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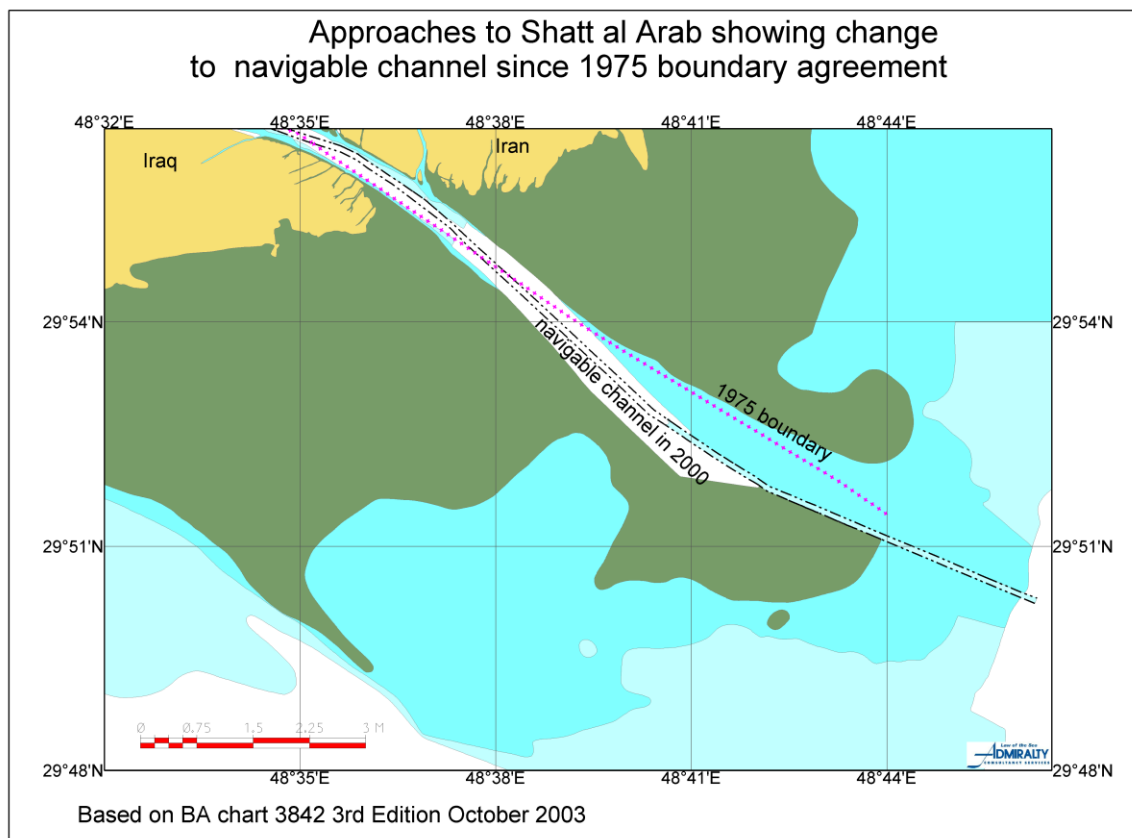
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Abstract

Noting the recent efforts made in political geography to bring back the international boundary as a legitimate focus of study in a critical context where border studies has concerned itself more with individual practices, meanings and wider social processes, this article makes the argument that we shouldn't be forgetting about that very traditional area of study - inter-state boundary disputes. Overtly multidisciplinary processes of international dispute resolution have never really promised to deliver the interdisciplinarity that would take academic study forward. More needs to be done to connect the legal and technical substance of disputes with their own (often unique) drivers and dynamics. Devices are available here, provided by the need in international law to revisit the last applicable boundary treaty when revisiting territorial definition. In this paper, we elect to concentrate on the northern Persian Gulf, a seemingly perennial source of dispute, periodic conflict and the constant focus of international attention. In contemplating how Iran and Iraq might today deal with physical change in the Shatt al-Arab river boundary, we zoom back to their momentous package of agreements concluded in 1975, what these specified and how they catered to deal with future disputes over alignment and status. Then we slow forward to the 1975 package, reviewing how this deal may or may not have been the culmination of patterns in dispute that had been observable for a good half-century. Of particular interest is the possible fate of that old British government imaginary, the question of Iraqi access to Gulf waters and the triangular relationship of dispute between Iran, Iraq and Kuwait. Utilising newly-available primary source materials from UK and US archives, we chart the reaction of the major players in the dealings of 1975 and seasoned diplomatic observers alike in an effort to place the treaty settlement in its proper regional context.

Border studies and boundary disputes

If, in the second decade of the twenty-first century, political geographers remain typically unsure as to how they might usefully view boundaries – and surely few other subjects in the discipline's historiography have generated such retrospective angst as the international boundary, there can be little doubt that the challenge is right back at the forefront of scholarly endeavour. The appearance in the last year of three articles in *Annals of the Association of American Geographers* attests inarguably to a return to centrality in geographical research agendas (Bauder, 2011; Megoran, 2012; Jones, 2012). Leaving aside the flagship carrier, it is their collective content that strikes this writer as most significant. For a good decade and a half now, in many ways beginning with the seminal work of Finnish geographer, Anssi Paasi (1996, 1998), the critical analytical prism of choice has been the social practices of bounding and bordering at various levels of scale and



group identity – a coherent, conceptually accomplished and obviously well-received research missive that has been branded generally as border (rather than boundary) studies. What the recent *Annals* articles do is to reconnect with the international boundary in 2 important ways. First, and surely inevitably, in what will be the first of many commentaries, in critiquing the tangible securitisation of the feature in recent high profile instances of fortified inter-state limits (Jones, 2012). Second and perhaps more interestingly, in suggesting that border studies' near exclusive recent preoccupation with the processes of bordering was missing a trick that geography has always been in a better position to perform than its social science contemporaries, that is to shape the scope and substance of how we might best 'do the international boundary' (Bauder, 2011; Megoran, 2012). Noting these attempts to rebalance political geography's study of boundaries, this article will also suggest that we might be covering international boundary disputes more effectively – where multidisciplinary done right might more helpfully connect the legal technicalities of status to traditional political drivers within their own complex geographies.

Beginning to take stock of how we do borders and boundaries – reflection in the noughties

If much of the early postmodern treatment of boundaries in the decade following the end of the Cold War was crude, some of its thematic conceptualisation (deterritorialisation vis-à-vis reterritorialisation and shared vis-à-vis separate spaces) prepared the ground in lively fashion for the mini stock-take that would take place in the mid-noughties. By this stage, too, border studies' critical dye had largely been cast. Critical geopolitics was becoming increasingly nuanced

in its treatment of social complexity (see Dodds, Kuus and Sharp [ed.s], 2013), reflected in the easy taking-hold of Paasi's postulation that experiencing the Russo-Finnish boundary was akin to a social process (Paasi, 1996). A lot of the credit for contemporary geography's resurgent interest in boundaries and borders must therefore go to his imploration that we concentrate on the verb form of borders and boundaries. As editor of *Geopolitics*, David Newman has led the call for well over a decade now that geography formulate a broadly-based, loose but comprehensive methodology for application to bounding processes. More generally, this challenge has elicited a number of new classificatory schemes that acknowledge the materialities and subjectivities of boundaries at various levels, scales and locales (for instance, Nicol and Minghi, 2005: 681), as well as characterisations of how geographers have endeavoured to represent and approach their subject matter (see Kolossov, 2005; Grundy-Warr and Schofield, 2005).

Also back in 2005 Henk van Houtum penned a provocative short review article that pondered border studies' inheritance in geography, particularly as set against the borderland studies approach developed by geographers Julian Minghi and John House in the 1960s (van Houtum, 2005). If that was the original blueprint for the piece, its main contributions were: firstly, to highlight the disjuncture that had developed between border studies as broadly operative in the new millennium and boundary studies, in a slightly exaggerated classical sense - in many ways paralleling the wider chasm between classical and critical geopolitical concerns that would be explored so usefully by Phil Kelly a year later (see Kelly, 2006); secondly, to go back to basics and think about all the relevant hows and whys of making, doing and studying borders. Here boundary studies was categorised deliberately more in terms of its traditional functional coverage of delimitation and demarcation, of function and form, and was basically characterised (perhaps somewhat unfairly) as static. Certainly here, insufficient credit was given to House and Minghi for pioneering a humanising approach that would resound beyond geography to leave its mark upon the contemporary historical and anthropological research of borderlands (see Martinez, 1994; Goodhand, 2008). It is one that has also helped to spark consideration within geography of what today constitutes a borderscape in applied regional perspective beyond the usual parameters of visibility and physicality, with Carl Grundy-Warr's research of the layered territorialities of South-East Asia particularly worthy of specific mention here (Rajaram and Grundy-Warr [ed.s], 2007). Yet van Houtum made some interesting suggestions to draw boundary and border studies, notwithstanding their simplified characterisation, back closer together. Firstly, the long defunct natural/artificial boundaries debate of the early classical period, might be resurrected under certain conditions to critically explore territorial meaning at individual and group identity levels in the service of answering the age-old mystery of why it is that humans seek to bound and border. Secondly, the good or bad boundary preoccupation of scholars such as Samuel Boggs – always understandable if never ultimately capable of objective scrutiny – might be reassessed in terms of "... the ethics and justice of socio-spatial borders" (van Houtum, 2005, 677).

If the first challenge here has predictably proved too abstract for wholesale engagement, the latter 'good or bad for whom' postulation underlies much of van Houtum's recent writing, as it does that of political scientist, John Williams (Van Houtum, 2010; Williams, 2006).¹ In its more

¹ The titles of recent works on the ethics of boundaries and bordering practices nod to the aridity of the latest targets of western interventionism, Afghanistan and Iraq: the prefix of the Parker and Vaughan-Williams short

traditional context, serious consideration of whether a boundary was good or bad had already been fatally undermined by the Second World War with Jacques Ancel's acute if self-evident observation that relations at the boundary could only reflect the overriding political relationship at any one time and the corroborating reality that many territorial limits have passed through conditions of relative conflict and harmony (and back again) (Ancel, 1938). Yet the broader theme remains of central relevance to contemporary western European borderlands, with that veteran boundaries observer, Julian Minghi, recently offering the possibility that we may finally be retrogressing from the continuing hostility to harmony trend that has been in place since the 1960s (Minghi, 2012).

Such recent calls to not just arrive at a comprehensive methodology of bordering but to fuse the best of old and new in so doing has generated some imaginative responses in the years that followed. For instance, in acknowledging how territory is bordered in an ever more complex array of practices and scenarios, Noel Parker and Nick Vaughan-Williams offered a scheme to situate the most urgent challenges to those involved in the complex, multidisciplinary of borders, centring around the 3 axes of epistemology, ontology and spatiality-temporality (Parker and Vaughan-Williams, 2009: 582-3) – more or less taking into account van Houtum's how and whys.

Bringing the international boundary back to border studies – buying into old boundary wisdoms

I recall a conversation with IBRU founder Gerald Blake a few years back when he was clearly concerned that geography's long history of covering international boundaries and their contestation, with all its imperfections, might get lost in the direction border studies was now moving, for all its apparent strengths – some of this was articulated in articles he penned a decade or so back (Blake 1999, 2000). The title of a much more recent review essay by James Sidaway hints, of course, at a similar dynamic: “[t]he return and eclipse of border studies” (Sidaway, 2011). But to return to this section's starting point, as notable papers from the 2012 summer conference circuits continue to consider what 'border studies' might embrace - identifying significantly with that very term² - we have those *Annals* papers seeking to take stock and rebalance. Sure, they attest to the momentum, direction and progress made by border studies but also point to its emerging challenges and limitations – both in terms of the attainability of conceptual goals and questions of coverage, relevance and omission.

Harald Bauder notes that the more we acknowledge the complex, multifaceted character of borders, the less likely are the prospects of ever conceptualising them with any great coherence (Bauder, 2011, 1126-7). Hence he suggests a greater engagement with the dialectic of practice and meaning, at once building upon Sidaway's idea that a border works semiotically and narrowing the focus of Newman's original ambition, in posing the following challenge: “(h)ow should the border, as a single concept featuring various aspects, be approached?” (Bauder, 2011, 1127).

thinkpiece already alluded to (“Lines in the Sand?”), along with the suffix of John Williams' more extended study: (*Drawing shifting lines in the sand*).

² Look at a the titles of a couple from the *Borderscapes III* event in Trieste during late June: Vladimir Kolosov's “Some directions in the development of border studies” and David Newman's “Where to in border studies?”.

In acknowledging the general marginality of international boundaries to recent strides made in border studies, Nick Megoran considers that we might be concentrating upon what individual boundaries have experienced and continue to experience that renders them with more or less material significance for those that confront them – his recipe for “boundary biography” (Megoran, 2012). Here he aims to “... explore how specific boundaries (and the borders that they produce) appear, reappear and change, and disappear or become less significant in different ways and in different spatial and discursive sites over time” (Megoran, 2012, 468). Based upon his own ethnographic research and experience of Central Asian borderlands, this formula suggests the possibility of connecting new critical methodologies in border studies with that most traditional object of political geographic enquiry, the international boundary. Whether or not the central idea is entirely new is not the point here³, since Megoran’s prescription for boundary biographies intelligently develops and underscores what leading traditional boundary scholar Victor Prescott has always maintained, here when speaking of Richard Schofield’s extended 1993 case-study of the Kuwait-Iraq boundary: “[t]his study is an example of the best contributions of political geographers in unravelling the evolution of international boundaries whether or not they have been the subject of serious dispute” (Prescott, 1999, 264).

While Megoran thereby connects with long-established geographical boundary wisdoms, the emphasis on material vicissitudes is also timely for the manner in which it connects with contemporary vogue views outside the discipline. There have been a number of recent calls from historians to concentrate more upon the actual materiality of historical borderlands (and, indeed, the then prevalent imaginaries that produced acceptable versions of reality) rather than what they may or may not have represented retrospectively, perhaps an acknowledgement that representation in certain quarters has been overdone.⁴ But there is evidently much still to be revealed about how place was produced, sovereign space extended and resisted. Even high-profile, prioritised international boundary making projects - such as the lavish but very evidently flawed (and ultimately unavailing) Anglo-Russian effort to narrow the Perso-Ottoman frontier zone in the nineteenth century - remain under-researched and under-appreciated (Schofield, 2008). Any updated geographical methodology for investigation of the historical materialities of borderlands can only therefore be welcomed.

The value of case-studies, well done, is of course, long understood, as acknowledged by Prescott’s above quote. Yes, the dangers of going down the unique case road with boundaries have also been guarded against strongly from most geographic quarters. Yet qualified acknowledgement of Stephen Jones’s classic caution – “[e]ach boundary is almost unique and therefore many generalisations are of doubtful validity” (Jones, 1945, vi) – seemed evident in Gearoid O Tuathail’s recent treatment of the 2008 war over South Ossetia. For here critical geopolitics’ founding father underlined the central importance of acknowledging the messiness of the local before going on to show how the dispute expanded to operate at various regional and international scales: “[c]ritical geopolitics begins with the messiness of place... (and)... is sensitive to the importance of localized context and agency...” (O Tuathail [Toal], 2008, 672).

³ Arguably, without saying so much, earlier boundary geographers such as Doug Jackson, A.E. Maskie and J.W. House – to name just three – developed boundary biographies of sorts.

⁴ A central concern, for instance, of the conference organised by King’s (London) historian Paul Readman in October 2011: “Borderlands as physical reality: producing place in the eighteenth and nineteenth centuries”, 21-22 October 2011.

While these two authors are separated by a good half-century and write from completely different perspectives, the clear emphasis laid upon embracing regional complexity joins them.

International boundary disputes and multidisciplinary – the challenge of getting the disciplines to converse properly

These developments provide some grounds for optimism that political geography might reconcile its current conceptual preferences and ambition with the more prescient observations of decades past and begin to imaginatively re-address international boundaries, even where it harbours severe misgivings about areas of traditional coverage. International boundary delimitation disputes on land and sea present some difficulties for the critical border studies project, however, as acknowledged by both Bauder (2011) and Megoran (2012, 468). After all, agreement over territorial definition, disagreement in the formal submission of territorial claims and resolution through diplomacy or the international law courts are acted out or indulged in by states, qualifications about agency, structure and power notwithstanding. Victor Prescott still holds confidently to his tried and trusted framework for uncovering what lies behind the incidence of international boundary disputes – broadly embracing the identification of cause, trigger action, arguments and results (Prescott and Triggs, 2008: 91-135). Was this framework not to be applied intelligently, the dangers in adopting a simplistic and undifferentiated characterisation of the state and of reaching a subjective interpretation of what defines the state interest and drives state actions are obvious - a sure way to fall foul of John Agnew's hugely influential and much celebrated 'territorial trap' (Agnew and Corbridge, 1996). The survival of a state's personality in international law obviously contrasts with the long disappearance of parallel notions in the social sciences, where talk in such terms has generally been discarded for a good half century now for the misplaced determinism it is. Deterministic state geographical views have their place, however. Historically, recognising the deterministic geographical imaginaries sustained by the colonial powers when boundary-drawing, for instance, is vital to appreciating the legacies bequeathed in the postcolonial era. More broadly, the classical view that relative geographical position dictates or compels state actions – highlighted in rather pompous, exaggerated fashion by Nicholas Spykman in 1938 (see below) - essentially survives in contemporary state discourse, albeit in more tempered form. And to some contemporary observers, this is understandable: "[t]o me, the geographical position of a state matters to its policy" (Kelly, 2006: 26). Then there is the pictorial representation of a state's geographical positioning on maps. Jeppe Strandsbjerg has posited intriguingly that essentially just this, i.e., 'cartopolitics', may have been instrumental in the incidence of many inter-state territorial disputes (Strandsbjerg, 2010a, 2010b).

It is the almost reified legal status of the international boundary, its formal characterisation as a permanent feature that evidently frustrates many contemporary social scientists. Elden (2009: 146) attests to the problems international law has set itself in protecting them whatever they comprise, wherever they lie and however absurd or misplaced their original conception may have been. Resonating structurally with Spykman's famous quip that "[m]inisters come and go, even dictators die, but mountain ranges stand undisturbed..." (Spykman, 1938, 29), Kaiyan Kaikobad paused to reflect that boundary lines introduced by treaty tend to outlast the letter and purport of the instruments that introduced them, if not the states that signed them (Kaikobad, 1988). There is a perception in contemporary geographical circles therefore that international

boundaries continue to be afforded a priority that their study as socio-spatial features simply no longer warrants (if it ever did). Emerging areas of critical and postcolonial law also clearly buy into such criticisms. While Antony Anghie (2005) finds some reassurance in the postcolonial state's (at least notional) sovereign equality and independence, he posits eloquently that "international law... even when it innovates, follows the familiar pattern of the colonial encounter" (Anghie, 2005, 244).

With their origins often rooted in deterministic imaginations and their status governed by what some would see as similarly dated and inflexible precepts in international law that emanate from the same period and processes, it is perhaps unsurprising that the evolution of international boundaries had not figured highly on the agenda of critical border studies. But what of its corollary, boundary studies, as identified by van Houtum, a group he distinguishes as having its own conferences, journals and events (van Houtum, 2005) – and one whose leading protagonists frequently work closely together in the applied context of international boundary dispute resolution? Here we have a dynamic, multidisciplinary body of experts⁵ – not just social scientists, historians and area study specialists from academia but practising lawyers and technical experts actively and practically involved in the elaboration of territorial definition – either in the construction of boundary lines out at sea, devising imaginative schemes for access to disputed reserves of oil and gas or in dealing with contemporary land boundary disputes that can be traced back to the vagaries of imperial boundary drawing. Blake has argued for geography's central place in this applied but above all pragmatic reading of boundary studies, epitomised by IBRU's measured defining missive – a considered and effective formula for contemplating international boundary disputes, their amelioration and management.⁶

Yet boundary studies as here so defined wants for linkage and integration and obvious multidisciplinary has never really promised genuine interdisciplinarity. Let's make a few generalisations to illustrate such a point – shortcomings that have been noted so frequently that they barely require attribution. First, technical experts – for instance surveyors or hydrographers - will often bemoan the academic's terminological and definitional inexactitude or illiteracy when discussing the evolution of this or that particular boundary – a complaint that will certainly be joined by international law. . . . Conversely, historians and social scientists cannot always relate to technical analyses devoid of their human context, even if many of these relate to maritime boundary-drawing. Too often, too (though rather less than in the past), there has been a tendency to view a boundary question resolved in international law as a regional problem removed, clearly a misplaced notion if we look at the recent history of many complex disputes, the Northern Gulf region in particular (Schofield, 2001, 226-229). In related vein, authoritative legal anthologies of international boundaries on land and sea tend to deal with the agreed and complete, rather than those that are disputed and actively causing more problems (see Charney and Alexander, 1993 and 1998, for instance). A final observation here is that too many historical accounts of territorial evolution reference only the outcome of what are often complex and

⁵ Who have often congregated at the excellent conferences staged by Durham University's *International Boundaries Research Unit* (IBRU) since its founding by Gerald Blake in 1989, sadly now less frequent events than they were a couple of decades back.

⁶ "IBRU works to enhance the resources available for the peaceful resolution of problems associated with international boundaries on land and sea, including their delimitation, demarcation and management" (Blake, 1999, 56)

difficult episodes – by analysing just treaty texts and other agreements of state, rather than the frequently more illuminating record of what led to them..

Ideally, boundary studies – as far as it concerns the origins, evolutions and status of international boundaries – should be capable of addressing these broad concerns to combine precise, terminologically-accurate technical and legal analysis within a regionally-nuanced regional context that acknowledges what will always be the varied linkage of history, geography and politics. As such, it might usefully take on board the observations of political geographers past and present that have already been summarised in this paper. That is to critically explore Prescott's checklist of factors underlying any dispute, to note – after Jones and O Tuathail – the essentially messy centrality of local/regional dynamics in any incidence of dispute and, following Megoran's more recent advice still, to try and recognise just what it is that makes a boundary of more or less material significance over time. I would suggest that in joining some of these challenges, carefully directed archival research into the origins and evolution of international boundaries, especially colonial ones, can parallel the utility of recent methodological advances made in their ethnographic study (Rajaram and Grundy-Warr, 2007; Megoran, 2012). Obviously the richness of any available primary record will reflect the perceived importance of the issue in the historical scheme of things. Some boundaries that are newsworthy today were not particularly big issues in their origins and vice-versa – while others have always been of interest internationally beyond their immediate regional context.

Providing an authoritative, detailed and accurate official history of any boundary is important legally, above all for the evidential centrality of the colonial record in contemporary dispute resolution. Historically, too, as already alluded, there is still much to be done in reconstructing the material human geographies of the colonial encounter in borderlands. Yet, moving beyond the text of treaties and the records of initial delimitation surveys is also vital in demonstrating how the governing geographical imaginaries of the imperial powers influenced their shaping of territory and how resultant disputes were perceived and characterised. The relative position of state territory introduced through colonial boundary-making was sometimes the result of established geographical preconceptions, sometimes the process itself would introduce new ones. As such, and often in the more complex of the newly-introduced territorial configurations, individuals – be they boundary-drawers, local colonial practitioners, influential expatriate entrepreneurs or international oilmen - would perceive that relative territorial positioning influenced patterns in the incidence of disputes, even introducing rules for regionally-observable games. In such circumstances, too, it should be no great surprise that an emotional attachment to territorial questions was often bequeathed to governing elites in the postcolonial era, the strength of which continues to baffle contemporary analysts. So, archival research should not only aim to deal exactly with the technicalities of territorial evolution but explore how deterministic contexts of relative geographical position influenced how individuals would subsequently characterise dispute and its patterns of operation.

Linking contemporary dispute status to the dynamic drivers of old

The manner in which international law treats boundary disputes readily provides our device for linking contemporary status with the political drivers of dispute historically. For states intent today on extending or revisiting territorial definition are inevitably cast back in time to the last

(or, indeed, maybe the first) instrument in law that defined the boundary in question, often dating back to the colonial period. If they opt for arbitration or judicial settlement as the means of dispute resolution, they are deferring to institutions - in the shape of the Permanent Court of Arbitration or the International Court of Justice - that some have criticised for being neo-colonial in their operation, a recent postulation of critical law (Anghie 2005; Pahuja, 2005).

Sometimes, though, in trying to tidy up territorial loose ends, states get dragged back to far more recent if no less difficult periods of their history. Take Iran and Iraq and their faltering efforts these last few years to formalise agreement on territorial definition at the Head of the Persian Gulf. Their main consideration now is the degree to which they go back to the letter of the extraordinarily detailed (and, to many observers at the time, genuinely surprising) package of agreements which defined their boundaries and aimed, ostensibly, to recast their bilateral relationship back in 1975. Of course, this achievement would be rendered irrelevant in most respects by a quick succession of major regional upheavals, beginning with an Islamic revolution in Iran during the late 1970s, then Iraq marking the turn of the 1980s and 1990s by invading its neighbours to the east and south, only to suffer a similar if much more decisive fate at the hands of the US/UK led coalition in 2003. To people in these parts 1975 must seem a world away but the technical business of finalising boundaries – vital for the economic reconstruction of a region ravaged by conflict – takes us back to a set of agreements which, though strikingly deficient in terms of forestalling conflict, were actually heralded as constituting a model territorial settlement.

The year 1975 doesn't just provide a retrospective focus here, however. While we zoom back to the text of the 1975 agreements in contemplating current definitional concerns, their actual content represented to some minds not only the logical culmination to a long-running river boundary dispute but heralded the possible fate of an old imperial imaginary - the subjective and deterministic consideration of Iraqi access to the sea. For there was a perception at the time that the agreements signalled a major break with the manner in which disputes had operated and interlinked previously. Not out of choice do we engage with decidedly classical precepts but out of recognition that this was the colonial mindset that spurred original territorial definition a good century back, then conditioned the manner in which ensuing disputes were viewed and treated, not to mention to then instil territorialities that continue to be played and called upon in contemporary political dialogue.

Focusing on the Northern Gulf

Evolution of state territory

A very full official record will show that an international boundary along the Shatt al Arab was introduced in 1847 as the result of Anglo-Russian intervention, with the river characterised vaguely but fairly unmistakably as an Ottoman waterway (Schofield, 2004, 32-41). Exclusive Ottoman/Iraqi control was gradually eroded by two follow-up settlements of 1913 and 1937, over which Britain respectively exercised formal control, then considerable informal leverage. It was only in 1975 that the 2 local riparians sat down themselves to define the boundary as running down the *thalweg* of the river, defined in this instance quite unequivocally – “the median line of

the main navigable channel” (Schofield, 2004, 54-57). This apparently satisfied an Iranian positional claim that had been around for much of the previous half-century, premised on the legal norm – really only established with the 1919 Versailles settlement – that access to shared navigable rivers should be defined on an equal basis in international law. Three broad chronological contexts can be provided for this evolution in territorial definition. The period before the Great War represented an applied phase of Britain and Russia’s Great Game, where both states were keen to establish the requisite regional and territorial stability to project and safeguard their fast-developing political and economic interests at either end of the long indeterminate traditional Perso-Ottoman frontier zone. That is they sought to narrow it! (Schofield, 2008). A second stage inevitably reflected the northern (Persian) Gulf region’s emergence in the early twentieth century as the world’s most important source of oil and gas – access to which demanded positional exactitude in the definition of territorial limits or at least arrangements that could be effectively optimised to Britain’s advantage. It was not until the end of Hashimite rule in 1958 that Britain lost all control over the regulation of the waterway and the Shatt al Arab was thereafter quite quickly used as a symbol in developing inter-state rivalries between Baghdad and Tehran, often formulated on an inter-regional, Arab-Persian basis. This author has previously postulated that we may now be in a fourth stage of pragmatic post-conflict rehabilitation (Schofield, 2004). Yet there are intriguing reminders of a century ago, with Iran, Iraq and (for that matter) Kuwait today pondering the final status and delimitation of river and water boundaries, just as Western and Chinese oil companies concern themselves with pragmatic questions of access and development, having invested massively in Iraqi oilfields that extend right up to international land boundaries at the Head of the Gulf.

Comparatively less complicated in technical terms and with a history dating back only to the early twentieth century, the main challenge to finalising the Iraq-Kuwait boundary so vaguely defined by Britain and the Ottoman Empire back in 1913 has been in arriving at an interpretation acceptable to both sides that could be marked on the ground (Schofield, 1993). Despite controlling the foreign affairs of both states for significant portions of the last century, Britain could not broach a settlement here. Later on, the task was complicated massively by Iraq’s continuing refusal (until 1963) to recognise Kuwait as an independent state, never mind its boundaries. Typifying this was the intermittent if dramatic Iraqi territorial claim to the entirety of Kuwait, justified on its supposed former inclusion within the Ottoman Basra province in the late nineteenth century. Iraq’s ultimate and unequivocal recognition during November 2004 of the United Nations Secretary General’s 2003 ruling on the boundary was, of course, elicited in far from routine circumstances – the state’s self-inflicted regional and international isolation in the wake of its disastrous invasion of (and subsequent removal from) Kuwait four years earlier. At least the UNIKBDC ruling was a determinedly serious attempt to interpret and refine the old colonial boundary, even if questions remain about the commission’s starting assumptions on the boundary, its employment of terminology and discharge of mandate (Schofield, 1993, 150-198).

Zooming back to 1975

Contemporary physical change and dispute

Above all, it is in the pragmatic, post-conflictual context of regional reconstruction that Iran and Iraq have been discussing finalising territorial questions at the head of the Persian Gulf in the last half-decade. Any dispute is less about whether the 1975 river boundary arrangements are applicable – it seems that both sides agree that they are - and more about how these details might be implemented in any new settlement.

The massive scale regeneration of Iraq's super-giant Rumaila oilfield on the Kuwait border, where \$36 billion of projected investment from a consortium headed by BP and Chinese National Oil Company is designed to expand production capacity to 2.85 million barrels per day within the next few years (Mackey, 2009), returns us to the familiar scenario - first witnessed here exactly a century back - whereby the major international oil companies are keen to see the minute details of territorial definition elaborated to ease potential problems of access and communications. Similarly, Shell's planned large-scale development of the Majnoon oilfield on the Iran border further east (the western part of the transboundary structure that stretches to Azedagan in Iran) is reliant upon the improvements in cross-border access that they hope might flow from a tidying up of territorial definition along the Shatt al-Arab. The proper position of the main navigable channel needs to be agreed here – particularly at the estuary mouth, while territorial water boundaries then need to be established between Iran and Iraq that match up to those already agreed to the west and south.

The recent character of physical change in the Shatt's main navigable channel has only recently been appreciated as a significant factor (**see Map 1**). Individuals close to consultations between Baghdad and Tehran this last half decade point to Iraq's frustration that the channel movement has all been to the south and west of the coordinates officially nominated for the Shatt's southernmost reaches in 1975. If nature in this respect has recently favoured Iran, it was the incidents of summer 2004 and spring 2007, involving the capture of British sailors by Iranian patrols near the estuary mouth that showed how the technical question of locating an international river boundary could quickly magnify into a political crisis. It seems likely that in the former instance, the capture took place in Iranian internal waters. This at least was the Iranian government's claim but with the significant disjuncture between the positions of the 1975 boundary and the then current navigation channel, the picture was far from clear. The spring 2007 incident highlighted, above all, the absence of a territorial waters boundary between Iran and Iraq south of the terminal point of the 1975 river boundary delimitation. The claims of both Iran and the British government had taken place in Iranian and Iraqi territorial waters respectively were disingenuous since territorial water limits have never been defined between Iran and Iraq (Junnola, 2007).

One important consequence of the summer 2004 incident was that Iran and the occupying powers (US and UK) had agreed that the current position of the main navigable channel as it existed at any one time along the Shatt would serve as an operative international boundary⁷. As of late 2012, however, this is not a position that has been formalised at state level. Yet it will be a major surprise if the express terms of the 1975 package agreement are not confirmed – for a number of reasons. A consensus of legal opinion holds that “in view of all the circumstances of the case”, Iraq had enjoyed “no right to abrogate the Baghdad treaty of 1975” in launching war

⁷ I must acknowledge a reliable confidential source here.

on Iraq in September 1980 (Kaikobad, 1988, 59). Secondly, Iraq went a very long way towards formalising its reacceptance of the 1975 arrangements with the UN-registered Hussein-Rafsanjani correspondence of April-August 1990, a move designed to neutralise its eastern neighbour after the decision to invade Kuwait had been taken. Debate exists as to the degree to which it did recommit itself (Bakhash, 2004; Schofield, 2004) but the intent to do so had clearly been there, albeit in charged regional circumstances. Thirdly and perhaps most importantly, a *thalweg* delimitation remains by far the most practical and workable territorial arrangement for the Shatt al-Arab and the 1975 treaty was a demonstrably well-conceived and appropriate settlement.

In truth the latter reality had always been known. Two months before an international treaty first nominated the river as a boundary in the mid-nineteenth century, British Foreign Secretary Lord Palmerston cautioned that it would be “contrary to international usage” to nominate any boundary other than the mid-channel of the river (Schofield, 2008, 154). Yet, to get the overall agreement they sought, Britain had to accommodate the sensibilities of the then stronger regional power and the Shatt was designated as Ottoman. Then, during the early years of the twentieth century, a locally-observed arrangement where the navigable channel was shared on an equal basis was largely discounted, again for reasons of imperial expediency, in a pre-war Anglo-Ottoman settlement of outstanding regional questions (Schofield, 2006, 33). Two and half decades later, Britain had been concerned that a reference of the dispute to the Council of the League of Nations might ultimately result in river sharing arrangements that could prove detrimental to its interests during wartime, i.e., with Iran likely to remain neutral in any future worldwide conflagration. Yet his and the circumstances of the 1937 Tehran treaty that ensued remain murky waters to this day (Schofield, 2004, 45).

*Back to 1975 – a model territorial settlement?*⁸

Since, in their totality, they have been lauded as the most sophisticated treaty treatment of an international boundary in international law, let us now briefly review the 1975 package of Iran-Iraq agreements as they exacted territorial definition and catered for future physical change. The 6th March 1975 Algiers Accord had simply recorded that the two parties had decided “to delimit their river frontiers on the *thalweg* line” (Schofield, 2009, 16, vii). A follow-up ‘Protocol for settlement of all outstanding border disputes between Iran and Iraq’, concluded 12 days later, provided for the establishment of a tripartite committee (on which would also be represented technicians from mediating Algeria) “to determine the water border in the Shatt al Arab estuary on the basis of the *thalweg* principle” (Schofield [ed.], 2009, 16, 92-93). Two other committees had been simultaneously charged with the responsibility for demarcating the land boundary further north and establishing border security check points along its course.

A month behind schedule, though still having materialised with surprising speed, the ‘Treaty relating to the state boundary and good neighbourliness between Iraq and Iran’ was signed in Baghdad on 13th June 1975. This was supplemented by three protocols ratifying the outcomes

⁸ The two detailed sections of this article on the agreements of 1975 and their respective context are based upon FCO document releases from the National Archives in Kew. Rather than provide the original FCO file references here, I provide instead references to their inclusion in a multi-volume anthology I recently edited (with Elizabeth Evans) for Cambridge University Press (Schofield [ed.], 2009, 1-18) – and the detailed introductions I penned for these volumes.

reached by each of the 3 committees. The ‘Protocol relating to the delimitation of the river frontier between Iraq and Iran’ seemingly provided every conceivable safeguard against future dispute over the status and alignment of the new *thalweg* delimitation. In Article One it was declared and recognized that “the State river frontier between Iran and Iraq in the Shatt al-Arab has been delimited along the *thalweg*” (Schofield, 2009, 16, ix). This had been calculated by the mixed Iraqi–Iranian–Algerian committee on the basis of surveys they had undertaken and subsequently depicted on four (British Admiralty) charts attached to the agreement that were specified in its first article⁹. The *thalweg* was defined exactly in the five paragraphs of Article Two with elaborate provisions also laid down for catering with future movement in the position of the Shatt’s main channel.

Article Two’s first paragraph provided the most detailed definition in treaty law to date for a *thalweg* river boundary: “The frontier line in the Shatt al-Arab shall follow the *thalweg*, i.e., the median line of the main navigable channel at the lowest navigable level...” (Schofield, 2009, 16, ix). While paragraph 2 held that the said frontier line would vary only “with changes brought about by *natural* causes in the main navigable channel”, paragraph 3 held that these needed to be attested and verified by the appropriate technical authorities of the two contracting parties. Paragraph 4 elaborated the principle that the international boundary would move with changes in the river bed brought about by natural causes – no matter what effect this might have in transferring sovereign territory, landed property or other installations. It was then left to the protocol’s fifth paragraph to deal with the practical ramifications of all of this – its prescription was less than crystal-clear, undoubtedly a factor in the two sides continuing failure at the end of 2012 to formally recommit to the 1975 arrangements. Paragraph 5 held that should agreement not be joined that the river (and the boundary) had moved to a new bed, then one of the parties could request that “*the water shall be re-directed at the joint expense of both parties to the bed existing in 1975*” (Schofield, 2009, 16, ix-x). Perhaps it was meant to be helpful but it ended up sounding confusing, while the implication that nature could be reined in to conform to what a boundary treaty specifies still seems bizarre in the extreme.

Importantly, Article Six of the river boundary protocol committed the two sides to jointly survey the main river channel afresh every ten years, or even more frequently should one of the parties request as much. This was never implemented as Iran and Iraq embarked upon a war that they have still never formally settled. As of late 2012, Article Six this remains a crucial provision, since the coordinates of the actual 1975 delimitation (i.e., the median line of the *thalweg* as it existed in 1975) now run through sandbars at the designated river mouth. Article Seven specified a liberal, state of the art freedom of navigation regime for the estuary – here all Iranian and Iraqi vessels (commercial and military) were granted complete freedom of manoeuvre in any part of the Shatt al Arab or its approaches, a right extended to third-party trading vessels except in the contingency of belligerency, armed conflict or war (Schofield, 2009, 16, x).

Slow forwarding to 1975

⁹ Reproduced as maps 27-30 in Schofield [ed.], 2009, 18.

Iraqi access to the Gulf - a British imaginary?

The geographical proximity of Iraq's international boundaries at the Head of the (Persian) Gulf with the general unsuitability of its short, intervening coastline for any kind of infrastructural development has cultivated, almost from the very beginning – and quite evidently in the minds of its territorial architects, the deterministic view that Iraq is a geographically-disadvantaged state. Unsurprisingly this has been a self-view subsequently proclaimed over the years in formal and informal statements of Iraqi governments, politicians and latter-day factions, an imaginary that has proved capable of easy politicisation. Long-running jokes and jibes that Iraq is a 'big garage with a very small door' or that Kuwait is the 'cork in the bottle that is Iraq' stem from a fairly widespread belief that Britain deliberately connived as colonial power to deny Iraq (and its Ottoman predecessor) a proper footing on the Gulf shoreline (Schofield, 1993) Yet there can be little doubt that Britain itself introduced such an awareness, surely a classic case of Jeppe Strandsbjerg's 'cartopolitics' (Strandsbjerg, 2010).

Let's briefly recall the reason why Britain got into Kuwait at the turn of the twentieth century and morphed its northern margins in the manner which it did. Admitting from the start that it was only in Kuwait so no-one else could be (Busch, 1967, 196), the British India Government saw protecting the Persian Gulf as an exclusively British lake of influence as the red line that should not be crossed in the formulation of any fledgling territorial framework. So, when Viceroy George Nathaniel Curzon sailed to the north-west limits of its waters in 1902, he saw coastline only in terms of the potential it might possess for the development of a railway head by rival European powers, namely Germany and Russia and their ambitions for an extended Berlin-Baghdad Railway. Talk of a vivid imaginary, this most deterministic of the early British boundary geographers spoke of the inevitable "Germanisation of the Basra vilayet" and of a small deserted mud flat, Warba island, presenting the potential for "an impregnable anchorage" (Schofield, 1993, 24-30), should Britain not act decisively to forestall such rival ambitions by defining Kuwaiti territory northwards in maximal terms. Curzon's arguments ultimately won the day but in truth the mudflats and waterways of the northwest Gulf were a no-man's land. A few years later, another employee of the Government of India, J.G. Lorimer arrived at a more informed and sensitised estimation of how Kuwait worked territorially in its regional context: "[t]he boundaries of Kuwait principality are for the most part fluctuating and undefined; they are at any given time the limits of the tribes which then, either voluntarily or under compulsion, owe allegiance to the Shaikh of Kuwait" (Lorimer, 1908, 2, 1059-61). While this was not a formula of any great help to any European colonial boundary drawer, it did illustrate how the proclivities, interests and engagement of officials differed. Here was a man who sought, albeit from an obviously Eurocentric background and viewpoint, to explain regional Arabian patterns in their own right rather than through the prism of wider imperial, strategic concerns.

While Britain was in Iraq and Kuwait during the inter-war years – the Colonial Office in Baghdad and the Government of India in Kuwait, it generally saw the problematic of access to the sea as an unchanging structural reality, albeit one of its own making, whose worst effects could be ameliorated by pragmatic accommodation. This would be urged most notably when Britain's massive commercial interests in the region appeared to be constrained. For instance, the charismatic head of the Basra Port Authority, New Zealander John Ward, would call during the late 1930s for the construction of a new Iraqi port facility outside the Shatt al-Arab, either in

Kuwait Bay or further north on a waterway (Khor Zubair) astride the still vague Iraq-Kuwait boundary (Schofield, 1993, 76-85). He claimed prematurely that river traffic levels on the Shatt were approaching saturation levels though his bigger concern was Iranian dissatisfaction with sovereign arrangements for the river, irrespective of the 1937 treaty that had defined it still as largely Iraqi-owned. His suggestion that Britain looked southwards to Kuwait to improve Iraqi port capacity was, however, hugely significant. It was the first occasion upon which the status of Iraq's boundary with Iran began to cause political and commercial elites within Baghdad and Basra to look south and press the case for a more advantageous boundary definition with Kuwait. A pattern was hereby born whereby a perception of successive Iraqi governments that Iran held the upper hand in the conduct in the positional boundary dispute over the Shatt would persuade it to press territorial claims on Kuwait.

Britain was already sympathetic to the view that Iraq had been disadvantaged by the territorial definition it had bequeathed in 1920. In its reference of the Shatt dispute to the League of Nations Council in Geneva during the mid-1930s, the Iraqi government pleaded a case of equity which broadly argued the case for its continued sovereignty over the Shatt on the basis that Iran had another 2000 miles of coastline on which to develop its ports (Schofield, 2004, 44). This had largely been rehearsed by British officials, who would remain in strategic positions, including headship of the Basra Port Directorate, right the way up to the violent fall of Hashimite Iraq on 14 July 1958.

Tellingly, however, the perceived onset of a triangular basis of dispute in 1938 soon persuaded Britain that the problematic of Iraqi access to the Gulf possessed the potential for conflict. While there was clear sympathy for Kuwait's reticence to yield to suggestions that territorial concessions be made to Iraq (and Saudi Arabia to its south, for that matter), there was also the realisation from British government officials - and no less a figure than the British Foreign Secretary himself - that the question of Iraqi access to the sea could pose a threat to regional stability: "[i]t is understandable that the state which controls the Mesopotamian plain should desire to have undivided control of at least one good means of access to the sea and Lord Halifax thinks that on a long view, it is likely that, if Iraq were given this access, it would make for steadier conditions in that part of the world in years to come" (Baggalay, 16 December 1939 in CO 732/86/17 in Schofield, 1993, 79)

This was an assessment that, if anything, hardened in the minds of British government officials stationed in the northern Gulf following the Second World War. A telegram despatched from Britain's Kuwait Embassy in the summer of 1957 was typical, advising that "... it would be in Kuwait's interest to make an earlier frontier settlement at the coast of ceding the territory necessary to provide Iraq with a deep water channel..." (Schofield, 2001, 227). Ironically, this had followed on from the failure of the most imaginative scheme ever envisaged for treating the stalemated Iraq-Kuwait boundary question, Britain's last hurrah in the time it possessed the potential leverage to push something through. This would have involved Iraq's supply by pipeline of freshwater from the Shatt for large-scale domestic use on Kuwait in return for Iraq being granted a 99-year lease over north-eastern Kuwaiti land territory and the small island of Warba. It had stalled on the Kuwaiti government's unwillingness to commit itself formally to such a dependent position, reflection in part of its continuing existentialist concerns (Schofield, 1993, 94-97).

The pattern whereby perceptions of a disadvantageous position vis-à-vis Iran over the Shatt seemingly affected the Iraqi government's policy and actions towards the Kuwait boundary continued in Iraq's republican era, though we would have to wait a decade or so before it became obvious with the March 1969 crisis that culminated in Shah Muhammad Reza Pahlavi unilaterally abrogating the 1937 river boundary treaty. In early 1969 a decade of functional disputes over the waterway's messy sovereign arrangements came to a head, primarily as the result of a new Iranian determination and confidence to steer the course of the dispute to its own advantage - for instance, in linking policy towards the Iraqi Kurdish question for the first time with its demand that the boundary along the Shatt be adjusted to the *thalweg* (Schofield [ed.], 2009, 8, v-vii). The Iraqi government responded to such heightened tensions by substantially reinforcing its troop presence in Kuwaiti land areas south of its second dry cargo port of Umm Qasr under the ruse that it was protecting its neighbour in the face of Iranian aggression towards the eastern Arab world. Creeping Iraqi annexation of Kuwaiti land territory had actually begun with the first Kuwait crisis of 1961 and would continue through to its invasion of August 1990 (Schofield, 1993, 99-126).

Successive Republican Iraqi governments may well have shared the same deterministic view of access to Gulf waters that Britain perceived from the outset but its articulation was never imbued with the same state personality or degree of animation. Nor would the status of their closely proximate boundaries at the Head of The Gulf ever be linked so explicitly. Negotiating better access to Gulf waters or pressurising Kuwait into offering it seemingly gave way to Iraq unilaterally securing the territory and approaches it was argued were needed for the operation of Umm Qasr port, opened in 1961. Not only was significant Kuwaiti land territory progressively annexed south of the port in the 3 decades before 1990 but Iraqi navigation beacons were actually in place along the eastern half of Kuwait's Bubiyan Island to guide shipping in its approaches along the Khor Abdullah at the time of the emirate's invasion. Traditionally, Iraq's most graphic and emotive language has been mobilised to articulate its historical claim to the entirety of Kuwait, notably in the countdown to the first Kuwait Crisis of June 1961, then, from April 1990 onwards, in the run-up to its invasion and attempted annexation.. The one official statement that genuinely evoked Britain's deterministic language of old was in response to the UNIKBDC verdict on the maritime boundary announced in March 1993, perhaps deliberately as an isolated Baghdad regime sought international sympathy for an outcome that could be counted challengeable on certain legal and historical grounds (Schofield, 1993, 197). The language of Foreign Minister Muhammad Said al-Sahaf's letter of 6 June 1993 resonated with those classic above-cited British reservations over access, especially when complaining that the ruling threatened "Iraq's right to enjoy freedom of access from the sea,..., to an extent that will, in the future, place it in the position of a landlocked state" (UNSC S/25905, 8 June 1993 in Schofield, 1993, 197). Yet there was no express linkage with the Shatt dispute.

Arriving at the deals of 1975 – the fate of a British imaginary?

Long divested of any responsibility for managing the territorial constellation Britain had bequeathed to the northern Gulf, Britain's diplomats were nevertheless increasingly concerned by the conflict potential of Iraq's boundary disputes in the south as we moved through the early 1970s. An FCO review of April 1971 described the Iraq-Kuwait boundary question as the "touchstone of their relationship", adding that the consequent "possibility of fighting cannot be

ruled out” (Schofield, 2009, 12, vi). Its fears that dispute might escalate into conflict would be raised by Britain’s Ambassador to Kuwait, R.A. Kealy in November 1974: “it looks as we are in for an uneasy winter!” (Schofield, 2009, 16, v).

Reacting to the breakthrough represented by the Algiers Accord in early March 1975, Johnny Graham, Britain’s Ambassador in Baghdad, articulated the West’s generic surprise over Iraq’s climbdown on the Shatt: “as seen from here, Saddam deserves credit for statesmanship. He has paid a big price in the Shatt al Arab for the Shah’s agreement to end his support for the Kurds, a price that most people here, including myself, doubted he would be willing to pay” (Schofield [ed.] 2009, 16, 59). Likewise, Monsieur de Commines, head of the French Quai d’Orsay team that would meet with their counterparts in the FCO to discuss outstanding Middle East questions at this time would comment “that the agreement between Iran and Iraq was very surprising and most important” (Schofield, 2009, 16, xi).

By the end of 1974 it had been clear that something was afoot in the northern Gulf, though Britain was unsure as to what this was exactly. Iran and Iraq were close to conflict themselves but there was clear apprehension of a possible Iraqi move on Kuwait or Kuwaiti territory. So what was the relationship here? More progress had been made than originally thought in Foreign Minister level talks during November in Istanbul, with King Hussain of Jordan now acting as mediator between Baghdad and Tehran. Here Iran first put forward its proposals for quelling support for the Kurdish rebellion in the north in exchange for relaxation of Iraqi claims on the Shatt. By the mid-1970s, Britain’s intelligence was not as effective as it would have been when it was protecting power in the region – and here it had to rely on the Soviets for reports of a potential diplomatic step forward. Meanwhile, the Shah’s frequent castigation of the Baathist regime in Baghdad in his audiences with Western diplomats hardly pointed towards any forthcoming accommodation. This observation of the American Ambassador in Tehran was typical: “The Shah sees the Bakr/Saddam Hussein regime as a bunch of thugs and murderers implacably hostile to him...” (Miklos, 30 December 1974, Gerald Ford Presidential Library).

What comes through the cables though is the degree to which seasoned Arabists and Persianists in Western diplomatic service continually underestimated the Shah’s obsession with securing a favourable deal over the Shatt. Iranian Minister of Court Asadollah Alam had tried to drive this home in conversations with America’s Tehran Embassy during December 1974: “Alam... quite independently identified the Shatt al-Arab as the basic ingredient of any Iranian-Iraqi settlement. Alam explained... that the Shah was most anxious to rectify the border in the Shatt al-Arab, because the present arrangement, dictated by the British in 1937 was accepted by his father, Reza Shah, under great pressure... The Department will have noticed that over the years the Shah has consistently referred to the colonialist treaty of 1937. It sticks in his craw and he wants to remove it. His position... has been made abundantly clear to King Hussain...” (Helms in Tehran, December 1974, Gerald Ford Presidential library).

By the time the Algiers Accord was signed, the centrality of the Shatt in the Shah’s thinking had sunk in, even if its intensity still baffled observers: “[t]his issue has assumed an importance in his mind out of all proportion to how others would see it” (Helms, 18 March, Gerald Ford Presidential Library). While the French and Soviets would concur that the Shah had only entertained one objective in his handling of the Kurdish problem - a favourable solution to the Shatt al Arab

dispute (Schofield, 2009, 16, xi), Britain's diplomats continued to ponder whether there wasn't more to it all. What had been the regional geopolitical calculations and where did Kuwait lie within them?

Britain's bleak view of the prospects for Kuwait–Iraq relations had been highlighted late in February 1975 within a lengthy despatch from its Ambassador in Kuwait, Archie Lamb (Lamb, 26 February 1975, FCO 8/2443 in Schofield, 2009, 16, xi)¹⁰. Its summary read as follows: “[T]he Iraqi threat. An apparently insoluble frontier problem causing tension between Iraq and Kuwait and the possibility of armed conflict. Kuwait cannot defend herself... Kuwait's need for friends; she has no allies”. And its conclusion reflected further: “[t]he spring of 1975 is almost with us; with it the Iraqis may finally ‘solve’ the Kurdish problem; they will then have the time, energy and resources to deal with Kuwait”. Lamb's memo been penned before Britain or its officials had fully digested the possible implications of Iraq's impending climb-down over the Shatt. Once they had, the concerns became more profound with Lamb commenting that “Kuwait had the most to fear” following the signature of the accord on 6 March 1975 and Tony Parsons, Britain's Ambassador to Iran, when communicating the Iranian government's astonishment at how readily “Saddam had conceded Iran's point on the Shatt al Arab”, adding that “[t]he Shah was still uncertain about Iraqi intentions towards Kuwait” (Schofield, 2009, 16, v).

Room for uncertainty seemed to exist. On the one hand, as Lamb commented four days after the accord's conclusion, “when the Amir of Kuwait asked Saddam Husain in Algiers when he intended to visit Kuwait, Saddam replied that he would come when Kuwait was ready to lease to Iraq the eastern half of Bubiyan island, the whole of Warba island and a strip of land territory along the coast from Umm Qasr” (Schofield, 2009, 16, vii). On the other, by the early Autumn and following conclusion of June's comprehensive package of agreements, the Iraqi Vice President was already hinting to Kuwaiti officials that they might not be the definitive treatment they seemed on paper: “Saddam Hussein had recently stated... that the Iran/Iraq agreement of last spring was because they had an acute problem with the Kurds in the northern part of their country. Saddam Hussein is alleged to have then pointed out that the Government of Iraq can abrogate the agreement any time it wants” (American Embassy, Tehran, 20 September 1975, Gerald Ford Presidential Library).

Britain's diplomats in the region seemed only too aware of the old rules of the game where the territorial geopolitics of the northern Gulf were concerned but had these been changed with the Iraqi climb-down over the Shatt? Ostensibly, the river boundary dispute had been settled to finally satisfy Iran's long-harboured positional claims so would this now mean that Iraq would try to gain a permanent territorial advantage at Kuwait's expense, given the supposed logic of the triangular regional basis of dispute historically? Graham in Baghdad would comment in mid-March 1975 that “it is not easy to understand why the Kuwaitis should not be prepared to lease at least some of the territory the Iraqis want” (Schofield, 2009, 16, vii), essentially echoing the advice offered by Lord Halifax as early as 1939. But he'd soon go further, offering a mischievous ‘heretical thought’ by his own admission: “I wonder... whether an Iraqi take-over of Kuwait, especially if it were achieved ‘peacefully’ would or should lead to war. Indeed in terms of

¹⁰ Soon printed as an FCO memorandum entitled “Kuwait and her Neighbours [and a Friend or Two]”, 26 February 1975.

Western interests, or even in terms of specifically British interests, is the continued independence of Kuwait really a matter of such great moment?" (Graham, 25 March 1975, FCO 8/2443 in Schofield, 2009, 16, xii).

Would an Iraqi takeover of Kuwait then be the culmination of that old imaginary Britain had introduced and cultivated within the region – the thorny question of Iraqi access to Gulf waters? If so, it would not materialise for another 15 years though a good decade before then, the lavish technical river boundary settlement of 1975 (with the other aspects of the settlement) had demonstrably failed to serve its supposed main purpose – to usher in a harmonious relationship between Iran and Iraq.

In concluding their discussion of the implications of the Algiers Accords' conclusion in the early spring of 1975, Britain's regional diplomats would ultimately adopt a more pragmatic reading of the situation. Speculation had been rife that Kuwait had figured prominently on the informal agenda in Algiers, with part of the unwritten deal involving regional security comprising an understanding that Iraq wouldn't move physically on the emirate. This at least was Shahram Chubin's understanding, then a young political scientist at Tehran's International Institute for Political and Economic Studies. He thought it likely that the Shah would have promised to encourage Kuwait to lease the borderland territory and islands the Iraqis had always hankered after¹¹. The FCO ultimately considered that it might be best all round if Kuwait succumbed to Baghdad's proposals for a boundary settlement: "[i]mplication seems to be that Kuwait would be invited to acquiesce in an imposed settlement... provided that the Kuwaitis could be persuaded to accept it would probably be no bad thing from our point of view" (Schofield, 2009, 16, xii). So, perhaps no decisive regional geopolitical shift had been effected in the British government's mind with the 1975 settlement after all. Seemingly, the old rules still applied – that is pragmatic accommodation by Kuwait remained the best means of ameliorating what was still deterministically perceived as the unchanging structural reality of restricted Iraqi access to the Persian Gulf!

Concluding remarks

The model river boundary agreements of 1975 and their frenzied regional context provide an obvious focus in the northern Gulf for linking contemporary efforts to tidy up territorial definition with the imaginaries and narratives that have always articulated the dynamics and awareness of dispute. Admittedly, it is unusual to be referring back to a period as recent as the mid-1970s when referencing the last treaty settlement of a classic colonial boundary dispute. It is also hard to think of another area of the ex-colonial world that has elicited such constant levels of Western attention or witnessed, at least nominally, such an overt correlation between territorial dispute and conflict in recent times.

¹¹ In an interview granted to *al-Siyassa* (Baghdad) on 2 May 1975, Saddam Hussein remained cryptic, admitting that "Iraq had decided to fix the border with Kuwait" but also that "[a]fter we had reached agreement with Iran, I had talks with the Amir of Kuwait so that our Kuwaiti brothers might not think that after our agreement with Iran we shall devote our attention to facing them" (Schofield [ed.], 2009, 16, 308).

Yet with all the more complex regional territorial constellations that have derived from colonial boundary making, there is clearly a need for studies of international boundary disputes to not just accurately recall their treaty histories but to engage with the thinking and assumptions behind their creation and the way in which disputes were subsequently characterised as operating. In the case study reviewed, the relative positioning of state territory occasioned by boundary-drawing clearly was seen to exact a deterministic effect on the perceived operation and patterns of dispute. While postcolonial Iraqi governments may not have bought so fully into the language of Britain's old imaginary - the triangular basis of dispute that defined the problematic of access to Gulf waters, their actions often suggested they were playing to its logic.

With critical geography's much lauded recent advances in conceptualising boundaries as social processes, the wider discipline should not underestimate the enduring, if uneven, value of its some of its earlier coverage of international boundaries. Arguably, it was the borderland studies approach developed in the 1960s that prompted today's multidisciplinary engagement with borderlands. Recent efforts in geography to bring back the international boundary are referencing the better ideas and more prescient observations of the past. Geographers also have an important role to play in enriching our understanding of international boundary disputes.

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