these independent and distinct states that vary economically, socially, and politically. They differ in when and how each state was formed. The relative strength and structure of different domestic political and religious institutions also differs across these cases. The GCC cases also vary by when and how much oil was discovered in each country. Moreover, the Gulf Cooperation Council that unites these six states has not institutionalized a common immigration and asylum policy in the way the Schengen agreement (and its subsequent modifications) has for the European community. Despite

51 Saudi Arabia was united by the conquest of Al Saud in 1932; Kuwait was a British protectorate that gained independence in 1961; the remaining four states—Bahrain, Oman, Qatar, and the United Arab Emirates all gained independence from Britain in 1971.

52 Although all six states are monarchies, the domestic political landscapes diverge dramatically. To name a few notable differences: Kuwait has had the most powerful independent merchant class and now the strongest parliament in the region. In Saudi Arabia the religious establishments holds more control than in the remaining states. And the states also differ in structure—the UAE is a federation while the rest are unitary.

53 Collectively, the six states have approximately 45% of the world’s proven oil reserves. Oil was discovered in Bahrain in 1932, Kuwait and Saudi Arabia in 1938, Qatar in 1940, the UAE in 1958, and Oman in 1967. According to 2011 estimates, Saudi Arabia is the world’s largest (net) oil exporter with one-fifth of the world’s oil reserves. The UAE possesses nearly 10 percent of the world’s total oil reserves, and is the 7th largest oil producer. Within the UAE, the emirate of Abu Dhabi controls more than 85 percent of the oil output capacity and more than 90 percent of its reserves. Kuwait has the world’s sixth largest oil reserves and ranks as 10th largest oil producer globally. Qatar is 18 in the global ranking of oil production, but it holds the world’s third largest natural gas reserves and is the single largest supplier of liquefied natural gas. Oman ranks 24 in global oil production. Finally, Bahrain, as the first to discover oil and the smallest territory, ranks 64 in global oil production, and it exports much of its oil in the form of refined petroleum products. *Source:* The US Energy Information Administration [http://www.eia.gov/countries/](http://www.eia.gov/countries/).

54 The GCC is a common customs union, and it has made some provisions for facilitating the movement of people (in addition to goods) within the union. The states recognize residency visas carried by foreign
these important differences, the Gulf states share some significant common features. First, as already stated, they all overwhelmingly depend upon foreign labor. As a result they all have segmented labor markets, with a low participation of citizens in the private sector, and rising unemployment rates. A large portion of the regional workforce is employed in construction, utilities, government institutions, and other service sectors—only 1% of the workforce is employed in the oil and gas sector which produces 47% of the GCC’s aggregate GDP (Al-Khoury 2010: 4). These labor market similarities arise out of the central structural similarities in the way the GCC states have implemented and enforced the guest worker program.

4.2.1. The Ministry of Interior and Centralized Administration

At the precise moment when European states were moving away from guest worker schemes (early 1970s), the Gulf states formalized, expanded, and entrenched their guest worker system. As each of the six GCC states began managing increasing numbers of guest workers, there was a gradual convergence around the transfer of authority and regulation of residency decisions from the Ministries of Labor to the Ministries of Interior. This move began a trend towards the domestic centralization of authority over residency and naturalization decisions. Guest workers, who were already present in the oil industry since the 1930s, were now brought in to assist in virtually every aspect of state-building, providing skilled and unskilled labor for infrastructural development, nationals in other member states, and this often expedites the ability of non-citizens to travel within the union. However, the free movement of individuals is limited to Gulf nationals. Provision 27 of the union calls for each member state to specify “special lanes for GCC nationals bearing the expression ‘GCC Nationals’ across border offices of Member States.” For an overview of the purview of the common customs union see “Process of the Customs Union of the Cooperation Council for the Arab States of the Gulf: 2002-2010” (Staff, GCC 2010).
education, healthcare, and transportation. Prior to the 1970s oil boom more than 80 percent of the migrant workers in the Gulf region were Arabs, mainly from Egypt, Syria, Yemen and Palestine. Migration to the Gulf surged after the 1973 oil price hike, with higher numbers of migrants from poorer Arab nations like Egypt and Yemen rising especially. About 1.3 million migrants were estimated to be in the region in 1975 (Rahman 2010). A second price hike in 1979 and the subsequent rise in government revenue led the Gulf States to implement more developmental initiatives and increase the importation of foreign labor. The percentage of Arab migrant workers began declining, primarily due to the inflow of Indians, Pakistanis, Sri Lankans, and other Asian workers. This replacement of Arab expatriates with Asians continued as a dominant demographic trend in the 1990s.

The preference for Southeast Asians over Arab workers became especially apparent following the Gulf War due to a perception that certain Arab migrants had sided with Iraq in the Gulf War and were a security threat. Naturalized Palestinians in Kuwait, Egyptian migrants in Iraq, and Yemenis in Saudi Arabia all became ‘enemies of the state’ virtually overnight for being from the nationality of the opposite camp. Over three million legal Arab immigrants were forced to leave the Gulf, regardless of their actual stance on the conflict. This included a mass ‘return’ of Palestinians from the Gulf to Jordan because of the Palestinian Liberation Organization’s position on Iraq (Van Hear 1993; Van Hear 1995). The Gulf War had massive ramifications for not only the migrants in the Gulf but also the way that Gulf governments began perceiving their dependence upon labor migrants. As Fargues explains, “political lessons were drawn by states that possess the most strategic resources, but with neither the demography nor the
social systems to defend themselves. The war was an occasion for them to reassess their vision of labor and to adopt nationalization policies of their workforce (Fargues, 2011: 279). The Gulf War helped solidify and spread the idea that depending upon migrant labor was a national security threat that made Gulf societies vulnerable. In its aftermath, stringent naturalization policies gained popular support as naturalized citizens in the Gulf were depicted as being motivated by the economic benefits of citizenship and not sufficiently allegiant or loyal. Moreover, the economic crisis that followed the Gulf War only served to heighten the growing resentment against migrants. Reconstruction had to be paid for with cheap oil and for the first time migrants came to be viewed by citizens as economic competitors. The political developments of the 1990s thus only served to entrench the barriers against migrant incorporation, with the Ministries of Interior taking active roles in instituting new security initiatives in response to regional conflict and changing demographics.55

Concretely, the centralization of the Kafala under the purview of the Ministry of Interior works in the following way: national citizens and companies in the Gulf apply for labor permits through the Ministries of Labor, but the approval for the residency permit must come from the Ministries of Interior which issue individualized security clearances and permits. It is thus the Ministry of Interior—not the Ministry of Labor, or the Ministry of Justice—that wields the ultimate authority over how long an individual worker can stay in the country under a labor contract. Since the Ministry of Interior also controls the domestic security forces, this means that the same institution that administers

55 For a more detailed discussion of the institutional developments of the Ministry of Interior in the 1990s in the UAE, see (Lori 2011) or chapter 5 of this dissertation.
residency decisions also has the necessary resources at its disposal for enforcing those decisions. Once a residency permit has been denied or revoked, the Ministry of Interior does not have to coordinate with a separate government entity to find, remove, and deport the guest worker (now deemed an ‘illegal’ or an ‘infiltrator’). More importantly, in addition to being able to unilaterally make and enforce deportation decisions, it is this same institution, the Ministry of Interior, that also wields the authority to decide upon and enforce naturalization decisions. All of the avenues for legal residency are centralized and controlled by the state security apparatus. This highly centralized control over the citizen/non-citizen boundary has meant that the Gulf states have increased their labor forces without expanding their citizenries. “Decades of intense, but temporary, migration have resulted in citizens and non-nationals growing as two separate entities without a new, mixed, population emerging from their co-existence” (Fargues 2011: 280). In other words, the region’s current challenge of a ‘demographic imbalance’ is an unintended consequence of its successes in enforcing migration policy and preventing migrant incorporation.

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56 For a more detailed explanation of how naturalization policy is highly securitized by the Ministry of Interior in the case of the UAE, see (Lori 2011). For a case by case explanation of the naturalization laws in each of the GCC states, see (Parolin 2009) or (Fargues and Brouwer 2011) for a summary. In general, naturalizations were more inclusive from the 1950s-1970s. After the 1970s, in response to massive numbers of guest workers, the legislation on nationality regulations across the GCC became more restrictive.

57 Intermarriage rates are lower for Gulf women than Gulf men. This is due to the higher informal restrictions on Gulf women marrying foreign men from their families and the broader society, but this trend is entrenched by the fact that women lose the ability to transfer citizenship to their children when they marry foreigners. In the UAE in particular, religious sheikhs must have permission to marry Emirati women to foreign men.
4.2.2. Citizen-Sponsors and Dispersed Enforcement

By now the *Kafala* is an extensive and institutionalized Inter-Asian guest worker scheme that moves millions of people and generates billions of dollars for sending and receiving countries annually. At the base of this extensive structure are individual-level linkages between Gulf citizens (or national firms) and non-citizen workers. This is an integral structural feature of the guest-worker system in the Gulf. Indeed, the words *Kafala* (sponsorship) and *Kafeel* (the sponsor) come from the Arabic root *k-f-l*, meaning to be a guardian, vouch for, or otherwise take responsibility for someone. Several sources suggest that the *Kafala* emerges out of the Bedouin customs of temporarily granting strangers shelter, food, protection, and even tribal affiliation for specific purposes (Heeg 2010:6; cites A. N. Longva 1997). Individual-level linkages between the citizens and their ‘guests’ thus build upon tribal narratives of hospitality, and fit well with the official state nationalisms of the Arab Gulf states. More importantly, however, citizen-sponsorships provide Gulf governments with a widely dispersed mechanism for enforcing the temporary residency of non-citizens.

In the *Kafala* system, the residency of a foreign worker is merged with and tied to his or her labor contract. This is not an open system that allows foreign workers to have

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58 Citizen sponsorships have been used to enforce migration elsewhere. Notably, Italy experimented with a similar sponsorship system as part of a package of legal reforms in 1998 that were aimed to manage the country’s shift from being a primarily migrant sending to a migrant receiving country. Law No 186/98 was the first attempt at implementing a coherent immigration policy for integrating migrants, establishing quotas, and more successfully restricting undocumented immigration. The Italian sponsorship system was less rigid than the Kafala, but the principle was the same: a citizen, an institution, a NGO “invites” a migrant to work, and is financially responsible for his or her salary, accommodating, and general wellbeing. This system was reformed in 2002 (Law No. 189/2002), abolishing the direct sponsorship relationship and replacing it with the concept of a ‘stay permit for employment purposes’ that allows foreigners to enter and stay in Italy as long as they have a job. *See* (Bertozzi 2002) and (Levinson 2005).
residency visas to legally enter the country and then compete in the labor market for jobs. Rather, each non-citizen worker enters the country already tied to a particular job that is sponsored by a national citizen or company (\textit{kafeel}). Whether through direct recruitment or through recruitment agencies, this sponsor-employer identifies the non-citizen worker he/she would like to hire and then applies for a visa on behalf of that specific worker. In so doing, the \textit{kafeel} agrees to assume the legal and economic responsibility for the worker for the duration of their stay in the country and inform the Ministry of Interior of any change in the labor contract (expiry, renewal or cancellation), or in the worker’s domicile or civil status. The \textit{kafeel} is financially responsible for repatriating the worker as soon as his or her contract is fulfilled or terminated. This process of ‘vouching’ for someone is not unlike the enforcement mechanism that is used by banks or bail-bonds when they require a third-party to co-sign on a loan or bond with the borrower and be held responsible in the case of defection. This sponsorship arrangement effectively privatizes some of the costs of migration enforcement by directly holding individual citizens financially and legally accountable for each and every non-citizen. Citizen-sponsors are thus a very important appendage of the state in the enforcement of temporary residency; “through the \textit{Kafala}, states delegate to private citizens the surveillance of migration” (Shah and Fargues 2011: 268).

The \textit{Kafala} has been criticized by the international community for constricting the mobility of labor and rendering foreign employees vulnerable to physical abuse, wage discrimination, and deportation (A. Longva 1999; Human Rights Watch Varia 2008; Rahman 2010; Turner, Varia Human Rights Watch 2007). The dependence upon sponsors can breed human rights violations because the system is highly discretionairy; it
depends upon the idiosyncratic nature of individuals who may subject workers to abuse and exploitation. While the cost of a visa (also known as a visa bond) is supposed to be paid by the sponsor, there is little protection against externalizing these costs to the migrants themselves. Moreover, even if the sponsor does not externalize these costs to the migrants, recruitment agencies and sub-recruiters in the sending countries often charge migrants for seeking employment in the Gulf. The costs of paying for visas to enter the Gulf can be so high that some guest workers incur large debts to gain employment and are effectively forced to stay in unfavorable work environments until their debts are paid off. And since their labor rights are tied to their residency, workers have little recourse to contest unpaid wages or the retention of their passports. There are labor laws that protect foreign workers and enable them to sue their employers, but since the employer and sponsor are the same person, it means that while the trial is pending the plaintiff is unemployed and forbidden to work for anyone else. And “a sponsor may resort to pre-emptive measures, such as accusing the worker of some morally reprehensible behavior that could lead to his or her deportation” (A. Longva 1999: 22). Even if a foreign worker successfully wins a court case against an employer, the outcome of the conflict will mean the termination of their employment and hence their residency visa. The worker will thus have to return to his or her country of origin and repeat the costly recruitment process once again.

Since the sponsorship system holds individual citizens responsible for repatriating guest workers, Gulf governments are formally able to discourage visa overstaying and
evade one of the most notoriously difficult aspects of migration enforcement. However, this mechanism completely depends upon citizens to comply with the terms of sponsorship, and thus the very structural feature that is used to enforce the restrictions on residency can also be used to subvert those restrictions. The subsequent section explains how citizen/non-citizen linkages are also a key mechanism for extending the residency of non-citizens. The Kafala relationship, since it was institutionalized legally, has always been accompanied by systematic informal practices that allow the private sector to counter the restrictions the state has placed on the residency and family reunification of guest workers.

4.3. Informal Institutions: Navigating and Subverting Temporary Residency

If the formal institutions of the Kafala sufficiently explained migration outcomes in the Gulf we would expect the official stance of Gulf governments to hold—that is, all non-citizens are temporary workers who leave after a fixed period of time and do not turn into permanent migrants. Instead, “the Gulf countries are experiencing that many guest-workers gradually transform into immigrants, but governments do not yet formally acknowledge this fact” (Fargues and Brouwer 2011: 240). Over the course of the past 30 years, there has been a continuous rise in the number of non-citizens residing in the region, and increasingly, they are joined by their spouses, giving birth to a second (and even third) generation of immigrants, and finding formal and informal ways of staying

59 Nearly half of the estimated 12 million undocumented aliens in the US are visa overstays (Brown 2010: 88).
past retirement. While data on the indicators of permanent migration is sporadic and scarce, the official figures and studies that do exist suggest that non-citizens are informally, yet systematically, turning into permanent migrants. The first part of this section briefly highlights the findings from recent publications that aim to measure the degree to which temporary labor migrants are turning into permanent immigrants. Two new studies in particular comprehensively assess the available national census data from all six states to argue that de facto permanent residency is occurring across the GCC (Baldwin-Edwards 2011; Fargues and Brouwer 2011). There are two indicators for measuring the extent to which temporary contractual workers are gradually turning into permanent migrants:

1) Long duration of residency, measured as
   a. over ten years of residence
   b. past the retirement age of 65
2) Family reunification, measured through
   a. migration of non-national spouses
   b. birth or migration of non-citizen children, especially outside the labor force and/or under the age of 15.

4.3.1. Duration of Residency and Settlement

Official data on the duration of residency for non-citizens is not widely available. Several recent ethnographic studies suggest that foreign communities in the Gulf are developing sustained ties to the host country and stay well beyond the usual estimate of ten years of residency. Andrew Gardner’s work on the Indian diaspora in Bahrain, as well as Sharon Nagy’s study of Bahrain both suggest that foreign communities in Bahrain are well-entrenched and have been for decades (Gardner 2008; Nagy 2010). Likewise,

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60 The proxy measures for permanent migration used in this section are taken from these studies. However, the estimates diverge because where possible I have updated the data to reflect the most recent census data has been made available (particularly for Bahrain and Oman).
Hélène Thiollet’s research (2010) on the everyday forms of belonging by migrants in Saudi Arabia demonstrates that national belonging is not limited to those who are formally included in the body politic—an argument that Neha Vora (2013) also makes about Indians in Dubai. Only one of the Gulf States, the United Arab Emirates, published data on the duration of residency in its 2005 Census.\(^6\) Table 4-2 presents the non-citizen population by length of duration in the UAE and age group. This data does not reflect irregular migration or the status of stateless populations (\textit{bidoon}).

\textbf{Table 4-2 Duration of Residency (UAE)}

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<td></td>
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<td></td>
</tr>
<tr>
<td>0-4</td>
<td>21,49</td>
<td>153,21</td>
<td>174,70</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>7</td>
<td>9</td>
<td></td>
</tr>
<tr>
<td>5-9</td>
<td>2,854</td>
<td>39,302</td>
<td>167,27</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td></td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>10-14</td>
<td>1,850</td>
<td>25,218</td>
<td>144,69</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>88,75</td>
<td>28,872</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15-19</td>
<td>3,723</td>
<td>24,665</td>
<td>124,11</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>13,79</td>
<td>16,432</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20-24</td>
<td>31,48</td>
<td>216,60</td>
<td>330,12</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>7,938</td>
<td>6,832</td>
<td></td>
<td></td>
</tr>
<tr>
<td>25-29</td>
<td>34,63</td>
<td>378,51</td>
<td>581,26</td>
<td>18</td>
</tr>
<tr>
<td></td>
<td>119,95</td>
<td>6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>30-34</td>
<td>10,86</td>
<td>284,93</td>
<td>576,30</td>
<td>18</td>
</tr>
<tr>
<td></td>
<td>194,93</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>35-39</td>
<td>14,19</td>
<td>157,64</td>
<td>458,86</td>
<td>14</td>
</tr>
<tr>
<td></td>
<td>151,99</td>
<td>4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>40-44</td>
<td>7,632</td>
<td>77,438</td>
<td>310,26</td>
<td>9</td>
</tr>
<tr>
<td></td>
<td>77,056</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>45-49</td>
<td>3,881</td>
<td>36,534</td>
<td>199,48</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>38,850</td>
<td>6</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

\(^6\) The National Bureau of Statistics has not included more recent data on duration of residency in its subsequent publications.
<table>
<thead>
<tr>
<th>Age Group</th>
<th>Under 50</th>
<th>50-54</th>
<th>55-59</th>
<th>60-64</th>
<th>65-69</th>
<th>70-74</th>
<th>75-79</th>
<th>80-84</th>
<th>&gt;85</th>
<th>n.d.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2,101</td>
<td>3,269</td>
<td>10</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>135,628</td>
<td>1,422</td>
<td>806</td>
<td>395</td>
<td>2,130</td>
<td>138</td>
<td>906</td>
<td>661</td>
<td>2,269</td>
<td>0</td>
</tr>
<tr>
<td>%</td>
<td>4%</td>
<td>44%</td>
<td>25%</td>
<td>12%</td>
<td>7%</td>
<td>4%</td>
<td>3%</td>
<td>2%</td>
<td>0%</td>
<td>100%</td>
</tr>
</tbody>
</table>

Source: Table 11, UAE Census 2005; Partially reprinted in (Baldwin-Edwards 2011)

Table 4-2 reveals three points about the patterns of non-citizen residency in the UAE.

The first observation is that about a third (28%) of the total non-citizen population has lived in the UAE for over 10 years, indicating that non-citizens are not as 'transitory' as official accounts suggest. Second, the modal duration of residence is 1-4 years, with 44% of the population residing in the UAE for that brief of a period. However approximately 15% of the individuals in the 1-4 year group are actually under the age of 15, and are thus more likely to be children of migrants than temporary contractual workers. Indeed, about a fifth of the total population is under 19 years old, and over half of that group (53%)
have resided in the country for 15-19 years, which suggests that they were likely born in the country. A final observation concerns the aging non-citizen population. In absolute numbers, 30,524 people (8%) are over 60 years old. About a third of this group (29% or 8,986 people) have resided in the UAE for over 30 years and an additional 35% (10,696) have spent anywhere between 10 and 29 years of their lives in the UAE. This suggests that there is an aging population of non-citizens who have spent most of their working lives in the UAE and are approaching the age where they will either have to find a new place to relocate or find a way (informally or formally) to stay past retirement. 40% of them are already over the official retirement age of 65.

To assess the degree to which settlement past retirement is occurring across the GCC, Table 4-3 presents the most recent census data on the over 65 age group by nationality in each state (with the exception of Qatar since it has not made these estimates publicly available). The age composition of the total population is generally skewed towards the working ages (15-65). Among citizens, the aging population is already small (between 4% in Bahrain and 2% in Kuwait and the UAE), and this proportion shrinks even more in the case of non-citizens. Non-citizens over the age of 65 years old make up only 1% (at most) of the total non-citizen population in each country. However, among

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62 While the naturalization laws (Federal Law no. 17 of 1972) of the UAE designate 30 years as the duration of residency that makes non-Arab expatriates eligible for Emirati citizenship, few non-citizens are naturalized even if they have lived in the country for over that time period. In the UAE, as in elsewhere in the Gulf, naturalization decisions are channeled through the Ministry of Interior and are calculated on a case-by-case basis.

63 There are a variety of restrictions placed on the renewal of labor contracts and residency visas for non-citizens after they have reached the retirement age of 65 (and in some cases upon reaching the age of 60). The specific restrictions vary across country-cases, economic sectors, and professions. In Kuwait, for example, more than 400 expatriate teachers were recently unable to renew their contracts upon reaching retirement age. Special concessions were made for employees who have children in the 12th grade in a public school, and some education consultants. Otherwise, officials from the Ministry of Education explained that once expatriate employees reach the age of 60, they are only able to renew their labor contracts for one 2-year period, after which they must retire and leave the country (Staff, Al Jarida 2012).
the 65 and older age group, there is a sizable non-citizen presence in at least two cases. Non-citizens make up approximately a third of the over 65 population in the UAE (35%) and Kuwait (32%). In the remaining three cases for which estimates are available, non-citizens make up approximately 10% of the over 65 population. These findings suggest that foreign communities are most settled in the UAE and Kuwait, an observation that differs from Fargues and Brouwer’s assessment that Saudi Arabia is experiencing the highest levels of settlement past the working ages.64

Table 4-3 Population over 65 years of age by nationality

<table>
<thead>
<tr>
<th>Country</th>
<th>Nationals over 65</th>
<th>Non-citizens over 65</th>
<th>Total population over 65</th>
<th>Percentage of non-citizens in over 65 population</th>
<th>National population over 65 as proportion of total national population</th>
<th>Non-citizens over 65 as proportion of total Non-citizen population</th>
</tr>
</thead>
</table>

64 There is a large discrepancy in the estimates used by Fargues and Brouwer and myself for the age and nationality distribution in Saudi Arabia in 2007. In Table 4-4 (the population of citizens and non-citizens under the age of 15), the estimates I use are identical to those used by Fargues and Brouwer. In Table 4-3 (the population of citizens and non-citizens over the age of 65), the figures diverge greatly even though both tables are from the same data source (table 2.2 of 2007 census). The estimates I employ from the 2007 census suggest that the elderly population in Saudi Arabia is significantly smaller than estimated by Fargues and Brouwer (675,915 instead of over 24 million). The figures used by Fargues and Brouwer on Saudi Arabia are: nationals over 65: 18,102,937, non-citizens over 65: 6,553,812, total population over 65: 24,656,749, and non-nationals make up 27% of the over 65 age group. These numbers are very high and do not align with other characterizations of Saudi Arabia as having a demographically young population. 60% of Saudi Arabia’s population is under the age of 29. There is also a slight discrepancy (less than 1%) between my figures for Kuwait (2005) and those used by Fargues and Brouwer though they are for the same year. The figures published here were taken from the Kuwait’s 2010 statistical abstract edition 47.
The second way to measure the extent to which non-citizens in the Gulf are becoming permanent migrants is family reunification through the immigration of non-citizen spouses and the birth or migration of non-citizen children. There is no data that directly links individual guest workers with their dependent spouses. The possibility of family reunification is generally more available to high-skilled workers in the private sector and is not permitted for all categories of temporary workers, especially domestic workers and construction workers. Aggregating the official data (2008) on non-citizen women and children outside the labor force (which is only available for Bahrain, Oman, and the UAE), Baldwin-Edwards calculates table 4-4 as a proxy for family presence:

**Table 4-4 Non-Citizen population not working (all ages) and foreign children <15 in the GCC, 2008 (000s)**

<table>
<thead>
<tr>
<th>Country</th>
<th>Saudi Arabia</th>
<th>Kuwait</th>
<th>Bahrain</th>
<th>Oman</th>
<th>Qatar</th>
<th>UAE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foreign</td>
<td>2,410.0</td>
<td>624.0</td>
<td>111.0</td>
<td>91.0</td>
<td>284.0</td>
<td>1,285.0</td>
</tr>
<tr>
<td>population not in labor force</td>
<td></td>
<td></td>
<td>53.1</td>
<td>106.6</td>
<td></td>
<td>486.7</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>---</td>
<td>---</td>
<td>------</td>
<td>-------</td>
<td>---</td>
<td>------</td>
</tr>
<tr>
<td>Of which aged, 0-14</td>
<td></td>
<td></td>
<td>53.1</td>
<td>106.6</td>
<td></td>
<td>486.7</td>
</tr>
</tbody>
</table>

Source: (Baldwin-Edwards 2011: 30)

In Bahrain and the UAE, the data suggest that roughly half of the non-working non-citizens are under the age of 15. The remaining are either spouses (this data is based on the assumption that these spouses are female) or older children who are outside of the labor market. As Baldwin-Edwards points out, in the case of Oman the data does not make sense as there are more children than the total population of non-citizens outside of the labor force even though the calculations use the same official source for both figures. The omissions of Saudi Arabia, Qatar, and Kuwait make it difficult to draw a firm conclusion based on this data. However, citing qualitative studies done on these cases alongside the figure above, Baldwin-Edwards argues that “although the majority of GCC ‘expatriates’ are temporary single migrants, there is a very large minority (of unknown proportion) that is settled and probably with family” (Baldwin-Edwards 2011:35).

Another proxy for family reunification is the proportion of non-citizens under the age of 15, illustrated in Table 4-6 below. The presence of non-citizen children suggests that there is a growing second generation of immigrants, and the available data likely underestimates the size of this second generation as they do not reveal the presence of those born in the region who are now well over the age of 15 and part of the population of ‘guest workers’ in the labor force. The majority of the non-citizen population is found in the working age group of 15-65, but the table below reveals several points about non-citizen children in particular.
First, non-citizen children are a proportionally smaller group than their national counterparts, with non-citizens under 15 accounting for 10%-20% of the total non-citizen population as opposed to nationals under the age of 15 who make up 30%-60% of the national population. However, non-citizens under the age of 15 comprise a sizeable block of the total youth population. As Fargues and Brouwer point out, non-citizen children account for approximately 2 million of the 10 million children under the age of 15 in the region (excluding Qatar), or 20% of the region’s youth. In Oman and Saudi Arabia, the only two states in which citizens outnumber noncitizens, non-citizen children are still a minority of the youth population (12% and 16%). However, in Kuwait they make up...
close to 40% of the population under 15 years old, and in the UAE they already comprise the majority (61%) of the country’s youth. Given the fact that, especially in recent years, Qatar is increasingly matching the UAE in its ratio of citizens to non-citizens, it is likely that non-citizens also make up the majority of Qatar’s youth population. This cannot be validated without nationality data on the population less than 15 years of age. The official data reveals aggregate numbers of the population under 15, and specifies between citizens and non-citizens over the age of 10. In absolute figures the population under 15 years old is 232,584, approximately 13% of the total population. Considering that this citizen and non-citizen youth population is larger than the total number of citizens over the age of 10 (there are only 174,279 Qataris or 11% of the population) there is reason to surmise that non-citizens make up a sizeable portion of the country’s youth as well. This census data, as well as the studies of Baldwin-Edwards and Fargues and Brouwer, all indicate that there is a growing population of young non-citizens for whom ‘return’ migration is meaningless because they have spent most—if not all—of their lives in the UAE. This assessment can only be fully confirmed when the governments of the GCC collect data on family reunification and make it publicly available. However, since the official data lumps all non-citizens into one group what it does not and cannot show is that this transition from temporary worker to permanent migrant is not occurring uniformly for all non-citizens.

The extent to which non-citizens are able to reside in the Gulf for long periods of time with their families is highly differentiated across the labor force. I argue that two informal institutions critically shape non-citizen access to permanent residency and family reunification—one complements the Kafala’s formal institutions, the other is
accommodating of them.

4.3.3. Hierarchies of Non-Citizen Residency

The first of these institutions is the informal hierarchy of the labor force, determined by the national origin, ethnicity, class, education and/or skill level of non-citizens. This hierarchy sets the unwritten rules for how both state bureaucracies and private firms respond to non-citizens and citizens alike. This informal institution explains why the Kafala systematically produces patterns of institutional discrimination or exclusion against citizens themselves (such as the preference for and higher wages paid to ‘white-collared’ European and American non-citizens over citizens in the private sector). In order to make sense of and differentiate between members of an extremely heterogeneous labor force, state and non-state actors systematically utilize shared understandings about the ‘reservation wage’ or ‘value’ of labor, determined by national origin and skill level. In some cases, the sending countries also help codify and set the wage differentials for a specific occupation. As a major migrant sending country, the government of the Philippines has been particularly active in negotiating better wages for its overseas workers.65 In the UAE, the minimum wage for a domestic worker from the Philippines is Dh 1,500 per month (316 Euros), for Indian domestic workers this minimum wage drops to Dh 1,100 per month (232 Euros), and for a Nepali domestic worker it is Dh 900 (190 Euros).66

65 For a discussion of the Filipino government’s approach to preparing its citizens for work in the Gulf, see (Watanbe 2010).
66 These figures were published in ‘999,’ a magazine produced for expatriates by the Ministry of Interior in Abu Dhabi (Kumar 2012).
The foreign populations in the Gulf are far from monolithic; they are “fragmented first by nationality and then further divided by ethnicity, education, employment, and economics. In some instances, economics — earning power — and education connect people from disparate ethnic and national origins, while in others, ethnicity and employment are so inextricably connected that education is immaterial” (Bristol Rhys 2010: 25). This hierarchy melds with pre-existing ideologies about genealogy, nationhood, and citizenship that state-building initiatives have successfully instantiated in the public sphere and civic culture of the Gulf. But racial hierarchies also travel with migrants themselves. Bristol Rhys notes how some foreign communities (citing Indians, Egyptians, and Pakistanis in the UAE) have reproduced in the Gulf the socio-economic hierarchies that structure and stratify society in their home countries. She argues that “the labor policies and practices of the UAE appear to have reinforced class divisions within migrant communities rather than, as one might anticipate, the development of transcendent transnational identities, a new ethos of commonality predicated on the shared experience of migration” (2010: 25). In other words, ethnic and socio-economic hierarchies of non-citizens complement the formal rules that structure migrant exclusion in receiving countries.

As a complementary informal institution, this hierarchy “‘fill(s) in the gaps’ left by formal institutions—addressing problems or contingencies that are not explicitly dealt with in the formal rules—without violating the overarching formal rules” (Helmke and Levitsky 2003:12). Although these hierarchies are not codified in the formal laws of the Gulf, they provide bureaucracies with an unwritten script for how to deal with diverse populations. State actors openly acknowledge that different procedures and restrictions
apply to different groups of non-citizens. As UAE permanent representative to the UN Al-Shamsi explains, “due to differences in the nature, cultures and nationalities of expatriate workers, systems and regulations applied in the GCC countries for the recruitment of these workers are not uniform” (Ghaemi 2006: 74). Critically, a non-citizen’s national origin, ethnicity, socio-economic status and education fundamentally structure his or her interactions with the state. These factors impact everything from what kind of health screening he/she must undergo, how often he may renew his residency permit, how susceptible he is to deportation and arrest, how easily he can gain access to state resources, whether he can be accompanied by his family members, even what spheres of consumption he has access to.

4.3.4. Citizen-Sponsors and Extensions of Residency

Non-citizen access to permanent residency is also structured by the degree to which a particular non-citizen has access to citizen support. The literature on the Kafala tends to emphasize the antagonistic dimensions of interpersonal relations between citizens and non-citizens because the sponsorship system makes particular groups of non-citizens highly vulnerable to abuse. However, this literature focuses almost exclusively on the relations between nationals and lower-income non-citizens in specific sectors—especially domestic and construction work.\(^{67}\) It is extremely important to document the very real and systematic abuses these workers face and this growing literature has done

\(^{67}\) For research on domestic workers see (Chin 1998)(Ehrenreich and Hochschild 2003)(Esim and Smith 2004). For research on construction workers see (Degorge 2006; Ghaemi 2006; Keane and McGeehan 2008; Heeg 2010).
much to illuminate the structural violence of the *Kafala* as it impacts lower-income workers. However, focusing solely on the abuses occurring in those sectors or treating them as being representative of the entire system glosses over the complexity of the multi-dimensional power relations between citizens and non-citizens that the *Kafala* produces. The dominant narrative paints the citizen and non-citizen populations as having grown independently of one another, and low intermarriage and naturalization rates mean that formally these two populations are not inter-mixing. However, this picture starkly draws a boundary that is transgressed daily. Citizens interact and build relationships with non-citizens in every aspect of their lives: in the domestic sphere, in the workplace, in the service industry, in restaurants, in malls, in mosques, on the streets—everywhere. Particular economic sectors (like farming or construction) that employ temporary guest workers become permanent immigration channels because employers in the receiving country come to rely on foreign workers, and those workers build attachments to the host country. In the Gulf this inter-dependence takes on much larger dimensions—entire economies have been built on citizen/non-citizen attachments. Thus while the formal institutions of the *Kafala* are designed to uproot migrants, citizens and non-citizens also simultaneously and continuously form linkages that work against these restrictions. Once the analytical lens is broadened and the focus is shifted from interpersonal relations to the interaction of the formal and informal institutions of the *Kafala*, it becomes possible to observe how citizens’ goals align with those of non-citizens to facilitate permanent migration—even as competition and hierarchical relations between these groups are reproduced.

Profit seeking and trust networks can transform the *kafeel* from an enforcer of
restricted residency into a conduit for extending non-citizen residency. Firms and citizens work alongside non-citizens to negotiate and evade the formal rules of the *Kafala* without openly breaking them. These accommodating informal institutions have enabled non-citizens to systematically settle in the Gulf by tempering and modifying the formal restrictions on their settlement from the bottom up. As Helmke and Levitsky explain, “accommodating informal institutions can be viewed as a “second best” strategy for actors who dislike outcomes generated by the formal rules but are unable to change or openly break those rules. They violate the spirit, but not the letter, of the formal rules” (Helmke and Levitsky 2003:13). This accommodating informal institution of citizen vouching can occur in the form of individualized support for a particular non-citizen to continue working and living in the country (sometimes even after the non-citizen has unofficially retired). Employers prefer to limit the turnover of guest workers for several reasons; employers aim to minimize the costs of training new employees, but sustainable economic ties are often built upon important social ties of trust and partnership. Ties between citizens and non-citizens can also enable family reunification to occur as citizens depend upon the non-citizens that work for or with them to vet and choose new employees from the same sending country. For example, Vora’s analysis of the elite Indian diaspora in Dubai demonstrates that foreign business owners are not only well-entrenched, they are crucial facet of governing lower-income migrants and act in some ways as unofficial citizens of the city-state (Vora 2010). Moreover, citizens do not only align with non-citizen elites, the networks they build can enable categories of non-citizens who would otherwise not have access to family reunification—particularly domestic workers—to bring their families with them to work in the same or related
households. A second way that citizens can subvert the restrictions of the Kafala system is by using their citizenship to earn profits off of residency permits. While visa costs are supposed to be paid for by the sponsoring citizen or firm, sponsors can take advantage of the system by charging migrants monthly fees to have a ‘free visa.’ ‘Free visas’ enable non-citizens to reside in the country and look for employment by a third party. Because the Kafala relationship can be used to subvert migration enforcement in a variety of ways, I argue that it increases the sustainability (but not efficiency) of the formal guest worker program by diluting the pressures for change.

4.4. Concluding Remarks

The interaction of formal and informal institutions explains how, despite strongly enforced formal restrictions on residency, some groups of non-citizens are gradually settling in the Gulf. Non-citizens are able to permanently reside with their families in the region, but this is occurring in a highly differentiated way across the labor force. There are two structural features of the Kafala that make it an effective formal institution, the first is its centralized administration through the Ministries of Interior and the second is its diffused enforcement through citizen-sponsors. Even though these structural features make it so that the rules of the Kafala are routinely enforced and complied with, the very mechanisms that lead to migration enforcement can be used to subvert these restrictions. The effectiveness of temporary residency policies is shaped and tempered by two informal institutions. The first of these, the hierarchy of labor value (or the racial wage), is a complementary informal institution driven by both state and non-state actors to differentiate in the treatment of an extremely diverse labor force. These unwritten rules critically shape which groups of non-citizens have access to more permanent forms of
residency and family reunification and which ones experience the full force of stringent citizenship and settlement policies. A second informal institution competes with and subverts restrictive settlement policies; citizens use their roles as sponsors to extend the temporary residency of non-citizens when it suits their interests.
Chapter 5 TRACKING TRANSIENT FLOWS: THE POLITICAL MANAGEMENT OF GUEST WORKERS AND THE GROWTH OF THE SECURITY APPARATUS

On January 20, 2010, Mr Mahmoud al Mabhouh, a founder of the Hamas military wing, was found dead in his room at the Al Bustan Rotana in Dubai, hours after arriving in the United Arab Emirates (UAE). Within a matter of weeks, the Dubai police released the names, pictures and passport copies of the 26 assassins and produced dramatic footage of the hourly breakdown of the incident (Issa, 2010). But perhaps more striking than the assassins’ careful coordination of the operation, was the ability of Dubai’s security forces to track the movement of these individuals through both public and private spaces in such detail. This extensive security and surveillance network—which is as (if not even more) robust in Abu Dhabi—is one manifestation of the mix of openness and security that characterizes the UAE’s strategy for managing and regulating permanent flows of transient populations.

Especially since 9/11, national security systems are adapting to increasingly focus their attention on non-state networks and individuals. In addition to greater border controls and efforts to standardize identification and travel documents, the private security industry and national security systems are constantly developing new technologies in surveillance and internal policing strategies to track and ‘preempt’ threats. The nebulous nature of non-state threats to national security has prompted these governments to increasingly dissolve the distinctions between ‘external’ and ‘internal’ security. Indeed, decision-makers in both democratic and non-democratic states are increasingly blurring the barriers between the jurisdictions of internal security agencies
(police forces, criminal investigations) and external security forces (military, foreign intelligence) in order to coordinate efforts for seeding out threats to national security. Migrant populations – ranging from transient guest workers to undocumented workers to second generation immigrants and even naturalized citizens – are all facing heightened scrutiny. This has led governments to adopt a wide variety of institutional responses, ranging from attempts to deport or denaturalize citizens, to spying on particular migrant communities, to the use of local police departments in enforcing immigration cases without due process, to placing higher and higher barriers to legal migration or asylum-seeking. Whether achieved through the introduction of new legislation, the establishment of new agencies, or even ongoing attempts to amend or repeal established inclusionary migration and naturalization policies, all of these efforts point to a growing global trend. More and more executive branches of governments are using calculations of national security as the dominant means of managing and differentiating between the populations in their territories.  

This chapter explains how the UAE has succeeded at institutionally implementing this securitization of migration and naturalization policy since the 1990s. In a global context increasingly hostile to transient populations, the UAE continues to have one of the highest concentrations of expatriates in the world, with non-citizens now comprising 88.53 percent of the population (National Bureau of Statistics: 2011) (see Figure 5-1).  

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68 For detailed summaries of global trends in national security and immigration enforcement see Brotherton and Kretsedemas (2008) and De Genova and Peutz (2010).
69 According to the most recent figures released by the National Bureau of Statistics in Abu Dhabi, the population in the UAE surged to 8.26 million in 2010, up 65 percent in four years. This growth is due to the influx of foreign workers as the numbers of Emirati nationals grew only from 851,164 in 2006 to 947,997 in the first half of 2010 (National Bureau of Statistics, 2011).
This chapter presents the main strategies and institutional developments adopted by the UAE state in its efforts to maintain its *Kafala* guest worker program while adapting to shifting demographics and national security concerns. It examines the institutional development, change and adaptation of the different agencies of the UAE’s Ministry of Interior, at both the federal and Dubai Emirate levels, in their efforts to respond to the changing demographic make-up of the UAE from the 1990s.

**Figure 5-1 Demographic Imbalance of National and Non-National Population (2006-2010)**

This research focuses on two out of the seven emirates of the UAE. It examines the institutional developments of the emirates of Abu Dhabi and Dubai, where the Ministry of Interior was responding to the highest concentrations of non-nationals in the 1990s. The security agencies of these two emirates have been at the forefront of developing strategies for managing demographic changes, and Abu Dhabi and Dubai continue to have the largest populations in the country. However, it should be noted that
over the past two decades the distribution of non-nationals has been changing (especially in the Emirate of Sharjah). Unfortunately, there are no official figures demonstrating the geographic breakdown of nationals and non-nationals by emirate. The resident data obtained from the Ministry of Interior is classified by place of visa issuance or cancellation, therefore the net migration rates by emirate do not reflect the actual geographic distribution of the population. The National Bureau of Statistics is undertaking efforts to find an alternative methodology to estimate these changes, but official figures of nationals and non-nationals are currently only available as composite figures.

5.1. Social Origins of Institutional Change: Construction Boom and Demographic Imbalance

The construction boom of the 1990s led to incredible demographic changes in the composition and size of the UAE’s population at an unprecedented speed. Due primarily to the importation of foreign workers, the population of the country almost doubled in a span of 10 years, surging from 1,809,000 in 1990 to 3,033,000 in 2000 (UN World Population Prospects, 2010). Massive inward migration has continued to be the key means for rapid economic development, resulting in expatriates outnumbering nationals significantly. Today non-citizens comprise 91.3 percent of the employed labor force (Ministry of Economy, 2007).

Along with the rise in the ratio of foreign workers, the influx of construction workers led to a rising asymmetry in the male to female ratio. It also led to a more explicit shift away from Arab expatriates towards non-Arab workers. In the 1970s greater percentages of migrants to the Gulf region were from Arab sending countries like Egypt,
Syria, Yemen and Palestine. However, the second oil price hike in 1979 and the subsequent rise in government revenue led the Gulf states to implement more developmental initiatives and increase the importation of foreign labor from other regions. This led to a decline in the percentage of Arab migrant workers and an increase in the flow of Indian, Pakistani, Sri Lankan and other Asian workers. This replacement of Arab expatriates with Asians continued as a dominant demographic trend in the 1990s. As Colton writes, this preference of Southeast Asians over Arab workers became much more direct following the Gulf War, and was due to a perception that Palestinians and Yemenis had sided with Iraq in this war (2010: 35). However, this demographic change in the Gulf was just as much the result of an active policy to preempt the political challenge of pan-Arab organizing—a concern that has been present since the early flows of guest workers entered into the oil fields of the region in the early twentieth century. Rahman notes that this trend was “the result of the policies of the Gulf countries that favored South Asian workers (they were believed to be politically “safer” than their Arab counterparts)” (2010: 10). The general shift away from Arab expatriates could have also very well been economically driven by the private sector as the reservation wage of Arab expatriates is higher than that of unskilled South Asian expatriates. It is most likely that this demographic shift resulted out of a combination of factors and the collusion of powerful interests arising in both the private and public sectors. Regardless of whether it was the result of an active strategy or not, at this point it is clear that non-Arab expatriates now overwhelmingly outnumber Arab expatriates. Noting this shift is particularly important for determining the relationship between the demographic trends and the government’s barriers against naturalization because the legal naturalization policy since
the inception of the UAE (according to Federal Law No. 17 of 1972 of Nationality and Passports) was and continues to be a possibility—with a multitude of other restrictions and conditions—only for those “of Arab culture” (Federal law no. 17, Article 2 (a)).

These demographic changes in the 1990s left a lasting impact on the social fabric of the United Arab Emirates, creating a situation that is being referred to by official and unofficial sources as a “demographic imbalance.” Indeed, the Vice President and Prime Minister of the UAE and Ruler of Dubai, Sheikh Mohammed bin Rashid Al Maktoum, has recently issued a resolution specifying the functions of a new government agency called the Federal Demographic Council (Cabinet Federal Decree (3) of 2010) for the precise purpose of redressing this problem. The goal of the council is to restore the “demographic balance” in the country, with lawmakers from the Federal National Council calling the imbalance a “threat to national security” (Salama 2010). The different agencies of the security apparatus of the UAE grew alongside, and as a means of managing and adapting to, the extensive demographic changes of the 1990s. Given the concentration of demographic changes in the Emirate of Dubai, the Dubai Police has taken an extremely active role in defining the new security challenges associated with those changes.

5.2. Policing Imbalance: “Family Social Security” and a New Policing Strategy

Since the 1990s the Dubai Police has published a series of studies that define the range of threats associated with having guest workers, the majority of which call upon the federal Ministry of Interior to establish specialized task forces (usually under the purview of the Criminal Investigation Division (CID)) to deal with the new challenges of a
growing transient expatriate population (Table 5-1). These studies can be broadly grouped into two categories. The first category tends to focus on specific kinds of criminal activities that are associated with open borders, especially drug trafficking. The second category of studies focus on threats that are both criminal and cultural – specifically, the possible impact that the large expatriate presence would have on the safety and cultural integrity of the citizenry. Together these studies construct the concept of “family social security” as a new national security realm that emerges as a result of the demographic imbalance.

Table 5-1 Dubai Police Studies Related to "Social" Security, 1990s-2007

<table>
<thead>
<tr>
<th>Year</th>
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| 1994 | • Family and Crime (Arabic)  
• Social Variables and their Implications on the Family in the UAE (Arabic)  
• Strategic Security Planning and Change Management in the Fight Against Terrorism (Arabic)  
• General Aspects of Organized Crime (Arabic)  
• Planning to Contain Tensions (Arabic) |
| 1995 | • A Look at DNA (Arabic)  
• Indicators for General Security Panel (Arabic)  
• Juvenile Delinquency in the UAE from an Islamic Perspective (Arabic)  
• Indicators on Juvenile Delinquency and Efforts to Confront (Arabic)  
• Planning Time Element in Security Operations Critical (Arabic)  
• Community Policing Indicators Cohesion [sic] (Arabic)  
• Security Satellite (Arabic) |
| 1996 | • Juvenile Delinquency Indicators (English) |
| 1997 | • Child Security from an Islamic Perspective (Arabic)  
• Security CCTV (Arabic) |
| 1998 | • Rights of the Child in the Emirati Law (Arabic)  
• Police Planning in Light of the Current Security Challenges (Arabic) |
| 1999 | • Population Component in Planning Police Patrol (Arabic)  
• Demographic Indicators and Family Social Security (English) |
| 2000 | • Challenges Facing the Security Services During the Current Decade (Arabic)  
• Crime in a Rapidly Changing World (Arabic) |
| 2004 | • Universal Declaration on Human Genome and Human Rights (Arabic)  
• Privatization and Used in the Security Sphere [sic] (Arabic)  
• Electronic Referral Systems Between Police and the Social Sector (Arabic) |
The studies focusing on family social security demonstrate how the security forces came to associate the presence of expatriates with ‘threat,’ how that threat came to be defined, and what measures would have to be taken to manage it. One of these studies, entitled “Demographic Indicators and Family Social Security,” provides a lens for understanding how the Dubai police have created this logical extension between the growth in the expatriate population and the need for greater and more specialized security. The study argues that rapid population growth and the higher population density that the UAE has been experiencing requires the Ministry of Interior to increase its scope and services. It then goes on to link this threat explicitly to the growing presence of foreigners (rather than the natural population growth).\(^{70}\) It argues that, “the problem is not with having foreign workers but it is usually with its percentage to the national residents. The higher the percentage of foreigners especially from the same nationality the higher the risk the national residents are subjected to. Having more than two thirds of the national residents as foreign workers is quite [sic] big” (Police Studies no.92, 1999:2).

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\(^{70}\) This refers to growth calculated using the birthrates and deaths of the population not counting migration.
By specifying that the risk to the national population is greater when the ratio of foreigners increases—especially when they are of the same nationality—the study employs a concept of ‘risk’ that encompasses both criminal and cultural threats. It also provides a description of new population characteristics like unemployment, illiteracy, women’s participation in the labor force, and marital status (in this case referring to the lack thereof—with growing rates of divorce and unaccompanied bachelors). It states, “one can notice that the lower the level of the population characteristics the higher the rates of crimes” (1999: 1). In other words, it argues that the demographic changes associated with having such high concentrations of guest workers leads to the dilution of the population and higher rates in crimes. The study also goes on to “highlight [the] types of crimes probably committed among people having the described demographic feature” (1999: 2). The male to female ratio increased substantially because of the large numbers of male construction workers entering the country. This ‘biased’ or imbalanced male to female ratio makes the national population susceptible to the following crimes: “robbery, drug traffic and addiction, prostitution, raping, child abuse” (1999:2).

This coupling of the (especially male) expatriate presence with a threat to the national population is a theme that recurs in a number of the different studies published by the Dubai Police, especially on issues relating to the security of the family and children. Often this threat is not directly linked to the expatriates themselves, but rather to the demographic changes that are likely to lead to certain criminal activities that the police force should preempt and control. However, the rationale behind why certain crimes are more likely to occur illustrates that the cultural threat of the expatriates is often conflated with criminal activity. This is exemplified in the way these studies use the
issue of juvenile delinquency to demonstrate how the local population would be impacted by the presence of foreigners. For example, the study titled “Juvenile Delinquency Indicators” aims to determine the dimensions, trace the mobility, and identify the causes and factors leading to juvenile delinquency in the UAE in an effort to develop “a control plan…along with the evaluation of the exerted efforts in order to contain the problem” (Police Studies no. 54, 1996:1). The study defines a juvenile delinquent as “one who commits an offence punishable by effective laws if he or she is over seven and under 18 years old, unless he or she is mentally retarded or lacks consciousness or discernment” (1996:1). It states that "the child is born with a mixture of good and bad tendencies. Educational, sociological, economic, psychological and family conditions surrounding him or her help support one of the two sides to surmount the other" (1996:1). It also names a number of general factors that lead to juvenile delinquency, including a “broken home, ill-breeding, a weak parent-child relationship, deprivation, low IQ, low social and economic standards, heredity, abnormal personality, and delinquent peer groups.” It then specifies, “local factors related to our culture that may influence juveniles depending on the immediately surrounding conditions and their predisposition as well” (1996:2). These ‘local’ factors include, “how to spend leisure time, traveling abroad without sufficient monitoring, housemaids and early sexual experiences, television and videos, lack of school supervision, rapid social changes, multitude and conflict of cultures, class differences, competitive struggle for money, limited impact of social clubs, recreational activities and summer services" (1996:2). Of these ‘local’ factors, the factors identified as the exposure to a multitude of cultures and the ‘housemaids and early sexual experiences’ are related explicitly to the presence of the expatriate work force. The study
also recalls the rate of females to males as a factor leading to juvenile delinquency. It states that this ratio is equal in “balanced societies” while “in labor-importing countries” the rate of males to females may be “3 or 4 times as great.” This “unbalanced rate may be conducive to the commission of more sexual crimes and child sexual abuse” which also leads to juvenile delinquency (1996:2). The study argues that it is important to measure the spatial concentration of juvenile delinquents by nationality in order to develop preventative plans and define ways to control the problem and keep it from spreading. While the formulathat is used to calculate this is included in the publication, the actual figures associated with this distribution of delinquents by nationality were not published.\footnote{Spatial concentration by nationality of juvenile delinquents= 
number of juvenile delinquents of a specific nationality 
number of juveniles of the same nationality 
X 
number of juvenile delinquents of all nationalities 
total number of juveniles of all nationalities}

The Dubai Police reports show how the first step in the institutional development of the security apparatus was to study specific criminal activities and link them to the presence of expatriates (even if the crimes themselves are committed by nationals, as in the case of juvenile delinquency). The Dubai Police Chief, Lieutenant Colonel Dhahi Khalfan, has openly called for restrictions upon expatriates in the UAE, arguing that the population imbalance poses a great threat to the culture, national identity, and domestic security of the UAE. Asked the question of whether he thinks that Arab identity is in danger he responded: “Yes, the foreigner presents his idea, culture and identity on the Gulf society. I will not hide from you a secret as a security man that there are criminal customs and cases that were never found or heard about in our Gulf society, for

\footnote{Spatial concentration by nationality of juvenile delinquents= 
number of juvenile delinquents of a specific nationality 
number of juveniles of the same nationality 
X 
number of juvenile delinquents of all nationalities 
total number of juveniles of all nationalities}
example... the third sex. These customs and beliefs brought to our communities with the number of increasing expats. It may be a normal habit and acceptable in their community, but it has undoubtedly formed a thorny issue in our Gulf society”.  

In these formulations, the threat posed oscillates between cultural and criminal. The security forces then developed specific mechanisms for managing and preempting that criminal/cultural threat, and redesigned the institutions of the Ministry of Interior for that purpose. The Federal Ministry of Interior adopted and implemented a “new policing” strategy spearheaded by the Abu Dhabi police force.

Under the leadership of the Minister of Interior, Shaikh Saif bin Zayed Al-Nahyan, a “Strategic Management and Performance Improvement Department” was established to implement the “Visionary and Strategic Institutional Change” plan in 2002. The key goal of the plan was to introduce a “new policing concept” which has shifted the scope and role of the Abu Dhabi police (in Abu Dhabi and Al Ain) from simply the Criminal Investigations Division (CID) and Traffic divisions to a more maximalist, comprehensive idea of security and community and knowledge, creating a force which could manage threats preemptively as well as reactively. This new concept of policing (implemented with the help of 63 international consultants (especially from the United Kingdom) embedded in all levels of the police force) aimed to familiarize itself with the different populations that inhabit the UAE so that the forces would know how to actively prevent crimes and build community relationships. There were 78 different initiatives implemented through this strategic plan, which required an internal assessment of the

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72 This quote is from an Arabic interview on a Qatari Television show titled “Laqum Al Qarar” (The Decision is Yours). Excerpts of this interview are available in English, “Expatriates are the future threat of the entire Gulf: HE Dahi Khalfan Tamim” (The Peninsula, 29 December 2010).
weaknesses of the force and comprehensive studies and assessments of the external challenges that are posed by changing demographic composition, open borders, and economic growth. The police officials noted that what instigated this initiative was not that crimes were already on the rise. Instead, it was “a reaction to the changing social fabric and social conditions and foresight to try to assess the new risks and the internal capabilities to actually deal with those risks. To control a population where the rate of demographic changes was happening faster than anywhere else in the world” (Interview with key informant, 9 December 2010).

A major component of the strategy for change involved extensive training initiatives for members of the police force, including diplomas (masters and PhD programs received abroad). It also included training the Abu Dhabi police forces with other police forces in locales as varied as the United Kingdom, Singapore, Finland and Malaysia; “anywhere that police forces are specialized in an area of law enforcement that was seen as beneficial to the new challenges facing the UAE” (Interview with key informant, 9 December 2010). Moreover, in addition to receiving training in law, strategic studies, political science, public administration, international relations, forensics, crime scene investigations and other technical fields, the program embedded police officers in intensive language and cultural studies (fieldwork or exchange) so that they could come back to the UAE and be the community liaison for the 200 nationalities that are represented in the UAE. Officers were embedded in places like China and Bangladesh living with host families, learning their languages, heritage, and tools of how to understand and communicate with these populations for the purposes of better management. They were also attempting to get a sense of what kind of relationship exists
between those populations and their local security forces, to be able to tailor the Abu Dhabi Police Department’s (ADPD) interactions with members of those specific communities that reside in the UAE. There are currently 300 Police officers studying in these language and cultural exchanges and another 400 members of the force in bachelor, masters, or PhD programs.

This new concept of policing has led to the establishment of a “community police” force that is “more effective by being more proactive” and by connecting with a community to gain trust and build lasting relationships. In 2009 and 2010, a Human Rights division was also introduced to the Police Department. From the standpoint of institutional development, the plan has been highly successful at implementing a great deal of changes in a very concentrated amount of time and the ADPD has been a forerunner in the majority of excellence categories and rankings that the Abu Dhabi government uses to assess its institutions. What is striking about this “new policing” concept, is that the Strategic Management and Performance Improvement Department of the ADPD recognizes that the UAE is and will continue to be an extremely diverse society and therefore does not aim to alleviate this heterogeneity but rather to manage it. In other words, what emerges institutionally is a kind of “controlled heterogeneity”—the emphasis is on disaggregating the mass of ‘expats’ into manageable units by national origin, and governing and preempting the expatriate impact by making those units legible.

5.3. Managing Heterogeneity: Legibility and Surveillance
Another key aspect of this preemptive approach to managing a large and diverse population has been the increasing regulation, identification and cataloguing of expatriate populations. To achieve this, an entirely new and independent federal authority, the Emirates Identity Authority (EIDA), was established to develop and administer the population register and national ID card project. Its overarching mission is “to contribute to individual and national security through enhancement of personal identity in the UAE, maintenance of an accurate Population Register and provision of innovative e-Services” (http://www.emiratesid.ae/). It has created a comprehensive database that contains the individual’s name, nationality, signature, fingerprints, eye-scan, birth date, gender, work visa status, labor card, health card, and occupation, as well as all health records, criminal records, and personal records from all of the UAE’s ministries. The official categorization of the expatriate workforce that was employed for the ID project provides a sense of the lens through which the state views, catalogues and groups its expatriates. The EIDA officially classified the population into five separate groups for the registration phases. The first group to have access to the national ID card is composed of Emirati citizens, followed by expatriates who are classified into four groups. Group 1 is composed of ‘white-collar’ professionals and their families. The schedule specifies that these expatriates should be ‘holders of higher qualifications (diploma and above) and technical specializations’ in specified fields including consultancy, medical services, and law. Group 2 is composed of all residents employed in the private sector at administrative and vocational positions and their families. Group 3 is composed of domestic workers and other residents employed in the private sector “under-taking non-professional jobs” and their families. This group includes housemaids, drivers, fishermen, and taxi drivers.
Group 4 is for “all unskilled labor, without exceptions” primarily encompassing construction workers. With few exceptions, Arab and Western expatriates are unlikely to be found in Groups 3 and 4.

Continuing with this documentation and identification of its population, the federal government is aiming to make the UAE the first country in the world to build a universal DNA database of all its residents in the next 10 years, at a rate of one million per year. The DNA profiles are to be stored indefinitely even after expatriates leave the country, and according to the newspaper, *The National*, there have been plans to share some of the information with other governments or Interpol, depending on specific treaties or cooperation agreements. The program is being initiated as a security directive, which means that it will bypass the legislative process entirely (Youssef and Shaheen, 2009). This DNA gathering is used for multiple purposes. It is most commonly used for the evidentiary procedures of criminal investigations, but it also makes the population more legible and can be used to determine ‘who belongs to which group.’ Indeed, in addition to being part of the procedure for naturalization applications, DNA testing is now being used to trace the lineages of potential Emirati citizens residing outside the country. The federal government has created a special committee (made up of members from the Ministry of Interior) to locate the children of Emirati men (and foreign mothers) born abroad. The committee has already traveled to Oman, Qatar and Saudi Arabia, to check the authenticity of marriage and birth certificates, and to conduct DNA tests that verify the “heritage” of the applicants. “The most recent trip was conducted as part of a program to strengthen the connection of foreign Emirati children with their native land” (*The National*, 16 January 2010). DNA databases, by design, contain family information.
The database thus at once disaggregates the population by gathering information about each individual resident, and re-groups the population based on genetic lineages.

As part of a larger preemptive security strategy, this DNA gathering initiative will rank sections of the population based on security assessments of the likely threats those individuals pose. This assessment will be made by the Abu Dhabi police force and members of the DNA program. Dr. Ahmed Marzooqi, the program’s director, explains to *The National*, “we will divide the population into certain groups and we will test them based on priority.” Marzooqi stated that this program will help not only to solve but also to prevent crimes. Once the infrastructure for its implementation is in place, lab technicians will begin swabbing cheeks of the general public starting with minors. “Most criminals start when they are young,” Marzooqi said. "If we can identify them at that age, then we can help in their rehabilitation before the level of their crimes increase" (Youssef and Shaheen, 2009). Like earlier initiatives targeting ‘family social security’ and juvenile delinquents, this project also aims to be a way of identifying, cataloguing and managing likely criminals. The ID system, population register, and DNA database are all initiatives that increase population legibility by creating integrated “profiles” of individuals that are organized into groups and ranked and marked for their priority based on calculations of national security. In addition to requiring agencies that manage the day-to-day workings of these initiatives (such as EIDA and the DNA division of Abu Dhabi Police), this effort must be sustained through ever-growing capacities for surveillance and intelligence-gathering.

The security industry is one of the largest sectors in the UAE, and the federal government spends an exorbitant amount of money on contracts for maintaining the
apparatus as well as adopting the latest surveillance technologies. Every year, Abu Dhabi hosts the International Security National Resilience conference (ISNR), where Col Ishaq al Beshir, the director of operations for the Critical National Infrastructure Authority (CNIA), announced in 2010 that a Dh33 million (US $9 m)-security camera system will be installed across the capitol in all critical infrastructure sites (Dajani, 2010). This surveillance capacity is extending beyond camera networks and becoming increasingly diversified and integrated. For example, the Advanced Integrated System, one of the systems being promoted at the recent International Defence Exhibition and Conference (IDEX February 2011, Abu Dhabi) by an American company called ATS, is a program that provides security forces with a comprehensive electronic profile of all individuals in a particular geographic scope. It is a program that collates data from any number of electronic sources including but not limited to data taken from traffic cameras, smoke detectors, work and school absences, mobile phone texts, internet browsing habits, Facebook posts, tweets and twitter following patterns, GPS coordinates from mobile phone usage, and even driving patterns (from Radio Frequency Identification Tagging or RIFD inserted in license plates). While securitization is increasing globally and much of this technology is introduced through private international companies (often with Emirati partners), cutting-edge technologies can be implemented in the UAE before they are in the United States or the United Kingdom due to the UAE’s incredible budget for purchasing new technology and the relatively small size of its geographic area and population. Moreover, in addition to its domestic calculations of security, the UAE, like other Gulf states, faces a significant amount of international pressure to control the flows of goods and people circulating through its borders. Separating the West from Iran,
Afghanistan, and Pakistan, the geopolitical importance of the Gulf to US calculations of security cannot be overlooked. In addition to combatting arms, drug, and human trafficking, the UAE’s extensive surveillance capabilities and its willingness to share its intelligence with other governments has made it a critical ally of the US in the “war on terror.”

5.4. Security and Criminal/Cultural Population Management

The previous sections summarize the main institutional developments that have accompanied the past twenty years of the UAE’s economic growth and the demographic impact of its guest worker program. In particular, the different agencies of the UAE’s Ministry of Interior have taken active roles in responding to the demographic changes and in developing preemptive policing strategies that include community policing, extensive surveillance networks, and increasingly individualized and standardized forms of identification. By way of conclusion, this section analyses and assesses how that institutional growth has shaped the way the UAE has come to manage its guest worker program over time. In particular, the security apparatus described above is deployed for managing the criminal and cultural impact of expatriates on the national body politic in three formal and informal ways.

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73 In 2006, for example, Bush called the UAE “a committed ally in the war on terror” and “a valued and strategic partner.” This was after the UAE security forces gathered and shared intelligence that enabled the US to “shut down a worldwide proliferation network run by A.Q. Khan” (the Pakistani scientist who sold nuclear technology to Iran, North Korea and Libya) (NBC News, 10 March 2006).
5.4.1. Criminalization of Irregular Migration

The first way that the state deploys the security forces to manage the criminal and cultural impact of expatriates is through the formal enforcement of the kafala system. Specifically, the security forces are deployed to ensure that temporary guest workers leave when their contracts expire, and when they do not, they become irregular migrants. Undocumented work and visa overstaying are grounds for the arrest and deportation of “illegals” or “infiltrators.” For example, 173 “illegal immigrants” were arrested in Abu Dhabi over a span of four days in October 2011. Speaking about the round-up to the Khaleej Times, Brigadier Al Rashidi stated that “the presence of such offenders in the society is unhealthy. They are the cause of many different crimes and can cause health risks as well” (Hoath, 2011). The treatment of ‘illegal’ migration as a threat to the security and welfare of the national body and the deployment of domestic police forces to enforce immigration (or kafala) law is not unique to the UAE. Undocumented migration has become a central preoccupation of policy debates on migration on a global scale – across world regions and regime-types. As De Genova and Peutz explain, the practical effect of this global trend in recent decades “has not only meant that so-called ‘illegal aliens’ are more or less explicitly deemed unsuitable for citizenship and increasingly criminalized but also that the specific deployments of immigration law enforcement have rendered ever greater numbers and ever more diverse categories of migrants subject to arrest, detention, and deportation” (2010:1). Often, it is not simply the migrant-receiving country that is involved in the removal of irregular migrants. Rather, governments are increasingly cooperating to work in tandem bilaterally (e.g., US-Mexico border),
regionally (e.g., EU, Mediterranean) and internationally (e.g., inter-Asian networks, International Organization of Migration or IOM) to create juridical and institutional deportation linkages. In the UAE, arrest and deportation is the most common enforcement mechanism for managing expatriates. It is deployed for temporary migrants who overstay their visas or for punishing legal foreign residents convicted of criminal infractions.

5.4.2. Naturalization as National Security

The second way that the state deploys the security apparatus to manage the impact of expatriates over time and maintain the guest worker system is through the treatment of naturalization policy as a national security issue. This second mechanism impacts a smaller proportion of expatriates – the long-term residents who are relatively integrated into the society and are applying for naturalization. Specifically, the security forces play a central role in assessing and determining whether long-term residents should be given access to citizenship rights. Officially, the population of the UAE is composed of temporary guest workers and national citizens. However, this non-citizen/citizen dichotomy does not reflect the variation in the non-citizen populations residing in the country. The term “expatriate” collapses all of the non-citizen residents, regardless of whether they live in the UAE for mere months or several decades. While the absence of a legal category for permanent residents means that reliable figures for estimating the size of this group are unavailable, there is certainly no shortage of expatriates who have
navigated ways of settling in the country over generations. Some of these migrants may, under certain specific conditions, apply for Emirati citizenship.

Naturalization in the UAE is extremely difficult. But despite being highly regulated and exclusionary, naturalization does also occur in an ad-hoc, case-by-case manner. According to the publicly available Federal Law No. 17 of 1972, naturalization is a possibility for Arab expatriates after 10 years of continuous lawful residence in the UAE, after 30 years of residing legally in the UAE for non-Arab expatriates (with the condition that they are Muslim and proficient in the Arabic language), and in both cases only if they have exhibited good conduct without convictions for offenses involving dishonor or dishonesty. However, interviews with civil servants in the Dubai Naturalization and Residency Administration (DNRD) revealed that in practice Arab expatriates from non-GCC countries are eligible for naturalization only after 30 years (as opposed to the stated 10) of continuous residence in the UAE, and GCC citizens are eligible after seven years of continuous residence in the UAE. There were no criteria for non-Arab or non-Muslim expatriates (although these naturalizations do occasionally occur, especially through sovereign intervention). Applicants have to demonstrate that they have been completely integrated and assimilated into Emirati culture, and demonstrate their allegiance to the Emirates through their language, values, culture, and way of comporting themselves (respectful conduct). They have to study and be familiar with the history, and usually have children born in the country. The security forces of the
Ministry of Interior are entrusted with assessing these determinations. Moreover, since applications are made and processed through the Emirate-level government before they are forwarded to the federal government, this condition of continuous residence in the UAE without any substantial breaks is conditional upon residing in the same Emirate for that entire period of time (seven years or 30 years). There are also three categories or gradations of this citizenship (jinsiyya) that are marked in one’s booklet: Emirati by ‘rule of law’ (b’hikum al ganoon) (these are the citizens who can trace their lineages to the original families comprising the citizenry when the country was founded), citizen by marriage (this is only available for foreign women because Emirati women cannot pass citizenship to their non-Emirati husbands), and citizenship through naturalization. The passport is the document that marks and identifies an individual as an Emirati internationally, but internally, the citizenship (jinsiyya) booklet is essential for proving that one is indeed a citizen and eligible to gain access to the welfare services (including higher education) and funds (including marriage and land grants) provided to citizens. If an individual acquires citizenship through naturalization, then he or she has to demonstrate his or her allegiance to the UAE by forfeiting any other passport or ties to another nationality. And if, after having gone through this process, an individual receives Emirati citizenship and renounces it for another passport at any other point in time, then he or she will not be able to get this citizenship back or pass it onto their children.

(Interview with key informant, 12 April 2010).
By all accounts, especially those of the civil servants working in the DNRD, acquiring Emirati citizenship is an exceptionally difficult process. The entire process—from the actual legal criteria for eligibility, to where and how to file the applications, to how factors like allegiance or assimilation are measured—is extremely opaque.

Moreover, while in other legal arenas (such as real estate) there are lawyers specialized in assisting private individuals through the process, this is not the case when it comes to naturalization. As one lawyer, explained in a written communication:

kindly be advised that there are no lawyers in the UAE working in the area of citizenship acquisition as the Department of Immigration and Naturalization has the sole discretion regarding this issue. Thus, applicants are required to personally apply where the aforementioned government authority has the sole discretion of accepting or rejecting applications without explanations as the criteria are only known to them (Personal communication, 8 April 2010).

According to the DNIRD, naturalization does not require a courts system or otherwise involve legal professionals because whether or not an individual is naturalized is not a legal-formal determination. Rather, it is treated as an issue of internal “national security” that requires the execution of a sovereign political decision (qaraar siyasi).

A prominent Emirati lawyer and activist interviewed also reiterated this view and expanded upon why (in her opinion) naturalization was not (and should not be) determined by the courts system. She explained that naturalization was not a legal decision that could be determined by a judge, because ultimately it does not hinge on whether an individual has met certain ‘objective’ criteria (such as extended continuous residence). Rather, the single most important factor in determining whether an individual
could be a citizen was their allegiance (wala’) to the UAE. And that kind of determination is a political one—it must be made by the head of state and internal security forces who are responsible for protecting the sovereignty, integrity, and safety of the national society. Each individual has to be individually assessed for his/her loyalty, patriotism, and benefit or threat to the society. She argued that the criteria for selection and evaluation had to be secretive because naturalization was essentially an issue of “national security” (Amn al dawla) (Telephone interview with key informant, 10 April 2010). This framing of naturalization as an issue of national security has also been instantiated in the public statements of the Minister of Interior, Shaikh Saif bin Zayed Al-Nahyan. In 2008 he was quoted making two public statements in the Arabic newspaper Emarat Alyoum: “Al-Wala’ shart al-tajnees” (Allegiance is a condition of naturalization) and “Al-dustur yasmah bi-saheb al-jinsiyya miman la ya’mal bi-istihqaqatiha” (The constitution allows for the confiscation of citizenship from those who do not abide by its requisites). These statements were made in reference to the ministry’s initiatives to establish a systematic naturalization procedure for the ‘bidoon.’ He explained that there was an imperative need to create a mechanism for the naturalization of the bidoon because many of them were good people who contribute to the UAE and truly desire being part of Emirati society. However, it is equally necessary to make sure that this naturalization mechanism is not taken advantage of by those who want to profit from the state’s resources without feeling any real allegiance with the nation. Because of this danger, the constitution empowered the government with the right to confiscate

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74 The word “bidoon” in Arabic literally means “without” and it is used as a general term to refer to different populations in the GCC states that do not have any formal citizenship. The largest (and most publicized) population of bidoon are found in Kuwait.
citizenship from any individual who does not respect this privilege or act in accordance with its requisites (while not explicitly stated, it appears that this right only applies to those ‘new’ citizens and not those born with Emirati citizenship (bi hikum al qanoon) (Emarat Alyoum, 2008). These statements clearly linked the protection of naturalization with the need to protect the UAE’s national security, but this internal security is broadly construed to include not only the absence of criminal behavior dissidence, but also the preservation of righteous and respectful Islamic conduct and cultural and linguistic assimilation.

5.4.3. Managing Moral/Cultural Transgressions

Finally, the third way that the security forces are deployed to manage the impact of expatriates is through the incomplete criminalization of moral or cultural transgressions. Unlike criminal infractions or irregular migration, moral or cultural transgressions are not fully criminalized in the UAE because the security forces only intervene to enforce moral/cultural legal codes when they are called upon to do so by a specific member of the public. These moral and cultural codes are instantiated in the different Shari’ah or Islamic law-based (or influenced) laws found in the UAE (as well as in the rest of the Gulf and other Muslim states with varying degrees of enforcement). These laws vary in type and in scope. They include the criminalization of all forms of extra-marital relations, public displays of affection (lesser offense), consuming alcohol without a license (licenses are not obtainable by Muslims), or disrespecting Islam or the
The penalties of these infractions can vary depending on the Emirate and whether the individual charged is Muslim or not (Shari’ah applies for all Muslims regardless of national origin). In an effort to make these laws more transparent and educate non-citizens about appropriate forms of moral and cultural conduct, the government of Dubai published a Dubai Code of Conduct in March of 2009 (see Table 5-2). The penalties for these offenses involve the similar enforcement mechanism of fines and/or jail and/or deportation. Despite the continued existence of these laws, the police forces of the UAE do not go out of their way to enforce all infractions. Unlike the mutaween (religious police) of Saudi Arabia, there is no morality enforcement squad or police force in the UAE. However, when the police are investigating a related case (e.g., a car accident that involves the consumption of alcohol) or there is a complaint about decency transgressions, they are obliged to investigate the claim and the court system has upheld these laws even if some of them are systematically ignored on a daily basis. The 2010 case of a British couple who were sentenced to one month in prison is illustrative in this regard. The pair was arrested in November of 2009 when an Emirati woman accused them of breaking the country’s decency laws by kissing on the lips at a restaurant in the Jumeirah Beach Residence (JBR) area of Dubai. In cases like these the police forces are in the position of having to ‘manage’ the cultural impact of expatriates by enforcing the decency law when the transgression has been politicized. In this case, the police were responding to the demands of a specific citizen, but this is not an isolated incident of enforcing the law for the purposes of placating the desires of one woman. Rather, it is part of the broader constellation of strategies adopted by the police forces for managing

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75 Each Emirate has its own decency laws (although general expectations hold throughout the country).
the guest worker program by alleviating and managing the tensions between different members of the UAE community whenever those frictions emerge.

Table 5-2 Offence and Penalty from the Dubai Code of Conduct

<table>
<thead>
<tr>
<th>Offence</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public display of affection</td>
<td>Warning or fine (jail and/or deportation in case of severe breach)</td>
</tr>
<tr>
<td>Alcohol consumption outside designated areas</td>
<td>Fine or jail</td>
</tr>
<tr>
<td>Buying alcohol without an alcohol license</td>
<td>Fine or jail</td>
</tr>
<tr>
<td>Driving under the effect of alcohol or any other drug</td>
<td>Fine, jail and/or deportation- car confiscation</td>
</tr>
<tr>
<td>Drug consumption or possession</td>
<td>Fine, jail and deportation</td>
</tr>
<tr>
<td>Lack of respect for Islam’s customs and symbols</td>
<td>Fine, fail and deportation</td>
</tr>
<tr>
<td>Lack of respect for other religion’s customs and symbols</td>
<td>Fine or jail</td>
</tr>
<tr>
<td>Vulgar language</td>
<td>Fine or jail</td>
</tr>
<tr>
<td>Littering and spitting</td>
<td>Warning or fine</td>
</tr>
<tr>
<td>Pet fouling public areas</td>
<td>Warning or fine</td>
</tr>
<tr>
<td>Damaging public facilities</td>
<td>Fine</td>
</tr>
<tr>
<td>Disrespect for environment</td>
<td>Warning or fine (cf. Federal Law No. 24/1999 on the protection and development of environment)</td>
</tr>
</tbody>
</table>

Because of Dubai’s global image as a liberal Muslim state, these interventions in enforcing the decency laws (especially in their application to foreigners), often makes international headlines as a news-worthy event. But these politicized cases are often read by the Western media as a clash of civilizations between Islamic austerity and a morally-bankrupt foreign presence. These crass characterizations of Dubai rarely scratch below the surface to analyze how these cases are illustrative of the UAE state’s broader need to navigate the sometimes competing demands between its economic dependence upon expatriates with its equally important need to be responsive to citizen demands. As the police forces have become more and more involved in active policing strategies, they are increasingly pulled into the role of alleviating the tensions and responding to communal struggles to define the UAE’s public sphere. These cases are politicized domestically because they are about ways of giving citizens a say about what kind of country the UAE should be, and how their culture and customs should be protected. These cases are not about an Islamization of the State, they are about the kind of political calculations a government has to make in order to maintain and manage an entire economic system (kafala) that has been integral for the economic development of the Gulf.

By responding to public demands to instantiate and enforce decency laws, the Police forces are lending citizens a voice in defining what the cultural and moral fabric of the UAE’s public sphere should be. The inherent limitation of using security forces to manage struggles over the public sphere is that it is not the most flexible of tools at a state’s disposal. The institutional culture of security forces is to assess and understand

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76 In addition to the kissing case described, other cases receiving attention from Western media outlets include the arrest of an adulterous couple using text messages, an alleged rape case in a five-star hotel, and the arrest of a British couple who were caught having sex on a beach. For an example of this kind of journalism and analysis see “Why Dubai’s Islamic austerity is a sham” (Butler, 2010).
situations in terms of ‘threats.’ The only way that security forces can be used by the state to help define the public sphere is in the moments of transgression. Criminalizing cultural transgressions cannot create and generate the identity of the Emirates, it can only function as a post-hoc attempt to deal with existential anxieties. No police force, no matter how adept, can preserve a country’s heritage. Rather what all of the GCC states are missing are integrating institutions that assimilate foreigners into the dominant cultural and moral fabric of that society to educate them about acceptable codes of conduct. The reason for the widespread absence of these assimilating state and non-state institutions (such as “citizenship training” programs) across the Gulf is because the kafala system was designed as a temporary system for responding to a labor shortage and it was not designed or implemented as a means of encouraging the permanent settlement of guest workers. While the expatriate populations of the Gulf continue to be transient (in varying degrees), GCC governments and populations also know that expatriates continue to be an integral part of the economic, cultural and social life of the Gulf States.
Chapter 6 Offshore Citizenship: A Market Solution to the ‘Problem’ of Migrant Incorporation

“Do I look African to you?
I am Emirati, where else would I be from?
I was born here and I am not a foreigner.
Even at the airport, the border officials know that I am Emirati.
They look at me like they know.”
—Ibrahim, Dec. 11, 2010, Dubai

Ibrahim does not fit any legal category in the United Arab Emirates. He is not a citizen or a guest worker. Born in Dubai to an Emirati mother and a bidoon (stateless) father, he has spent over twenty years applying for Emirati citizenship. In 2001, Ibrahim was finally issued an Emirati passport. Five years later, in 2006, he received a scholarship to pursue his higher education in the United States. The American embassy instructed him to renew his passport in order to apply for a student visa. When Ibrahim attempted to renew his passport, however, it was withheld. The only explanation he received: “awamir” (orders). Undocumented again, he lost his scholarship, job, and bank account. Then, in 2008, he was called into the capital, and the Abu Dhabi Ministry of Interior issued him a new passport. However, the document was not an Emirati passport. It was from the Comoros Islands—a country Ibrahim had never heard of, let alone had any connection to. The passport already contained a valid UAE residency visa in his name. He could now legally reside in the UAE, but as a guest worker. He was given a vague assurance from a Ministry official that at some unidentified point in time, contingent upon his good behavior, he might be granted Emirati citizenship once again.
In the span of a decade Ibrahim has thus inhabited two mutually exclusive legal categories: citizen and ‘guest-worker.’ Each of these categories drastically impacts an individual’s economic opportunities and social mobility. Determining which category Ibrahim belongs to is a determination about which state resources he will have access to, what kind of educational and job opportunities will be available to him, how feasible it would be for him to marry an Emirati woman, and whether his children would enjoy full inclusion in the national citizenry.

Ibrahim’s story—one that involves a government issuing passports from a foreign state—marks a puzzling precedent in the distribution of national identity documents. Individuals can acquire passports from ‘offshore’ sites without residing there, but citizenship without residency is generally an option open only to wealthy global elites seeking to evade taxation or other forms of state expropriation associated with their existing nationalities.

The prime example of this is the citizenship-by-investment scheme of St. Kitts and Nevis, a Caribbean state. The program is designed to increase state revenues by allowing foreigners to shield their wealth in an offshore enclave. In order to qualify, an individual must spend at least $250,000 on investment projects in the islands. The government of St. Kitts and Nevis first devised the scheme to keep the economy afloat when the state, a major sugarcane exporter, faced an economic crisis after the price of sugar commodities fell in the early 1980s. A St. Kitts and Nevis passport gives the holder legal belonging to a state that has zero personal income tax, allows multiple citizenships and affords its citizens visa-free access to nearly 130 countries and territories. While St. Kitts and Nevis has the longest running citizenship-by-investment program, more recently, Dominica, Antigua and Barbuda, and even Austria (unofficially) have implemented versions of
citizenship through investment schemes without prior residence requirements (see Table 6-1). Other states have also adopted variations on this arrangement (with residency requirements): Hong Kong and Singapore both have residency-by-investment programs (without citizenship) and Australia and the United States offer investor visas that create expedited tracks to residency (and eventually citizenship) for foreign investors and their families. In all of these cases, individual applicants seek new categories of legal belonging as a means of avoiding the jurisdiction of the states to which they officially belong, either to minimize taxation or maximize their global mobility. Though states benefit from additional revenue streams, in all of these cases the individual involved is the driver of his or her status change to a new jurisdictional authority.
Table 6-1 Citizenship by Investment Schemes

<table>
<thead>
<tr>
<th>Country</th>
<th>St. Kitts and Nevis</th>
<th>Dominica</th>
<th>Antigua and Barbuda</th>
<th>Austria[^7]</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Process</strong></td>
<td>Official scheme est. in 1984</td>
<td>Official scheme est. in 1993</td>
<td>Bill for official scheme passed in March 2013</td>
<td>Unofficial channel through clause Section 10 (6) in Austrian Citizenship Act</td>
</tr>
<tr>
<td><strong>Fee</strong></td>
<td>Path 1: $250,000 to Sugar Industry Diversification Program</td>
<td>Minimum investment of $100,000</td>
<td>Path 1: $250,000 to National Development Fund; Path 2: $400,000 real estate development; Path 3: $1.5 million business investment (gov’t-approved company) Application fees $57,500</td>
<td>“Rendering exceptional services in the interest of the Republic” = Minimum of $10 million investment businesses</td>
</tr>
<tr>
<td></td>
<td>Path 2: $400,000 + investment in Real Estate and Development</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Benefits</strong></td>
<td>No taxes on capital gains, net wealth, personal income, inheritance or gifts Multiple citizenship allowance Visa-free access to 130 countries</td>
<td>No taxes on capital gains, inheritance, or personal income Multiple citizenship allowance Visa-free access to 85 countries Can apply from outside country if pay for 3 interviewers to fly to applicant for the interview</td>
<td>No taxes on capital gains or inheritance (personal income tax of 10-25% was re-introduced in 2005; applies only to locally sourced income) Visa-free access to 120 countries (including UK, France, Canada)</td>
<td>50% Personal Income tax (only applicable to Austrian citizens who actually reside in Austria) Schengen-area mobility and visa-free access to 160 countries</td>
</tr>
</tbody>
</table>

**Sources:** Inocencio (2013); Henley & Partners (https://www.henleyglobal.com/countries/overview/) accessed Aug. 5, 2013

[^7]: The Austrian government contests the idea that citizenship-by-investment is possible (http://www.reuters.com/article/2012/02/12/us-passport-idUSTRE81B05A20120212). However, Henley & Partners, a law-firm that specializes in citizenship and tax laws has represented successful cases in Austria. The law firm’s website explains that the Austrian provision is applied on a case-by-case basis and applicants are required to invest “actively” in Austrian economy. Active investments require joint ventures or direct investments in businesses that create jobs or generate new export sales. Passive investments in government bonds and real estate do not qualify. <https://www.henleyglobal.com/countries/austria/citizenship-in-austria/> (accessed Aug. 5, 2013).
Ibrahim, however, did not apply for a new citizenship. It simply changed without his knowledge or approval. Instead of increasing his income or global mobility, his new juridical status did the opposite, placing him in a legal category with lower employment prospects and far less mobility. Ibrahim has the same Arabic-language public schooling that makes it challenging for Emiratis to compete in a private sector dominated by English speakers. However, he does not qualify for the nationalization quotas that are in place to ensure the participation of citizens in the labor force. He now requires a visa to legally reside in the country of his birth, has lost the ability to move and work freely within the Gulf Cooperation Council, and requires many more visas than he needed before in order to travel to destinations that were freely accessible prior to his status change.\(^78\) In this case it was the state, not the individual, who sought out a new jurisdictional authority through offshoring, effectively outsourcing a portion of its own naturalization process.

Driving this scheme was a constellation of political actors comprised of elites from the UAE’s Ministry of Interior, a private-public company operating out of Kuwait and the Comoros Islands called the Comoro Gulf Holding (CGH), and the presidency of the Union of Comoros. Together, the three parties devised an informal agreement that would lead the CGH to print Union of Comoros passports for naturalization applicants in the United Arab Emirates in exchange for Abu Dhabi’s infrastructural investment in the Comoros Islands (through the CGH). I refer to this agreement as “offshore citizenship”\(^78\)

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\(^78\) The Gulf Cooperation Council allows the free movement of member-state citizens across its borders. Individuals who had their UAE passports replaced with Comoros Islands passports can no longer travel inside the GCC without applying for a visa in advance. Since his receipt of a Comoros Islands passport, the only country that Ibrahim has successfully been granted a visa to travel to is Thailand. This was also more costly and difficult than it had previously been for him. While UAE passport-holders may purchase visas at the port of entry into Thailand, Comoros Islands passport-holders must apply for visas in advance.
because the government privatized and transferred the naturalization cases to an offshore site, while the individuals themselves never actually moved. The fact that this passport exchange was approved and siphoned through the highest levels of the federal Ministry of Interior means that the very people who adopted this market solution had both the jurisdiction and capacity to either naturalize or deport people, which begs the question: why did they choose to forge a third path?

In this chapter I argue that the Ministry of Interior in Abu Dhabi adopted offshore citizenship in order to maximize and further entrench Abu Dhabi’s power in the UAE federation. The strategy allowed Abu Dhabi to gain a jurisdictional monopoly over the other emirates in what has been a key domestic political issue since the union’s formation—the sovereignty to determine who will be counted as a citizen. In a union where the allocation of power is contingent upon the number of citizens in each emirate, offshore citizenship is a political strategy that maximizes the number of Abu Dhabi citizens by obstructing the naturalizations that fall under the jurisdiction of the remaining six emirates. The strategy was adopted as part of a broader security crackdown on ‘illegal’ immigration through an identity standardization drive. The drive was introduced ahead of the implementation of a new biometric national ID card for all residents of the UAE. The publicly stated aim of the standardization drive was to eradicate any pockets of unincorporated or undocumented populations that could pose a security threat. In 2008, elite members of the Ministry of Interior seized the opportunity created by the transition to a digital ID system and centralized federal control over naturalization decisions. To meet the deadline of the identity standardization drive, they began to outsource and offshore pending naturalization cases. Using Comoros Islands passports provided a
strategic advantage to the Ministry of Interior in Abu Dhabi, as officials could inform applicants that this was not an outright rejection of their citizenship applications, but rather only a temporary way of providing them with documentation until their federal security checks were completed. Deporting individuals who had been issued passports or other identity documents by the remaining emirates would be politically untenable. Instead, the Ministry of Interior used offshore citizenship to obstruct naturalizations through the mechanism of delay. The solution alleviates the immediate urgency of tightening security and resolving the statelessness issue while enabling the federal government to avoid approving the pending cases by postponing them instead—perhaps indefinitely. Because only the federal Ministry of Interior (based in Abu Dhabi) can approve this process, officials are able to strategically bolster Abu Dhabi’s population in relation to that of the other emirates. By adopting the strategy of offshoring, federal political elites in Abu Dhabi were able to circumvent the established naturalization process and effectively veto the naturalization decisions of the other emirates by turning some of their previously naturalized citizens (and pending citizenship applicants) into “guest workers.”

This case of offshore citizenship is important for two reasons. First, it demonstrates that a market strategy that is an increasingly common practice of developed state bureaucracies—offshoring—produces new resources and opportunities for agent-driven institutional change. In this case, actors used offshoring in pursuit of their specific domestic political goals, and in so doing created a new solution to the much older and broader problem of migrant incorporation. National governments traditionally have three options when responding to their internal ‘others’ (minorities or new migrants who do not
fit into the way a citizenry has been defined): incorporate, expel, or ignore. The current global security context makes the “ignore” option increasingly unsustainable, and the international arena makes the “expel” option politically challenging. This case study demonstrates how political actors can use offshore outsourcing to grant the state a fourth option in migrant incorporation: the power to turn domestic minorities into foreign residents. This use of offshoring reverses the dominant understanding of the relationship between offshoring and state power. Unlike previous studies that equate offshore outsourcing or the jurisdictional changes of transnational policy-making with an erosion of state sovereignty, this case demonstrates that competing actors at different levels of a state bureaucracy can strategically outsource bureaucratic processes in order to consolidate monopolies over domestic jurisdictions.

More importantly, this case provides an illustrative example of how political actors use citizenship and naturalization policies to determine the distribution of power and assets in a polity. At its core, citizenship is membership in a political community. Contestations over who should be included in the citizenry are not simply about competing visions of the national imaginary; they are also fundamentally contestations over the distribution of power in a polity, and the allocation of assets that comes with that power. The literature on the political development of the UAE and the GCC has largely focused on oil rents to explain the resilience of authoritarianism in the region, arguing that regimes are able to ‘purchase’ the political acquiescence of their citizens by redistributing rents. But prior to the redistribution of wealth comes the much more fundamental determination of who is included in the group of beneficiaries. By combining stringent citizenship policies with temporary worker programs, political elites
are able to develop their resources while restricting the redistribution of assets to a very small percentage of the total population.

In the UAE, this policy combination of stringent citizenship/temporary migration has been so effective that citizens now comprise less than 5 percent of the labor force and a mere 13.5 percent of the total population. This case is also useful because—due to the UAE’s federal structure and the uneven distribution of oil reserves across its territories—it illustrates how political actors can use fixed assets to create concentrations of power through citizenship policies, even at the sub-national level. The practice of offshore citizenship entrenches a broader trend of a skewed distribution of citizens in favor of Abu Dhabi.

The chapter draws on extensive interviews and archival research conducted in Dubai and Abu Dhabi over an eighteen-month period from 2009 to 2011. I conducted 123 interviews with long-term Arab migrants, civil servants in the Ministry of Interior (in the naturalization department and the police forces), prominent Emirati lawyers, professors, and activists, as well as foreign consultants (British, French, and American) working in the security sector. Due to the high risk to the stateless populations and refugees implicated in this passport exchange, I have not included details of interviews with individuals who have ongoing naturalization cases. I also describe ethnicity and/or family origins in general terms and do not provide a systematic breakdown of the interviewed population in order to protect the identities of research subjects. This ethnographic data is combined with an array of archival sources including naturalization laws, newspaper articles, and online forums on naturalization policies, and numeric data detailing the growing number of non-citizens. I also analyze language from the Comoros Islands.
passport (Arabic), as well as the parliamentary debates and newspaper articles surrounding the Comoros Islands passport scheme from within the Comoros Islands, where it has been referred to as ‘economic citizenship’ (*citoyenneté économique*). Finally, this research is supplemented with data collected from the private archives of a former refugee who has kept memos and letters sent between refugee groups, government agencies in Dubai and Abu Dhabi, and the United Nations High Commissioner for Refugees (UNHCR) Liaison office in Abu Dhabi.

### 6.2. Endogenous Institutional Change: Political Entrepreneurship and Offshoring

The globally-interdependent supply chain of today’s business processes led many of the early scholars of globalization to link the expanding international scope of business processes to a decline in the regulatory capacities of national governments. Offshoring occurs when part of a business process is transferred to a separate territorial jurisdiction. A firm may do this by transferring part of its operations within the same firm to a different national space (internal offshoring) or by subcontracting part of its business process to another firm in a different national jurisdiction (offshore outsourcing). Either strategy enables a firm to lower costs by evading institutional constraints that increase the cost of production—such as taxation, environmental restrictions, or minimum wage laws. The first and most common form of offshoring is production offshoring, in which a firm relocates part of the physical manufacturing process to a destination with lower production costs. Since the 1990’s, the growth of Information and Communication Technologies (hereafter ICT) has facilitated the expansion of offshoring into new fields, including administrative services (such as finance and accounting, human resources, and
legal services), customer services (such as call centers), marketing and sales services, Information Technology infrastructure, application development, and knowledge services (including engineering support, product design, research and development and analytics).

Scholars immediately linked the ascendance of ICT to the creation of new forms of capital and labor mobility—and to new regulatory challenges for the state. The result of economic globalization, it was argued, was that the nation-state’s role as the primary organizer of national economies was eroding, as was the inter-state system as a whole (Habermas 1996; 2001, Sassen 1996; 2000; 2005). State sovereignty was being challenged from ‘above’ and ‘below.’ One branch of scholarship argued that the state’s position was being eroded from above by successive decades of privatization, deregulation, and the opening up of national economies to foreign investment. According to these scholars, as domestic markets and institutions became internationalized through economic globalization, new forms of ‘multi-level’ governance curtailed national control over policy-making (Basch et al 1994; Held 1995; Sassen 1998). The rise of free trade agreements and regional economies were particularly associated with a shift in the locus of power from the national to the supra and transnational levels (Ohmae 1996). Another related set of studies argued that the nation-state’s sovereignty, legitimacy, and integrative capacities were being challenged from below as a result of greater international migration and ethnic pluralization (Rex 2000). Juxtaposing post-war migration to an earlier time of “more or less homogenized nations,” Habermas concludes that “except for policies of ethnic cleansing, there is no alternative to this route towards multicultural societies” (1996: 289).
While offshoring began as a private sector practice, government bureaucracies increasingly use offshoring to minimize service costs in public contracting. Indeed, a recent US government accountability report found that every single state government spends tax dollars on offshore public contracting. This means, for example, that when using a state welfare hotline in California, callers could press 1 to speak with someone in English, and the person answering the phone would be physically located in India, or the caller could press 2 to speak with someone in Spanish, who would be answering from Mexico (Zuckerman 2008; GAO 2006). The case of offshore citizenship discussed in this chapter demonstrates that as offshoring becomes an increasingly common practice of government administrations, domestic political actors can use the strategy in multiple ways. Offshoring can be used to not only evade a set of domestic institutional constraints, but also as a means of actually transforming the institutional boundaries of authority within a state. This study builds upon research that identifies political entrepreneurship as an important source of institutional change, while reversing the conventional view of the relationship between offshoring and state sovereignty.

Much of the early literature on the “new institutionalism” focused on structures as a way of determining or constraining the behavior of actors. These works tended to emphasize institutional stability through mechanisms of increasing returns and path dependence. Institutions affect behavior by constituting actors’ preferences, providing moral or cognitive templates for action, and limiting the range of alternatives actors can choose from (Hall and Taylor 1996; Hay and Wincott 1998; Mahoney 2000; Pierson 2000, 2004). This unidirectional approach to the relationship between institutions and actors was later criticized for overly emphasizing institutional stability and relying
exclusively on exogenous factors to explain the drivers behind institutional change (Thelen 1999). Scholars have since sought to identify the endogenous sources of institutional change, showing that in the long term institutions can actually be self-undermining, especially when there is a ‘friction’ among mismatched institutional and ideational patterns, or when existing formal institutions clash with actors’ preferences (Grief and Latin 2004; Lieberman 2002; Tsai 2006). These works move beyond notions of equilibrium to isolate the factors that make change possible.

One of the key ways that institutions change is through creative political action. Agents can change institutions by repeating and regularizing informal coping strategies that, over time, lead to institutional adaptation or reform on a formal level (Tsai 2006). Actors can also, as in the case examined here, actively spur institutional change by producing political innovations that reconstitute the boundaries of institutional authority. In his research on American political development, Adam Sheingate (2006) uses the concept of the ‘political entrepreneur’ to explain how political actors change the boundaries of institutional authority. Political entrepreneurs are actors who capitalize on moments of instability or speculation to produce innovations that are a creative reconfiguration of known elements. They consolidate their innovations by establishing new boundaries that define the scope of institutional constraints (regulative, normative, and cognitive) on action. Market entrepreneurs use innovations to create monopolies (or challenge existing ones). In a political context, entrepreneurs similarly use innovations to establish monopolies by tempering boundaries between institutions in order to change the delineation of jurisdiction in the political system as a whole. As Sheingate explains:

Often, we conceptualize institutions in terms of their effects—how rules, norms and cognitive shortcuts constitute and constrain actors’ behavior. Yet institutions
also establish boundaries that delineate authority, jurisdictions within which these rules, norms, and such operate. Entrepreneurial innovation, in this view, seeks to establish or challenge jurisdictional monopolies, changing the boundaries of institutional authority. With its focus on boundaries and jurisdictions, entrepreneurship is more concerned with the points of contact between institutions than the rules that operate within them—the political system in toto, rather than a single institution (2006: 186).

Innovations can also include the creation of new policies, agencies, agreements, and forms of collective action. In the case of offshore citizenship in the UAE, the political innovation involved an international agreement and a private-public partnership. The indication of a successful example of entrepreneurship is that innovations are consolidated to have wide or lasting effects. In this case, political entrepreneurs used offshoring to create a jurisdictional monopoly over the sovereignty to determine who can become a citizen.

6.3. The Problem

To illustrate how offshore citizenship increases the power of the ruling coalition in Abu Dhabi it is important to first explain the demographics of the UAE, the populations who are eligible for naturalization, and the naturalization procedure. This background will contextualize the broader problem of migrant incorporation that the solution of offshore citizenship was created to address. The following section also identifies the key actors and agencies involved in actually administrating the bureaucratic procedure of naturalizations at the federal and local levels. This sketch of the different agencies from within the Ministry of Interior is then followed by an analysis of the patterns of naturalizations across the union according to available census figures and ethnographies with naturalization applicants. These sources are used to determine patterns in the populations whose cases are stalled in between the local and federal levels.
6.3.1. The Official Population Categories: Citizens and Guest-workers

The UAE’s domestic population is divided into two official categories: citizens and guest workers. In the four decades since the state’s formation in 1971, the Emirates have experienced the fastest demographic growth rate of the late twentieth century due to a massive influx of guest workers. The country now has one of the lowest concentrations of citizens in the world, with foreign residents comprising 89 percent of the total population and 96 percent of the domestic labor force. Individuals from over 220 countries work in every sector of the economy at all skill levels. All foreign residents in the UAE have the legal designation of temporary guest workers on fixed-term employment contracts. There is no official category for permanent residents, and those living in the UAE must rely on renewals of their employment contracts in order to continue residing in the country. Naturalization is not an option for the vast majority of the population regardless of the duration of their stay in the UAE. Foreign residents are regulated through a sponsorship-based guest worker program, known as the Kafala. The defining feature of the kafala is that it merges residency permits with specific employment contracts. This requires each foreign resident to be sponsored by a national citizen or company (kafeel) who assumes responsibility for repatriating the employee at the termination of the contract period. While approval for employment contracts falls under the purview of the Ministry of Labor, the Ministry of Interior actually issues the residency permits necessary for employment. This gives the Ministry of Interior the authority to cancel residency permits and deport individuals unilaterally, without going through the Ministry of Labor or the courts. While this system has not actually prevented

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79 These estimates are based on the census conducted by the National Bureau of Statistics, see “Population Estimates 2006-2010” and “UAE in figures 2011” <http://www.uaestatistics.gov.ae>
‘temporary’ workers from finding ways of permanently residing in the UAE (for over two, three, and in some cases even four generations), it does mean that foreign residents are permanently deportable, with few avenues available to appeal the decisions of the Ministry of Interior.\(^8\)

The Ministry of Interior is the institution responsible for regulating and enforcing the legal distinction between citizens and guest workers over time. The federal institution’s official jurisdiction covers immigration and residence affairs, traffic control, and protection. The Minister of Interior’s position is one of the most important political posts in the country and it is currently filled by Shaikh Saif bin Zayed Al-Nahyan, who belongs to the ruling family of Abu Dhabi (a lineage shared by his predecessors). The federal institution encompasses all of the police departments across the emirates.\(^8\) The Ministry of Interior is also comprised of separate emirate-level administrations for “residency and foreigners’ affairs,” which were previously called “residency and naturalization” departments (naturalization was dropped from the name in 2011). The residency and foreigners’ affairs departments in each emirate authorize non-citizen residency and process naturalizations, and the police and intelligence forces enforce immigration laws and conduct the security checks that are a part of the naturalization process.

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\(^8\) For a more extensive discussion of the Ministry of Interior’s role in the kafala system across the GCC and an explanation of the formal and informal institutions that regulate the guest worker program see (Lori 2012) as well as chapter 4 of this dissertation.

\(^8\) While the Dubai Police Department officially falls under the purview of the Ministry of Interior, it historically precedes the Abu Dhabi police force and it has not primarily depended upon funding from Abu Dhabi, which has provided the institution with more autonomy (unlike the police departments of the remaining emirates).
The Ministry of Interior also controls the issuance of national identity documents. Citizens have two different forms of identity documents: a passport, which is used to travel abroad, and a family book (*khulasaat al-qaid*), the nationality document used for identification domestically. It is the latter document that provides citizens with access to the robust economic subsidies granted by the UAE government. All citizens and non-citizens are exempt from personal income taxes. However, family books provide citizens with access to free healthcare and education (including higher education locally and abroad for specific degrees). The government subsidizes citizens’ housing by providing housing projects, land grants, no-interest loans to build homes, and an exemption from the property taxes or “housing fee” that non-citizens are charged. Citizens are also eligible for free or discounted utilities (electricity and water), as well as social security/retirement funds, unemployment benefits, child support, marriage grants (to supplement wedding costs), and single-parent financial assistance. Citizens may also apply for food subsidies, earnings from food co-ops, and free parking permits. Many of these subsidies (such as land grants and marriage grants) require that the applicant be an Emirati male. Thus, Emirati women who marry non-citizens lose access to a variety of financial benefits and privileges associated with citizenship. It is difficult to calculate the exact amount that each citizen costs the state because costs vary between male and female citizens, the costs of different benefits vary greatly, and some benefits are recurring (such as subsidized utilities) whereas others are sporadic (such as land and marriage grants). However, according to one estimate calculated by Kenneth Wilson, the director of the Economic and Policy research unit at Zayed University, the average male Emirati receives benefits worth about 204,000 dirhams ($55,500) per year (Brown 2007).
6.3.2. The Multi-level Naturalization Process

By all accounts, and reinforced by the bureaucrats working in residency and naturalization (now ‘residency and foreigners’ affairs’) departments, naturalization in the UAE is an extremely difficult process and decisions are made on a case-by-case basis. According to the federal law No. 17 of 1972, naturalization is a possibility for Arab residents after 10 years of continuous lawful residence, and for non-Arab residents (with the condition that they are Muslim and proficient in the Arabic language) after 30 years. In all cases applicants must have exhibited good conduct without convictions for offenses involving dishonor or dishonesty. Interviews with civil servants in the Dubai Naturalization and Residency Administration (DNRD) revealed that in practice the process is actually more stringent than the federal law stipulates. Arab residents from non-GCC countries are eligible for naturalization only after 30 years (in contrast to the stated 10) of continuous residence in the UAE. GCC citizens, on the other hand, are eligible after 7 years of continuous residence in the UAE. My interlocutors explained that non-Arab and especially non-Muslim individuals cannot become eligible for naturalization, however in exceptional circumstances these naturalizations may occur through sovereign intervention by the ruler. They emphasized that the selection process is necessarily discretionary because the most important determination of citizenship is not duration of residency or assimilation, but loyalty and allegiance (wala’).

The naturalization process has multiple levels; applicants must first be approved as citizens of a specific emirate before their cases are sent to the federal level. This dual process is a reflection of the concessions and negotiations that went into the formation of the union at a time when each emirate retained the sovereignty over its own subjects.
This dual process means that applicants not only have to demonstrate their continuous residence in the UAE without any substantial breaks, but also must show that they resided in the same emirate for the entire period of time (30 years for all non-GCC citizens). The applicant must begin the process through the residency and naturalization administration in their emirate of residence, and only after the application is approved at the emirate level is it passed on to the federal naturalization and residency administration in Abu Dhabi. At the federal level, an 8-person council reviews the application and interviews the applicant, making the ultimate decision about whether or not he or she will be naturalized. The review process alone can take 7 to 8 years. Once the council approves the case, the emirate-level administration issues the resident with a passport. However, only the Ministry of Interior in Abu Dhabi can issue the more important nationality document (‘family book,’ or *Khulasat al qaid*) that gives citizens access to state benefits.

Complete naturalization thus involves acquiring two separate documents, the passport and the separate ‘family book.’ In terms of benefits, the ‘family book’ is the more important document, since it is required for education enrollment, state services, the courts, and the issuance of new passports. For example, when an Emirati man marries a woman from another emirate, he must show her name on his family book and apply for a new passport on her behalf reflecting the new emirate she is now a part of.

This multi-level naturalization process is a reflection of the compromises created between the seven ruling tribes over each emirate’s sovereignty to determine who will count as a citizen. As the union has become increasingly consolidated under the direction of a centralized federal government, the tensions between the federal government in Abu Dhabi and the other emirates have increased. Abu Dhabi has gained more and more
influence through its control over the federal budget and its resource allocations for institutional and infrastructural developments in other emirates. As Abu Dhabi’s power has grown over the other emirates, naturalization applicants from the remaining emirates have found it increasingly difficult to gain citizenship.

6.3.3. In between population categories: The unresolved cases

While there are two official population categories in the UAE—‘citizens’ and ‘guest-workers’—this classification does not exhaustively encompass all of the people who actually reside in the UAE’s territories. There are individuals who do not have the national identity documents (family books) that are held by officially designated citizens, but they were born in the country or migrated prior to its formation and cannot be classified as ‘guest workers.’ Individuals in this in-between population often carry passports, birth certificates, or ruler’s letters from emirates other than Abu Dhabi, but their citizenship cases with the federal government remain pending, and they continue to wait for the family books that would grant them full Emirati nationality. These unresolved cases are a residual outcome of the contestations over populations between the seven ruling tribes that preceded the formation of the UAE federation in 1971. There were two intransigent issues that were obstacles to unionization: disputes over tribal allegiance and disagreements over a common immigration policy. The nationality and immigration laws were contentious precisely because they would determine how resources would be divided between the seven Emirates and shape the distribution of citizens across political units in the new federation. The multi-level naturalization process and immigration system has led to individuals who have been granted citizenship at the emirate level (and hold passports), but are still waiting to receive their nationality.
documents from the federal government in Abu Dhabi. It is precisely this population of partially naturalized individuals who became the target of the federal government’s offshore citizenship scheme.

6.4. The Solution

The previous sections presented the specific dilemma of migrant incorporation that political elites in the UAE were facing when they devised offshore citizenship. The negotiations over jurisdiction and resources led to the creation of a multi-level naturalization process and differentiated immigration policy. As a result, forty years after the formation of the state, there are still individuals who are not fully incorporated into the national citizenry because they were issued passports or birth certificates by individual emirates but continue to wait for approval and nationality documents from the federal government. Over time, this population has expanded, creating generations who are left without documentation and considered stateless (bidoon). Since only Emirati men can pass on their nationality to their children, the stateless population has also grown due to the number of Emirati women who have married members of the in-between population (men who do not have nationality documents, or ‘family books’). The persistence of this partially naturalized or stateless population has become increasingly problematic for the UAE’s security forces as they attempt to combat illegal immigration.

Domestic security forces are increasingly coordinating across borders to standardize the format of identity documents and cooperate in intelligence-sharing and migration enforcement. As states gradually (and irregularly) make the transition to digital governance, their bureaucracies contend with translating a variety of paper documents into standardized population categories. These standardization drives aim to ultimately
eradicate any pockets of unincorporated or undocumented populations that could pose a security threat. As a state’s domestic surveillance capacity increases, so does the imperative to ‘resolve’ cases of contested belonging. This transition brings with it new possibilities for creative political action. The following sections demonstrate how offshore citizenship emerged as part of a broader security initiative to place each individual in a category.

6.4.1. Step 1: Identity Standardization Drive

In an effort to increase security and eradicate undocumented populations within the borders of the country, the Ministry of Interior began a comprehensive identity standardization drive in 2008. A critical factor in determining the timing of this drive was the death of Shaikh Zayed Al-Nahyan, the founder of the union, in 2004. Shaikh Khalifa bin Zayed Al-Nahyan succeeded his father as the Ruler of Abu Dhabi and President of the UAE. He appointed Shaikh Saif bin Zayed Al-Nahyan as the Deputy Prime Minister and new Minister of Interior. In taking up this new post, Shaikh Saif undertook a major restructuring of the Abu Dhabi police forces and spearheaded new security initiatives aimed at securing borders and enforcing immigration laws. The identity standardization drive was initiated in preparation for a new biometric national ID system that would increase the state’s capacity to count and manage the nation’s population—citizens and non-citizens alike. These efforts were part of a larger strategy of modernizing government agencies and preparing for the transition to digital government.

A key step ahead of the standardization drive was the dismantling of the late Shaikh Zayed’s private office. The office was ostensibly dismantled because it became a source of unchecked and exorbitant expenditures, but the outcome was that the ‘in-between’
population lost one of the only avenues available to appeal their cases. Many of my interviewees mentioned the Ruler’s office as a critically important resource for stateless or partially naturalized individuals. Take, for example, the case of Abdullah, a man of Baluchi descent who came to Abu Dhabi in 1972 as a refugee from Uganda when Idi Amin expelled Asian Ugandans from the country. Now in his late 60’s, Abdullah explained that the ruler’s office was consistently the most important resource for refugees like himself over the past four decades. As he and other refugees waited for their naturalization cases to be approved, they carried documents issued to them by the Ruler’s office identifying them as ‘special guests’ and requesting that they be granted access to schools, hospitals, and other goods and services from different government agencies. Abdullah and his family lived in rented houses and apartments that were provided by the Ruler’s office. These resources were lost when the Ruler’s office was dismantled. Abdullah explained:

The expenditures of that department was running almost parallel to the federal government’s expenditures!...When people when to the majlis to speak with Shaikh Zayed he often took their side. Divorced women, refugees, all sorts of people who fell in between the cracks went to Shaikh Zayed, and if they cried, and took his audience he was known to grant very expensive and generous gifts, he has even given out Land Cruisers! It was the same with foreign dignitaries, the private department handled them and they would stay in a palace, not a hotel. Hosting them was very expensive (Interview with Abdullah: March 2-3, 2012).

The ruler’s office functioned as the ‘sponsor’ or kafeel for ‘special guests’ and refugees, and its dismantling left them stateless again, without a sponsor, and with no avenues for appeal.

Shortly after eliminating this office, the Minister of Interior, Shaikh Saif, launched a standardization drive to “solve” the UAE’s statelessness problem in 2008. The
federal government set up 4 booths for registration around the country, including Uptown Mall in Dubai, Noor Al Kawthar Mall in Ajman, and Al Ta’awon Mall in Sharjah to receive applications. Through announcements in national newspapers, the Ministry of Interior announced that final decisions for granting naturalization cases would be made on a case-by-case basis after individual background checks and interviews were conducted. Only people who could demonstrate their continuous residency in the UAE since 1971 were eligible to become Emirati citizens. The Ministry of Interior encouraged all people without identity documents to come forward for clemency but stressed the importance of being ‘truthful about previous nationalities.’ In my interviews with stateless individuals (bidoon), several interlocutors born in Sharjah and Dubai expressed concern about reporting their possession of national identity documents from other countries because they attained passports from the black market (usually Pakistani passports) in order to have some sort of documentation. They feared that if they made themselves known to the authorities, they could be deported as ‘illegals’ instead of naturalized as citizens. There was a two-month window for registration, after which time, all of the people who had not registered would be considered ‘illegal’ and would be apprehended by the authorities. On the last day of the registration process, *Gulf News* announced that “intensive round the clock campaigns” would be launched to “nab violators” (Absal, 5/11/2008). Major General Nasser Al Nuaimi, Director of Interior Minister's office announced to the *Gulf News* that “‘Once the process is completed, there will only be three sets of people in the country- citizens, expatriates and visitors. The remaining will be considered illegal.’” He added that “officials will focus on weeding out the illegal residents” (Absal, 5/11/2008). The article stated that 51 people of the
‘thousands’ of stateless people were already naturalized thanks to this standardization drive.

6.4.2. Step 2: Prerogative to confiscate citizenship

While the standardization drive was being implemented, the Minister of Interior made public statements asserting that naturalization was a key national security issue. As such, the Ministry of Interior reserved the right to denaturalize individuals as part of its security assessment. In 2008, Shaikh Saif released two public statements in the newspaper *Emarat Alyoum*. The first was, “*al-wala’ shart al-tajnees,*” or, “allegiance is a condition of naturalization” and the second was “*al-dustur yasmah bi-saheb al-jinsiyya miman la ya’mal bi-istihqaqatiha,*” meaning, “the constitution allows for the confiscation of citizenship from those who do not abide by its requisites.” These statements were linked to the ministry’s initiatives to document stateless populations. Shaikh Saif explained that there was a pressing need to create a mechanism for the naturalization of the stateless (*bidoon*) population because many of them were “good people” who contributed to the UAE and truly desired inclusion in Emirati society. However, he stressed that it is equally necessary to make sure that this naturalization mechanism is not taken advantage of by those who want to profit from the state’s resources without feeling true allegiance to the nation. Following this logic, the constitution empowered the Ministry of Interior to confiscate citizenship from any individual who does not respect its privileges or act in accordance with its requisites (*Emarat Alyoum*, 2008b). According to the clause, in order to be considered for citizenship, potential citizens from the *bidoon* population must demonstrate that they: 1) were continuously present in the UAE territory since before its independence; 2) had no linkages to any other nationality; 3) committed
no crimes or behavior that compromised the respect and integrity of the nation; 4) were assimilated into the fabric and texture of Emirati society. If these conditions were not met, the constitution enabled the Ministry of Interior to confiscate an individual’s citizenship—a right that strengthened the ministry’s ability to “protect the society from any security or social threats and dangers that arise from unlawful residency and conduct in the nation” (Emarat Alyoum: 2008a). What is most important about this statement is that it asserts the Ministry of Interior’s constitutional authority to confiscate citizenship from people who were previously naturalized.

The Ministry of Interior proceeded to enact this right by confiscating passports from people who, like Ibrahim, were in-between legal categories because they had passports but not family books; they were recognized as citizens at the state level, but not federally. While the statement did not specify that citizens with family books were immune from having their citizenship confiscated, the practice of stripping citizenship was systematically applied to in-between applicants who were undergoing the naturalization process. However, citizens with family books are not immune; the Ministry of Interior has withheld identity documents from full citizens who have been accused of overthrowing the government. The prerogative to strip citizenship rights from citizens makes their access to rights conditional upon continued political allegiance rather than an inalienable right. This means that the same ministry that has the legal authority to cancel  

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82 During the summer of 2012, the UAE’s security forces detained 94 individuals accused of founding a terrorist organization (Al-Islah) aimed at overthrowing the government. Some individuals were denaturalized and deported, others had their papers taken and could not travel, and the remainder were imprisoned. Those detained included prominent human rights lawyers, judges and student leaders. The arrests followed the circulation of a petition that called for all UAE nationals to be allowed to vote in Federal National Council elections. At present, only 30% of UAE citizens are allowed to vote and only half of the assembly members are subject to the electoral process. For a full report see (Robertson, Irvine, Oborne, and Naik: 2013).
the residency of any foreign resident also has the authority to confiscate citizenship from the native population. The identity standardization drive did more than provide a mechanism for addressing unresolved nationality cases, the way that it was implemented buffered the power of the federal Ministry of Interior.

6.4.3. Step 3: The Passport Exchange

The primary aim of the standardization drive was to regularize the status of all the populations in the UAE so that they would exhaustively fit into the three legal categories of citizens, guest workers, and visitors (tourists). For the people in-between these legal categories, the expectation was that this drive would resolve their cases by providing them with family books documenting them as full citizens. Instead, the government shuffled a portion of the stateless population into the ‘guest worker’ category by issuing passports from the Comoros Islands containing UAE residency permits. Since this practice was never publicly acknowledged, its difficult to count exactly how many people ultimately received Union of Comoros passports. However, estimates given by different sources suggest that these passports were issued to approximately 80,000-120,000 people living in the United Arab Emirates—a number that correlates with the size of the bidoon population in human rights and media reports. This solution is referred to above as “offshore citizenship,” because the government transferred pending naturalization cases to an offshore site while the individuals themselves never actually left the Emirates.

The Comoros Islands (Juzur al Qamar) form an archipelago of four volcanic islands located on the southeast cost of Africa, just north of Madagascar. Politically, the

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83 Interview with former CGH employee: April 5, 2011 (20,000 families); Interview with Abdullah: March 2-3, 2012 (80,000-120,000 people).
islands are divided into two entities, the Union of the Comoros, a sovereign state, and Mayotte, an overseas department of France (technically part of the Schengen visa zone). The Union of the Comoros has experienced both economic and political challenges—including 21 coup attempts—since gaining independence from France in 1975. Currently, 45 percent of the population lives below the poverty line, and due to limited resource endowments and small domestic markets, the economy of the Comoros Islands is highly dependent upon external sources of income, specifically foreign investment, foreign aid, and remittances. From May 2006 to May 2011, Ahmed Abdallah Mohamed Sambi held the presidency of the Union of the Comoros. During this period, Sambi worked closely with Comoros Gulf Holding (CGH), a company that has successfully monopolized investment and development on the islands, controlling major portions of the media, banking, tourism, travel and construction industries.\(^{84}\) In 2007, Sambi appointed Bachar Kiwan, the CEO of CGH, to the post of the Honorary Consul of Union of Comoros in Kuwait as well as Honorary Advisor of the Union of Comoros President for the Island’s development and external relations with the Arab countries. Shortly thereafter, Kiwan, who was born and raised in Kuwait to Syrian parents, began an attempt to foster a lucrative solution to Kuwait’s bidoon ‘problem’ by brokering a deal between Kuwait and the Comoros Islands. The agreement involved an exchange of passports for

\(^{84}\) The CGH’s current holdings include the Comoros United Company for Publishing and Distributing, which publishes a weekly newspaper (Al Waseet) and a daily newspaper in Arabic and French (Al Balad). The CGH also established the Banque Fédérale De Commerce (BFC), the only bank on the islands in alliance with Al Mawarid Bank (based in Lebanon). The CGH owns the Itsandra Beach Hotel (the largest hotel), the Comoro Combined Group (a construction arm associated with the Combined Group, a Kuwait-based construction company), and the rights to the Grande Comore Corniche (beach front land in Moroni). The CGH controls the Comoro Gulf Aviation (airline and helicopter services between islands), the Sea Taxi (a fleet of passenger and cargo boats), and Twama (a cell company that just obtained the 2nd GSM license in the Union of the Comoros for the duration of 30 years). Future projects include fishing, commodities, gas distribution, and electricity services. See <http://www.comoros-islands.com/index.php?!=14> (accessed August 5, 2013).
infrastructural investment. This deal never came into fruition due to the strength of the Kuwaiti parliament and the organizational capacities and entrenched allies of the bidoon community in Kuwait (unnamed interview with former CGH employee: April 5, 2011). But the idea gained traction, and in 2008, Kiwan spearheaded a bilateral agreement between the governments of Abu Dhabi and the Union of the Comoros. Under this agreement, the CGH printed Union of Comoros passports for a portion of the UAE’s population in exchange for foreign direct investment in infrastructural development on the islands. In exchange for these passports, Abu Dhabi funded the construction of a major two-lane highway from the North to South of the main island, Grande Comore. The road was built by the Comoros Combined Group, an association between the Comoros Gulf Holding and the Combined Group Contracting, a Kuwait-based construction company. By purchasing and allocating these foreign passports, the Ministry of Interior in Abu Dhabi provided an avenue for people between legal categories to legally reside in the UAE, but as foreign residents.
There are at least two ways that these passports were issued. The first was through the Ministry of Interior in Abu Dhabi and the second was through representatives of the Union of the Comoros in Abu Dhabi. Eight of my interviewees of Yemeni and Persian descent who previously held passports from Dubai and Sharjah (but did not have federally issued family books) received new foreign passports directly from the Ministry of Interior. One of these individuals, Mohammed, explained how his Union of Comoros passport was issued to him at the General Headquarters of the Abu Dhabi Ministry of Interior. He said:

Can you see now how it works? You walk in expecting to get your citizenship, and then you are shocked. ‘What? What is this? What country is this?’ I have never even heard of this country. It is not my country.’ Even my name was spelled wrong. It was written the French way. But what can you do? You could say no, but then you would be held there for days until you were prepared to accept it. Finally you say thank you, this is my passport, just so you can leave (Interview with Mohammed: 6 June 2011).
In such cases, the Ministry of Interior issued the new passport and UAE residency permit at the same time. However, other interviewees reported that the Ministry of Interior confiscated their passports and then instructed them to apply for new passports through a special division of the Union of Comoros consulate in Abu Dhabi before returning to apply for their new residency permits.

While the UAE government’s role in issuing Union of Comoros passports was never officially acknowledged, the Minister of Interior made public announcements through Emarat Al Youm and Gulf News stating that it was obligatory for people who apply for UAE citizenship to show documentation of a previous nationality. Major General Nasser Al Nuaimi, the director general of the Shaikh Saif’s office, issued a statement praising the efforts of 25 Ministry of Interior employees who applied for Comoros Islands passports. In his statement, he commended their eagerness to apply for passports and regularize their legal status, saying that such behavior demonstrated a willingness to abide by the law. It was reported that Shaikh Saif had issued instructions to the consultative committee of the Interior Ministry to approve these 25 naturalization cases. The announcement encouraged other applicants to go through the Union of Comoros consulate as a means of regularizing their status, spreading the belief that doing so would eventually lead to gaining Emirati citizenship (Gulf News: July 22, 2008).

The experience of one of my interlocutors illustrates why individuals who view themselves as Emirati would willingly apply for Union of Comoros passports. Sayaad was born in Sharjah in 1970 to parents of Persian and Baluchi descent. He did not have an active naturalization case in 2008 and therefore did not receive a Comoros passport.
At the time of the interview he was actively applying for Union of Comoros passports for his family for two reasons. First, he had heard of reports of Comoros passports being replaced with Emirati passports and family books, and as such he viewed Comoros passports as a temporary measure that would give his family at least the possibility of gaining Emirati citizenship. But more importantly, he currently held a Pakistani passport that he wanted to replace as soon as possible. He acquired this passport in the 1990’s, when he was in his 20’s. He had a birth certificate from Sharjah that enabled him to get a Sharjah driver’s license and access resources in Sharjah only. He lent a rental car to a friend who did not have a driver’s license. The friend wrecked his car in Umm Al-Quwain and Sayaad was subsequently located and arrested by the Umm Al-Quwain police. His brother paid a fine of 30,000 dirhams (8,200 USD) to get him out of jail. After paying the fine, his brother was told that Sayaad could not be released from jail without a passport. After waiting for four months, Sayaad’s friend, a Punjabi Pakistani man, sold him a passport for 2,000 dirhams (545 USD) and Sayaad was released from jail. After this incident, Sayaad feared that if he applied for naturalization he would be deported as a Pakistani citizen instead of approved as a citizen of Sharjah. Since then, Sayaad has married and has had children, registering them as Pakistani citizens. He was now concerned because the company he worked for as a driver was laying off employees, and since he was technically a guest worker, he would be deported to Pakistan—along with his family—if he lost his job, despite the fact that he had no contacts there. For Sayaad, the Union of Comoros passport provided more security than other foreign passports, because Comoros Islands passport holders were treated like permanent residents and, as of yet, have not been deported after losing their jobs (Interview with Sayaad: April 15,
Indeed, this passport exchange was not designed to facilitate resettlement in the Comoros Islands. Quite the contrary, a key restriction of the passports that were issued is that they do not grant the recipients residency rights in the Comoros Islands. While the Union of Comoros government has never publicly acknowledged the CGH’s role in the issuance of these passports (or even that such passports were actually issued) the Comoros Islands parliament debated and rejected a proposal for “citoyennete economique” (‘economic citizenship’) in 2008. The proposal called for granting Comoran citizenship to special ‘investors’ from the Gulf to help develop the economically destitute islands. The Associated Foreign Press has reported on these parliamentary debates and the proposal under the following headline: “Comoros Refuses To Accept Rejected Bidoon Arabs.” The article goes on to describe the situation as follows:

Thousands of stateless Arab families known as bidding hoped a bizarre application for citizenship of the tiny Indian Ocean archipelago of the Comoros might mean an end to their legal limbo. But sadly for the 4,000 families residing in Kuwait, Saudi Arabia and the United Arab Emirates, their bid for Comoran nationality was refused this week at a stormy session of parliament on the main island of Grande-Comore. The Comoran government had billed it as a programme aimed at “attracting foreign investors”, a “naturalisation” that would bring in at least 100 million dollars (63.8 million euros) to the impoverished island chain. The lawmaker who introduced the bill, Assumani Yusuf Mondoha, described it as an “economic citizenship programme aimed at naturalising adult ‘investors’.” But the Comoran opposition vigorously attacked the project, charging that it amounted to “auctioning off our nationality.” Vice President Ibrahim Mohamed Sidi denounced the “greed” of a government ready to “sell Comoran citizenship to countries from the Gulf who want to free themselves of families that had become an incumbrance”.... But the bill, which prescribed for Comoran nationality to be conferred upon families “without obligation of habitual residence in the Comoros,” was rejected late Thursday at an extraordinary session of the islands' assembly (AFP staff: 27/7/2008).

The proposal discussed in the parliament suggested that the passport recipients would be
potential ‘investors,’ following the pattern established by the citizenship by investment schemes of the Caribbean and elsewhere. However, the economic reality of the *bidoon* and other residents in-between citizenship categories would preclude them from being investors, even if the proposal was approved. The difference between what was publicly debated (and rejected) and what actually transpired demonstrates that Sambi and the CGH effectively circumvented the parliamentary process in the Comoros Islands to issue Union of Comoros passports to the UAE’s domestic population.

6.5. The Pattern: Abu Dhabi vs. Dubai and the Northern Emirates

The preceding sections identify the key actors involved in developing offshore citizenship and trace the steps of the policy’s implementation. This section utilizes interviews with naturalization applicants, census figures (1971-2005), and a comparison between two refugee groups (one in Dubai and the other in Abu Dhabi) to trace the pattern of naturalizations across the union. Taken together, the evidence from the ‘top down’ view of the state policies and the ‘bottom up’ view of the impacted population point to the same conclusion: that there is a discernable pattern demonstrating a preference for Abu Dhabi’s naturalization cases. The interviews reveal that the naturalization cases that were stalled for long periods of time originated in emirates other than Abu Dhabi. The Comoros Islands passports, which indefinitely delay naturalization cases when issued, were only given to applicants outside of Abu Dhabi. By comparing the differences in the treatment of the same refugee groups across Dubai and Abu Dhabi, it is possible to control for ethnic origins (the two sets of groups share similar ethnic
compositions) to isolate the classification by emirate as the key difference between applicants who receive a Comoros passport and those who do not.

The cases that I encountered originating in Abu Dhabi were not stalled and applicants from Abu Dhabi were not given Comoros passports. Instead, during the standardization drive the Abu Dhabi cases were either approved, or, as in the case of certain refugee populations, the individuals were rejected and the population in question was resettled in a new destination. 55 out of 55 interviewees who had cases in Dubai however, including refugees, all received Comoros passports. Officials in Abu Dhabi were thus able to obstruct citizenship requests that would have increased the size of the national population in the other emirates. Thus, the process of offshore citizenship was used to further entrench a broader trend of a skewed distribution of citizens in favor of Abu Dhabi. This concentration of citizens in Abu Dhabi is documented in the available census figures since the formation of the union: the growth rate of the national population in Abu Dhabi has been three times that of Dubai or any other emirate.

6.5.1. Interviews with Naturalization Applicants

There was a discernable pattern in the interviews I conducted with naturalization applicants who are either stateless or who received Comoros Islands passports—they consistently attributed their failure to gain Emirati citizenship to the fact that they were not Abu Dhabi citizens, but instead filed their citizenship claims from Dubai, Sharjah, Umm Al Quwain, Ras Al Khaimah, Ajman, or Fujairah. This pattern was similar across different ethnic minorities. Bader works as a driver for a private company in Sharjah. He

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85 This number includes the immediate family members of individuals who were interviewed.
was born in Ras Al Khaimah and is Baluchi. He explained: “my father was a policeman, and my parents have been here since before independence. But we are Baluchis from Ras al Khaimah, they don’t see us as Emirati in Abu Dhabi” (interview with Bader: April 11, 2011). In Bader’s assessment, his family could not become citizens of the UAE because they were outside the national imaginary of what citizens should be (descendants of Arab tribes) in the eyes of the decision-makers in Abu Dhabi. The fact that his inclusion as a citizen would not bolster Abu Dhabi’s population numbers further diminished his chance of having his citizenship approved at the federal level.

Bader juxtaposed his family’s current position to what he characterized as a more inclusive period of his parent’s belonging during the 1950s and 1960s, when Abu Dhabi had yet to convert its oil production into national wealth and therefore had not consolidated its power over the smaller emirates by funding their police forces and institutional development. The relationship between individual families and the political authority was personalized, direct, and circumscribed to the jurisdiction the ruler in one Trucial state. As the British began withdrawing their authority and applying pressure upon the Shaikhs to come to an agreement about national identity, the non-Arab minorities who were concentrated in Dubai and the northern emirates were forsaken as subjects of the new state. Since his family was given passports but never family books, Bader saw his family’s inclusion in the citizenry as being one of the concessions Ras Al Khaimah had made in order join the union. Bader viewed his Baluchi ethnicity as a barrier to inclusion in the Arab Emirati union, but not to inclusion in Ras Al Khaimah.

Sultan, on the other hand, argued that it was the timing of one’s claim to a particular emirate that mattered more than one’s ethnic identity. Sultan is in his late
twenties and sells perfumes online. He was born in Dubai to a bidoon father (Persian) and an Emirati Arab mother. He recalled the stories his father told him about waves of population movements from Dubai and the northern emirates to Abu Dhabi in the early 1960s. He staked his belonging and allegiance to Dubai as something that could not be changed, and suspiciously regarded people who switched their belonging, insisting that they were motivated by financial gain. “We aren’t like that. The calculating ones went to Abu Dhabi. But we are from Dubai. Maybe if my family had gone there much earlier we would be in a different situation. But you can’t just change your allegiance like you can your change clothes. We are from Dubai” (Interview with Sultan: May 9, 2010).

Similarly to Bader and Sultan, Mariam also compared the current barriers to citizenship to an earlier time of greater flexibility. Mariam, now in her early 20s, works as a receptionist in Dubai. She was born to parents from Yemen. In her view, the turning point in her citizenship case was not Abu Dhabi’s accumulation of oil wealth or the formalization of the federation and independence—it was the death of Dubai’s former ruler, Shaikh Rashid. “After Shaikh Rashid died, things became different for those of us from Dubai. We had a chance when Shaikh Rashid was alive, he really cared, now there really isn’t a chance at all.” Mariam reiterates the distinction between citizenship applications originating in Abu Dhabi and the other Emirates, saying: “The Yemenis in Abu Dhabi, those are the ones who became citizens, not us” (Interview with Mariam: March 10, 2011). Mariam viewed the death of Shaikh Rashid in 1990 as the turning point in naturalization cases because he had been invested in including his subjects in the union. She viewed his successors as being driven more by the new developments in
Dubai’s rapid economic growth and the Dubai ‘brand’, and less interested in the older power struggles that went into the formation of the union.

6.5.2. East African Refugees in Dubai vs. Abu Dhabi

The consolidation of the federation defined and separated a fixed group of individuals—the allied Arab tribes who became the ‘founding families’ of the Trucial states—from at least three other demographic groups. The first of these, as mentioned above, were internal minorities already present in these territories, but who were not fully integrated into the founding families and therefore did not have family books. After the oil spike of 1973, these internal minorities were joined by increasing flows of foreign labor imported to fund the development initiatives of the newly formed UAE. There was thus an inward flow of ‘temporary’ labor migrants who were immediately juxtaposed with the citizenry, helping to solidify a common bond between the newly created national population. However, in addition to the inward migration flows of new labor migrants, there were inward flows of individuals who were not labor migrants, including envoys and refugees. These categories of individuals never had the status of ‘guest workers’ and were not regulated through individual national sponsors. Instead they had the status of ‘special guests’ and were regulated by the Ruler’s offices of Dubai and Abu Dhabi. This population effectively formed part of the in-between population. Though distinct from the internal minorities of the Trucial states, many of these refugees share the same ethnic background (mixed Arab, African, Persian, and Baluchi descent) since their origins are from a different node of the same Indian Ocean trade route.

While the UAE is officially not a refugee-receiving state, there are populations of refugees who have been residing in the UAE since the late 1960s and early 1970s. One
such group came from Zanzibar and another came from Uganda. The Zanzibari refugees fled to Dubai by boat in 1964-1965 during the revolution of 1964. The revolution involved the overthrow of the Sultan of Zanzibar and his mainly Arab government by local African revolutionaries. Zanzibar subsequently unified with mainland Tanganyika. Zanzibar had been part of the Oman Sultanate in the 18th and 19th centuries (the British turned it into a protectorate in 1890 and it gained independence 1963). The island was ethnically diverse, made up of Africans, Arabs, Persians, Indians, and Baluchis. After overthrowing the Sultan and his government initiated “reprisals against Arab and South Asian civilians on the island.” Estimates of the resulting death toll range from several hundred to 20,000 (Mushi 11/1/2011). Most of the Arab refugees went to Oman. The group that landed in Dubai were given housing and social services but were not naturalized.

Another group of refugees who came to the UAE were Asians who were expelled from Uganda when Idi Amin came to power in 1972. Uganda, like Zanzibar, also had an ethnically diverse population, including large numbers of people originally from South Asia—many of whom had been in Uganda for over a century and formed the backbone of the economy. When General Amin came to power he expelled over 80,000 of the country’s Asians, giving them 90 days to exit, and accused them of “milking the economy of its wealth” (BBC: 7/8/1972). One of the main reasons that this population was targeted was because of their perceived links to the British Empire, as some were brought to Uganda from British India to work in Imperial service, or as unskilled/semi-skilled manual labor. Indophobia in Uganda pre-dated Amin, and the 1968 Committee on “Africanization in Commerce and Industry” in Uganda made far-reaching Indophobic
proposals. A system of work permits and trade licenses was introduced in 1969 to restrict the role of Indians in economic and professional activities (Patel: 1972). Up to 50,000 of the Asians expelled were British passport holders and but the British government took action to stop their resettlement in the UK and initially placed a quota of 1,000 people who were allowed to enter the country of their citizenship per year. According to a BBC report from that time:

Right-wing MPs have warned that letting more Ugandan Asians into the UK could raise racial tensions. They are urging the government not to take them in. Conservative MP Ronald Bell said Uganda's Asians had no real links to Britain. Speaking on behalf of the Monday Club's Immigration Committee, Mr Bell said: "They were either born in India or have retained close connection with India. They have no connection with Britain either by blood or residence" (BBC: 7/8/1972).

Eventually 30,000 of the British passport holders were able to enter Britain, but this left many others stateless.

Abdulla, a Baluchi born in Uganda 1946, became one of these refugees in Abu Dhabi. He explained that when Amin expelled the Asian Ugandans, the Red Cross began handing out documents and assisting with the relocation of the targeted population. Along with members of his family, Abdulla was moved to a transit location in Italy and was given options of possible destinations for relocation. Some of these states were Western countries, including the United States, Australia, and Sweden. But the older generation of the Baluchis (and other Muslim) Ugandans preferred to go to a Muslim country. The UNHCR told the refugees that Abu Dhabi and Dubai would each (separately) welcome them. According to an interviewee, “They guaranteed us we would have financial assistance and be resettled and would be citizens” (Interview with Abdulla: March 2-3, 2012).

In the middle of 1973, Dubai and Abu Dhabi cooperated with the Red Cross and
UNHCR to accept these refugees who were to be resettled and become citizens of each of these Emirates and the federation. The refugees who landed in Abu Dhabi were managed by Shaikh Zayed Al Nahyan’s office. Those who went to Dubai were received by Shaikh Rashid Bin Saeed Al Maktoum’s office. The only documents held by these refugees were travel documents issued by the UNHRC/Red Cross. As ‘special guests’ of the rulers of Dubai and Abu Dhabi, the refugees received invitation letters and letters from their respective rulers, enabling them to gain access to public services (See example in figure 6-2) In other words, their kafeel, or national sponsor, was the ruler, and they were not given the same documents that were issued to either citizens or the residency permits of guest workers. Initially both groups were provided with accommodation, and given jobs in the police forces or as civilians in the military. They were also provided with education for their children. With letters from these rulers the refugees were legal but unofficial residents. However, as the state began standardizing identification documents, the costs of residing in-between legal categories became higher as bureaucrats in different government agencies did not know how to classify these ‘special guests’ in a system that was built to accommodate only two categories: citizens and guest workers. In 1997 the group based in Dubai was issued passports, which led the UNHCR to ‘close’ their cases. But without family books, their passports did not actually serve to identify them as citizens within the country, and they could not access public services. These passports were renewed from 1997-2007, after which point they were no longer renewed. The passports were left with refugees as expired documents or confiscated by the Ministry of Interior upon attempts to renew the passports. The Abu Dhabi group never received Emirati passports—an indication that they were never even partially incorporated into the
citizenry. Instead, until 2008, the only documents refugees from Zanzibar and Uganda had in Abu Dhabi had were the letters from the ruler’s office, which closed in 2008.

Figure 6-2 Ruler’s Document from Dubai
The standardization drive in 2008 marked a turning point for both populations. The Ugandan and Zanzibari refugees in Dubai were issued Comoros Islands passports. The members of the Abu Dhabi group, including Abdulla, were resettled in the United States and Sweden with the assistance of the UNHCR. While members of the Dubai group have repeatedly attempted to appeal their Comoros passports with the UNHCR to request resettlement, the organization has responded by stating that their cases are no longer active and their files have been closed because they already have passports. During this time, the UNHCR has instead publicly applauded the UAE government for its assistance with helping forcibly displaced people around the world. In 2009, the UAE was invited to join the 20+ million club, the UNHCR’s informal forum for major donors. While the UAE was donating between 54,000-108,000 USD per year to the UNHCR from 2000-2006, in 2007, immediately preceding the Comoros Islands passport exchange, this sum jumped to 10,053,263. In 2008 it was 54,000 again, before spiking to an all-time high of 30,054,000 USD in 2009. This means that in the two-year period surrounding the implementation of the Comoros Islands passports and standardization drive of the UAE, Abu Dhabi contributed over 40 million dollars to the UNHCR (See figure 6-3).
Figure 6-3 Abu Dhabi Contributions to the UNHCR (2007-2012)

Abu Dhabi contributions to
UNHCR 2000-2012

<table>
<thead>
<tr>
<th>Year</th>
<th>USD</th>
</tr>
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<tr>
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<td>2003</td>
<td>0</td>
</tr>
<tr>
<td>Year</td>
<td>Population</td>
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<td>------</td>
<td>------------</td>
</tr>
<tr>
<td>2004</td>
<td>108,000</td>
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<tr>
<td>2005</td>
<td>54,000</td>
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<td>2010</td>
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<tr>
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</tr>
<tr>
<td>2012</td>
<td>1,698,602</td>
</tr>
</tbody>
</table>

6.5.3. The Census: 1975-2005

The strategy of offshore citizenship blocks the expansion of the national population (through naturalization) in Emirates other than Abu Dhabi. This policy aligns with the growing disparity in the distribution of the national population in favor of Abu Dhabi. Figure 6-4 shows the census data on the size of the national population by Emirate from 1975 to 2005. While Dubai and Abu Dhabi began with roughly the same sized national population in 1975, in only three decades the size of the Abu Dhabi population has grown to be three times that of Dubai.

Figure 6-4 Census of National Population
6.6. Concluding remarks

As part of a long-term diversification plan away from oil, the ruling coalition in Abu Dhabi is making concessions to gradually involve citizens in more of the decision-making processes by, for example, expanding the electorate of the Federal National Council. Such reforms cannot be analyzed independently of the fundamental determination of who counts as a citizen. This case brings the study of migrant incorporation into the larger comparative literature on democratic transitions and elite safeguards. Democratic reforms rarely proceed in a linear fashion. Instead, more often
then not, reforms are combined with micro-level formal and informal undemocratic elite safeguards such as non-elected upper chambers, gerrymandered electoral districts, and exclusionary voting registration rules. This project demonstrates that offshore citizenship specifically and stringent naturalization policies more broadly are part of the repertoire of tools that state actors create and wield, in order to maximize their authority, monopolize jurisdictions, and produce new concentrations of power in state institutions.
Chapter 7 CONCLUSION

This project initially began with a simple puzzle: why did the temporary worker programs of the Gulf ‘succeed’ when temporary labor schemes almost always fail? Guest worker programs ‘fail’ because migrants who were supposed to be temporary laborers quickly become permanent fixtures of the social, economic and cultural landscape. Through family reunification and the courts, temporary workers in postwar Europe and the United States slowly gained rights to permanent residency and citizenship. Meanwhile in the Gulf, after four decades of guest worker schemes, non-citizens make up over 60 percent of the aggregate labor force but are formally temporary workers with no permanent residency or citizenship rights. To understand how and why these formal outcomes differed, I delved into how the citizen/non-citizen boundary was erected and enforced in the Gulf case that experienced the most rapid and dramatic demographic growth—the United Arab Emirates.

Perhaps unsurprisingly, I found that (as elsewhere) temporary workers in the UAE do not stay temporary for long. While foreign residents are formally excluded from citizenship and do not have permanent residency rights, they are a permanent part of the receiving society, and in many ways play a larger and more visible role in the economy, spaces of consumption, and public sphere than the citizens themselves. This process of integration is an inevitable outcome of economic interdependence; the daily repeated interactions between workers and employers leads to permanent settlement in spite of the policies that aim to restrict the incorporation of migrants. Essentially, the ‘success’ of the guest worker system in the UAE is less a reflection of the state’s ability to create a
different outcome (workers who are actually temporary) and more about the state’s successful enforcement of a juridical category—the ‘guest worker’ status.

The stakes of enforcing this ‘guest worker’ status for the majority of the population are incredibly high in a context where formal citizenship confers robust economic subsidies and non-citizens are permanently deportable. I argue that the enforcement of the citizen/non-citizen boundary is a critical and often overlooked intervening variable between resource wealth and authoritarian resilience. Despite the fact that rentier theory emerged to explain the political development of the oil producers in the Persian Gulf, the rentier explanation completely elides the fact that these same states also have some of the highest concentrations of non-citizens in the world. The Gulf is the third largest receiving region for global migrants and non-citizens now outnumber citizens in four out of the six the Gulf Cooperation Council states. The six oil-producing states of the GCC have depended upon guest workers since the early phase of oil exploration (1930s) and this dependence has only increased over time, spreading to virtually every economic sector.

The dominant explanation for the ‘oil curse’ argues that authoritarian regimes survive by purchasing the political acquiescence of their citizens through the redistribution of oil rents. However, prior to the redistribution of wealth comes the much more fundamental question of who will be included in the group of beneficiaries. Oil facilitates the creation of authoritarian power structures because when political elites gain control over fixed assets, they can more effectively erect high barriers to political incorporation. Political elites can combine stringent citizenship policies with temporary
worker programs to develop their resources while concentrating the redistribution of assets to a very small percentage of the total population.

Oil production played a key role in the erection of this system of stringent citizenship and temporary migration. From very early on in the oil production process the British authorities and rulers of the emirates attempted to control the flow and origin of migrants into the oil fields to prevent widespread political mobilization and labor strikes. Oil rents supplied the funds that went into building the expansive security apparatus necessary for enforcing this system. The different agencies of the UAE’s Ministry of Interior have taken active roles in responding to rapid demographic changes by developing preemptive policing strategies that include extensive surveillance networks, multi-cultural community policing, and increasingly individualized and standardized forms of identification. This extensive security apparatus prevents the formation of horizontal ties by seeding out political dissent and labor strikes through the deportation or denaturalization of agitators. The vast majority of the population is now not necessarily temporary, but is permanently deportable.

Citizen and non-citizen agency is predominantly understood as being constituted by political demands and mobilizations that seek to enact regime-change. However, institutional change and political transitions can also occur as a result of the informal and iterative practices of private actors who subvert formal institutions and restrictions over time. Daily practices can incrementally transform a system as profoundly as ‘demands.’ While the stringent citizenship/temporary migration policy combination has critically buffered the strength of the ruling coalition, the successful enforcement of high barriers
to political incorporation produces unintended consequences and externalities that the regime must continually respond to over time.

In the chapter on “Offshore Citizenship,” I examine how federal elites adopted a market solution to respond to one of these unintended consequences. Over time, the interaction of formal restrictions to citizenship and informal permanent settlement creates externalities in the form of statelessness. The very institutionalization, standardization, and enforcement of citizen/non-citizen distinctions produces categories of people who do not fit into the official categories of either citizen or ‘guest worker.’ To address this growing segment of the population that is in between official categories, elites in the federal government outsourced naturalization cases to the Union of Comoros. Federal elites were thus able to simultaneously entrench Abu Dhabi’s dominance in the union and preserve the restrictive citizenship regime.

This dissertation finds that citizenship and immigration policies are key tools in the repertoire of instruments that actors use to mitigate the impact of political enfranchisement and monopolize resources and power. While the goal of this work is to draw the connective tissue between oil and authoritarianism in the UAE, the findings suggest that bifurcating the range of political systems into distinct “regime-types” (democratic vs. authoritarian) elides important continuities in the practices that states develop to erect barriers to political incorporation across regime-types and world regions.

One of the key findings of this dissertation is that governments of ostensibly different ‘regime-types’ and multinational corporations are involved in defining citizenship boundaries across borders. As explored in chapter 3, the British government and oil companies played key roles in erecting the apparatus of migration enforcement
and recalibrating the boundaries of inclusion in the UAE prior to the state’s formation. More recently, the case of offshore citizenship analyzed in chapter 6 demonstrates that political and economic elites in one country can coordinate with private corporations and factions within the government of a foreign state to effectively turn domestic minorities into “guest workers.” The Union of the Comoros played an integral role in Abu Dhabi’s consolidation of its authority over citizenship decisions. These strategies exemplify how governments and private companies are involved in the granting and denial of work permits, residency and citizenship status across national borders and regions of the world.

In addition to foreign states and multinational companies, this case study demonstrates that ‘foreign residents’ are integral to the emergence and consolidation of modern citizenship regimes; the excluded populations solidify the parameters of a polity and the distributions of power within it. The political importance of foreign residents in defining citizenship regimes is not limited to major migrant-receiving countries, and the regularized exclusion of certain laboring bodies is certainly not limited to the practices of authoritarian states. The institution of citizenship, since its earliest manifestations, has critically depended upon the labor of those who are outside the body politic while remaining inside that polity’s territory and playing an integral role in its economy. This study adds to the range of studies showing how democracies have systematically withheld enfranchisement from domestic populations (non-property holders, foreign residents, slaves, women, minorities). Migrant incorporation is contentious because it changes the distribution of power in a society, at times that power may be voting rights and electoral distributions, at others the stakes are more about the right to redistributed resource-wealth.
From the first wave of eighteenth century democratizers, the Republic of the United States provides a well-documented case of gradual incorporation and enfranchisement. Although free blacks and women were citizens of the American Republic (since the civil war), women were not enfranchised until World War I and African-Americans were effectively disenfranchised until the civil rights movement put an end to Jim Crow. Moreover, contestations over the distribution of power do not disappear as formal citizenship is extended; instead the elites who stand to lose from greater enfranchisement develop new political technologies to mitigate the consequences of reform. These political technologies include the development of rules governing who is able to vote, as well as practices like re-districting, gerrymandering, and the production of census categories. Kenneth Prewitt, the former Director of the US Census Bureau, points out that the constitutional purpose of the U.S. census was precisely to influence the distribution of power, “its intention was not (primarily) demographic classification but geographic sorting. At issue was the apportioning of seats in the new Congress based on the distribution of the population across the thirteen states” (Prewitt 2004: 145). The racial classifications that are often seen as ‘natural’ are the outcome of an active politics of sorting and classification that is not simply about personal identification, but more importantly about the way in which population taxonomies are linked to the allocations of resources and power. “Groups whose identities are being expressed, or suppressed, or at least their self-appointed leaders, negotiated both within and across groups for a measurement system that will advance their claims on resources and promote their assertions of a group identity” (ibid).
At the heart of my research is a desire to examine how states innovate legal mechanisms for excluding specific populations from the political community. I explore how exclusion occurs not as a transgression of the rule of law, but precisely through the institutionalization and formalization of modern citizenship. I use the UAE case to illustrate that the very state-building processes that turned mobile tribes into settled citizens—centralization and national identity documentation—also systematically created and formalized new categories of non-citizens. In so doing, I link state formation to two intimately related and opposing drives—the settlement and creation of modern citizens, and the unsettlement and creation of non-citizens. These distinctions point to constitutive tensions that undergird the project of building an internationally flexible labor market within the confines of a nation-state.

The main argument of the dissertation is that oil facilitates the creation of authoritarian power structures because when political elites gain control over fixed assets, they are able to be much more exclusionary in defining the boundaries of the body politic. I use the UAE case to build this theory inductively, finding that if oil production commences before the state is formed, political elites can combine stringent citizenship policies with temporary worker programs to develop their resources while concentrating the redistribution of assets to a very small percentage of the total population. Small N ethnographic and archival methods were necessary for examining within-case variation over time and across political units that are deferentially endowed with resources. This dissertation is the first to examine naturalization policies of the UAE in depth and it was necessary to limit the analysis to the different bureaucratic levels and actors of this case in order to identify critical intervening variables between oil production and the creation
of authoritarian power structures. However, by design, within-case comparisons cannot provide sharp causal inferences about outside cases. The nesting of the UAE case within large N studies of oil and authoritarianism suggests that the theory articulated in this dissertation is likely to explain political outcomes in other oil-producing, migrant-receiving states.

Fully identifying the comparative implications and limiting conditions of this argument, however, requires further research. In preparation for transitioning this dissertation into a book manuscript I plan to add three shadow cases, focusing on the meso-level factor of how oil rents and authority over citizenship is divided among political institutions within a state. Norway, for example, would represent a case where both oil production and immigration rates are high, but oil rents are distributed by the central bank, not politicians. This means that the political authority that redistributes rents does not have jurisdiction over determining the boundaries of the group of beneficiaries. In addition to selecting shadow cases both outside and within the GCC to identify meso-level variables, I also plan to test my alternative explanation for the oil curse by replicating Bearce and Hutnick’s (2011) study that finds that when controlling for immigration, the standard resource variables lose significance in a democratization model.
APPENDIX


9.08 Abu Dhabi – Dubai War, 1947 – 1948  

Dispute between Abu Dhabi and Dubai, 1947 – 1948 [IOR: R/15/1/292]

Pelly to Hay, 9 June 1947
G. N. Jackson, Acting Political Agent Bahrain, to Lieutenant-Colonel A. C. Galloway, Political Resident, 2 & 15 September 1947
Residency Agent Sharjah to Political Agent Bahrain, 12 January 1948
G. N. Jackson, Political Officer Trucial Coast, to Political Agent Bahrain, 17 February 1948
Political Agent Bahrain to Political Resident, 28 April 1948, enclosing Sharjah telegram, 26 April 1948
Political Resident to Political Agent Bahrain, 28 April 1948
Shaikh Hazza’b. Sultan to Political officer Trucial Coast, 26 April 1948
Political Officer Trucial Coast to Shaikh Shakhbut b. Sultan, 8 May 1948
Shaikh Ahmad b. Rashid of Umm al-Qaiwain to Political Officer Trucial Coast, 5 May 1948
Political Officer Trucial Coast to Political Agent Bahrain, 4 May 1948, enclosing agreement between shaikhs Hazza’ and Zaid, on behalf of Shaikh Shakhbut b. Sultan, and Shaikh Sai’d b. Maktum, 3 May 1948
Shaikh Shakhbut b. Sultan to Political Officer Turcical Coast, 3 May 1948
Political Officer Trucial Coast to Political Agent Bahrain, 30 May and 7 June 1948
Shaikh Shakhbut b. Zaid to Political Officer Trucial Coast, 4 June 1948
Shaikh Sa’id b. Maktum to Residency Agent Sharjah, 24 June 1948, and to Political Agent Bahrain, 17 July 1948

9.09 Abu Dhabi-Dubai boundary, 1949 – 1952  

Abu Dhabi-Dubai boundary dispute, 1949 [FO 371/74974, FO 371/91286 & FO 1016/195]
Political Agent Bahrain to Sir Rupert Hay, 8 June 1949
Political Agent Bahrain to Shaikh Shakhbut b. Sultan and Shaikh Sa’id b. Maktum, 30 May 1949
Shaikh Sa’id b. Maktum to Political Agent Bahrain, 25 June 1949
Political Officer Trucial Coast to Shaikh Shakhbut b. Sultan, 7 January 1950
Shaikh Shakhbut b. Sultan to Political Officer Trucial Coast and to Political Agent Bahrain, 3 February 1950
P. D. Stobart (POTC) to C. J. Pelly, Political Agent Bahrain, 13 February 1950
Political Agent Bahrain to Foreign office, 12 & 15 September 1950
Political officer Trucial Coast to Political Agent Bahrain, 13 September 1950
Abu Dhabi-Dubai boundary dispute, 1951 [FO 1016/77]
Political Agent Bahrain to Shaikh Shakhbut b. Sultan, 8 January 1951

Abu Dhabi-Dubai boundary dispute, 1952 [FO 371/98363 & FO 1016/195]
Political Resident to Foreign Office, 23 January 1952, and reply, 22 May 1952
Political Resident to Foreign Office, 6 June 1952
Political Resident to Acting Political Officer Trucial Coast (Hon. M. S. Buckmaster) 21 July 1952
Foreign Office to Political Agent Bahrain, 11 July 1952

9.15 **Abu Dhabi internal affairs, 1954** p. 485
Report by Political Resident, B. A. B. Burrows, to Secretary of State for Foreign Affairs, 15 April 1954 [FO 1016/373]

9.16 **Dubai internal affairs, 1955** p. 497
Administration of Shaikh Sa’id b. Maktum, 1955 [FO 1016/401 & 455]
J. P. Tripp, Political Agent Dubai, to Political Resident, 21 May 1955
Shaikh Rashid b. Sa’id to Tripp, 28 May 1955
Political Resident to Secretary of State for Foreign Affairs, 31 May 1955
Tripp to Political Resident, 1 & 2 June 1955
Summary of a conversation between the Political agent and Shaikh Rashid b. Sa’id 25 June 1955
Tripp to Political Residency, 29 June and 16, 17 & 18 August 1955
Foreign Office to Bahrain, 22 August 1955
Tripp to C. A. Gault, British Residency, 8 September 1955
Tripp to Shaikh Sa’id b. Maktum [undated]
British Residency to Foreign Office, 4 October 1955

9.17 **Inter-state boundaries, 1956 – 1958** p. 529
Internal boundaries, 1956 [FO 371/120604]
Political Resident to Secretary of State for Foreign Affairs, 20 April 1956
J. P. Tripp, Political Agent Dubai, to Shaikh Ahmad b. Rashid of Umm al-Qaiwain, Shaikh Saqr b. Sultan if Sharjah and Shaikh Saqr b. Muhammad of Ras al-Khaimah, 1 April 1956; to Shaikh Sa’id b. Maktum and Shaikh Rashid b. Sa’id of Dubai, 2 April 1956; to Shaikh Muhammad b. Hamad of Fujairah and Shaikh Rashid b. Humaid of Ajman, 5 April 1956;
to Shaikh Ahmad b. Rashid and Shaikh Saqr b. Muhammad, 2 July 1956.
Internal boundaries, 1957 [FO 371/126932]
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4.5.5 Pakistan and Abu Dhabi: Visit by Military Officials regarding possible secondment of Pakistani officers


5.9 Internal Affairs

5.9.1 Status of the “Union of Nine”
Foreign & Commonwealth Office to Sir William Luce, 24 November 1970, transmitting draft circular letter from British Government to all Rulers [FCO 8/1297]

5.9.3 Sharjah: Account of attempt to assassinate the Ruler via bombing of the Majlis area of the palace in July; review of evidence, arrest of suspects

5.9.4 The problem of illegal immigration into the Gulf States

5.14.6 Umm-al-Qawain and Ajman oil concession dispute
J. Bullard, Political Agency, Dubai to Foreign & Commonwealth Office; 28 December 1969, on secret agreement between Umm-al-Qawain and Occidental Petroleum; minute from C. Brant, 13 January 1970, regarding Umm-al-Qawain Oil Concession;
undated draft from Secretary of State to legal representative, Sir John Foster; Trucial States Oil Concession Dispute, departmental brief by A. Acland, 10 July 1970; telegram Dubai to Foreign & Commonwealth Office, 24 September 1970; Trucial States Oil Concession Dispute, departmental brief by A. Acland, 25 November 1970; draft letter Political Agent, Dubai to Ruler of Umm-al-Qawain; Trucial States Oil Concession Dispute draft letter, Foreign & Commonwealth Office to J. Bullard, Dubai; draft letter, Foreign & Commonwealth Office to Occidental Petroleum; minute by A. Acland, 21 December 1970; outline brief for Anglo-American oil talks, 3 December on general production [FCO 67/443]


6.1 Disagreements Amongst Gulf Rulers as to Shape and Mechanics of the Future Union Results in a Deadlock, Growing Concerns and Frustration; British Government Consider Possible Alternative Structures

6.1.1 Pressure on Rulers to progress to an agreement on an urgent basis, restatement of British policy in January 1971
Foreign and Commonwealth Office, London to Sir Richard Beaumont, HM Embassy, Cairo, 8 January 1971, informing the Egyptians of the policy and enclosing circular letter sent to Rulers, with Arabic version [FCO 8/1551]; record of Sir William Luce’s talks with the Rulers of Fujairah, Ras-al-Khaimah, Umm-al-Qawain on 30 January 1971; meeting with Prince Nawwaf of Saudy Arabia and HM King Faisal bin Abdul Aziz, on 24 January 1971 [FCO 8/1584] [Note: the final page is retained by the Foreign & Commonwealth Office]

6.1.2 Statement by British Government following talks with Gulf Rulers and Ruler of Saudi Arabia, restating future policy
Statement in English/Arabic, no date [FCO 8/1584]; telegram from Sir William Luce Political Residency, Bahrain to Foreign & Commonwealth Office, c. February 1971 [FCO 8/1552]

6.1.3 Consideration of alternative structures for future union, the potential of the Trucial Council assessed
Sir William Luce to Foreign & Commonwealth Office, 31 March 1971, the Trucial States Council; Foreign & Commonwealth Office brief to Secretary of State, 1 April 1971 [FCO 8/1762]; Foreign & Commonwealth Office to Bahrain, 29 April 1971; memorandum on the Trucial States Council, undated [FCO 8/1556]

6.3 The Decision of both Bahrain and Qatar to Withdraw from the Proposed Unified Gulf State
Telegram from Sir Alex Douglas-Home to Sir William Luce, Bahrain, 3 February 1971, effect of Bahrain/Qatar withdrawal on planned union; telegram from Political Agency
Doha, to Foreign & Commonwealth Office, 28 January 1971 [Note: page 2 retained by Foreign & Commonwealth Office]

6.9 Establishment and Improvement of Local Security Forces and Intelligence

6.9.2 Police and special branches: Assessment of the need for improved public security, and practicalities such as immigration cards

6.11 Internal Governance and Control: Transfer of Residual Responsibilities for Visas and Immigration to the Trucial States Council

Political Agency, Abu Dhabi, to Political Residency, Bahrain, 26 January 1971, forwarding brief on the problems of visas and immigration; Political Agency, Abu Dhabi, to Political Residency, Bahrain, 26 January 1971; Political Residency, Bahrain, to Political Agency, Abu Dhabi, 2 February 1971; Political Agency, Dubai, to Political Residency, Bahrain 8 February 1971; minute, 9 February 1971, visas for the Trucial States; Political Agency Dubai to Foreign & Commonwealth Office, 1 March 1971; Political Agency, Dubai to
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EDUCATION
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PhD in Political Science
Committee: Michael Hanchard (chair), Robert Vitalis, Kellee Tsai, Erin Chung, Todd Shepard
Certificate in Racism, Immigration, and Citizenship
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Masters of Arts, Political Science, May 2007

Northwestern University, Evanston, Illinois, USA
BA, Summa Cum Laude, Political Science and International Studies, Honors in Political Science, 2006

Sciences-Po, L’Institut d’études politiques (IEP) de Paris, Paris, France
NU/Sciences-Po Certificate in European Union Studies, Fall 2004

Bahrain School, US Department of Defense Dependents, Juffair, Bahrain
International Baccalaureate and American Diploma, June 2002

PUBLICATIONS
Review of Impossible Citizens: Dubai’s Indian Diaspora by Neha Vora, Middle East Journal (Sept. 2013) (commissioned)

“‘Temporary Migrants’ or Permanent Residents? The Kafala System and Contestations over Residency in the Arab Gulf States” Center for Migrations and Citizenship, Institut Français des Relations Internationales (November 2012). (Commissioned) Link: http://www.ifri.org/?page=contribution-detail&id=7418


**RESEARCH FELLOWSHIPS AND GRANTS**

American Council for Learned Societies/ Mellon Foundation Dissertation Completion Fellowship, 2012-2013
Josephine de Karman Prize Fellowship, 2012-2013 (Declined)
Research Fellowship, Dubai Initiative, Harvard Kennedy School of Government, Fall 2011
“Settling into Motion” Fellowship, Ziet-Stiftung Ebelin und Gerd Bucerius, Hamburg, Germany 2009-2011
Undergraduate Research Grant, Undergraduate Research Board, Northwestern University, Paris, June 2005
Farrell Research Grant, Department of Political Science, Northwestern University, June 2005
Research grant, International Studies Department, Northwestern University, June 2004 (Cyprus)
Farrell Research Grant, Political Science Department, Northwestern University, June 2004, (Paris)
Global Leadership Grant, Global Leader Institute, Goldman Sachs Foundation, 2004

**HONORS AND AWARDS**

James Hart Award (to support graduate students), Political Science Department, JHU, 2011-2012
Paul A. McCoy Award, Most distinguished Political Science Seminar Paper, “*Unweaving Speech from Noise: The Role of the Black Intellectual in Delineating the Political,*” Political Science Dept, JHU Spring 2008
Owen Scholars Fellowship (to attract outstanding graduate students) Johns Hopkins University, 2006-2009
McGovern Award for Excellence in Political Science, Northwestern University, June 2006
Phi Beta Kappa, Alpha Chapter, Northwestern University, June 2005
Award for essay: “The Subject’s Relation to Power: Sartre and Foucault debate” French & Italian Department, Northwestern University, June 2005
Goldman Sachs Global Leader Award, US Institute (May) and Global Institute (July) Goldman Sachs Foundation, IIE New York, 2004

**MEDIA AND INTERVIEWS**


**INVITED LECTURES**

Institute for the Transregional Study, Princeton University, April 2013
Department of Political Science, Middlebury College, April 2013
Department Seminar, Political Science Department, Johns Hopkins University, April 2012
Department of Sociology, John Jay College of Criminal Justice, City University of New York, March 2012
Dubai Initiative Seminar, Belfer Center for Science and International Affairs, Harvard Kennedy School, Nov 2011
Luce Gulf Studies Research and Policy Meeting, University of Durham, UK, Sept 2011
“Institutionalizing Unassimilation” French Interdisciplinary Group, Northwestern University, May 2006
“Conflict Mediation and Negotiation: Cyprus and the Middle East Conflict,” ISRC, Northwestern, Jan 2005

CONFERENCES AND WORKSHOPS
“Oil’s ‘Temps’: Temporary migration and labor racialization in Oil-producing states” Social Science History Association Annual Meeting, November 2013 (Upcoming)

Paper and workshop, Journal of Middle East Law and Governance symposium on Citizenship and Nationality in the MENA region, Toronto, Nov 2013 (Upcoming)

“Civilizing Security” Middle East Studies Association Annual Meeting, New Orleans, October 2013 (Upcoming)


“State Formation and the Construction of “Citizens” and “Noncitizens” in the United Arab Emirates”, MESA Annual Meeting, in panel “Migration and (Non-) Citizenship in Arab Gulf States” Denver, Nov 2012


Transatlantic Policy Workshop, “Settling into Motion” Ziet-Stiftung Program, DC and NYC, Oct 2011

“The Comoros Connection” Settling into motion” Ziet-Stiftung Program, Fellows meeting, Hamburg, April 2011


“Naturalization as National Security” in “The Impact of Migration on Gulf Development” workshop, Gulf Research Meeting, Cambridge, UK, July 2010

“National Security and Transient Populations in the UAE”, “Settling into Motion,” Ziet-Stiftung, Berlin, April 2010


“The Public Face of the Nation: Constructing the national image of the UAE and Bahrain,” ISA-NE, Oct 2009

Racism, Immigration and Citizenship (conference organizer and panelist, JHU, May 2009)


Transatlantic Dialog: Nationhood: Past, Present, Future: Metz, France and Saarbruecken, Germany, April 2006

TEACHING EXPERIENCE
Dubai School of Government (Lecturer, Graduate course) (co-taught with Calvert Jones)
“Comparative Politics and International Relations of the Middle East” Masters of Public Admin, Spring 2011
University of Cambridge (Concentration Tutor, Pre-college seminar)
“Power and Politics” Concentration, Heritage Summers Program, Girton College July 2011

Johns Hopkins University (Teaching Assistant, Undergraduate courses):
Introduction to Comparative Politics, Head TA, Dr. Nicolas Jabko, Spring 2012
Introduction to Middle East Politics, Dr. Waleed Hazbun, Fall 2009 nominated for teaching award
Introduction to American Politics, Dr. Benjamin Ginsburg, Fall 2008
Comparative Racial Politics, Dr. Michael Hanchard, Spring 2007

RESEARCH ASSISTANTSHIPS
Dr. Rima Sabban, Political Science, Zayed University, Dubai, 2010-2011
Dr. Michael Hanchard, Political Science, Johns Hopkins, 2006-2010
Dr. Michael Hanchard, Political Science, Northwestern, 2005-6 (copyedited Party/Politics),
Dr. Krista Thompson, Art History, Northwestern, 2006

PROFESSIONAL ACTIVITIES AND WORKING GROUPS (SELECTIONS)
Harvard Human Trafficking and Modern Slavery working group, Carr Center for Human Rights (member)
Association for Gulf and Arabian Peninsula Studies (Academic Freedom Liaison and member)
Middle East Studies Association (member)
American Political Science Association (member)
Women in International Politics and Security (member)
Working Group on GCC Migration, CIRS Georgetown University, Doha, Qatar, May 2009
Racism, Immigration and Citizenship working group, JHU-SSRC (assistant organizer, May 2007)
University Search Committee for Head Librarian, Northwestern, 2006

ADDITIONAL TRAINING
International Institute for Mediation and Conflict Resolution (IIMCR)
Certificate in Conflict Resolution, Middle East Symposium, Nicosia, Cyprus 2004

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