

The Balancing Powers in Kuwait in the 1938 *Majlis* Movement

New Insights from the Minutes of the Legislative Council⁽¹⁾

Abdulrahman Alebrahim⁽²⁾

Abstract: Although political developments in Kuwait in the 1930s that led to the birth of the first Legislative Council have been closely examined in the literature, scholarship on the council is more descriptive than analytical and largely limited to the economic dimensions of the struggle between sheikhs and merchants. Specifically, the literature neglects the contribution of what I refer to here as the "balancing powers" in the establishment of the councils in 1938 and 1939. Thus, in addition to highlighting the important role of the two major forces in Kuwait at the time — the merchants and the al-Sabah family — this paper sheds light on the role of the other social forces in the establishment and dissolution of Kuwait's 1938 and 1939 Legislative Councils. To this end, this paper publishes selections from the 1938 council minutes for the first time.

Kuwaiti History

Sheikhs

Merchants

Kuwait

Gulf History

Introduction

The events surrounding the creation of the Kuwaiti Legislative Council, elected in 1938, continue to resonate in Kuwaiti society today. Virtually no political crisis between, on the one hand, the National Assembly and various political groupings, and, on the other, the government and its supporters, passes without some mention of those events in impassioned oratory. During the Arab Spring uprisings and the stormy political events in Kuwait in 2011, speeches given by members of the National Assembly in Irada Square⁽³⁾ made liberal reference to those events.

Few primary sources directly address the events surrounding the Legislative Council, but the ones

that do have had a profound influence in preserving the historical narrative around them. Perhaps the most important source for that period is Sheikh Yusuf Bin 'Isa al-Qina'i's (1879–1973), the head of the council and the presiding chair in some of its sessions. He offered significant first-hand testimony in his anthology⁽⁴⁾ and his interview with Sayf Marzuq al-Shamlan in 1966.⁽⁵⁾ A second major source for this era is the memoirs of Khalid Sulayman al-'Adsani (1911–1982), who was an active participant in the movement for a legislative council (the *majlis* movement) and later council secretary.⁽⁶⁾ Al-'Adsani is one of the few local sources that take up the *majlis*

1 This study was originally published in Issue 14 (July 2021) of *Ostour*, a semi-annual journal on historical studies, and translated by Mandy McClure.

2 Kuwaiti researcher holding a PhD from the University of Exeter, UK.

3 Located in front of the National Assembly, Irada Square is a place for Kuwaitis to assemble to air their political opinions. During the 2011 Arab Spring, the square assumed an important role for the public to exercise pressure on the authorities, and it remains important today. In recent months, for example, Kuwaitis have gathered there to express their rejection of the Covid vaccine and their support for the Palestinian cause.

4 Yusuf Bin 'Isa al-Qina'i, *al-Multaqa'at: Hikam wa-Fiqh wa-'Adab wa-Tara'if*, 2nd ed. (Kuwait: Risala Press, 1998).

5 "Interview with al-Qina'i' on the founding of the Shura Council in 1921 and the events of the 1938 council," *Youtube*, 18/8/2017, accessed on 8/8/2021, at: <https://bit.ly/36HrhA0>

6 There are three editions of al-'Adsani's memoirs: 1) the first, which is a typewritten copy; 2) a digital copy available online; and 3) the published edition of the book, which is what this study relies on. Khalid al-'Adsani, *Mudhakkirāt al-'Adsāni* (Damascus: Dar al-Yusuf, n.d.).

movement in significant detail, and his position as a key decision-maker makes his work indispensable. He writes, "When the second Legislative Council was dissolved ... [I realized] that the authorities would chase me down and arrest me ... not only as the secretary of the first, and then second, council but because they knew that I am the only one who arranged, wrote, and transcribed every trace left by those involved in the movement."⁽⁷⁾ The British archives are a third important source for the history of the council, as documents in the archive discuss the *majlis* movement at length and in detail.

Other works contain some discussion of the *majlis* movement. These include another book by al-'Adsani, which is essentially an abridged version of his memoirs.⁽⁸⁾ While it takes up the inception and achievements of the Legislative Council, it ignores numerous events, particularly around the dissolution of the council, perhaps because the author intended to publish his memoirs later in full. Nevertheless, it provides a good account of the work of the councils of 1938 and 1939. A chapter in Najah al-Jasim's book on interwar political and economic development takes up the *majlis* movement and discusses the reasons for the establishment of the Legislative Council.⁽⁹⁾ 'Abdullah al-'Umar provides a more analytical perspective, but does not explore in depth the political, economic, and social factors fueling the movement.⁽¹⁰⁾ Other academic works by Khalid al-Sa'dun and Tayyiba Khalaf 'Abdullah approach the *majlis* movement from the Iraqi perspective.⁽¹¹⁾ In English, the work

of Jill Crystal, Michael Herb, Rosemarie Zahlan, and Peter Moore has addressed the events surrounding the creation of the councils in 1938 and 1939.⁽¹²⁾ Crystal's discussion of the council is confined to the sheikhs and merchants without reference to other social forces that will be referred to here as the "balancing powers." In a section on the *majlis* movement of 1938 she relates the reasons for the establishment of the council and the convening of elections after the merchants met and agreed with 'Abdullah al-Salim and his brothers.⁽¹³⁾ Of particular interest is Crystal's in-depth treatment of the history of the period before the discovery of oil. She also touches briefly on the lack of Shi'i representation in the council and Shi'i demonstrations, relying on British documents and Muhammad al-Rumayhi's work.⁽¹⁴⁾ Herb discusses the events of 1938 in two papers, as part of the history of Kuwait and the al-Sabah family. His analysis of the *majlis* movement is incomplete however; although he clearly refers to the Sunni-Shi'i conflict, he does not shed additional light on the conflict between the sheikhs and the merchants.⁽¹⁵⁾

Both Muhammad al-Rumayhi⁽¹⁶⁾ and Kamal 'Uthman Salih⁽¹⁷⁾ discuss the creation of the council in 1938, but research on this period tends to approach the councils of 1921 and 1938 from a primarily economic perspective, focusing on the conflict between the sheikhs and merchants. Salih's descriptive treatment centers on an aspect of the Sunni-Shi'a conflict instead of analyzing the conflict in Kuwaiti society as structured between, on one hand, '*ajam* and Arab

7 Ibid., p. 1.

8 Khalid al-'Adsani, *Nisf 'Ām li-l-Hukm al-Niyābī fī al-Kuwayt* (Kuwait: Fahd al-Marzuq Journalistic Foundation Press, 1987).

9 Najah al-Jasim, *al-Taṭawwur al-Siyāsī wa-l-Iqtisādī bayn al-Ḥarbayn (1914–1939)*, 2nd ed. (Kuwait: al-Watan Press, 1997).

10 'Abdullah al-'Umar, *'Irhāṣāt al-Dimuqrāṭiyya fī al-Kuwayt* (Kuwait: Dar Qurtas, 1994).

11 Khalid al-Sa'dun, *al-'Alāqāt al-Siyāsīyya al-'Irāqīyya–al-Kuwayṭiyya Zaman al-Malik Ghāzī 1933–1939: Kamā Ṣawwarathā al-Wathā'iq al-Bariṭāniyya* (London: Dar al-Hikma, 2013); Tayyiba Khalaf 'Abdullah, *al-Taṭawwur al-Tārīkhī li-l-Majālis al-Tashrī'iyya fī al-Kuwayt wa-Mawqifūha min al-'Alāqāt al-Kuwayṭiyya–al-'Irāqīyya 1921–1976* (Baghdad: Dar wa Maktabat al-Basa'ir lil-Tiba'a wa-l-Nashr, 2014).

12 Jill Crystal, *Oil and Politics in the Gulf: Rulers and Merchants in Kuwait and Qatar* (Cambridge: Cambridge University Press, 1990); Michael Herb, *All in the Family: Absolutism, Revolution, and Democracy in the Middle Eastern Monarchies* (Albany: State University of New York Press, 1999); Rosemarie Said Zahlan, *The Making of the Modern Gulf States: Kuwait, Bahrain, Qatar, The United Arab Emirates and Oman* (London and New York: Routledge, 2016); Peter W. Moore, *Doing Business in the Middle East: Politics and Economic Crisis in Jordan and Kuwait*, Cambridge Middle East Studies (Cambridge: Cambridge University Press, 2004).

13 Crystal, p. 47.

14 Ibid., p. 54.

15 Herb, pp. 72-73.

16 Muhammad al-Rumayhi, "Harakat 1938 al-'Islāhiyya fī al-Kuwayt wa-l-Bahrayn wa-Dubay," *Journal for Studies of the Gulf and the Arabian Peninsula*, no. 4 (October 1975), pp. 29-68.

17 Kamal 'Uthman Salih, "The 1938 Kuwait Legislative Council," *Middle Eastern Studies*, vol. 28, no. 1 (January 1992), pp. 66-100.

Shi'a, Bedouins, and villagers and, on the other, the opposition movement and the relationship of these social forces with the sheikhs and merchants in this period, which will be the focus on this paper. Al-Rumayhi similarly explores the competing domestic forces but limits his study to the Shi'a, where a broader perspective is needed, as will be explained in my discussion of the role of other forces in political conflicts in Kuwait. Neither of these articles offers a detailed analysis of the merchant class.⁽¹⁸⁾

The minutes of the 1938 council meetings stand out as a unique historical source for insight into the council's closed proceedings. For example, were decisions made unanimously or by majority vote? And how were decisions made in the council? The minutes show that the Legislative Council made decisions independently of the ruling sheikh, suggesting that if the council had lasted, political decision-making in Kuwait would be very different.

The minutes I used in this study are a copy of the originals in the possession of Muhammad 'Abd 'Aziz al-'Utaybi,⁽¹⁹⁾ an abridged version of which was published by 'Adil al-'Abd al-Mughni in 2020. In his introduction, al-'Abd al-Mughni relates that al-'Utaybi agreed to the publication of the minutes on the condition that "I omit names mentioned in the minutes, especially on personal matters such as the dismissal or termination of some employees [...] as well as the cases of citizens considered by the council in its meetings."⁽²⁰⁾ Because I believe that particular names and events are important for understanding the role of the balancing powers and

their relationship to the 1938 council, I have thus relied on a photocopy of the original minutes in my possession. The minutes are significant because they fill a lacuna in the historical record of the 1938 events, demonstrating that the balancing powers — the focus of this study — influenced the course of events, in contrast to previous sources and references that limit their portrayal of these events to the sheikhs and the merchant class. My approach to the minutes here seeks firstly, to show the existence of the balancing powers and their role in the political movement of 1938 and secondly, to relate information in the minutes with events mentioned in by other sources.

This study is divided into three sections. The first offers a broad historical overview of constitutional developments and *majlis* movement prior to 1938. Part two discusses the role of the balancing powers in the conflict of 1938. In contrast to most sources that approach this conflict as a bipolar one between the sheikhs and merchants, this study spotlights other social forces and their contribution to events in 1938. The third section undertakes a comparison of historical sources for the 1938 movement, setting the works of al-'Adsani and al-Qina'i against British sources, Iraqi news reports found in the British archives, and the council's minutes. This study thus attempts to offer a new perspective on politics in Kuwait by looking at the roles of other diverse segments of society — who together constitute the balancing powers — and their influence on the conflict between the two principal forces of that era, the sheikhs and merchants.

1. The Balancing Powers: A New Framework to Analyse Kuwaiti History

The aim of my focus on the balancing powers is to highlight the role of marginalized social groups neglected by previous academic studies.⁽²¹⁾ Historians have paid scant attention to the political role of these groups — which include religious scholars, divers, workers, Bedouins, villagers, Shi'a (Arab

and non-Arab), and the intelligentsia — prior to independence, although they constituted the majority of the population in that period. The mainstream historical narrative describes them as isolated from political life and other aspects of society, though some researchers do recognize their important role as balancing powers.

18 These are not the only books and articles that discuss the 1938 council, but they are the most important in my view.

19 Muhammad 'Abd 'Aziz al-'Utaybi is the son of 'Abd al-'Aziz Muhammad al-'Utaybi, the former secretary-general of the Kuwaiti Cabinet; Muhammad retains the original copy.

20 'Adil al-'Abd al-Mughni (ed.), *Yawmiyāt Majlis al-'Umma al-Tashrīṭ al-Awwal (al-Dawra al-'Ulā)* (Kuwait: Four Films Group Publishers, 2020), p. 7.

21 Abdulrahman Alebrahim, *Kuwait's Politics Before Independence: The Role of the Balancing Powers* (Berlin: Gerlach Press, 2019).

What are the balancing powers, and why have I chosen this name describe them? Scholars of Kuwaiti history know that most research focuses on two chief forces in Kuwait's history: sheikhs and merchants. While it is true that they were the most influential actors, the generalization poses major methodological problems.

Balancing powers here refers to other politically influential social actors. Coming from various segments of the Kuwaiti population, they did not belong to either the ruling family or the historically important merchant class, which participated in political decision making from the time of its emergence. The "powers" in the term refers to these actors' ability to act on and influence politics apart from the two main forces. The extent of their power varied from one period to the next depending on factors such as migration and changing economic and political circumstances, as will be discussed. "Balancing" connotes movement and vacillation between two poles under the influence of an internal or external force. Like a pendulum, these disparate forces swing back and forth between the two chief powers, lending the force of their movement to one or the other, but the pendulum cannot move without an outside force.

This concept of the balancing powers is integral to our understanding of the history of pre-independence Kuwait, which is generally framed by the power of the sheikhs versus that of the merchants. In contrast, this study confirms the critical role played by other groups in Kuwait's social and political history — one that greatly affected the balance of power between the two main protagonists. The concept of the balancing powers thus calls into question the conventional history of pre-independence Kuwait narrated by most historians.

The balancing powers were made up of a diverse array of interlinked actors. Some, like the Bedouin and villagers, were connected by their lifestyles and tribal associations, while others, like Arabs and *'ajam* (non-Arabs) were bound together by ethnic ties. Villagers of various ethnicities were tied together by geography, while divers were linked by occupation, and intellectuals by culture and learning. What they all have in common, however, is their marginalization in historical works and the disregard of their role in the social history of Kuwait, starting with 'Abd

al-'Aziz al-Rashid's first work on the history of Kuwait. This and later works are certainly responsible for the dearth of references that would enable a better identification of the power of these disparate groups and their status within the balancing powers in the historical context of Kuwait. Given the sources' silence on these groups, they must all be counted as part of the balancing powers. At the same time, these groups did not possess the social or economic weight that would have allowed them to be part of one of the two dominant classes. That is, they were not part of the ruling family, and the vast majority of them did not have significant financial assets, although many of them, such as workers, divers, and consumers, did have a tangible economic impact.

It is often difficult to clearly define the groups that constitute the balancing powers due to both a great deal of overlap between various social groups and the common lack of detailed local documents and statistics. For example, Khalid al-'Adsani, who played an important role in the 1938 movement as secretary of the Legislative Council and one of the founders of the National Bloc, came from a merchant family in Kuwait and so could easily be identified as part of the merchant class. Another example is that of the *'ajam* or Iranians, as al-'Adsani calls them in his memoirs. Although they were predominantly Shi'i by rite, it is difficult to describe them as a cohesive Shi'i bloc. Moreover, when it comes to defining Kuwaiti identity, the sources make a distinction between the *'ajam* who were long resident in Kuwait and the more recent Iranian arrivals, and the same applies to Arabs, both Shi'i and Sunni. Local sources that discuss villagers and their participation in the events of 1938 are almost exclusively oral histories. In citing examples of individuals from villages such as Fintas, Abu Halifa and Fahahil, who took part in the events in support of the ruling sheikh, this study offers some confirmation of these sources, but does not delve into detail about the composition of the balancing powers. Rather, it is a first step that will allow researchers to shift their analytical model of the history of Kuwait from a bipolar conflict between sheikhs and merchants, to one that takes into account other societal forces.

2. The 1938 Council's Pivotal Importance in Kuwaiti History: A Historical Narrative

The 'Utub settled in Kuwait with the permission of the sheikhs of the Bani Khalid, who then held sway over Kuwait.⁽²²⁾ After they settled in Kuwait and multiplied, they decided to organize their lives, choosing Sabah bin Jaber⁽²³⁾ to lead them on the condition that he consult the group on matters of governance; the consensus opinion having settled on him, he had no option to refuse. This model of governance persisted until the era of Mubarak bin Sabah (1896–1915),⁽²⁴⁾ when the Kuwaiti political system evolved from one based on consultation (*shura*) into absolutist rule. This latter system continued after Mubarak's death during the rule of his two sons, Jabir and Salim, until 1921, when Sheikh Ahmad al-Jabir agreed to the establishment of the first Shura Council.

The era of Sheikh Ahmad al-Jabir al-Sabah (1921–1950) witnessed the establishment of the Legislative Councils of 1938 and 1939. Both internal and external factors were influential in this development. Domestically, political participation found increasing purchase among Kuwaitis after the formation of the first Shura Council in 1921 and the election of Municipal Council and Education Council starting in 1932. The first Municipal Council was constituted by appointment in 1930,⁽²⁵⁾ but after 1932, election rather than direct appointment became the custom for subsequent municipal and knowledge councils. This culture of elections was reflected in the 1938 Legislative Council, whose members were not appointed like those of the 1921 Shura Council.⁽²⁶⁾

In addition, the abysmal state of infrastructure, educational institutions, and healthcare, as well as rampant financial and administrative corruption, contributed to the emergence of a national movement. The unprecedented, and growing, opposition to the ruler's authority did not go unpunished; in 1937, the activist and taxi driver Muhammad al-Barrak, who was very popular among Kuwait's youth and zealous in his opposition to the ruler's court, was arrested and severely beaten after he openly criticized the ruling authorities in the streets and public places.⁽²⁷⁾

External factors also played a part. The new ideas spreading across the Arab world were embraced by young Kuwaitis who travelled and studied in Iraq, and Arabic newspapers became increasingly common in the country. As a result, opposition forces soon became part of the growing pan-Arab movement extending across Iraq and the Levant. Likewise, the Arabism of Kuwaiti merchants was strengthened thanks to new links established with nationalist organizations in the Arab world in the 1930s.⁽²⁸⁾

The growing nationalist sentiment was fostered by Palestinian teachers in Kuwait and the involvement of a group of Kuwaiti youth — among them National Bloc founders 'Abdullah al-Saqr, 'Abd al-Latif al-Ghanim, and Khalid al-'Adsani — in the Arab nationalist Red Book movement.⁽²⁹⁾ The Palestinian revolt of 1936 and the Palestinian national movement also enjoyed strong support among Kuwaiti merchants.⁽³⁰⁾ This contributed to the rise of an opposition current within the Kuwaiti merchant

22 'Abd al-'Aziz al-Rashid, *Tārīkh Kuwait*, vol. 1 (Baghdad: al-'Asriya Press, 1926), pp. 12 ff.

23 'Abdullah al-Hatim, *Min Humā Bada'at al-Kuwayt*, 2nd ed. (Kuwait: Dar al-Qabas Press, 1980 [1962]), p. 127.

24 Al-Rashid, p. 66.

25 An alternate version of events maintains that the first Municipal Council elections were in 1930 rather than 1932, although this source lists different members than al-'Adsani. See: Muhammad Saqr al-Ma'awshraji, *al-Hilm bi-Kuwayt Haditha: Qiṣat Nash'at Baladiyyat al-Kuwayt qabl al-Naft (1930–1940)* (Kuwait: al-Khatt Press, 2019), p. 37. This paper holds to the date of 1932 as the first election, based on a British document that states that the 1930 council was appointed. See: IOR, R/15/2/1499: File 16/6 Diary weekly Kuwait, Kuwait News for the Period from 16th to 30th of April 1930. This source indicates that Ahmad Bahbahani, a Shi'i Muslim, was as member, confirming Shi'a representation on the first Municipal Council.

26 Alebrahim, p. 53.

27 Al-'Adsani, pp. 31-32.

28 Shafiq Juhha, *al-Ḥaraka al-'Arabiyya al-Sirriyya (Jamā'at al-Kitāb al-Aḥmar) 1935–1954* (Beirut: al-Furat Publishers and Distributors, 2004), pp. 243-244.

29 Ibid., p. 243.

30 For more on Arab nationalists and education in Kuwait, see: Tala al-Rashoud, "Modern Education and Arab Nationalism in Kuwait, 1911–1961", PhD. Dissertation, SOAS University of London, London, 2017, accessed on 12/8/2021, at: <https://bit.ly/2UcvzNI>

class, which led to the establishment of a bloc that would oppose autocratic rule in Kuwait. The National Bloc was officially established in early 1938, and by April of that same year, it began to pressure the sheikh to reform the country's political system, in part by publishing articles in the Arabic press, especially Iraqi newspapers.⁽³¹⁾

After presenting its demands, the National Bloc did not have long to wait. On 13 June 1938, Gerald de Gaury, the British political agent from 1936 to 1939, objected to Sheikh Ahmad al-Jabir and his retinue's mistreatment of al-Barrak and advised Sheikh Ahmad to "pay more attention to his connection with his family and people." He further recommended that the sheikh appoint a British advisor — a veiled threat of possible British intervention to contain the unrest experienced under his rule.⁽³²⁾ Instead of advocating a legislature, the British proposed a consultative council that drew on the traditional model.⁽³³⁾ With the authorization of the National Bloc, Muhammad al-Thunayan al-Ghanim, 'Abdullah Hamad al-Saqr, and Sulaymen al-'Adsani submitted a letter to the sheikh demanding greater participation in governance, and they made it clear that this was only possible through the formation of a Legislative Council.⁽³⁴⁾

Sheikh Ahmad al-Jabir agreed to hold elections to select the members of the council, but he insisted that 'Abdullah al-Salim chair it. The delegation rejected his demands and all preconditions. Al-Salim suggested holding elections as soon as possible to prevent the formation of ethnic or sectarian blocs, especially among the *'ajam*.⁽³⁵⁾ A committee of merchants was then formed to determine the eligible voters for the

fourteen members of the Legislative Council. The National Bloc won eight of the fourteen seats, most of which went to the Qibla merchants.

The 1938 assembly was a legislative, rather than administrative council. This meant it required buy-in from the largest possible segment of influential actors, including a number of Shi'i families. While these families granted the right to vote, there is some disagreement about whether they had the right field a candidate for the council.⁽³⁶⁾ In contrast to some sources, al-'Adsani mentions that the *'ajam* in Kuwait "called to take part in elections and voting," and never states, even in his criticism of the community's actions, that they voted without the right to run for office.⁽³⁷⁾ The merchants of the Qibla district had controlled the first elected Municipal Council in 1932, holding eight of its twelve seats,⁽³⁸⁾ while the *'ajam* won a single seat, occupied by their representative Ahmad Ma'rafi.⁽³⁹⁾ Al-'Adsani states in his memoirs that only fifty people voted in the 1932 municipal council election.⁽⁴⁰⁾

The electorate for the 1938 Legislative Council increased to 320 voters,⁽⁴¹⁾ or 150 according to the report of the British political agent in Kuwait.⁽⁴²⁾ Since the Shi'a, or Iranians as al-'Adsansi sometimes calls them, were a minority in Kuwait, when there were only fifty eligible voters in the municipal council election in 1932, the community had a chance of winning a seat. With the increase in the voter pool, however, it became very difficult for them to win in elections, particularly given the cohesion of the Qibla merchants.

31 Al-Rumayhi, p. 34.

32 IOR, 15/5/205: From Political Agent Kuwait to Political Resident in the Persian Gulf 13th June 1938; Political Resident in the Persian Gulf to Secretary of State for India, 12th May 1938.

33 IOR, 15/5/205: Political Resident in the Persian Gulf to Shaikh Sir Ahmed al- Jaber as Sabah, 18th June 1938.

34 Al-'Adsani, *Nisf 'Am li-l-Hukm al-Niyabi fi al-Kuwayt*, pp. 7–8.

35 Al-'Adsani, *Mudhakkirāt*, p. 46.

36 'Abd al-Muhsin Jamal, *Lamahāt min Tārīkh al-Shī'a fi al-Kuwayt (min Nash'at al-Kuwayt ilā al-Istiqlāl)* (Kuwait: Dar al-Naba' Publications, 2005).

37 Al-'Adsani, *Mudhakkirāt*, pp. 12–91.

38 Members from the Qibla district included: Sulayman al-'Adsani, Mash'an al-Khudayr, Ahmad al-Humaydi, Marzuq al-Badr, Sayyid 'Ali Sulayman al-Rifa'i, Mashari al-Badr, and Sayyid Zayid Sayyid Muhammad al-Naqib.

39 Al-'Adsani, *Mudhakkirāt*, p. 13. As noted above, a British document names another member of the first Municipal Council in 1930, Ahmad al-Bahbahani.

40 Ibid., p. 12.

41 Ibid., p. 46.

42 IOR/15/5/205: Political Agent, Kuwait, to Political Resident in the Persian Gulf, 5th June 1938.

After the elections, the Legislative Council, which drafted the constitution of July 1938, considered an extension of the 1921 constitution.⁽⁴³⁾ Its five articles provided for the following:

- Article 1: The nation, as represented by its elected representatives, is the source of all authorities.
- Article 2: The council shall enact laws in the fields of health, justice, public budget, construction, state of emergency, education, and public security.
- Article 3: The National Legislative Council is the authority for all domestic and foreign treaties and concessions; any new order of this type shall not be considered legally valid except with the approval and supervision of the council.

- Article 4: Since the country does not have an appellate court, the tasks of such court shall be vested in the National Legislative Council pending the formation of an independent body for this purpose.
- Article 5: The president of the National Legislative Council represents the executive authority in the country.⁽⁴⁴⁾

The council affirmed its obligation to cooperate in a letter to Sheikh Ahmad, reminding him of his promise in 1921 to consult with the people Kuwait about their affairs. One day later, the sheikh ratified the constitution.⁽⁴⁵⁾

3. The Legislative Council's Reforms

The council instituted reforms in multiple fields. It amended the anti-corruption customs procedures enacted before its creation and repealed the pearl tax, which made up one-third of the government's annual revenues.⁽⁴⁶⁾ It also established an official police force and built three new schools.⁽⁴⁷⁾

The council's most crucial decision — and one that contributed to its subsequent dissolution — was its revocation of many of the prerogatives of the State

secretary and his subsequent forced resignation. The council had asked Sheikh Ahmad to hand over a cache of weapons, which it viewed as an avenue to administrative corruption. Claiming that his secretary was conspiring against the council by stirring up opposition to it among the "Iranian *'ajam*," the council asked that he dismiss his secretary before discussing weapons issue.⁽⁴⁸⁾ The ruler, however, considered this interference in his private affairs.

4. Establishment of the Second Legislative Council in 1939

On 21 December 1938, Sheikh Ahmad dissolved the Legislative Council and elections were called seven days later to select members of the new council. The electorate now numbered 400 while the council expanded to 20 members.⁽⁴⁹⁾ All the old

council members were re-elected, in addition to five of their supporters, which British sources suggest may have been the result of electoral tampering and vote buying.⁽⁵⁰⁾ On 29 December 1938, the council discussed a new constitution that would include an

43 Constitution here means document. Since the agreement concluded in 1921 was put in written form, it was called "the constitution." The document contains provisions for the regulation of transactions, the judiciary, and domestic and foreign policy. For more on the 1921 document/constitution, see: Husayn Khalaf al-Shaykh Khaz'al, *Tārīkh al-Kuwayt al-Siyāsī*, vol. 5 (Beirut: al-Hilal Press, 1962), p. 15.

44 A copy of the law can be found in the second appendix in al-Jasim, pp. 167-169; al-'Adsani, *Nisf 'Am*, pp. 11-12; IOR/15/5/205.

45 Al-'Adsani, *Mudhakkirāt*, pp. 53-56.

46 Al-Jasim, p. 174. On the council's role in supporting the divers' position and the some divers' support for the new law, see: Sayf Marzuq al-Shamlan, *Tārīkh al-Ghaws 'alā al-Lu'lu' fī al-Kuwayt wa-l-Khalīj al-'Arabī*, vol. 1, 2nd ed. (Kuwait: Dhat al-Salasil Publications, 1986), p. 319.

47 Al-Rumayhi, p. 40.

48 Al-'Adsani, *Mudhakkirāt*, pp. 69 ff.

49 Al-Jasim, p. 179.

50 IOR/15/5/206, No. C/435, From Political Agent in Kuwait to the Hon'bel Sir Trenchard Fowle Political Resident in the Persian Gulf, Bushire, dated 27th December 1938.

article prohibiting the sheikh from dissolving the body except in the case of public disorder.⁽⁵¹⁾ Opposed to the amendment, the sheikh attempted to win the backing of the British political agent, in the hope of drafting a constitution like that of East Jordan.⁽⁵²⁾

The sheikh did his best to influence the wording of the new constitution to be approved by the council. When the draft was finally submitted to de Gaury, the British political agent cautioned against it, advising the sheikh to replace the word "independence" with "independence under British protection" and urging him to dissolve the assembly and appoint new members from among Kuwait's nobles if the council did not approve the document.⁽⁵³⁾

Sheikh Ahmad issued an edict suspending all meetings of the council pending the approval of the new constitution and demanded that the council turn over all official documents. Although the council considered this a form of dissolution, members agreed to ignore the edict and resume their meetings as usual, retaining possession of the assembly's official documents.⁽⁵⁴⁾ However, the rhetoric used by members, which had been quite sharp before the first council elections, softened notably, perhaps due to their sense that the sheikh had regained the upper hand politically and their own support was on the wane.

Article 1 of the draft constitution presented by the sheikh to the council in February 1939 repealed all the laws enacted by the council. Article 3 pared down the powers of the council, rendering it a purely consultative body without any legislative authority.

This was backed up by Article 15, which vested supreme power in the sheikh, giving him final decision-making authority on all legislative matters. Under Article 17, he retained the undisputed prerogative to dissolve the council, and Article 24 required the sheikh's approval for the enactment of laws passed by a majority of council members. Finally, Article 34 barred the council from intervening in matters related to the ruling family's assets.⁽⁵⁵⁾ In pursuing this course of action, Sheikh Ahmad was seeking to reclaim his full authorities and weaken the council, which had managed to assume the full powers of government and put an end to 17 years of autocratic rule.

Members of the ruling family responded violently after the dissolution of the council, and the sheikh worked assiduously to consolidate his power by eliminating all forms of opposition, particularly in the Council. Former members were imprisoned, and supporters of the *majlis* movement like Muhammad al-Munays and Muhammad al-Qatami were killed while Yusuf al-Marzuq wounded during the armed crackdown organised by the ruler following the Council's dissolution⁽⁵⁶⁾

In order to appease public opinion, the sheikh appointed a consultative council of eleven members, among them four sheikhs from the ruling family and seven prominent Kuwaitis. He and Sheikh 'Abdullah al-Salim personally oversaw the council. But the body did not last long due to its weakness and heterogeneous makeup, and members successively withdrew until it came to its end in the 1940s.⁽⁵⁷⁾

5. The Role of the Balancing Powers in the Conflict between the Sheikh and the Council

Members of the Legislative Council fostered the development of political life in Kuwait after the

formation of the National Bloc and the elections that put many of its members in the council. A number

51 Al-'Umar, p. 54.

52 IOR/15/5/206, Telegram. No. 17, From political Agent, Kuwait to British Resident Transjordan, dated 13th January 1939.

53 IOR, R/15/5/206, No. C/55, From Political Agent in Kuwait to the Hon'ble Sir Trenchard Fowle Political Resident in the Persian Gulf, dated 19th February 1939.

54 Al-'Adsani, *Mudhakkirāt*, p. 130.

55 IOR, R/15/5/206, No. C/55.

56 This incident was unprecedented in Kuwait's history. The sheikh ordered the political prisoners released on 24/4/1944, demonstrating not only his strong position and full control over the country, but also his ability to disregard opposition activists, having fully seized the reins of power.

57 'Abd al-Rida Asiri, *al-Nizām al-Siyāsī fī al-Kuwayt: Mabādī' wa-Mumārāsāt*, 2nd ed. (Kuwait: al-Watan Press, 1994), p. 195.

of forces, operating as a unified social entity, heavily impacted politics in Kuwait at the time, with the role played by the *'ajam*, Bedouin, intelligentsia, and villagers serving as the clearest example. Both parties to the conflict—the council and the ruler—attempted to secure the backing of these groups. The strength of the actors was demonstrated when members of the National Youth Bloc gathered in front of the council in a show of support. This novel form of opposition undeniably had a hand in compelling the sheikh to sign the draft constitution, which he had initially refused to do. This was not the first time that the balancing powers had supported the opposition. As the sheikh and the Education Council were at loggerheads in 1937, they had championed the independent members' demand to publicize the names of voters. They were also involved in the strike by middle-class taxi drivers after the beating of Muhammad al-Barrak in 1937 and frequently published pieces in the Iraqi press.⁽⁵⁸⁾

Before Sheikh Ahmad approved the council's proposed constitution in July 1938, the balancing powers, particularly young people, adopted another tactic to express their political opinions, inscribing slogans on town walls, such as "Love the people and they will lift you up" and "Be faithful to the nation and it will be faithful to you" and "Long live the representatives demanding the nation's rights."⁽⁵⁹⁾ Graffiti was a new form of political activism in Kuwait, and the opposition successfully used it to pressure the sheikh to agree to the constitution. The graffiti not only offered advice and asserted demands; its tone at times was severe, going so far as to insult the ruling sheikh.⁽⁶⁰⁾

Regarding other members of these balancing powers — Bedouin, villagers, and *'ajam* — British sources note that the sheikh's secretary Salih al-Mulla, supported by merchants like Yusuf al-'Adsani and

Khalid Ziyad al-Khalid, created a counterweight made up largely of "*'ajam* and the poor, whom he paid lavishly to stir up demonstrations against the council."⁽⁶¹⁾ Although they had little influence in the council's establishment, as later became clear, the *'ajam* played a major role in supporting the sheikh and bringing down the Legislative Council. It is therefore necessary to examine the reasons for the council's downfall in 1939 and the role played by the *'ajam*, Bedouins, and villagers in supporting the sheikh and reconstituting autocratic rule.

a. Supporters of Sheikh Ahmad

i. The Shi'a-'Ajam

Various domestic factions threw their weight behind the sheikh in his conflict with the council. The non-Arab Shi'a were a particularly important loyalist power given their growing numbers in Kuwait at the time and the sense of marginalization they felt after being denied a seat on the council. Their power derived from their numbers and the common interests between them and merchants opposed to the council. The non-Arab Shi'a took advantage of a conflict between youth supporters of the council and the Shi'i youth to foment Shi'a demonstrations against the council. A prominent Shi'i scholar, Mahdi al-Qazwini, wrote a letter to the council demanding equal rights for Kuwaiti Sunnis and Shi'a and the allocation of seats to Shi'a in the Legislative Council and Municipal Council, inspiring anti-council chants and applause in the *husayniya*.⁽⁶²⁾ This overt, quasi-official support for the sheikh spurred al-Qazwini's followers to demonstrate and march in the streets of Kuwait demanding the fall of the Legislative Council.⁽⁶³⁾ Council members attempted to reach an understanding with al-Qazwini by pointing out that long-time non-Arab residents in Kuwait had been invited to vote in elections, and no one had objected.⁽⁶⁴⁾

58 Al-'Adsani, *Mudhakkirāt*, p. 32.

59 Ibid., p. 53.

60 Ibid., p. 54.

61 IOR/15/5/205, D.O NO. C-268, Political Agent in Kuwait to Officiating Political Resident in the Persian Gulf, Bahrain. 17th August 1938.

62 Al-'Adsani, *Mudhakkirāt*, p. 91.

63 Al-Hatim, p. 59.

64 Al-'Adsani, *Mudhakkirāt*, p. 91.

In addition, a number of *'ajam*, some of whom had long ago settled in Kuwait, applied to the British political agent in Kuwait for British citizenship. They also asked to participate in the Legislative Council elections and demanded the establishment of schools for non-Arab Kuwaitis.⁽⁶⁵⁾ According to some sources, the Shi'i community was not unanimous in its hostility to the council. Indeed, the National Youth Bloc was originally founded by several Shi'i individuals,⁽⁶⁶⁾ including Muhammad Habib al-Tatan and 'Abd al-Razzaq al-Basir.⁽⁶⁷⁾

The Shi'a, and non-Arabs in particular, resented other Kuwaitis, according to al-'Adsani, who writes that the *'ajam* adopted "a racist policy" in 1938 and 1939.⁽⁶⁸⁾ This tendency began chiefly among the non-Arab Shi'a who came to Kuwait after the First World War (1914–1918). As the number of these immigrants swelled to 10,000 by 1938, their strength grew as well.⁽⁶⁹⁾ The Shi'a and *'ajam* asked the British Political Resident to meet with the council to discuss their demand for Shi'a schools and the right of representation on the Legislative and Municipal Councils. Inclined to support their demands, the resident wrote in a letter to his government, "No single Shi'a representative on the council will be able to influence its decisions, but it will give them an opportunity to express their grievances."⁽⁷⁰⁾

As explained above, there is some doubt about *'ajam* Shi'a opposition to the council, given that they voted in the elections, despite not winning a seat. According to Muhammad Mulla Husayn, the municipality deported the *'ajam* before the establishment of the Legislative Council because the local population considered them foreigners.⁽⁷¹⁾ Al-'Adsani relates that

most newly arrived workers were *'ajam*, but the first wave of immigrants of Iranian/non-Arab origin were invited to take part in elections because they were considered Kuwaiti citizens.⁽⁷²⁾

As noted above, the *'ajam* played a major role in supporting the sheikh and bringing down the Legislative Council. Al-'Adsani relates in his memoirs that after the dissolution of the council, "The *'ajam* poured into the markets with weapons and many pistols [...] They were shouting, 'The wrecked nest brings no eggs' and 'God and Ahmad are our rulers.' These chants were openly defiant and they behaved with arrogance and bluster [...] The clamour of the *'ajam* gathered strength and more weapons, and they began firing recklessly."⁽⁷³⁾

ii. Bedouins and Villagers

Bedouins and villagers also played a major role in supporting Sheikh Ahmad against the council, the villagers of Abu Halifa being a prime example. The alliance between the ruling family, the Bedouin, and villagers was a long-standing one that dated back to the early 20th century. Since the era of Mubarak al-Sabah, the rulers of Kuwait had sought to strengthen ties with Bedouins and villagers and secure their loyalty through intermarriage and by appointing them guards of the village arms cache or village chiefs; at times sheikhs from the al-Sabah family even took up residence in these villages, and villagers actively contributed to political and military campaigns in Kuwait prior to 1938. In Abu Halifa, for example, Salim Mubarak al-Sabah had married the daughter of the village chief, Saqr al-'Umar.⁽⁷⁴⁾

65 'Abdullah al-Hajiri & Muhammad al-'Anzi, *Madkhal 'ilā Tārīkh al-Kuwayt al-Ḥadīth wa-l-Mu'āṣir* (Kuwait: al-Qarin Center for Historical Research, 2006), p. 342.

66 IOR/15/5/206, List of the names of Kuwaitis youths who are anti-Shaikh and anti-British, dated 13th July 1938.

67 Khalid Sa'ud al-Zayd described al-Tatan as "Shi'a by rite, Sunni by belief and inclination, and Arab in conscience." Khalid Sa'ud al-Zayd, *Udabā' al-Kuwayt fī Qarnayn*, vol. 1 (Kuwait: al-Riy'an Publishers and Distributors, 1987), p. 54. The first volume was published by al-'Asriya Press in 1967 and the second and third volumes by Riy'an in 1982 and 1983.

68 Al-'Adsani, *Mudhakkirāt*, p. 91.

69 Al-Jasim, pp. 165-166.

70 F. O. 371/21833, Confidential letter of 19th October 1938, from the office of the Political Resident in the Persian Gulf, Camp Kuwait, to the India Office.

71 Khalid Sa'ud al-Zayd, *Muhammad Mulla Husayn: Ḥayātuh wa- 'Āthāruh*, 2nd ed. (Kuwait: self-published, 1998), p. 191.

72 Al-'Adsani, *Mudhakkirāt*, pp. 46, 91.

73 *Ibid.*, 177-178.

74 Fahd al-Jabir, *Qaryat Abu Ḥalīfa: Bayn al-Mawrūth wa-l-Marāji' al-Tārīkhiyya* (Kuwait: Rakan Library, 2019), p. 51.

In addition, a British document notes that Mubarak al-Sabah had stored weapons and ammunition with the villagers in al-Jahra' and Fahahil, as well as with Bedouins living nearby,⁽⁷⁵⁾ and the Jiri family kept weapons for Salim al-Sabah in Abu Halifa in 1920 after the battle of al-Jahra'.⁽⁷⁶⁾ Both villagers and Bedouins had gone to battle with Kuwait's sheikhs and they formed the backbone of the Kuwaiti army. Muhammad 'Isa al-Radhan, a resident of al-Fintas who gave an interview in the 1960s when he was 90 years old, said that he had fought in the battles of Hadiya and Mazbura⁽⁷⁷⁾ during the rule of Mubarak al-Sabah. According to him, he and the other villagers would go to war with the sheikhs of the al-Sabah family whenever they were called upon.⁽⁷⁸⁾ Villagers also protected the walls of Kuwait in the war of al-Jahra' in 1920. Prominent figures in that action included Jiri Muhammad al-Jiri, Sa'd Muhammad al-Jabir, and Khalid Muhammad al-Jabir, all from Abu Halifa. The same village sustained casualties in the battle of al-Sarif in 1901, among them Muhammad bin Fahd al-Jiri.⁽⁷⁹⁾

Villagers and Bedouins contributed to the suppression of the 1938 movement. Sheikh Ahmad called on the Bedouin for assistance, particularly the 'Awazim and Rashayda tribes, who formed a significant part of his loyalist base. According to oral narratives, Sheikh Ahmad al-Jabir sought aid from Su'ud bin Nimran al-Rashidi after members of the Legislative Council seized control of the Nayif Palace, the site of the state arsenal. The predominant narrative among the Rashayda holds that "this tribe preserved the system of governance and helped to quash the *majlis*

movement." The Rashayda reportedly chanted "Rule is for God, then Ahmad al-Jabir."⁽⁸⁰⁾ In December 1938, Bedouin armed by Sheikh 'Ali al-Khalifa al-Sabah surrounded Dasman Palace and took over the town against the demonstrators, arresting many supporters of the council and thereby allowing the sheikh to maintain the upper hand against the council. Sheikh Yusuf bin 'Isa al-Qina'i, the vice-president of the Legislative Council, confirms this incident in his oral account, speaking of an assembly of Bedouin outside the Dasman Palace who were ready for war and prepared to execute the sheikh's orders to storm the palace. These accounts demonstrate that they played an active role in swinging the balance of power toward the ruler and away from the council.⁽⁸¹⁾

Villagers played a similarly supportive role. Khalid al-Jiri, a villager from Abu Halifa over the age of 80, recounts how the Sheikh Ahmad al-Jabir's emissary arrived seeking their aid. They all headed to Kuwait City in lorries and assisted the Bedouin in restoring control to the sheikh.⁽⁸²⁾ Most of these villagers were sedentary Bedouin who naturally threw their support to the sheikh in his conflict with the council, and the narratives suggest their unparalleled loyalty to the Sabah family.⁽⁸³⁾ Loyalty to the sheikh went beyond the village of Abu Halifa. Al-'Adsani writes of the enthusiasm of the Bedouin and villagers: "Sheikh 'Ali Khalifa al-Sabah led those at Dasman Palace. He sent word to all his followers, the Rashayda Bedouin, and the men from nearby villages, most of them settled Bedouin, and he armed them with weapons from Dasman and elsewhere. There they performed a war

75 For more information on the weapons, see IOR/15/5/49.

76 Khalid al-Jiri, personal interview, Abu Halifa, 6 August 2014.

77 The battle of Hadiya took place in 1338 AH during the rule of Mubarak al-Sabah, between Jabir al-Mubarak al-Sabah, the sheikh's son, and Sa'dun al-Sa'dun, the head of the tribes migrating from southern Iraq. The battle was provoked after Fakhdh al-Sa'id of the al-Zafir tribe, the grandson of Sa'dun al-Sa'dun, plundered sheep belonging to a Kuwaiti merchant and did not return them. It was called the battle of Hadiya, according to 'Abd al-'Aziz al-Rashid because "the people of Kuwait gave their wealth to Sa'dun and his people like a gift without war." The battle of Mazbura followed, to restore the stature of the Kuwaiti army, after al-Sa'id of the al-Zafir tribe conducted a camel raid. That battle was led by Jabir al-Sabah and Saqr al-Ghanim. For more, see al-Rashid, pp. 98-100.

78 "Şafahāt min Tārīkh al-Kuwayt: Hajj Muhammad 'Īsā al-Radhān," *Youtube*, 21/4/2016, accessed on 8/8/2021, at: <https://bit.ly/3xz7OMO>

79 Al-Jabir, pp. 244-245.

80 "Nakhwat al-Shaykh Ahmad al-Jābir al-Şabāh 'īla Qabīlat al-Rashāyda Banī Rāshīd 'Abs al-Rashāyda li-Tāthbīt Ḥukm Āl Şabāh fi al-Kuwayt," *Youtube*, 18/2/2020, accessed on 8/8/2021, at: <https://bit.ly/3iwhcg3>; "Dawr Qabīlat al-Rashāyda bi-l-Ma'ārik al-Kuwaytiyya wa-Sanat 1938," *Youtube*, 6/3/2018, accessed on 8/8/2021, at: <https://bit.ly/3fJxLTM>

81 Interview with al-Qina'i.

82 Khalid al-Jiri, personal interview.

83 Al-'Adsani, *Nisf 'Am*, pp. 32-35.

dance in the well-known Bedouin way, to stoke their fervor and sow terror."⁽⁸⁴⁾

Sheikh Ahmad al-Jabir thus relied on opponents of the council to reclaim his prerogatives and assert his autocratic rule over the country, after it had become clear to all how the council had undermined his authority. He had managed to dissolve the Shura Council in 1921 by not attending its meetings, aided in his efforts by the discord within the council.⁽⁸⁵⁾ But the Legislative Council was different. Unlike the previous body, the council was particularly homogenous in its composition and enjoyed popular support. The sheikh therefore gave free rein to opponents of the council to act on his behalf and serve his interests indirectly, a clever political tactic that enabled him to wait for the right moment to undermine the council's power and carry out his political plan.⁽⁸⁶⁾

b. Supporters of the Council

This section of the study spotlights the balancing powers in favour of the members of the council rather than the sheikh. These forces had a clear impact on the events surrounding the council, particularly as the crisis intensified before turning into an outright clash. One of the council's first decisions, seeking to win support for the intensive reform campaign it had undertaken, was to form a political organization to maintain popular activity. This was the National Youth Bloc.

The bloc drew members from all segments of Kuwaiti society. Although it largely consisted of students and youth supporters of the council, the members' social profile was utterly different from the National Bloc and the Legislative Council. Whereas those were formed solely of the merchant class, the National Youth Bloc drew in Kuwaitis from outside the merchant class and only a few individuals from

merchant families.⁽⁸⁷⁾ The bloc was comprised of some 200 members, some of them Shi'i, such as 'Abd al-Razzaq al-Basir and Muhammad Habib al-Tatan.⁽⁸⁸⁾

Arab nationalism constituted the cornerstone of the opposition in Kuwait and this was particularly clear in the National Youth Bloc, whose charter affirmed the unity of the Arab nation, Kuwait's inseparable bond with it, and the right of Arab peoples to self-determination. Members of the bloc had to take an oath to support these basic principles and commit to the following goals: strengthening ties between Arab states, spreading Arab nationalism and cultural awareness within Kuwait society, uniting Kuwaiti youth, and supporting "the free and sincere ones," i.e., the Legislative Council.⁽⁸⁹⁾

This *esprit de corps* enabled them to take many effective actions in support of council members, thereby strengthening the latter's position. Despite the many merchants in the council itself, the bloc was a mixture of Kuwaiti social classes, suggesting that its basic unifying principle was Kuwaiti national identity. It should be noted that this formation arose not only in response to the events of 1938 and 1939. Many members of the bloc had been educated in Iraq and maintained contact with Arab nationalist forces. In turn, this helped to consolidate the spirit of Arab nationalism among Kuwaitis. More importantly, they played an active role in hosting leaders of the Palestinian movement.⁽⁹⁰⁾

Khalid Sulayman al-'Adsani, the secretary of the Legislative Council, was a prominent figure in the bloc. Having received one of the first grants for academic study abroad in 1924, he attended the Azamiya School in Baghdad.⁽⁹¹⁾ Muhammad Mulla Husayn, another important figure in the bloc, was the son of immigrants from the eastern Gulf coast and

84 Al-'Adsani, *Mudhakkirāt*, p. 109.

85 For more, see Alebrahim, ch. 3.

86 Certainly, the UK played a tangible role in the events around the *majlis* movement, but that is not the focus of this paper.

87 Al-Hatim, p. 198.

88 Al-'Adsani, *Nisf 'Am*, p. 23; Saeed Khalil Hashim, "The Influence of Iraq on the Nationalist Movements of Kuwait and Bahrain, 1920–1961," PhD. Dissertation, University of Exeter, Exeter, 1984, pp. 106, 112–113, 524.

89 Al-Hatim, p. 198; Hashim, p. 534.

90 Falah al-Mudayris, *al-Mujtama' al-Madanī wa-l-Haraka al-Waṭaniyya fī al-Kuwayt* (Kuwait: Dar Qurtas Publishers, 2000), p. 15.

91 Al-Hatim, p. 124.

studied at the Teachers College in Iraq.⁽⁹²⁾ These two figures and many others were at the vanguard of the reformist movement in Kuwait, and most of them were also members of the Literary Club and had made several visits to the National Library.⁽⁹³⁾

The youth opposition developed its own particular modes of action. They called a strike, for example, which was an effective form of opposition familiar from the 1920s divers' strike against shipowners. Constituting another force within the balancing powers, the divers took their demands to Sheikh Ahmad al-Jabir, who agreed to them. That was not the only strike by divers⁽⁹⁴⁾; in October 1925, they staged another strike against the shipowners protesting their financial situation.⁽⁹⁵⁾

The youth opposition was active in demonstrations and protests as well. Several zealous nationalist youth organized demonstrations and rallies in support of the council, with its approval.⁽⁹⁶⁾ This bloc was made of up several pro-council Kuwaitis, among them 42 individuals who fled to Basra upon the dissolution of the second Legislative Council.⁽⁹⁷⁾ Hamad al-Rujayb states, "The dawn of democracy came with the establishment of the first Legislative Council in Kuwait. Prosperity became more widespread, and modern state institutions were founded."⁽⁹⁸⁾ A police force was formed under Jasim al-Saqr, a council supporter. Al-'Adsani regularly addressed school students after the dissolution of the council, and he urged them to take part in the student demonstration in al-Safah, where 'Abdullah al-Saqr was addressing the crowds.

Meanwhile, Salih al-Uthman al-Rashid, who was in charge of the army, was then at Nayif Palace,⁽⁹⁹⁾ where he and his supporters were anticipating an attack by

the sheikh's loyalists. A group of pro-council activists, most of them young Kuwaitis, began to assemble in the palace and urge the crowd to head to Dasman Palace to confront the sheikh and his supporters in response to the dissolution of the council. The sheikh's supporters who had gathered in Dasman Palace were simultaneously calling for an assault on the Nayif Palace.⁽¹⁰⁰⁾

In addition to protest, youth activists printed flyers and wrote political graffiti in the streets of Kuwait. Kuwaiti youth activists also made up the backbone of the force that faced the Bedouins and villagers during the Nayif Palace siege, entering into a direct confrontation with the sheikh's supporters after the dissolution of the first council. They also called a general strike, leading merchants to close their shops to protest the dissolution of the council.⁽¹⁰¹⁾ All these incidents clearly illustrate the role that various forces played in the political conflict between the sheikh and the merchants and, in turn, their position as balancing powers.

Members of the National Youth Bloc volunteered to work with the council as well. Al-'Adsani and al-Hatim relate that Ghanim al-Saqr assumed the role of police chief, while Muhammad al-Qitami was in charge of the ports administration and Ahmad al-Bashir al-Rumi was the customs secretary-general, as is shown in the council's minutes below.⁽¹⁰²⁾

Young people played a vital role in bringing the council's voice to the British authorities. The council took advantage of the National Youth Bloc when the British political resident in the Gulf, Trenchard Fowle, came to Kuwait to grant Sheikh Ahmad the medal of King George VI (1936–1952). Youth with the bloc also attempted to contact the British political agent to convey their concerns about the ongoing

92 Al-Zayd, *Muhammad Mulla Husayn*, p. 23.

93 Al-Hatim, pp. 69, 83.

94 Ibid., p. 124.

95 Alebrahim, p. 114.

96 Mudayris, pp. 11–14.

97 IOR/15/5/206, List of the names of Kuwaitis youths who are anti-Shaikh and anti-British, dated 13th July 1938.

98 Hamad al-Rajib, *Musāfir fi Sharāyīn al-Waṭan* (Kuwait: Ministry of Information Press, 1994), p. 57.

99 Al-'Adsani, *Mudhakkirāt*, p. 72.

100 Ibid., p. 109. Sheikh al-Qina'i also discussed details of the incident in his interview with al-Shamlan.

101 Ibid., pp. 38, 58, 68, 110–111.

102 Al-Hatim, p. 170.

situation and the regime's stance against supporters of the council. Their efforts here failed, however, and the council was dissolved with the approval of de Gaury, who expressed Britain's readiness to assist the sheikh with force in the event of unrest.⁽¹⁰³⁾

Sheikh Ahmad al-Jabir's decision to dissolve the council united the ranks of pro-council Kuwaiti youth. Muhammad al-Munays, a young Kuwaiti who had just arrived from Basra, gave a public speech about the need to oust the ruling family from power, which led to his arrest and subsequent execution.⁽¹⁰⁴⁾ Other

members of the council were arrested and imprisoned, and the council itself was shuttered on 10 March 1939, after which Sheikh Ahmad decided not to hold future elections.⁽¹⁰⁵⁾ But young people remained active even after the dissolution. Muhammad Ahmad al-Ghanim recalls keeping a copy of the council's governing statute in Basra. The president of the council, Sheikh Yusuf bin 'Isa, speaking on behalf of the sheikh in order to secure leniency for the political prisoners, asked him to return the document. Al-Ghanim duly brought the document back to Kuwait, but members of the council served four years in prison nevertheless.⁽¹⁰⁶⁾

6. The Council Minutes and Proof of the Role of the Balancing Powers

The minutes of the Legislative Council meetings in our possession come to 100, large-sized pages. The first leaf is dated Tuesday, 14 Jumada al-Ula 1357 AH (12 July 1938) and the last Thursday, 23 Shawwal 1357 AH (16 December 1938) — that is, after the adoption of the constitution, which al-'Adsani notes was approved on Friday, 11 Jumada al-Ula 1375 AH (31 August 1938).⁽¹⁰⁷⁾ These minutes cover the first Legislative Council of 1938, which was dissolved by Ahmad al-Jabir on 25 Sha'ban 1357 AH (20 October 1938).⁽¹⁰⁸⁾

It is uncertain whether pages are missing from the minutes or whether they record the beginning of the council's meetings after the sheikh agreed to the constitution. For example, the minutes record that "the first article of the constitution was approved by the majority,"⁽¹⁰⁹⁾ and that the second and third articles were approved by the majority in the month of Rajab.⁽¹¹⁰⁾ As noted by al-'Adsani, Article 2 of the constitution

provided for the enactment of legislation, and the minutes confirm this. For example, the judiciary law was passed and a new judge, 'Abd al-Muhsin al-Babtayn, was hired from al-Zubayr;⁽¹¹¹⁾ a customs law was also adopted as part of the budget act.⁽¹¹²⁾

Article 3 of the constitution stated, "The National Legislative Council is the authority for all domestic and foreign treaties and concessions; any new order of this type shall not be considered legally valid except with the approval and supervision of the council."⁽¹¹³⁾ The minutes show that the council did indeed take up the matter of treaties and concessions, resolving to collect all government documents, including treaties, in the seat of the council.⁽¹¹⁴⁾ The council also asked Sheikh Ahmad al-Jabir to issue a statement to all foreign agencies benefitting from concessions and agreements informing them that the review of such concessions had been tasked to the National Council

103 Al-'Adsani, *Mudhakkirāt*, p. 109.

104 IOR/15/5/206, No. C/88, From Political Agent, Kuwait to Political Resident, Bushire, dated 10th March 1938.

105 IOR, R/15/5/206, No. C/95, From Political Agent, Kuwait to the Hon'bel Political Resident in the Persian Gulf, Bushire, dated 12th March 1939.

106 Yusuf al-Shihab, *Rijāl fī Tārīkh al-Kuwayt*, vol. 1 (Kuwait: Dar al-Qabas Press, 1984), pp. 394-397.

107 Al-'Adsani, *Mudhakkirāt*, p. 56.

108 Ibid., p. 118.

109 Minutes for Wednesday, 22 Jumada al-Ula 1357, folio 7.

110 Minutes for Wednesday, 19 Rajab 1357 AH, folio 40.

111 Minutes for Sunday, 26 Jumada al-Ula 1357 AH, folio 8.

112 Minutes for Wednesday, 28 Jumada al-Ula 1357, folio 9.

113 Al-'Adsani, *Mudhakkirāt*, p. 55.

114 Minutes for Saturday, 18 Jumada al-Ula 1357 AH, folio 5.

by a unanimous vote.⁽¹¹⁵⁾ The council additionally tasked its secretary to demand all official documents from Sheikh Ahmad for oversight.⁽¹¹⁶⁾

The council corresponded with oil companies on several occasions. In its meeting on Saturday, 16 Jumada al-Akhira, the council "wrote a letter to the Anglo-Iranian Oil Company reminding it of the letter sent on 23 July 1938 and asking for a response."⁽¹¹⁷⁾ Similarly, the council corresponded with Kuwait Oil and Mackenzie Oil multiple times.⁽¹¹⁸⁾ As regards domestic concessions, in the meeting of 6 Jumada al-Akhira, the council wrote a letter to the Kuwaiti al-Diya' Company in response to its inquiry about a land grant and an explanation of Article 5 of the concession terms.⁽¹¹⁹⁾ The council further ruled to dissolve the offal monopoly given to Muhammad Bushahri because it had been granted unlawfully.⁽¹²⁰⁾

In his memoirs, al-'Adsani says that in the meeting of 5 Rajab 1357 AH (31 August 1938), the manufacture of a local drink known as *al-namlit* was suspended. The minutes confirm that the concession for the beverage was cancelled by unanimous vote and a letter was written to 'Abd al-Rahim al-'Awadi. In the same meeting, the council asked Muhammad Ghalum Bushahri, the owner of the offal concession, to send a copy of the concession document to the council.⁽¹²¹⁾ The council also revoked the concession of the Transport and Hauling Company, as confirmed by al-'Adsani in his memoirs.⁽¹²²⁾ It further withdrew Salih bin 'Askar's concession for the fee levied on slaughter animals, but in this case, the council compensated him for the remaining duration of the concession.⁽¹²³⁾ The council made distinctions between various domestic concessions, sometimes compensating the owners and at other times not, perhaps based on how the concession was originally obtained. In the case

of the offal concession, the minutes explicitly state that it was unlawfully obtained.

The minutes — a new source — highlight the role of the balancing powers, who were not prominent actors in other works such as al-'Adsani's. There are scattered mentions in some sources (the British archives, al-'Adsani) but these do not show how these forces tipped the political balance between the council and the sheikh. For example, al-'Adsani writes of the "*'ajam* Iranians":

As for the Iranians, they rode the demon of prejudice. They chanted and applauded their preachers in the husayniya when they goaded them on to demonstrations and strikes [...] but the council members [...] realized that leniency with these people, most of them porters and ruffians, could lead to the eruption of racism [...] A group of council members thus went to the religious scholar, who volunteered to present [the Iranians' demands] for a discussion and give his opinion, for he realized that the Iranians long resident in Kuwait had been invited, like other Kuwaitis, to vote in the elections.⁽¹²⁴⁾

Al-'Adsani explicitly distinguishes here between Iranians who were considered Kuwaitis due to their long-time residence and other, newer arrivals. His criteria here are not sectarian, as some research on the council suggests—indeed he thanks the Shi'a from Ihsa' for their lack of fanaticism.⁽¹²⁵⁾

The minutes contain a discussion of two matters — Iranian immigration and foreign naturalization — that confirm information reported by al-'Adsani in his memoirs about the granting of British Indian citizenship. In the meeting of 29 Rajab, the council suspended Iranian immigration and took actions

115 Minutes for Tuesday, 21 Jumada al-Ula 1357, folio 7.

116 Minutes for Wednesday, 26 Rajab 1357 AH, folio 46.

117 Minutes for Saturday, 16 Jumada al-Akhira 1357, folio 15.

118 Minutes for Thursday, 27 Rajab 1357, folio 47.

119 Minutes for Wednesday, 6 Jumada al-Akhira 1357, folio 13.

120 Minutes for Sunday, 5 Rajab 1357, folio 25.

121 Minutes for Wednesday, 5 Rajab 1357, folio 28.

122 Minutes for Sunday, 23 Rajab 1357, folio 43.

123 Minutes for Tuesday, 9 Sha'ban 1357, folio 13.

124 Al-'Adsani, *Mudhakkirāt*, p. 91.

125 Ibid.

necessary to this end, tasking Sulayman al-'Adsani and 'Abd al-Latif al-Thanyan with follow up. It resolved to 1) inform the head of passports that no Iranian should be granted entry to the country absent a good reason; 2) alert water transport ships and caution them against transporting anyone to Kuwait who did possess an acceptable passport; 3) warn village and island chiefs not to permit anyone to disembark in their localities; and 4) take measures to stop the tide of immigration.⁽¹²⁶⁾

In its meeting of 2 Sha'ban, the council resolved unanimously "to declare to the public that naturalized foreigners are prohibited from owning land in Kuwait or practicing any profession without a special permit from the council. Anyone who attempts to acquire a foreign nationality shall prepare to leave the country within two months of the date of this attempt."⁽¹²⁷⁾

As a result of this and the revocation of certain concessions — most of the workforce at Bushahri family's offal concession and the transport and hauling company were non-Arabs — the Shi'a, particularly non-Arabs, arrayed themselves against the council. The minutes note that many of them were fired from their positions as well. For example, the council dismissed 'Abd al-Rida and 'Abbas from their jobs as guards.⁽¹²⁸⁾ At the same time, the council made some decisions in favour of this group. For example, in its session of 28 Jumada al-Akhira, it decided to retain the café of Ghalum Rida in its current location and allow 'Abdullah the baker to keep running his oven in the same location for an additional 15 days.⁽¹²⁹⁾

Regarding villagers and specifically Bedouin, the minutes available make no special mention of them beyond noting that Nazzal al-Ma'sab, one of the ruling family's special guards at the time, turned over weapons to the council.⁽¹³⁰⁾

In contrast, the minutes do attest the role of intellectuals and the National Youth Bloc and record that they acted in concert with the council to administer the country following appointments to key positions. The minutes refer by name to seven of 42 individuals described in a British document as Kuwaiti youths hostile to the sheikh of Kuwait and the British.⁽¹³¹⁾ For example, the minutes mention the name of Ghanim bin Saqr al-Ghanim as the police chief and record that the council ruled to "abolish the department of Sabah al-Sa'ud [al-Sabah] and appoint a customs guard force consisting of eight individuals led by Ghanim bin Saqr al-Ghanim."⁽¹³²⁾ Another individual named in the British document, Ahmad bin 'Ali bin Shamlan, was appointed secretary of the court duties' department.⁽¹³³⁾ Similarly Jasim al-Sadayrawi and Ahmad al-Bishr al-Rumi—both named in the British document—were appointed as customs assessor and an employee in the overland customs bureau respectively.⁽¹³⁴⁾

The council gave additional support to youth and the educated class. The minutes record that it ruled to release the book *Tarikh al-Kuwayt* and grant the author's heirs the right of disposal.⁽¹³⁵⁾ It sent letters to school students asking that they postpone the opening of their clubs pending the arrival of teachers,⁽¹³⁶⁾ and supported Kuwaiti educational missions abroad by securing enrolment for Kuwaiti students in al-Azhar

126 Minutes for Saturday, 29 Rajab 1357, folio 48.

127 Minutes for Tuesday, 2 Sha'ban 1357, folio 51.

128 Minutes for Sunday, 19 Jumada al-Ula 1357, folio 51.

129 Minutes for Thursday, 28 Jumada al-Akhira 1357, folio 23. I must emphasize an important point here: this study does not analyze, nor aim to analyze, the makeup of the *'ajam* class or the Shi'a community, but rather to prove the existence and influence of the balancing powers in Kuwait's history through a comparison of historical sources such as al-'Adsani's memoirs, British documents, and the minutes of the Legislative Council's meetings. I am aware of the importance of precise definitions and terminology when it comes to nationality, race, rite, etc., but in this study, as I stated in the introduction, there is some overlap when it comes to delineating specific groups that make up the balancing powers. This question will be addressed in future studies.

130 Minutes for Tuesday, 19 Jumada al-Akhira 1357, folio 16.

131 IOR/L5/5/206, List of the names of Kuwaiti youths who are anti-Shaikh and anti-British, Dated 13th July 1939.

132 Minutes for Monday, 20 Jumada al-Ula 1357, folio 6.

133 Minutes for Monday, 3 Rajab 1357, folio 26.

134 Minutes for Tuesday, 14 Jumada al-Ula 1357, folio 3.

135 Minutes for Sunday, 9 Rajab 1357, folio 31.

136 Minutes for Sunday, 16 Rajab 1357, folio 37.

in Egypt⁽¹³⁷⁾ and the teachers' academy in Baghdad.⁽¹³⁸⁾ The council's support went to other groups as well. For example, it drafted a diving law, though it was unable to enact it given political conditions and its subsequent dissolution.⁽¹³⁹⁾ The minutes confirm much of the information in al-'Adsani's memoirs

about the council's action on the judiciary, bribery, and correspondence with oil companies and foreign bodies. These and other matters will be discussed in a forthcoming comparative study of al-'Adsani's memoirs and the Legislative Council minutes that also draws on British documents and oral testimonies.

Conclusion

Researchers and historians of the Gulf, and Kuwait in particular, need to take a fresh perspective when reading history. This study presented an alternate view of an important event in the history of Kuwait, in the hope of expanding the horizons of our knowledge and encouraging a reexamination of Kuwaiti and Gulf history from a non-conventional, less explored angle. Shedding light on historical dimensions that have been obscured or marginalized, perhaps due to a lack of social or political visibility, contributes to the development of the historical narrative on Kuwait and the broader Arab Gulf.

This study discussed political developments in Kuwait from the time al-'Utub settled in the area to the emergence of the first system of consultation between the al-'Utub and the resident population in Kuwait. This system of *shura* was transformed into a system of absolutist rule when Mubarak al-Sabah assumed power in 1896. Autocratic rule persisted until Ahmad al-Jabir rose to power in 1921, after which the first Shura Council in Kuwait's history was established. It was followed by the establishment of municipal, education, and other councils as well as the Literary Club. Intellectual and cultural developments within Kuwait, combined with external factors, contributed to the formation of the first elected legislative council with a constitution.

Most scholarly discussions of Kuwaiti history are limited to the conflict between two main factions: the sheikhs of the al-Sabah family and the merchant class. In contrast, this study re-read the events of 1938 through the lens of "balancing powers," in a departure from the analytical framework of previous research on this period. The term "balancing powers" is grounded

in an analytical framework that admits the role of other social forces — beyond the sheikh/merchant duopoly — in shaping Kuwaiti history. In adopting this framework, I attempted to read the historical sources with a view to spotlighting the impact of other social forces on the events surrounding the *majlis* movement of 1938. This study also relied on new sources, such as the minutes of the council's meetings in 1938, which were not available to previous researchers. This source enhances our understanding the role and influence of the balancing powers.

The need for a new historical narrative that could perhaps draw on traditional sources persists. The dominance of the sheikh/merchant duopoly in historical analysis has marginalized, intentionally or not, the role of other social groups, while the focus on economic and political affairs has given the impression that our history is hollow and one-dimensional. It is these neglected and marginalized events that will help to construct a more comprehensive picture of the history of Kuwait and the wider Arab Gulf. The academic and non-academic publications that available today are full of the exploits of leaders and notables, and these merit further consideration, scrutiny, and at times, criticism and correction. Gulf scholars in particular have a responsibility to offer a more in-depth reading of this history, for they are especially well positioned to analyse and understand the important social, cultural and political complexities involved in the research.

137 Minutes for Monday, 24 Rajab 1357, folio 44.

138 Minutes for Saturday, 6 Sha'ban 1357, folio 53.

139 Minutes for Monday, 8 Sha'ban 1357, folio 56.

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