The 1946 Treaty, Palestine, and the Preclusion of the Arab Legion's Planned Post-War Disbandment

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When the Second World War ended, Britain remained the predominant power in the Middle East. Given the end of France's mandate over Syria and Lebanon, Britain, which still held mandates in Palestine and Transjordan, was effectively the only external power with a formal political foothold in the region. The future of Britain's position in the Middle East was ominous, however. Its status as a world power was under threat from the two new global superpowers, the United States and the Soviet Union; its economy was struggling; and the Arab-Jewish conflict in Palestine had intensified. In many ways Britain's relationship with Transjordan was reassuringly reliable. Abdullah had remained loyal to Britain throughout the Second World War, and the Arab Legion had proved a useful asset: assisting in overturning the Iraqi coup in 1941; helping defeat the Vichy French in Syria; and guarding vital installations in Palestine, such as British military stores and the Iraq-Haifa oil pipeline, thus freeing up British forces for action in Europe.¹ As a consequence of its wartime role, the Arab Legion underwent a radical transformation from an internal security force to an ad hoc army. It 'expanded from a strength of about 1,450, costing £186,000 in 1940, to a strength of nearly 6,000, costing over £1,600,000' by 1945, at which point the military units of the Arab Legion consisted of a Mechanised Brigade of three regiments (each containing 732 men) and sixteen infantry companies (containing a total of 3,152 men; approximately 200 per company). The Mechanised Brigade and all but one of the infantry companies were stationed in Palestine; and even that was 'used as a reinforcement and

¹ Wilson, *King Abdullah*, pp. 133–4; Musa, *Cameos*, pp. 117–18.

training unit for the companies in Palestine'.² As the world returned to a peacetime footing, the British thus had a decision to make: should they consolidate the Arab Legion in its new form, or scale it back to its prewar state?

Hitherto this question has not seriously been examined. Yet answering it provides a crucial insight into British strategic thinking in the Middle East. Anyone searching for an answer to this question within the existing literature will find what amounts to a misplaced assumption. Ron Pundik posited that the post-Second World War importance of Transjordan was 'by virtue of its central geo-strategic position in the area, and *the strength* of its army'.³ This implies that Britain considered the Arab Legion a vital asset worth cultivating and tallies with Ilan Pappé's statement that: 'In order to prepare the Arab Legion for this task [a Third World War in which Palestine was considered a likely battleground], Britain had immediately after the Second World War strengthened this force by adding new and substantial numbers of British officers to its core.'4 As this chapter reveals, however, neither of these statements accurately describes Britain's post-1945 appreciation of the Arab Legion. In a slightly less inaccurate account, Vatikiotis contended that after the 1946 Anglo-Jordanian Treaty, 'the Legion entered an entirely new phase: this was the transition from a security force with limited military operational functions to a regular army, a fully-fledged military institution'. While this is not strictly incorrect, it is nonetheless misrepresentative, and is presumably the genesis of the subsequent misplaced assumptions. Vatikiotis implied that the 1946 Treaty was designed to formalise the Arab Legion as a military force. This was not the case, however. The problem with his argument, which was made prior to the release of the official British documents, is that, as he explicitly stated, 'most of the illustrative data [that he used] are drawn from the period of greatest expansion, 1948–1956'.5 Effectively, Vatikiotis applied evidence of the Arab Legion's consolidation in 1948, and subsequent expansion, to posit that the 1946 Treaty initiated this process. However, as this chapter illustrates, when the treaty was signed, and for the following eighteen months, Britain's intention was to disband the bulk of the Arab Legion - thus reverting it back to an internal security force.

- ³ Pundik, Struggle for Sovereignty, p. 43 [emphasis added].
- ⁴ Pappé, 'Alec Kirkbride', p. 126.

² Treasury to Sabben-Clare, 23 January 1945; 'The Military Units of the Arab Legion', Kirkbride, 4 June 1946, CO537/1499, TNA.

⁵ Vatikiotis, Politics and the Military, p. 74.

There were two reasons why the realisation of this intention was prevented. The primary factor, as the second half of this chapter details, was the deteriorating security situation in Palestine, where 80 per cent of the Arab Legion was stationed. In part, however, the 1946 Treaty also helped thwart this planned reduction. Not as a matter of policy, as Vatikiotis implied, but unintentionally. Thus, before exploring Britain's failed attempt to disband the bulk of the Arab Legion, this chapter begins by examining the manner in which the treaty was created. Analysis of the 1946 Treaty has hitherto been rather simplistic and cursory. It has traditionally been disregarded as a predominantly 'unexceptional treaty'. The emphasis has been placed primarily on the limited nature of independence it offered and the extensive strategic rights Britain maintained.⁶ As Uriel Dann has asserted, this was the principal reason why the United States did not officially recognise Transjordan as an independent state until 31 January 1949.7 Tancred Bradshaw, though, puts the US reaction down to Zionist pressure, rather than an altruistic objection to the superficial nature of independence.8 Nevertheless, one of the limitations of the existing literature concerning the nature of the 1946 Treaty is that it has focused on the outcome of the treaty with little or no analysis of the process of its construction. The purpose of the treaty and its details have been understood as part of a single, coherent policy. William Roger Louis explains: 'The Colonial Office, Foreign Office, and Chiefs of Staff intended the treaty with Jordan to confirm both a political and a military alliance.'9 In broad terms, this is entirely correct. However, this statement belies the extent to which the treaty was primarily drafted by the Colonial Office, with scant consultation with other Whitehall departments. The manner in which the treaty was drafted reveals important nuances that reveal much about the nature of Britain's empire, in general, and about the post-1945 foundation of the Anglo-Jordanian relationship and the future of the Arab Legion. In particular, it emphasises that British policy was severely debilitated by a lack of coordination between the various Whitehall departments. It compounds Michael Cohen's assessment that Britain did not possess 'a monolithic policymaking machine'.10

⁶ Wilson, King Abdullah, pp. 148-50; Louis, British Empire in the Middle East, pp. 354-8.

⁷ Dann, Studies in the History of Transjordan, pp. 93–113.

⁸ Bradshaw, Britain and Jordan, p. 111.

⁹ Louis, British Empire in the Middle East, p. 354.

¹⁰ Michael Cohen, *Palestine: Retreat from the Mandate: The Making of British Policy*, 1936–45 (London, 1978), p. 187.

At the outset it is important to emphasise the fractured nature of Britain's world system, not only as a whole, but also as a microcosm within the Middle East where administration was divided between the Colonial Office – which administered the mandated territories of Palestine and Transjordan – and the Foreign Office – which had responsibility for affairs relating to Egypt, Iraq, and Saudi Arabia. Until 1947, the India Office also had a significant interest in the region – notably in the Persian Gulf. After the 1946 Treaty granted independence, Transjordan came under the umbrella of the Foreign Office, but its function related to Palestine as this is where the bulk of the Arab Legion was employed. The Arab Legion, as Colonial Office Assistant Secretary Trafford Smith neatly summarised, was at the centre of a complex web of interests within Whitehall:

[It was] a question for the Colonial Office in respect of its political aspect in Palestine, for the Foreign Office in regard to its connection with Trans-Jordan, and for the War Office as regards the possibility of replacing the Arab Legion units by other troops. The Treasury are also concerned, as they are expected to provide the funds to pay for the cost of the Arab Legion.¹¹

During the Second World War, Glubb proposed the creation of 'a single service to cover the area from Cyrenaica to Persia, and Sudan to Syria'.¹² Glenday, within the Colonial Office, commented that: 'Quite apart from the probable general advantage of remedying the present system whereby much time is spent by two Depts - CO & FO - over the Palestinian problem, the ever increasing international reactions to the Jewish guestion there would appear to support strongly such an idea.'13 However, the creation of a 'Levant Civil Service' did not become a reality and the diversification of responsibility only served to exacerbate the difficulty of forming truly holistic policies that would suit all of the departments' competing interests. In November 1945, Britain's new foreign secretary, Ernest Bevin, opened the British Middle East Office (BMEO) in Cairo, and its main function was 'to develop and co-ordinate British economic and social policy in the Middle East'. During its formative years, it did acquire a political function, as a hub for information and advice on Middle East issues.¹⁴ However, it did not provide comprehensive unity for

¹¹ Trafford Smith to Baxter, 27 June 1946, CO537/1499, TNA.

¹² 'Note on Post-war Settlements in the Middle East', Glubb, 15 November 1942, CO732/ 88/9, TNA.

¹³ Minute by Glenday, 12 January 1943, ibid.

¹⁴ 'Functions and Organisation of the British Middle East Office', 5 May 1948, Pyman Papers, Liddell Hart Military Archives, King's College London.

Britain's Middle East policies and initiatives and it lacked the resources to become an effective institution.¹⁵ It did not remedy the dearth of cohesion that would ultimately have an impact on the process of drafting the 1946 Treaty with Transjordan.

The absence of a coordinated policy-making machine was a problem because the treaty negotiations with Transjordan were not conducted in isolation; they were part of a broader realignment of Britain's relationship with the Middle East, conducted not by choice, but by necessity. During the inter-war period Britain had initiated a policy of 'empire by treaty' in the Middle East.¹⁶ Bilateral treaties with Iraq in 1930 and Egypt in 1936 had granted these states nominal independence in return for unfettered access to military assets. These treaties were anathema to nationalists, who baulked at the extent of Britain's military presence and the freedom of movement the treaties afforded British forces via land, sea, and air.¹⁷ Egyptians were further incensed when, in 1942, the British ambassador used the threat of military force to demand that King Farouk dismiss his prime minister and replace him with the more pro-British Mustafa Nahas.¹⁸ When the Second World War ended, the Egyptians were determined to initiate the evacuation of British troops and the realisation of Egyptian sovereignty over Sudan.¹⁹ Thus, on 20 December 1945, Egypt formally requested a revision of the 1936 Treaty. Hitherto, Britain had delayed attempts to revise the treaty, but by the end of 1945, stalling was deemed by Oriental Minister Sir Walter Smart at the embassy in Egypt to be 'no longer in our interest politically. The effect of the stalling is that a free field is being left to every kind of extremist and vociferous, half-baked politician, and nationalist claims tend to become more and more unrestrained.'20 A similar situation had also emerged in Iraq. Although the ruling Hashemite regime was staunchly pro-British, nationalist sentiment – including the temporarily successful coup in 1941 – had shown that some adjustment to the Anglo-Iraqi relationship would be required. It was for this reason that in 1946 Britain agreed to discuss revisions to the Anglo-Iraqi Treaty even though it was not due to expire until 1957. Britain had no appetite for major changes to the existing

¹⁵ Monroe, Britain's Moment, pp. 160-1; David Devereux, The Formulation of British Defence Policy Towards the Middle East, 1948-56 (London, 1990), p. 5.

¹⁶ Fitzsimons, *Empire by Treaty*.

¹⁷ Louis, British Empire in the Middle East, pp. 229-30, 322.

¹⁸ Aburish, Nasser, p. 18.

¹⁹ Louis, British Empire in the Middle East, pp. 229–32; Aburish, Nasser, p. 21.

²⁰ Quoted in: Louis, British Empire in the Middle East, p. 231.

treaty arrangements in either Egypt or Iraq – not least because of how valuable Britain's military bases and privileges had proved during the Second World War.²¹ British Prime Minister Clement Attlee was sceptical about Britain's ability to remain a major power in the Middle East and questioned the value of its military presence, but more traditional views, led by Bevin, held sway.²² Bevin believed it was essential that Britain retained a network of bases and freedom of movement in case of war. Consequently, he hoped that Egypt and Iraq would accept cosmetic changes that reproduced the 'essential features' of the existing treaties.²³ As it turned out, attempts to revise these treaties broke down. But it was against this backdrop, and within this context, that treaty negotiations were opened with Transjordan.

The primary motivation behind Britain's decision to grant Jordanian independence was to reward Abdullah for his support for Britain during the Second World War and to consolidate the position of a proven staunch ally in the Middle East. As with Egypt and Iraq, the British had no particular appetite for altering the nature of the relationship with Transjordan. However, for a number of reasons it had become very difficult to refuse Abdullah's desire for Jordanian independence. During the Second World War, Abdullah had played his hand astutely. After war was declared in September 1939, Abdullah immediately confirmed his support for Britain and offered the unequivocal service of the Arab Legion. While both Abdullah and Glubb were somewhat disappointed that the Arab Legion did not see any action in Europe, the Arab Legion was unequivocally at Britain's disposal and did play its part in Palestine, Syria, and Iraq.²⁴ By committing himself to Britain from start to finish, Abdullah had proved himself utterly loyal and consequently enhanced his profile within British thinking. Throughout the war he pressed his case for reward, anxious to shake off the binds of the mandate and obtain full independence.²⁵ In July 1941, Abdullah explained to the British that: 'The Arabs, as other peoples, want their country for themselves and it was for that reason that they participated in the last war. They hoped for final success in

²¹ Fitzsimons, *Empire by Treaty*, p. 56.

²² Devereux, Formulation of British Defence Policy, p. 185; Cohen, Fighting World War Three, p. 81.

²³ Louis, British Empire in the Middle East, pp. 232-4.

²⁴ Wilson, King Abdullah, pp. 129–35; Salibi, Modern History of Jordan, pp. 148–51; Musa, Cameos, pp. 117–18; Abu Nowar, Struggle for Independence, pp. 16–19.

²⁵ Sulayman Musa, Jordan: Land and People (Amman, undated), p. 47; Abu Nowar, Struggle for Independence, pp. 62-3.

this war and again offered their aid."26 The Second World War itself provided Britain with an excuse to delay the realisation of independence and the British merely reassured Abdullah that they would consider the matter when the war was over.²⁷ When the conflict finally came to an end, Abdullah was ready and waiting to claim his prize. It was no doubt with that in mind that Abdullah eulogised about Britain in his memoirs - originally published in 1945. He praised the 'enormous sacrifices and hardships' that the British people endured during the Second World War and, addressing the Arab world, he asserted: 'be strong, loyal and alert and Britain will be with you and put her trust in you'.²⁸ Ideally he wanted British support for his ambition to rule over Greater Syria, encompassing Transjordan, Palestine, Syria, and Lebanon.²⁹ However, independence was an acceptable interim compromise – designed to consolidate British influence. Given Britain's support for Syrian and Lebanese independence from France in 1941 as a means of courting Arab support during the Second World War, the British were in no position to argue against Transjordan achieving equal status.³⁰ Thus, on 17 January 1946, Ernest Bevin announced Transjordan's proposed independence in a speech at the UN General Assembly. Two months later, on 22 March, Transjordan was granted independence via the signing of the 1946 Treaty of Alliance, and Transjordan's first ruler, Amir Abdullah, was subsequently inaugurated as the country's first king.

Although the notion of granting independence to Transjordan had been circulating for several years, it was only in mid-January 1946, just weeks before Abdullah was due to arrive to conduct negotiations, that the British government decided to start thinking about 'the agenda for discussions with the Amir and the sort of treaty we are going to conclude with him'.³¹ With Abdullah due to arrive on 22 February and the British resident in Transjordan, Alec Kirkbride, a couple of weeks earlier for preliminary consultation, the proposed treaty draft was barely in its infancy less than a month before the arrival of the Jordanian delegation. At this stage the very foundation of the treaty was still largely baseless

²⁶ Quoted in: Abu Nowar, Struggle for Independence, p. 74.

²⁷ J. V. W. Shaw to Oliver Stanley (Secretary of State for Colonies), 24 July 1945, FO371/ 45415/E6792, TNA; Abu Nowar, *Struggle for Independence*, p. 74.

²⁸ Abdullah, *Memoirs of King Abdullah*, pp. 240–2.

²⁹ Salibi, Modern History of Jordan, pp. 151–2; Abu Nowar, Struggle for Independence, pp. 20–3, 44, 52–80; Wilson, King Abdullah, p. 136; Joseph Nevo, King Abdallah and Palestine: A Territorial Ambition (Basingstoke, 1996), pp. 205–6.

³⁰ Louis, British Empire in the Middle East, p. 124.

³¹ Minute by Trafford Smith to Martin, 12 January 1946, CO537/1846, TNA.

other than that it should be 'on the general lines of the Treaty of Alliance with Iraq of 1930'.³² The reason for basing it on the Iraqi treaty had more to do with convenience than content. J. S. Bennett, the head of the International Relations Department at the Colonial Office, acknowledged: 'It may well be that the kind of Treaty relationship evolved in the Middle East between the two world wars is now passing out of date, with the revision of the Egyptian Treaty and the movement to the same effect in Iraq.'³³ Yet the Colonial Office recommended little more than adding a military annex to the core of the Iraqi treaty simply to account for the main difference between the two relationships of Britain continuing to subsidise the Arab Legion.³⁴ The 1946 Treaty was an anachronism knowingly set within a framework that was recognised as defunct. However, the convenience of precedent overruled the question of suitability.

Having failed to consider the details of the post-mandate alliance in good time, the treaty had to be drafted in haste, and this stifled interdepartmental coordination. Less than a month before negotiations with Abdullah were due to start it was still undecided as to 'whether the discussions with the Amir should be conducted by the Foreign Office and the Colonial Office jointly', or by some other combination. While acknowledging that the Treasury would have a huge interest, and that the subject should be 'discussed with the Middle East (Official) Committee', Trafford Smith also noted that there was clearly 'no time to be lost'. He therefore suggested that preliminary discussions take place between the Foreign and Colonial Offices only, thus sidelining potentially crucial input into the discussions from other relevant departments.³⁵ Urgency trumped the need for coordination. Even the Foreign Office, the department set to assume responsibility for Jordanian affairs after independence, had minimal input into the construction of the treaty. The first discussion relating to the drafting of the proposed treaty took place on 11 February, and the Colonial Office intended to submit the draft treaty and annexures to the Cabinet ten days later for approval prior to the Amir's arrival the following day.³⁶ Thus, when requesting the Foreign Office's input, the Colonial Office explained that it had become 'necessary to move very fast in preparing the first rough draft'. The Foreign Office was informed that in order to keep to this timetable, it would have to forward its views to the

³⁵ Ibid.

³² Trafford Smith to Baxter, 29 January 1946, CO537/1842, TNA.

³³ Minute by Bennett, 11 April 1946, CO537/1849, TNA.

³⁴ Trafford Smith to Baxter, 29 January 1946, CO537/1842, TNA.

³⁶ Trafford Smith to Parker, 13 February 1946, ibid.

Colonial Office by 15 February at the latest, 'in order that higher authority and the Secretary of State may have an opportunity of considering them before the Cabinet meeting'.³⁷ Consequently, the Foreign Office response was 'hurriedly compiled' and of limited value given that there had 'not as yet been sufficient time to formulate any definite "Foreign Office views" on the proposed treaty'.³⁸ Despite being the department about to inherit responsibility for Jordanian affairs, and despite its present predominant involvement in the negotiations to renew the treaties with Iraq and Egypt, the Foreign Office had barely any input in the drafting of the treaty that would set the tone for future relations with Transjordan.

The Chiefs of Staff were also given limited time to consider their 'preliminary reactions ... on the Treaty and Military Convention', prompting the Colonial Office to apologise for presenting them 'with a problem of this magnitude at such short notice'.³⁹ From a bilateral perspective the Chiefs of Staff appraised that the proposed treaty and military annex more than covered Britain's strategic requirements in war and peace, which allowed some room for movement in the negotiations with Abdullah.⁴⁰ The Chiefs of Staff Committee therefore approved the Joint Planning Report with just one main amendment: to make sure that land forces could be stationed in Transjordan during peacetime. It was pointed out that such a clause 'might be deemed by U.N.O. to be incompatible with our professed intention of granting independence to Trans-Jordan', but ultimately it was decided that 'this should not prevent us trying to obtain Treaty rights of this nature if we could get them'.⁴¹ And in article 1 of the annex to the final treaty this desire was acceded to.

The lack of time for input from the Foreign Office, the Treasury, and the Chiefs of Staff prevented the implementation of a truly coordinated or holistic regional policy, resulting in a lamentably bilateral agreement. The Chiefs of Staff felt that the treaty 'must be related to our overall needs in [the] Middle East as a whole'.⁴² They warned that having the treaty run for twenty-five years and the military convention run for only five years might encourage Egypt to press for a similar short-term military arrangement relating to the much more important Suez Canal base, during the

- ³⁸ Baxter to Trafford Smith, 15 February 1946, ibid.
- ³⁹ Martin to Major-General Jacob, 13 February 1946, ibid.
- ⁴⁰ Cabinet Offices to Commanders-in-Chief, 20 February 1946, CO537/1499, TNA.
- ⁴¹ 'Extract of Minutes from: C.O.S.(46) 28th Meeting', 21 February 1946, CO537/1843, TNA.
- ⁴² Cabinet Offices to Commanders-in-Chief, 20 February 1946, CO537/1499, TNA.

³⁷ Trafford Smith to Baxter, 13 February 1946, ibid.

Anglo–Egyptian Treaty renewal process.⁴³ The commanders-in-chief of the British Army's Middle East Land Forces (MELF) added that 'all treaties with Middle East states should be negotiated on the lines set out in telegram No.25 Saving'.⁴⁴ This Foreign Office telegram, which offered guidelines for the preliminary treaty negotiations with Egypt, stipulated that the question of Egypt's defence should be transformed 'from the level of a purely bilateral understanding ... to the level of a general partnership between the Middle East states and His Majesty's Government'.⁴⁵ Clearly the intention within the Foreign Office was to establish a consistent approach to Britain's future relationship with the Arab states. However, the Colonial Office was completely unaware of this telegram until it saw reference to it in another telegram on 6 March. Bennett lamented that it was 'a pity' that the Foreign Office had not shared this telegram earlier. He went on to exclaim:

The political side of our current re-adjustments in the Middle East – e.g. Trans-Jordan, Egypt, Libya ... needs close co-ordination: the F.O. don't seem to be 100% effective in providing it: ... In my view it is becoming an urgent matter to get some improvement made in the arrangements for handling these big Middle Eastern issues.⁴⁶

If British policy in the Middle East was to have a clear sense of direction, it was essential that the relevant departments communicated and coordinated. But this was not the case, and the 1946 Treaty was drawn up with both these bureaucratic fundamentals largely absent. The Colonial Office acted under the assumption of three basic tenets: 'that there should be an alliance between H.M.G. and Trans-Jordan, that H.M.G. must continue to give Trans-Jordan financial help, and that British strategic interests must be safeguarded'.⁴⁷ To that end the Colonial Office only really had to get a treaty agreed. This approach satisfied the ministerial requirements for the treaty. As was outlined in the Cabinet discussions, the military arrangement with Transjordan, like all the others throughout the region, was created as an 'insurance' against what was deemed the very possible failure of the newly formed United Nations.⁴⁸ The treaty was designed to give Britain as much freedom of action as possible, and article 2 of the

- ⁴⁶ Minute by Bennett, 11 March 1946, ibid.
- ⁴⁷ Minute by Reilly, 24 January 1946, CO537/1842, TNA.
- ⁴⁸ Cabinet Secretary's Notebook, 25 February 1946, CAB195/4/6, TNA.

⁴³ 'Extract of Minutes from: C.O.S.(46) 28th Meeting', 21 February 1946, CO537/1843, TNA.

⁴⁴ GHQ Middle East to Cabinet Offices, 6 March 1946, CO537/1844, TNA.

⁴⁵ FO to Cairo, 25 Saving, 25 January 1946, ibid.

military annex, which stipulated that Britain would be granted 'facilities at all times for the movement and training of the [British] armed forces ... and for the transport of the supplies of fuel, ordnance, ammunition, and other materials required by these forces, by air, road, railway, water-way and pipe-line and through the ports of Trans-Jordan', was deemed to be 'as wide as we can draw it'.⁴⁹ The finer details of the treaty were not considered crucial. The Colonial Office was primarily concerned with getting the treaty signed, and this precluded the time needed for proper consultation. The mere existence of a treaty and the veneer of independence were the primary objectives. The only caveat was that the treaty should not stifle Britain's strategic use of Transjordan in relation to its geopolitical significance. Just like in the process of treaty revision with Egypt and Iraq – the British were determined to maintain their existing military privileges.

Ultimately, the problem with trying to coordinate policy between several interested departments was that it was a time-consuming process, and in this instance getting the treaty signed quickly was deemed more important than dealing comprehensively with any potential problems. Acting High Commissioner for Palestine and Transjordan J. V. W. Shaw warned: 'To delay showing tangible signs of appreciation for the loyalty of Trans-Jordan would, I consider, involve the grave risk that this goodwill might be undermined by resentment and disappointment and the existing assets of friendship be dissipated in political argumentation.'50 This haste resulted in a number of details being left unresolved. In relation to the question of whether the treaty should contain a provision relating to civil aviation, the Colonial Office lamented that 'this is only one of a great many points which have had to be covered in extremely hurried preparation for the negotiations'.⁵¹ Moreover, Laurence Barton Grafftey-Smith, the British ambassador in Jedda, warned that independence for Transjordan would reignite disputes with Saudi Arabia regarding Transjordan's southern frontier. He cautioned: 'I fear that we will have a good deal of bad blood and friction if [the] British mandate in Trans-Jordan is terminated without some attempt at a simultaneous resolution of frontier disputes with Saudi Arabia.'52 Indeed, King Saud himself raised the issue with Britain after he was forewarned of Transjordan's

⁴⁹ Cabinet Secretary's Notebook, 18 March 1946, CAB195/4/13; 'Treaty of Alliance', 22 March 1946, CO537/1844, TNA.

⁵⁰ Shaw to Oliver Stanley, 24 July 1945, FO371/45415/E6792, TNA.

⁵¹ Minute by Martin to Bigg, 5 March 1946, CO537/1844, TNA.

⁵² Jedda to FO, 12, 5 January 1946, CO537/1842, TNA.

proposed independence.⁵³ However, despite this warning, and despite sharing Grafftey-Smith's foreboding, High Commissioner for Palestine and Transjordan Sir Alan Cunningham exclaimed:

I trust, however, that there will be no question of holding up negotiations of the Trans-Jordan Treaty or the date of its (?execution) [*sic*] pending attempt to promote settlement of the dispute. Such delay, whatever the final outcome, would exasperate the Amir Abdullah and imperil the existing fund of goodwill in Trans-Jordan towards Great Britain.

The strength of Abdullah's goodwill was seemingly given precedence over the risk of exacerbating inter-Arab tensions. Kirkbride agreed that it would be preferable to leave this dispute 'for eventual settlement through the machinery of the Arab League', even though it was expected to put a huge strain on this fledgling organisation, founded in March 1945. Ultimately it was deemed preferable to allow the problem to fester and leave it to someone else to clear up rather than run the risk that Britain 'be blamed for failure of attempt at settlement'.⁵⁴ The British government had a vested interest in the outcome of this matter. As Parliamentary Under-Secretary of State for the Colonies Arthur Creech Jones told the Cabinet: 'it was to our interest that the [Jordanian] port of Aqaba should not pass into the possession of Ibn Saud'.⁵⁵ Nonetheless, it was deemed preferable to ignore any complications in the expectation that the situation would work itself out after the treaty was agreed.

This somewhat slipshod approach to constructing the treaty relationship was quintessentially apparent in Britain's handling of the future of the Arab Legion. In the interest of economising, the Treasury had instigated a review of the post-war future of the Arab Legion in 1945. It had always been the intention to eventually disband the garrison companies, which had been formed merely as a 'wartime measure' to undertake guard duties in Palestine. Indeed, their 'creation as part of the Arab Legion was primarily a matter of administrative convenience'.⁵⁶ As the Second World War drew to a close, and 'in view of the changed military situation in the Middle East', the Treasury requested that the Colonial Office seek the opinion of the War Office as to whether the current levels were still necessary.⁵⁷ The financial implications of the Second World War

⁵³ 'Memorandum from King Ibn Saud', 18 January 1946, ibid.

⁵⁴ Cunningham to Hall (S. of S. for Colonies), 10 February 1946, ibid.

⁵⁵ 'Extract from CONCLUSIONS of a Meeting of the Cabinet held at 10 Downing Street, S.W.1., on Monday 25th February 1946', CO537/1843, TNA.

⁵⁶ Minute by Garran, 8 April 1947, FO371/62203/E2014, TNA.

⁵⁷ James to Sabben-Clare, 23 January 1945, CO537/1499, TNA.

set forth a candid demand for clarity over the role of the Arab Legion as a means of identifying its true value. In 1945/6, the total cost of the military units of the Arab Legion was £1,743,202. If the infantry companies were disbanded, as planned, that would reduce the cost of the Legion to approximately £1.1 million – a reduction of about 30 per cent.⁵⁸ After consulting the Middle East Command, the War Office replied: 'we are satisfied that the present strength of the Arab Legion is justified by military considerations'.⁵⁹ The War Office response that it was too early to start reducing the Arab Legion was hit by a sharp rebuff from the Treasury. It wished to know

whether the Arab Legion has or has not an Imperial role as a military force. If it has not, then we feel it should be reduced to the level required for local purposes only ... [with] its cost remaining on the Trans-Jordan estimates. If, as would seem to be the case, it is on the other hand a force with actual or potential Imperial duties, then surely the Army Votes [i.e. budget] should bear at least a part of its cost.

The Treasury felt it wrong that a civilian department – presently the Colonial Office – should bear the cost of a military force whose size and expense was set by the War Office.⁶⁰ As the intermediary in the review of the Arab Legion's future, the Colonial Office was non-committal. Having forwarded the War Office's reply to the Treasury with the comment that 'we agree generally' with those views,⁶¹ Major F. H. Anderson of the Colonial Office felt that the Treasury's counter-argument was 'very well reasoned'.⁶² In his opinion, there was 'considerable force in the Treasury argument and now that the war is over the whole matter should certainly be reviewed'.⁶³

A further complication was that the Arab Legion was considered a vital quid pro quo in the relationship with Abdullah. The outgoing High Commissioner for Palestine and Transjordan, Lord Gort, argued against any reduction of the Arab Legion on the basis that Abdullah considered the Arab Legion's Mechanised Brigade a symbol of Transjordan's 'progress and prestige'. As such, he believed 'the political effect of any reduction in this Brigade at the present time would be out of all proportion

⁵⁸ 'Total Cost of Military Units of Arab Legion 1945/46', Kirkbride, undated, CO537/ 1842, TNA.

⁵⁹ D. E. Howell to J. D. Chalmers, 27 May 1945, CO537/1499, TNA.

⁶⁰ L. Petch to T. A. G. Charlton, 14 August 1945, ibid.

⁶¹ Sabben Clare to James, 16 June 1945, ibid.

⁶² Minute by Anderson, 20 August 1945, ibid.

⁶³ Minute by Anderson, 29 August 1945, ibid.

to any economy effected'.⁶⁴ Gort added: 'in view of their war record any unilateral reduction of the Arab Legion would be regarded by the Emir and his people, in the nature of an ungrateful and unwarranted affront'.65 Abdullah, after all, considered the Arab Legion 'the apple of its ruler's eve'.⁶⁶ Gort, therefore, objected to reduction primarily on grounds of loyalty and political impact. How could Britain on one hand seek to maintain Abdullah's solidarity by rewarding him with independence, but at the same time massively reduce the Arab Legion – a symbol of Abdullah's power and prestige? However, the Treasury believed it would 'be difficult to justify its continued maintenance on anything like the expanded scale to which it rose during the war'.⁶⁷ This dilemma provided an unwanted complication to the process of agreeing to a swift treaty. Thus, when the process of drafting the treaty began, the Colonial Office opted to separate the two issues. Bennett suggested that talks regarding the future of the Arab Legion be conducted independently of the strategic aspects of the treaty because, in his view:

if we try to deal with the Treaty question as a 'by-product' of the Arab Legion discussions, the matter will get into the wrong perspective and may take a long time to reach finality. By asking for a new full-scale strategic appreciation on the basis of a new Treaty, we should, on the contrary, be able to mop up the Arab Legion question much more easily. The future size and role of the Arab Legion will automatically fall into place once we have worked out our own future strate-gic requirements in an independent Trans-Jordan, our military relations with the Trans-Jordan Government, and the amount of any subvention that may be paid to Trans-Jordan after it has become independent.⁶⁸

The treaty did not therefore take into account the future of the Arab Legion, contrary to Tancred Bradshaw's claim that: 'The future of the Arab Legion was a key feature of the treaty negotiations.'⁶⁹ Despite being under review for almost a year, this complication was put off until after the treaty was signed.

Meanwhile, as the treaty was being finalised, a British consensus that the Arab Legion should be significantly reduced was emerging. The Chiefs of Staff believed that the Arab Legion should revert to its pre-war status as an internal security force. The future role of the Legion as set out by

⁶⁹ Bradshaw, Britain and Jordan, p. 109.

⁶⁴ Lord Gort to Oliver Stanley, 23 May 1945, ibid.

⁶⁵ Minute by Anderson, 2 June 1945, ibid.

⁶⁶ Abdullah, Al-Takmilah, p. 74.

⁶⁷ Creech Jones to Cunningham, 30 January 1946, FO371/52605/E2099, TNA.

⁶⁸ Bennett to Reilly, 23 January 1946, CO537/1842, TNA.

the Chiefs of Staff Committee was threefold: '(a) To maintain law and order in Transjordan and to safeguard the pipeline; (b) to deter neighbouring States from attacking Transjordan; (c) to prevent smuggling into Palestine.'70 The Chiefs of Staff wanted the Arab Legion to be responsible only for maintaining security within the borders of Transjordan. This tallied with the political authorities responsible for the security of Palestine, who now wanted the 80 per cent of the Arab Legion stationed there withdrawn. While recognising the vital internal security role that the Arab Legion was performing inside Palestine, the new High Commissioner, Sir Alan Cunningham, was concerned about the political implications of employing a 'foreign force'. This, he felt, 'will inevitably give rise to a series of embarrassing questions'. In particular, if the Arab Legion became involved in incidents with 'the Jews' it would likely 'arouse considerable adverse comment in both the United Kingdom and America'. Consequently, Cunningham pleaded: 'For both constitutional and political reasons, therefore, I must urge that the War Office be asked to consider the replacement of the units of the Arab Legion now employed in Palestine by other troops.'71 The Foreign Office agreed because: 'The continued presence in Palestine of the troops of a Foreign Power is obviously highly anomalous and is likely to get us into all sorts of difficulties.'72 The Treasury, unsurprisingly, also 'entirely' endorsed these recommendations.⁷³ The War Office effectively agreed too. It wished to keep the fifteen garrison companies presently in Palestine to meet its 'imperial commitment for Garrison Companies in the Middle East'. However, as these were to be used outside Transjordan, the War Office now felt 'they should form part of the Transjordan Frontier Force rather than the Arab Legion'.74 The TJFF and the Arab Legion were two quite different entities. As Harold Beeley of the Foreign Office succinctly explained: 'The TJFF, despite its name, is a Palestinian force, but the Arab Legion is in fact the national army of the independent State of Transjordan.'75 Although a British national was in command of the Arab Legion, Glubb was contracted to the Jordanian government and had no official connection to the British government except for an administrative link to the Colonial

⁷⁰ 'Memorandum Drawn Up by Mr Kirkbride Explaining the Operation of Certain Claims in the Military Annex to the Draft Treaty with Trans-Jordan', 13 March 1946, CO537/ 1499, TNA.

⁷¹ Cunningham to Hall, 8 June 1946, ibid.

⁷² Thomas Wikeley to Trafford Smith, 8 July 1946, ibid.

⁷³ Trafford Smith to Baxter, 27 June 1946, ibid.

⁷⁴ Thelwall to Chalmers, 7 May 1946, ibid.

⁷⁵ Minute by Beeley, 22 March 1947, FO371/62203/E2014, TNA.

Service for pension purposes. Meanwhile, the TJFF was a 'Colonial Force', funded by the War Office, for which the Palestine government was responsible.⁷⁶ It was not even made up primarily of Jordanians. When the TJFF was disbanded in February 1948, the nationality breakdown, excluding its British officers, was: 1,463 Palestinians; 749 Jordanians; 130 Syrians; 113 Egyptians and Sudanese; twenty-four Lebanese; and four other nationalities.77 Politically and constitutionally it was deemed appropriate for the TIFF to take over the Arab Legion's responsibilities in Palestine. It was believed that the TJFF would be 'less vulnerable to hostile Jewish criticism' and that it would be easier to defend its presence in Palestine.⁷⁸ Moreover, because of its greater number of British officers, the War Office considered the TJFF both more efficient and more reliable than the Arab Legion.⁷⁹ Thus, the War Office proposed an expansion of the TJFF to meet Britain's military requirements in the Middle East, and was preparing to reduce the Arab Legion into a small force dedicated solely to maintaining internal security within Transjordan.

One obstacle to this large-scale reduction of the Arab Legion, however, was the hastily considered 1946 Treaty. By separating the review of the Arab Legion from the details of the treaty, the Colonial Office had inadvertently put in place a mechanism that obstructed Britain's ability to disband the Arab Legion unilaterally. When designing the quid pro quo on which Britain's treaty rights would be based, the Colonial Office worked along the premise of giving 'assistance to the Amir in the maintenance of his armed forces, in return for his agreeing to meeting H.M.G.'s strategic requirements in Trans-Jordan'.⁸⁰ As Peter Garran of the Colonial Office observed, this meant that despite the original remit of the garrison companies and the intention to disband them, 'we probably could not maintain the view ... that the garrison companies should not be regarded as constituting military units of the Transjordan Forces within the meaning of the Treaty and its annex'.81 The treaty inadvertently consolidated the garrison companies, which had originally been attached to the Arab Legion merely as a matter of administrative convenience, as a formal part of the military forces of Transjordan. Moreover, article 8 of the military annex to the treaty stipulated that: 'The strength of such units [the Arab

⁷⁶ Russell Edmunds to P. Garron [sic], 5 March 1947, ibid.

⁷⁷ Gurney to Fletcher-Cooke, 3 February 1948, CO537/3577, TNA.

⁷⁸ Cunningham to Oliver Stanley, 6 November 1946, CO537/1499, TNA.

⁷⁹ 'Comments on Reorg of Arab Legion', undated, WO191/82, TNA.

⁸⁰ Minute by Trafford Smith, 29 January 1946, CO537/1842, TNA.

⁸¹ Minute by Garran, 8 April 1947, FO371/62203/E2014, TNA.

Legion] will be agreed upon annually by the High Contracting Parties.^{'82} When Britain suggested reduction of the Arab Legion, Glubb was quick to point out that, according to this article: 'Any decision would therefore have to be a subject for negotiation on a diplomatic level.'⁸³ Under the terms of the new treaty any reduction in the Arab Legion would require the Jordanian government's approval. The Foreign Office acknowledged that this point had seemingly been 'overlooked'.⁸⁴ In an example of apparent complacency the British had seemingly failed to consider the full ramifications of the treaty.

There is also scope to suggest that there was some degree of manipulation from the men on the spot, because Kirkbride had not overlooked the fact that the military annex allowed for annual discussions to fix the strength of the Arab Legion. During the treaty negotiations, he reasoned that the Arab Legion's strength would effectively be dictated by Britain, although he noted that it would be 'desirable to avoid any appearance of dictation by His Majesty's Government'.⁸⁵ Kirkbride therefore approved the wording of the treaty so as to avoid any explicit statement of British control, while noting that in actual fact Britain would be able to dictate the size of the Arab Legion. However, less than two months later, Kirkbride – like Glubb – used the ambiguous wording to preclude reduction of the Arab Legion to two mechanised regiments, as proposed. He warned that it was likely to be strongly resisted by King Abdullah and the Jordanian government.⁸⁶ Owing to Britain's lack of coordination and Kirkbride's intervention Abdullah had managed to cling onto the army that had nominally been created in his country's name during the Second World War. Glubb, Kirkbride, and Abdullah were each against reduction of the Arab Legion, and the wording of the treaty gave them a lever to use. It meant the Foreign Office had in the back of its mind that 'we are not in a position to disband, or otherwise modify the strength of the Arab Legion except by agreement with the Trans-Jordan Government, in accordance with Article 8 of the Annex to the Treaty'.⁸⁷ This therefore made a mockery of the Colonial Office's belief that the future of the Arab Legion could be mopped up more easily after independence.

- ⁸² 'Treaty of Alliance', 22 March 1946, CO537/1844, TNA.
- ⁸³ 'Account of a Meeting on 18/7/46 in Jerusalem Headquarters', Glubb, 18 July 1946, FO371/52930/E7781, TNA.
- ⁸⁴ Henderson (for Baxter) to Winnifrith, 24 June 1946, CO537/1499, TNA.
- ⁸⁵ 'Memorandum Drawn Up by Mr Kirkbride Explaining the Operation of Certain Claims in the Military Annex to the Draft Treaty with Trans-Jordan', 13 March 1946, ibid.
- ⁸⁶ 'The Military Units of the Arab Legion', Kirkbride, 4 June 1946, ibid.
- ⁸⁷ R. G. Howe to C. S. Sugden, 15 October 1946, ibid.

This oversight created an obstacle to Britain's ability to reduce the strength of the Arab Legion unilaterally, but it was not the determinant factor. The future of the Arab Legion was ultimately decided by the unstable security situation in Palestine, where the British authorities were dealing with a high level of Zionist terrorist activity, including high-profile incidents such as the bombing of the British military headquarters at the King David Hotel on 22 July 1946. Although the Arab Legion was controversial politically, militarily strong practical arguments existed for maintaining the status quo. General Officer Commanding in Palestine and Transjordan Lieutenant-General Barker warned: 'The precarious situation in Syria and the fact that Palestine is facing the gravest crisis in its history makes any suggestion of reduction dangerous to contemplate.' He concluded:

I cannot stress too strongly that this is a most inopportune moment to introduce changes and disturb a going concern. I therefore strongly recommend that [the] situation should remain as at present until next spring when we should have a clearer idea of the future.⁸⁸

If the Arab Legion was withdrawn without replacement, it was expected to result in 'a large increase' in thefts of arms and explosives, 'both of which are already inadequately guarded'.⁸⁹ Even if Britain could unilaterally disband the Arab Legion, it was presently performing a vital function, and while the plan was to replace the Arab Legion with the TJFF, this could not be done overnight. The War Office proposed that the Arab Legion garrison companies should simply be transferred wholesale to the TJFF.90 However, this was deemed 'out of the question' because of the 'political implications'. As one Colonial Office official explained: 'The Arab allegiance [within the Arab Legion] is to the Amir and their personal loyalty is also very strong to Brigadier Glubb.' This meant that compulsory transfer was ill-advised, and large-scale voluntary enlistment in a British unit such as the TJFF, by those disbanded from the Arab Legion, was deemed highly unlikely.⁹¹ Kirkbride added that simply transferring the fifteen garrison companies currently in Palestine from the Arab Legion to the TJFF would also be false economy, noting that the running costs of the TJFF was even more expensive than the Arab Legion, owing to its 'much larger cadre of British officers than is the case of the

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⁸⁸ Evelyn Barker to Mideast, 20 July 1946, FO371/52930/E8187, TNA.

⁸⁹ C-in-C MELF to WO, 7 August 1946, CO537/1499, TNA.

⁹⁰ WO to C-in-C Middle East, 23 March 1946, ibid.

⁹¹ Chalmers to Thelwall, 31 May 1946, ibid.

Arab Legion'.⁹² However, this was not a meaningful factor. Regardless of the economic aspect, the plan was for the TJFF to take over the role being performed by the Arab Legion garrison companies. The main problem was how best to handle the handover, given the 'imminent crisis' presently facing Palestine.⁹³

It was decided that the replacement could only be safely arranged via a gradual handover process. The War Office requested that the Mechanised Brigade of the Arab Legion remain in Palestine with the position scheduled to be reviewed in early 1947. Meanwhile, it was all set to begin the gradual transition of disbanding the Arab Legion garrison companies and replacing them with equivalent units of the TJFF immediately.⁹⁴ This would raise the strength of the TJFF from 2,500 to 7,500 men.⁹⁵ It was expected to take about one year to recruit and train fourteen new TJFF companies. As long as there were no objections to the recruitment of Jordanian subjects, particularly those from the disbanding Arab Legion companies, the War Office proposed to instruct MELF 'to begin recruiting and training fourteen Trans-Jordan Frontier Force Companies as soon as possible'.⁹⁶ Thus, at the end of 1946 the Arab Legion was all set to undertake a yearlong disbandment that would result in its losing the bulk of its manpower.

However, the Palestine situation continued to preclude the planned reduction of the Arab Legion. Having failed to find a political solution to the Palestine problem, in February 1947 Britain handed the dilemma of finding a solution to the Arab–Jewish conundrum in Palestine to the United Nations. The uncertainty this created led the Treasury, in agreement with the Colonial Office, to suggest that, as long as the Foreign Office did not think it would affect the Palestine case in the United Nations, it would be advisable to delay the formation of new TJFF units and continue using the Arab Legion garrison companies until the situation was clearer.⁹⁷ The Foreign Office agreed with this course.⁹⁸ From a 'practical point of view', it was deemed preferable to maintain the status quo 'until the present crisis in Palestine is over'. This meant maintaining

⁹² 'Memorandum Drawn Up by Mr Kirkbride Explaining the Operation of Certain Claims in the Military Annex to the Draft Treaty with Trans-Jordan', 13 March 1946, ibid.

⁹³ 'Account of a Meeting on 18/7/46 in Jerusalem Headquarters', Glubb, 18 July 1946, FO371/52930/E7781, TNA.

⁹⁴ Sugden to Bernard Reilly, 3 October 1946, CO537/1499, TNA.

⁹⁵ Russell Edmunds to P. Garron [sic], 5 March 1947, FO371/62203/E2014, TNA.

⁹⁶ Fitzgeorge-Balfour to Chalmers, 27 September 1946, CO537/1499, TNA.

⁹⁷ Russell Edmunds to Garron [sic], 5 March 1947, FO371/62203/E2014, TNA.

⁹⁸ Garran to Russell Edmunds, 21 April 1947, ibid.

the 'anomalous situation' of using the national army of an independent state rather than the misleadingly named Palestinian force.⁹⁹ This did not end the intention to replace the Arab Legion with the TJFF. Indeed, the British ploughed ahead with plans to rename the Transjordan Frontier Force so that it more accurately reflected its status. Abdullah had initially requested that the word 'Transjordan' be removed from its title because it created political difficulties with his Arab neighbours, who struggled to distinguish between the two forces. Britain agreed that a name change was desirable, and the first alternative recommended was the 'Palestine Legion'. The new name eventually decided on was the 'Palestine Frontier Force'.100 However, just like the expansion of the TJFF, the announcement of this name change was put on hold while the fate of Palestine was considered, lest the reason for the alteration be misrepresented. However, after the United Nations agreed to partition Palestine in November 1947 it was decided to disband the TJFF, and the name change became redundant.¹⁰¹ With the British mandate in Palestine set to end, the TJFF, which was a colonial force of the Palestine government, no longer had a purpose, and on 8 February 1948 this force was formally disbanded and the Arab Legion avoided reduction.

For two years after the Second World War ended, the Arab Legion was maintained merely on an ad hoc basis until conditions in Palestine allowed for its reduction. The Arab Legion maintained its Second World War strength after 1945 not by British design, but as a result, partly, of an uncoordinated and hastily designed treaty, yet mainly by force of circumstance. When the treaty was signed, and for the following eighteen months, the British government planned to disband 80 per cent of the Arab Legion. It was all set to revert to a mere internal security force. The British had little interest in the Arab Legion as an asset beyond its ability to maintain internal security within Transjordan and its value as a guid pro quo for securing dominant access to an important geostrategic area. The treaty gave Glubb, Kirkbride, and Abdullah a lever with which to hinder this plan, but ultimately the Arab Legion avoided reduction because it was required to meet demands inside Palestine. Within the existing literature it is a well-worn tale that the 1946 Treaty of Alliance granted only nominal independence to Transjordan and that Britain maintained significant military privileges. This chapter does not deny this. However, it

⁹⁹ Minute by Beeley, 22 March 1947, ibid.

¹⁰⁰ CO to Garran, 14 October 1947, FO371/62203/E9694; WO to C-in-C MELF, 5 May 1947, FO371/62203/E1321, TNA.

¹⁰¹ WO to C-in-C MELF, 3 December 1947, WO32/15562, TNA.

does contend that acceptance of this truism has obscured other important nuances. Yes, Britain maintained significant privileges, but the treaty was not part of any grand strategy. Its construction was not well coordinated within Whitehall and it declined to consider any finer details. The British gave almost no consideration to the treaty's implications. They merely sought to retain the geostrategic advantages that Transjordan offered, within a new framework that would satisfy Abdullah and the wider international community. Transjordan was therefore also a key beneficiary of the treaty, as it helped consolidate its military prowess in the form of the Arab Legion. This, in turn, would help make Abdullah and Transjordan an important political and military player when the future of Palestine was decided in 1948.