IRAQ: NEGOTIATIONS FOR TREATY REVISION.

MEMORANDUM BY THE ACTING SECRETARY OF STATE FOR THE
COLONIES.

At the Cabinet meeting on the 16th November I made a brief statement regarding the negotiations for the revision of the Anglo-Iraq treaties.

I now circulate a memorandum by Sir Henry Dobbs which shows that the negotiations have reached a deadlock.

It became obvious early in the discussions with King Feisal and his Ministers that the main points at issue were twofold, viz., (1) the desire of King Feisal to obtain treaty recognition of the "complete independence" of Iraq, and (2) the right of the British Government to tender advice to Iraq on all important matters.

I mentioned this latter point in my statement to the Cabinet last week.

It is on the former point, viz., the "complete independence" of Iraq that the discussions have actually broken down; but the question of advice also remains unsettled, and it is not certain that King Feisal would be prepared to meet our views on this point.

There are two obvious alternatives before us. We could either (1) offer further concessions to King Feisal with a view to keeping the negotiations alive, or (2) face the fact that a new agreement is impracticable and allow matters to take their course.

\( \text{O Cabinet 56 (27), Conclusion 5.} \)
As regards the former alternative, it would seem that only the nominal recognition of "complete independence", without qualification, would satisfy the King. The objections are obvious. The "independence" of Iraq has already been recognized in Treaties and other documents. But the King presses for the word "complete" which, it is held, might be unacceptable to the League of Nations and goes altogether beyond the facts of the case. In any case, if the point is to be surrendered, it could only be in return for complete acceptance by Iraq of our views in regard to advice. If the second alternative is adopted, we fall back without difficulty upon the existing treaties, etc. But, in the first place, we lose the chance of a treaty some portions of which, at any rate, would continue in force even after Iraq had entered the League of Nations and would thus regulate Anglo-Iraqi relations for an indefinite period. This is a point to which I know that Mr. Amery attaches a great deal of importance. In the second place, various difficulties are likely to follow King Faisal's return to Iraq in a discontented mood, and the High Commissioner warns us that, given those conditions, he could not contemplate the further reduction of the British Garrison which had been proposed. It is for the Cabinet to decide between the two alternatives.

If the second alternative is followed, it is desirable that the failure to conclude a new treaty should be presented to the public both here and in Iraq in the least unfavourable light. The question of responsibility for the defence of Iraq affords a convenient peg on which to hang a suitable announcement. This
question may be said to be the seed from which all the
difficulties in regard to treaty revision sprang. It
was the British Government's decision last year that Iraq
must accept, as from August 1928, full responsibility for
her own defence that first gave King Feisal the pretext
for raising the question of conscription and demanding
political concessions from us in order to render
conscription palatable. It has now been recognised that
we shall have to continue our military support to Iraq
after 1926 and King Feisal has been so informed. It is
therefore possible to argue that the basis upon which the
treaty discussions were inaugurated has been wholly
modified and consequently that the need for their
continuance has disappeared. King Feisal has himself
suggested that the public announcement on the subject
should take this form. A draft announcement on these
lines is appended.

(Handwritten) W.O. S.

Colonial Office,
21st November, 1927.
1. The present crisis was inevitable, its seeds having been sown in two provisions of the Anglo-Iraq Treaty of January, 1926, viz: (a) that His Britannic Majesty's Government would in 1928 take into active consideration the question of the entry of Iraq into the League of Nations and the consequent termination of the Treaty; (b) that Iraq should accept not later than the year 1928 full military and financial responsibility for the preservation of internal order and for the defence of Iraq against foreign aggression (vide paragraph 3 of Explanatory Note attached to Treaty of January, 1926.)

King Feisal and a large section of Iraqi politicians had based upon these two provisions a confident hope that in 1928 British control would be conspicuously or even completely relaxed, while they would continue to enjoy the benefits of a British alliance. Great Britain, they thought, would be willing to continue her alliance in order to retain her general influence in Iraq. They reasoned that after the acceptance by Iraq in 1928 of complete responsibility for her finances and for her defence and internal security, Great Britain could not pretend to retain responsibility for, or control of, internal policy, and would be forced by circumstances to get Iraq into the League and to terminate her responsibilities and tutelage undertaken by the existing Treaty. They relied also on the assurance given by Mr. Winston Churchill in October, 1922, that "as soon as the frontiers were settled, and a stable Government set up in accordance with the organic laws His Majesty's Britannic Government would use their good offices to secure admission of Iraq to the League." King Feisal rightly
wished that discussions as to this anticipated change in
relations should begin in 1927; and his wish coincided
with the desire of His Britannic Majesty's Government.

2. On the request of the Colonial Office I opened the
discussion in my secret despatch dated 24th March, 1927,
(circulated to the Cabinet) in which I strongly pressed for
admission of Iraq into the League in 1928, mainly on the
ground that "things cannot stay as they are, the admission
of Iraq being deferred, because the present quiet and
contentment is due mainly to the confidence of Iraqis
that we shall press for her early admission. The politically
minded classes, including the King, would be alienated if
we now decided not so to press", and difficulties similar
to those which we have had in India and Egypt would appear
in Iraq". If now this rapid process of release from tutelage
were checked and they suddenly lost the hope of early
enfranchisement, I am convinced that the whole political
atmosphere would change and that Great Britain would
soon experience in Iraq the same dreary disillusionment
which she has had to bear in India and Egypt. For the
political classes do in truth count far more heavily in
power for mischief than do the solid classes in power for
tranquility. In no long time the students would be
striking and parading, the King and his Ministers suspicious
and intriguing against us, the lawyers plotting assassinations
and the Iraq troops, the only forces left to guard our
aerodromes wavering."

3. His Britannic Majesty's Government considered my
despatch and in July, 1927, came to the conclusion that they
could not propose the admission of Iraq into the League in
1928, largely because this might be represented by Turkey
as a non-fulfilment of the condition on which Mosul was assigned to Iraq (i.e., prolongation of British tutelage), but that they would promise to propose her admission in 1932.

4. During the three months occupied by this discussion there had been a rapid deterioration in the Iraq situation. The King and his favourites wished to pass an early Conscription Act, really so as to obtain cheaply a big army to support the monarchy, but ostensibly for the purpose of taking 1928 full responsibility for external and internal defence. The proposal for conscription aroused intense opposition among the tribes, both Arab (especially the Shiah Arabs) and Kurdish, and the King professed to believe that the only way in which he could get the Act passed was to create a wave of enthusiasm by securing from His Britannic Majesty's Government an immediate promise of release from British tutelage by admission of Iraq into the League in 1928. The King grew very impatient at the delay in His Britannic Majesty's Government's pronouncement on this point and allowed his friends to begin an agitation which developed on anti-British lines. Relations between the Iraq Government and myself became strained and on my reports Mr. Amery expressed a desire to see me before he started on his tour. Before I left Iraq the King said that, if His Britannic Majesty's Government would not promise to get Iraq into the League in 1928, it would suffice for his purposes that there should be drawn up a new Treaty which, by providing for a relaxation of British tutelage and a conspicuous advance towards independence would placate the nationalist politicians. He desired to discuss such a Treaty himself in London. This was the alternative course which I urged on Mr. Amery.
when I reached London in the middle of July. Mr. Amery before his departure authorised the despatch to Iraq of a telegram stating in very guarded terms that departmental discussions on the possibility of making a treaty on the lines desired by the King were being undertaken and that it might be convenient if the King were near at hand for the purpose of consultation. It was on the strength of this telegram that the King visited Europe and subsequently came to London. Unfortunately he announced in Baghdad before he started that His Britannic Majesty's Government agreed entirely with his ideas and he allowed it to be believed that he was confident of returning with a treaty which would grant to Iraq complete independence. The Arab press resounded with acclamation of the Patriot King and he had a tremendous send off from Baghdad early in August, 1927.

5. The promised inter-departmental discussions in London regarding the proposed new treaty lasted until the middle of October, during which time King Feisal waited in Europe. In the meanwhile the Acting High Commissioners (first Mr. Bourdillon, and then Air Vice Marshal Sir Edward Ellington) had submitted reports very hostile to King Feisal personally, in which it was represented that it was only the King and a small gang of adventurers who desired a relaxation of British control and that the mass of the inhabitants feared nothing so much as such relaxation. The opposition to conscription and the agitation against the Iraq Government Shias among the was said to be growing more intense and the fall of the Iraq Cabinet was represented as being only deferred until my return to Iraq. These reports greatly influenced the course of the inter-departmental discussions on the proposed modifications in the treaty, and made it obvious that it would be impossible to omit from the treaty a provision that His Britannic Majesty's Government should
continue to give advice to the Iraq Government. I considered, however, that the reports of the two Acting High Commissioners were couched in somewhat exaggerated terms, especially in their references to King Feisal personally, and I recorded an opinion to this effect. I considered especially that they underestimated the probable effect on the political classes of a failure on the part of the Iraq Government to secure some immediate advance towards independence, and that they underestimated also the influence of the political classes in the country, and I remained of the opinion set forth in paragraph 2 of this note.

6. The formal official negotiations having lagged, owing to the incapacity and want of authority of the Iraqi Prime Minister who conducted them, they were replaced by unofficial discussions between King Feisal and myself, at the request of the former. These informal discussions have now failed, after agreement had been reached on most points. The principal and almost sole reasons for the breakdown is the refusal of His Britannic Majesty's Government to agree to the incorporation in the proposed Treaty with Iraq of an article similar to article I of the Treaty with the King of the Hejaz and Nejd, recognising, without qualifications, "the complete independence" of Iraq. It was most unfortunate that the Treaty with Ibn Saud had been published a few days before the arrival of King Feisal in England, for his bitter personal enmity and rivalry with Ibn Saud make him determined not to accept for Iraq an international status apparently less than that granted to the Hejaz and Nejd. No amount of reasoning will move him on this point. It is true that, even if His Britannic Majesty's Government had yielded to the King's wishes in regard to the nominal admission of "complete independence", a second snag remained in the shape of our insistence on the continued right to provide advice to Iraq. But we had not come to grips on this point and there were indications that, although it was extremely distasteful to
him, the King might eventually have accepted some formula which would have secured what we wanted. It was on the refusal to recognise "complete independence" that the King based his conclusion that he could not usefully continue the discussions.

7. I have myself been throughout of the opinion that, as the independence of Iraq would be obviously limited and conditioned in the other articles of the Treaty and in the agreements, it would have been harmless to accept the phrase which the Iraq delegation so earnestly desired. And since the termination of the informal discussions it has been suggested that we should now accept the phrase without qualification and attempt to renew the official negotiations. It is doubtful whether they would now succeed. Under instructions from His Britannic Majesty's Government I informed King Faisal that they could not yield on this point and that any mention of "complete independence" must be qualified by a reference to Great Britain's international obligations in respect of Iraq. If we were now to go back on this, the King might believe that we would do anything to get a new Treaty with Iraq and his attitude would probably be stiffened on the remaining question of advice, upon which we cannot yield.

8. We now have to consider the position which will result. I am sure that we shall have to face serious difficulties in Iraq, as I have already indicated. The King has warned me that there will be such difficulties and has studiously evaded my suggestion that he should co-operate with me in minimising them. He will, I fancy, take good care that they arise. There will probably be almost immediately a violent "outburst against Great Britain in the Baghdad Press, whatever may be the form of the announcement made regarding the breakdown of the negotiations, and
and there will be nationalist demonstrations in Baghdad and Mosul. We know that the Iraq Diplomatic Agent in London has already written to the Acting Prime Minister in Iraq that people in England seem to think that the King does not represent the wishes of the nation and that an agitation must be got up to prove the contrary. This agitation cannot fail to have an effect in India, Persia and Egypt, where the Cairo Press is in close relations with the Baghdad Press; and it is quite possible that it may seriously imperil the acceptance by the Egyptian V-m of the proposed Anglo-Egyptian Treaty. For the Egyptian extremists will probably declare that they cannot be less patriotic than the Iraqis. There may be some offset to the extremist demonstrations of Baghdad in the shape of Shiias rejoicing elsewhere that there is no chance of conscription being enforced; but the last thing to be desired is that British representatives in Iraq should be flung into the arms of the unstable and retrograde Shiias and should have to rely on them for support. I fear that there is a distinct chance that no reputable Iraqi will find himself able to form a ministry to carry on in the conditions which will now prevail, unless he accepts an overwhelmingly Shiah ministry. For so timid are the more moderate Iraqi politicians that they will not face the obloquy of the extremists. We must be prepared, therefore, to find that, on the resignation of Jafar Pasha's Cabinet, which is an inevitable consequence of the failure of the negotiations, King Feisal will be left without a ministry and will be secretly delighted at the embarrassment caused to us thereby. If not faced with violent opposition, we shall at least, I think, be faced with a strike of politicians. And there may be gradual reverberations in the Provinces. The situation will provide an obvious opportunity for Bolshevist intrigues from which Iraq has hitherto been free.
9. The only palliative that I can see for this state of things is a show of determination and force. We cannot afford to sit still and allow the Arab press to rave against us or demonstrations against us to go unpunished. I foresee that I may have at a very early date to demand from the Iraq Government the suppression of newspapers and the trial of agitators. It is possible that almost any Iraq Ministry that might be formed would resign rather than accede to such a request. If this happened, I should be thrown back upon article 12 of the Military agreement which provides that the King of Iraq on the request of the High Commissioner shall, if British forces undertake military operations in Iraq to suppress civil commotion, proclaim martial law and entrust its administration to the Air Officer Commanding. Article 120 of the Iraq Organic Law, however, makes the concurrence of the Cabinet necessary to the proclamation of martial law in such circumstances, and the Cabinet might refuse to concur. We should then be forced to take the law into our own hands, claiming execution of the treaty.

10. I wish with all respect to make it clear in these circumstances that I am forced to advise that there shall be no reduction in the present British forces in Iraq for a considerable period. It had been intended that the remaining Indian Battalion should go during the present cold weather. I could not now be responsible for the safety of British lives and interests in Iraq, were this reduction to be insisted on and I fear that His Britannic Majesty's Government will have to face the fact that military changes in Iraq cannot, at least during the coming year, be reduced as had been anticipated.

11. I deeply regret to have to submit to His Britannic Majesty's Government so lamentable a forecast, but I should fail in my duty were I to prophesy smooth things.

(Intd.) H.D. 20/XI/27.
The conversations with His Majesty King Feisal and his Prime Minister which began in October have now been concluded. These conversations had as their object the revision of Anglo-Iraq relations in the light of the provisions of Article III of the Anglo-Iraq Treaty of January, 1926, in which His Majesty's Government promised to take into active consideration in 1928 the question whether it was possible to recommend to the League of Nations that Iraq should next year be admitted as a member.

The two Governments have also had to consider whether, having regard to the fact that Iraq was to assume in March, 1928, full responsibility for the maintenance of internal order and the defence of Iraq from external aggression, it would be well to conclude a new Treaty which would adapt the old Treaty to the change of circumstances resulting from this transference of responsibility.

After due consideration the British Government have decided that, although it is evident that the Iraq Government has made the most creditable progress in organising the administration of the country on sound lines, it is not possible at present to recommend that Iraq should be admitted to the League of Nations, and thereby assume international responsibilities which might prove to be beyond its capacity to discharge. His Majesty King Feisal has, however, obtained an assurance that if the present rate of progress is maintained and all goes well in the interval, the British Government will support the candidature of Iraq for admission to the League in 1932.

The question of the conclusion of a new Treaty has also been closely examined by both sides. It was found that the resources of Iraq were not at present sufficient to meet the
expenses of the upkeep of national forces adequate to assure internal order and the defence of her frontiers, and that Great Britain would, at any rate, for the time being have to provide Iraq with some measure of military assistance, it being for the British Government to decide from time to time the form and extent of assistance to be provided.

These two decisions:

Firstly, that Iraq is not for the present ready to enter the League, and,

Secondly, that there is still a need of military help, removed the principal reasons for a readjustment of Anglo-Iraq Treaty relations. It was accordingly agreed that the Treaties of 1922 and 1926 should remain in force, but that active discussions should be continued after the return of His Majesty King Feisal to Iraq for the amendment of the Military and Financial Agreements in order to bring them into accord with the existing circumstances.