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The League of Nations and the post-Ottoman recolonization of the Nile Valley: The imperial Matryoshka of Anglo-Egyptian Sudan, 1922–1924

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Abstract

This article addresses the Anglo-Egyptian dispute over Sudan following the Ottoman defeat in World War One and Cairo's nominal independence in 1922. Drawing from Foreign Office documents, League of Nations archives, Egyptian parliamentary records and contemporary academic jurisprudence, it traces the failed Egyptian attempt to activate the settlement mechanisms of the Covenant after the assassination of the British governor of Sudan. In parallel, the article investigates the British preparations to face international arbitration, including the hypothetical request for a League mandate over Sudan. Through Cairo's and London's perceptions, we can grasp the global reach of the Geneva organization beyond its limited membership and agency. Although the League undertook no measures, the possibility of its intervention triggered competing legal arguments, as well as rival discourses of Egyptian and Sudanese self-determination. Thus, this essay sheds light on a recolonization process pre-dating World War Two. The clash of British and Egyptian imperial projects in the Nile Valley warns historians against forcing a teleology of the end of empire on the interwar roots of decolonization.

Keywords: Anglo-Egyptian Sudan; League of Nations; Self-Determination; Subaltern Imperialism; International Law

Introduction

On 19 November 1924, multiple revolver shots fired by a group of Egyptian students hit the car of Sir Lee Stack on his way home from the War Office in Cairo. He died the day after. The victim's rank amplified the public resonance of the crime, as Major-General Stack was both the *Sirdar* [chief-commander] of the Egyptian army (still under British control, despite the proclamation of Egyptian 'independence' in 1922) and the governor-general of Sudan, a nominally Ottoman region until World War One which London and Cairo had administered in an unequal partnership since 1899. Besides asking Egyptian authorities for exemplary justice and various sorts of reparation, the British Foreign Office (FO) demanded the immediate evacuation of all Egyptian forces from Sudan and a comprehensive revision of the 'condominium', minimizing the Egyptian share. Police investigations attributed the murder to the nationalist circle of the brothers Abdel Fattah and Abdel Hamid Enayat. The latter was sentenced to death and executed on 23 August 1925 alongside six of his fellows. Even so, since the government of Sa'd Zaghlul

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resisted the Sudan clauses of the British ultimatum, London enacted countermeasures, including the expulsion of Egyptian troops from Sudanese territory and the seizure of customs in Alexandria.¹ The Stack affair threatened the precarious geopolitical balance of the Nile Valley. It exacerbated tensions between Sudan's occupiers, already turbulent after the Egyptian Revolution of 1919 and the troubled path to Egyptian independence that followed. It also set the background for Sudanese nationalist turmoil with the White Flag movement and the *Thawra* [Revolution] of 1924.

The triangular interplay of British imperialism, Sudanese nationalism and Egyptian nationalism-cum-imperialism constitutes the interpretive paradigm of most existing literature on the condominium.² Nonetheless, recent scholarship has uncovered the symbiotic exchange between the Sudanese upheaval of 1924 and transnational patterns of anti-colonial mobilization.³ Global historians have become increasingly aware of the necessity to articulate multiple scales of analysis.⁴ In their call for a 'transimperial turn' in historiography, Daniel Hedinger and Nadin Heé have advocated for the study of connectivity, cooperation and competition among (and across) empires, including minor ones, to challenge conventional compartmentalizations of space and time, such as the West/Global South or the age of empire/decolonization divides.⁵ The relationship between the League of Nations (LoN) and empire has been a fruitful subject for practitioners in different fields of historical inquiry venturing into experimental spatialities and temporalities. Stephen Legg has conceptualized the political geography of the interwar world in terms of 'scalar sovereignty', examining British India as an example of how the 'imperial' and the 'international' scales (i.e. the colonial government and the LoN) clashed with each other over their respective domains.⁶ Likewise, we know from the recent literature on the mandates system, to which I will return below, that colonized or semi-colonized peripheries are no less important than Geneva as League 'sites'. Drawing methodological inspiration from these strands of scholarship, the present article integrates the regional and intra-imperial contexts with the global one by framing the Anglo-Egyptian controversy within an alternative triangle connecting international institutions, international law and the interwar politics of imperial legitimation and contestation.⁷ I approach the Nile Valley as a transimperial space, providing the setting for a decentred account of international organizations, and a longer history of decolonization featuring rival imperial projects and competing self-determination discourses.

I advance a twofold argument. Firstly, the Anglo-Egyptian dispute permits us to grasp the global significance of the League, transcending its limited membership and European-biased

¹Jayne Gifford, 'Extracting the Best Deal for Britain: The Assassination of Sir Lee Stack in November 1924 and the Revision of Britain's Nile Valley Policy', *Canadian Journal of History* 48, no.1 (2013): 87–114.

²Hasan Abdin, *Early Sudanese Nationalism, 1919–1925* (Khartoum: Institute of African and Asian Studies, 1985); Heather J. Sharkey, *Living with Colonialism: Nationalism and Culture in the Anglo-Egyptian Sudan* (Berkeley and London: University of California Press, 2003); Eve Troutt Powell, *A Different Shade of Colonialism: Egypt, Great Britain and the Mastery of the Sudan* (Berkeley: University of California Press, 2003); M. W. Daly, *Empire on the Nile: Anglo-Egyptian Sudan, 1898–1934* (Cambridge and New York: Cambridge University Press, 2004), especially 266–312; James Whidden, *Egypt: British Colony, Imperial Capital* (Manchester: Manchester University Press, 2017).

³Elena Vezzadini, 'Transnationalism from Below after the First World War: The Case of the 1924 Revolution in Anglo-Egyptian Sudan', in *The First World War from Tripoli to Addis Ababa (1911–1924)*, eds. S. Bekele et al. (Addis Ababa: Centre français des études éthiopiennes, 2018), <https://books.openedition.org/cfee/1149>, retrieved on 6 September 2021).

⁴Sebastian Conrad, *What is Global History?* (Princeton: Princeton University Press, 2014), 135–40; Richard Drayton and David Motadel, 'Discussion: The Futures of Global History', *Journal of Global History* 13, no. 1 (2018): 1–21.

⁵Daniel Hedinger and Nadin Heé, 'Transimperial History: Connectivity, Cooperation and Competition', *Journal of Modern European History* 16, no. 4 (2018): 429–52.

⁶Stephen Legg, 'Of Scales, Networks and Assemblages: The League of Nations Apparatus and the Scalar Sovereignty of the Government of India', *Transactions of the Institute of British Geographers* 34, no. 2 (2009): 234–53, and 'Imperial Internationalism: The Round Table Conference and the Making of India in London, 1930–1932', *Humanity* 11, no. 1 (2020), 32–53.

⁷A similar analytical perspective can be found in Clifford Rosenberg, 'The International Politics of Vaccine Testing in Interwar Algiers', *American Historical Review* 117, no. 3 (2012): 671–97.

agency, as it emerged in the perceptions of contemporaries. The Egyptian parliament appealed to the League for mediation, while the Foreign Office contemplated the establishment of a LoN mandate in Sudan as a plausible result of international arbitration. Thus, legal experts and public officials in Britain and Egypt pondered the extent to which the Covenant of the LoN affected the imperial systems it overlaid. Yet, even when an international legalist outlook informed the Egyptian petitions, it was in no way a synonym for post-imperial sensitivity. It was not by its anti-imperialist credentials that the League raised the expectations of Egyptian nationalists, but rather with its alleged power to disarticulate and redistribute sovereignty out of pre-existing empires, which leads to my second point.

The Zaghlul government opposed British imperialism by pursuing its own. Whether fearing or desiring international arbitration, both the Egyptians and the British planned to use the settlement mechanisms of the League to exclude each other from the condominium. Historians of decolonization are familiar with informal empires replacing formal ones. Yet, while the existing scholarship on the ‘imperialism of decolonization’ is essentially concerned with the enduring imperial agendas of the old colonial masters, my article shows that former colonial dependencies could also be driven by their own expansionist ambitions.⁸ Although the League undertook no measures, the clash of Cairo’s and London’s imperial projects fueled alternative conceptualizations of the political and economic emancipation of the peoples inhabiting the Nile Valley, including the Sudanese. Hence, the pages which follow cast light on a Nilotic decolonization/recolonization process pre-dating the demise of the British empire and transcending the conceptual dichotomy between national self-determination and imperial rule.

This article consists of two short background sections followed by two longer and substantive ones. The first part situates my essay within existing scholarship. The second frames the Anglo-Egyptian dispute within a brief legal history of the Sudanese condominium. Drawing on Egyptian parliamentary records⁹ and the public diplomacy of the Zaghlul government, the third part analyses Cairo’s annexationist demands from 1922 while also tracing concomitant British preparations to face international arbitration throughout the FO’s internal correspondence.¹⁰ The fourth section focuses on the escalation of the Sudanese controversy after the Stack assassination, with the vain attempt by the Egyptian parliament to involve the League of Nations through the settlement procedures of the Covenant.¹¹ At the core of both the Egyptian initiative and the planned British response were alternative assessments of the League’s juridical capacity and political will to mediate intra-imperial relations, which, in turn, called into question Egypt’s (and, to a lesser extent, Sudan’s) legal standing in the international community. Therefore, the final section surveys the views of two contemporary academic lawyers who addressed these questions in their Francophone scholarship: the Belgian Charles de Visscher and the Egyptian ‘Abd al-Razzaq Ahmad al-Sanhuri.

Overall, in both petitions and academic jurisprudence, the Egyptian politicians and scholars covered in this article display a weaker command of international legal argument than their European counterparts do. This may be due not only to my own difficulties in locating comparable archival and printed sources from the Egyptian and the British sides but also to an objective disparity in the legal expertise available to them. We know from Will Hanley’s scholarship that private international law questions played integral part in the work of Egyptian professional and

⁸W. M. Roger Louis and Donald Robinson, ‘The Imperialism of Decolonization’, *Journal of Imperial and Commonwealth History* 22, no. 3 (1994): 462–511.

⁹*Madābit Majlis al-Nuwwāb and al-Shuyūkh* [Parliamentary Records in Monarchical Egypt], 1924–1952 at the Institute of Oriental Culture of the University of Tokyo, transcripts of the Chamber of Deputies (from now on, PRME/Dep), [http://ricasdb2.ioc.u-tokyo.ac.jp/egypt/doc/etc/Main%20Files/3.%20Daily%20Sessions%20\(database\)/TheChamberOfDeputies.html](http://ricasdb2.ioc.u-tokyo.ac.jp/egypt/doc/etc/Main%20Files/3.%20Daily%20Sessions%20(database)/TheChamberOfDeputies.html), retrieved on 6 September 2021.

¹⁰The National Archives of the United Kingdom, Records Created or Inherited by the Foreign Office, Political Departments: General Correspondence from 1906–1966 (FO 371). (Hereafter, TNA, FO 371).

¹¹Archives of the League of Nations, Geneva, Fonds du Secrétariat, Section politique. (From now on, LNA, Secrétariat).

academic lawyers between the 1870s and the 1920s, but public international law remained mostly alien to them.¹² Moreover, as we will see in the following pages, the recurring preference for broad political and historical arguments over legal reasoning was also a reaction of the Egyptian petitioners to the Eurocentrism of international law and was, therefore, itself a strategy of subaltern resistance. Their investment in the League was predicated on two contradictory assumptions, for they alternatively (sometimes simultaneously) approached the Covenant as the blueprint of a legal-institutional engine redressing geopolitical imbalances between great and small powers, or a compendium of political and ethical principles to be invoked above legal technicalities.

The global League of Nations, the interwar roots of decolonization and legal histories of empire

My work engages two related historiographical debates: the inquiry into the role of the League of Nations in the interwar roots of decolonization, and explorations of what Martti Koskenniemi calls the ‘imperial ambivalence’ of international law, emanating from Western power and nonetheless restraining it.¹³ In 2001, Koskenniemi complained about the meager interest among historians of imperialism and legal scholars in each other’s fields.¹⁴ Since then, imperial genealogies of international law have flourished. On the one hand, several scholars have emphasized the mark of European imperial centres on modern understandings of ‘Westphalian sovereignty’.¹⁵ Notably, Antonie Anghie has portrayed the mandates system of the LoN as instrumental to the integration of ‘semi-civilized’ polities into the family of international law in a subordinate capacity,¹⁶ while Rose Parfitt has advanced a similar argument about the League as a whole.¹⁷ On the other hand, Lauren Benton has explored ‘anomalous legal zones’ of empires to reveal how much of the global order of the early twentieth century owed to quasi-sovereignty arrangements in the colonial peripheries.¹⁸ Historians have approached the Ottoman Empire, and especially Ottoman Egypt, with its intricate puzzle of extraterritorial rights, parceled sovereignty and multi-layered citizenship, as an experimental site for the theory and practice of international law.¹⁹

The founding of the League stands out in master narratives of international legal history as a pivotal moment in the juridification of a global order.²⁰ Yet, whether stressing the British imprinting or proposing alternative Habsburg or Ottoman genealogies, a growing scholarship suggests

¹²Will Haley, ‘International Lawyers without Public International Law: The Case of Late Ottoman Egypt’, *Journal of the History of International Law* 18 (2016): 98–119. By private international law, we mean international law questions concerning private individuals and organizations (for example, nationality issues or the legal status of foreigners), while official state actors and international institutions are the subjects of public international law. The traditional Western understanding of international law coincides almost exclusively with the latter.

¹³Martti Koskenniemi, ‘Introduction’ in *International Law and Empire: Historical Explorations*, eds. Id., Walter Reich, and Manuel Jiménez Fonseca (Oxford: Oxford University Press, 2017), 1–18.

¹⁴Martti Koskenniemi, *The Gentle Civilizer of Nations: The Rise and Fall of International Law, 1870–1960* (Cambridge: Cambridge University Press, 2001), footnote 6 on 99–100.

¹⁵Turan Kayaoğlu, *Legal Imperialism: Sovereignty and Extraterritoriality in Japan, the Ottoman Empire, and China* (Cambridge: Cambridge University Press, 2010).

¹⁶Antony Anghie, *Imperialism, Sovereignty and the Making of International Law* (Cambridge: Cambridge University Press, 2007), 115–95.

¹⁷Rose Parfitt, *The Process of International Legal Reproduction: Inequality, Historiography, Resistance* (Cambridge: Cambridge University Press, 2019).

¹⁸Lauren Benton, ‘From International Law to Imperial Constitutions: The Problem of Quasi-Sovereignty, 1870–1900’, *Law and History Review* 26, no. 3 (2008): 595–619.

¹⁹Umut Özsü, ‘Ottoman Empire’, in *The Oxford Handbook of the History of International Law*, eds. Bardo Fassbender and Anne Peters (Oxford: Oxford University Press, 2012), 429–48; Samera Esmeir, *Juridical Humanity: A Colonial History* (Stanford: Stanford University Press, 2012); Will Hanley, *Identifying with Nationality: Europeans, Ottomans and Egyptians in Alexandria* (New York: Columbia University Press, 2017).

²⁰Oliver Diggelmann, ‘The Periodization of the History of International Law’, in Fassbender and Peters, 997–1011.

that the international regimes of peoples' rights 'introduced' by the Paris peace settlers stemmed in fact from imperial constitutional law.²¹ What is more, Stephen Wertheim has highlighted that the peacemakers of 1919 endorsed a political and anti-formalist understanding of the LoN, privileging consensus among the great powers over the enforcement of international law.²² The Egyptian petitions on Sudan called precisely into question the relative boundaries of international and imperial law, and the possibility for the former to absorb, alter or supersede the latter. As the survey of Egyptian complaints and the related legal scholarship demonstrates, it was neither the restricted membership of the League nor its lack of legalism that prevented Cairo's officials from forwarding their expansionist claims in Geneva, but rather the imprinting of European imperialism on international law.

The works of Susan Pedersen and others on the mandates regime have portrayed the League of Nations as unwillingly preparing the ground for the demise of empire, by raising the moral and legal standards of acceptable colonial rule, and granting a claim-making hub to mandate subjects.²³ Up to now, the mandates system has provided the most fertile mixing ground between LoN scholarship, imperial history and area studies,²⁴ while international historians have chiefly evaluated the dispute resolution procedures of the Covenant in terms of their weak contribution to European security.²⁵ Notably, Zara Steiner has characterized the 'Geneva system' as a legal-institutional 'adjunct' to European power politics.²⁶ By contrast, like Bogdan Iacob and Cindy Ewing in their contributions to this special issue, I am interested in the efforts of peripheral actors to divert international organizations from Western agendas.

To be sure, various authors have explored non-European participation in Geneva's arbitral bodies, as well as the League's mediation of territorial disputes in extra-European contexts, mainly among its Latin American members, with the Chaco War between Bolivia and Uruguay (1932–35) and the Colombian-Peruvian conflict of 1932–33 providing two classical examples.²⁷ I address Geneva's collective security system as a potential gateway to the League for colonial peoples.

²¹On the British imprinting see, besides Pedersen's work, Mark Mazower, *No Enchanted Palace: The End of Empire and the Ideological Origins of the United Nations* (Princeton: Princeton University Press, 2009); for a Habsburg genealogy of the League's minorities regime, Natasha Wheatley, 'Making Nations into Legal Persons between Imperial and International Law: Scenes from a Central European History of Group Rights', *Duke Journal of Comparative and International Law* 28, no. 481 (2018): 481–94; for an Ottoman genealogy of the mandates system, Aimee M. Genell, 'Empire by Law: Ottoman Sovereignty and the British Occupation of Egypt, 1882–1923', (PhD diss., Columbia University, 2013).

²²Stephen Wertheim, 'The League of Nations: A Retreat from International Law?', *Journal of Global History* 7, no. 2 (2012): 210–32.

²³Simon Jackson, 'Diaspora Politics and Developmental Empire: The Syro-Lebanese at the League of Nations', *Arab Studies Journal* 21, no. 1 (2013): 166–90; Susan Pedersen, *The Guardians: The League of Nations and the Crisis of Empire* (Oxford: Oxford University Press, 2015); Natasha Wheatley, 'Mandatory Interpretation: Legal Hermeneutics and the New International Order in Arab and Jewish Petitions to the League of Nations', *Past and Present* 227, no. 1 (2015): 205–48.

²⁴Nadine Méouchy and Peter Sluglett, eds., *The British and French Mandates in Comparative Perspectives/Les mandats français et anglais dans une perspective comparative* (Leiden: Brill, 2003); Susan Pedersen, *The Guardians: The League of Nations and the Crisis of Empire* (Oxford: Oxford University Press, 2015); Cyrus Schayegh and Andrew Arsan, eds., *The Routledge Handbook of the History of the Middle East Mandates* (Abingdon and New York: Routledge, 2015).

²⁵Sally Marks, *The Ebbing of European Ascendancy: An International History of the World, 1919–1945* (London: Bloomsbury, 2002), 81–99, 317–73; Zara Steiner, *The Lights that Failed: European International History, 1919–1933* (Cambridge: Cambridge University Press), 349–601, 707–99, and *The Triumph of the Dark: European International History, 1933–1939* (Oxford: Oxford University Press, 2011), 100–80.

²⁶Steiner, *The Lights that Failed*, 349–86.

²⁷George W. Baer, 'Leticia and Ethiopia Before the League', in *The League of Nations in Retrospect* (Berlin: Walter de Gruyter, 1983), 285–87; Yannick Wehrli, 'La multiplicité des intervenants dans la résolution pacifique du conflit du Chaco (1932–1935): Un obstacle à la paix?', in *Préventions, gestion et sorties des conflits*, eds. Vincent Chetail et al. (Genève: IEUG, 2006), 181–200; Fabián Herrera Leó, 'Mexico and Its "Defense" of Ethiopia at the League of Nations', in *Beyond Geopolitics: New Histories of Latin America and the League of Nations*, eds. Alan McPherson and Yannick Wehrli (Albuquerque: University of New Mexico Press, 2015), 49–62; Yannick Wehrli, 'La Comisión administrativa de la Sociedad de las Naciones en Leticia: Vanguardia involuntaria de la colonización colombiana', in *Expulsados, desterrados, desplazados: Migraciones forzadas en América Latina y en África*, ed. Martin Lienhard (Madrid: Iberoamericana, 2011), 183–93.

Rose Parfitt's study of the Italo-Ethiopian War of 1935–36 represents an inspiring precedent for the present essay, particularly when remarking the reproduction of 'sovereign inequality' underlying the enlargement of the LoN to 'less civilized' states.²⁸ Yet, her pathbreaking work remains focused on formal League membership. Up to now, little has been done to trace the Geneva system throughout the colonial world beyond LoN members and their mandates, with the exception of Pablo La Porte's account of anti-Spanish petitions during the Rif War.²⁹

To appreciate the global reach of the Geneva organization, I propose overcoming an exclusive focus on its agency and direct effects. For both London and Cairo, as I demonstrate, the League was an *imagined site* in which to advance rival claims to the Upper Nile, and the Covenant secured potential legitimation to such claims. Recent literature has displayed that the 'multiple internationalisms' of the twentieth century included the projection of alternative internationalist imaginations onto 'real' institutions like the League.³⁰ Similarly, Disha Jani's and Elisabeth Leake's articles in the present issue illuminate the variety of self-determination concepts deployed by the Global South. In 1922–24, British officials regarded a mandate over Sudan to be a realistic solution for terminating the condominium based on evidence of 'native wishes'. By contrast, Cairo's public discourse posited the identity between Sudan's interests and Egypt's, while in fact subordinating the political emancipation of the former to the economic self-determination of the latter. Thus, the League of Nations triggered political and legal speculations between and across empires, including subaltern outsiders, by offering a potential forum for renegotiating and redressing imperial hierarchies.

Two imperial projects and a sovereignty puzzle

A contemporary observer writing in *Foreign Affairs* described Sudan as the 'asset' of a 'partnership between Egypt and England' based on converging interests.³¹ It lay at the intersection of the two main axes of the British Empire: one running from Cape of Good Hope to Suez and the other stretching from Great Britain to Eastern Asia. Especially after the opening of the Suez Canal in 1869, London's military and colonial establishment attributed utmost importance to control of the Nile for the safety of imperial communications.³² In parallel, since the lower segment of the river could hardly satisfy the increasing water demands of Egyptian agriculture, Cairo's rulers pursued southward expansion, while the Egyptian nationalist imagination pushed the 'natural frontiers' of the fatherland to encompass the entire Nile Valley.³³ After the Egyptian-Ottoman Wars of 1831–33 and 1839–41, the Ottoman Governor of Egypt Muhammad Ali obtained the hereditary title of *khedive* [viceroy]. Besides making the khedivate an autonomous province under the nominal sovereignty of Constantinople, imperial *firmans* [decrees] recognized the khedival authority over the *sancacks* [districts] of Nubia, Darfur, Kordofan and Sennar, *de facto* under Egyptian occupation since 1822.³⁴ In the early 1880s, the concomitant 'Urabi Revolution in Egypt and Mahdist revolt in Sudan provided the opportunity for the British seizure of both

²⁸Parfitt, 223–372 (emphasis in the original).

²⁹Pablo La Porte, "'Rien à ajouter": The League of Nations and the Rif War (1921–1926)', *European History Quarterly* 41, no. 1 (2011): 66–87.

³⁰Glenda Sluga and Patricia Clavin (eds.), *Internationalisms: A Twentieth-Century History* (Cambridge: Cambridge University Press, 2016); Arthur Asseraf, 'Making Their Own Internationalism: Algerian Media and a Few Others the League of Nations Ignored, 1919–1943', in *International Organizations and the Media in the Nineteenth and Twentieth Centuries: Exorbitant Expectations*, eds. Jonas Brendebach, Martin Herzer, and Heidi Tworek (London: Routledge, 2018), 117–37.

³¹Pierre Crabitès, 'Egypt, Sudan, the Nile', *Foreign Affairs* 3, no. 2 (1924): 320–30.

³²For an assessment of the strategic relevance of the region from a British perspective, see the report of the Milner mission, 22 December 1920, TNA, FO 371, box 4982, document no. 15962.

³³Troutt Powell, 26–63.

³⁴On the administrative organization of Egyptian Sudan, see Mostafa Minawi, *The Ottoman Scramble for Africa: Empire and Diplomacy in the Sahara and the Hijaz* (Stanford: Stanford University Press, 2016), 172.

territories.³⁵ In 1882, Britain occupied Egypt under the pretext of preserving the rule of Khedive Tawfiq. Five years later, the viceroy ‘asked’ Her Britannic Majesty’s Government (HMG) to assist Egyptian troops in the recovery of Sudan.³⁶

Lord Cromer, the British consul-general in Cairo, ‘negotiated’ the condominium regime with the khedive after obtaining free hand from neighboring and interested powers through a sequence of bilateral understandings (with Germany in 1890, with Italy in 1891 and 1894, and with France in 1899). The Anglo-Egyptian Convention of 1899 placed the signatories in an undetermined relationship between parity and subalternity, posing endless puzzles to contemporary and subsequent jurisprudence. The preamble asserted Britain’s right to a share of the Sudanese government ‘by right of conquest’, as if pre-1899 Sudan were a *terra nullius*. It also remarked ‘the joint military and financial efforts of Her Britannic Majesty’s Government and the government of His Highness the Khedive’ to re-establish the latter’s authority over ‘certain provinces . . . in rebellion’, as if Sudan were previously part of Egypt. What is more, the treaty made no reference to the Porte, thus raising plenty of confusion around such fundamental questions as where sovereignty on Sudan came from originally and where it lay after the Anglo-Egyptian (re)conquest. Some contemporary jurists interpreted the Convention as an administrative re-arrangement of an Ottoman territory implying no transfer of sovereignty, while others deemed it to establish a new government in a ‘country without a master’.³⁷ A British governor-general, formally appointed upon proposal by the khedive, exercised supreme legislative and executive authority, while Cairo contributed money and personnel to the Sudanese public administration.

The political rationale behind this legal ambiguity was immediately evident to contemporaries. By keeping Sudan’s administration separate from Egypt’s, the British prevented other European powers from interfering through the various agencies representing foreign governments which operated in the khedivate, like the mixed tribunals and the Public Debt Committee.³⁸ At the same time, the nominal participation of the Egyptian ‘client-state’ in the condominium was meant to placate Ottoman and European anxieties about London’s expansionist designs.³⁹ Hence, Britain’s Empire encompassed Egypt’s like the nesting parts of a Matryoshka doll. Existing notions of ‘subaltern imperialism’ are, however, insufficient to grasp Anglo-Egyptian relations, as they focus exclusively on the geopolitical and cultural dimensions.⁴⁰ Recent scholarship has analyzed the dual effect of colonial treaties, entitling yet binding empire.⁴¹ In fact, the Convention of 1899 furnished Cairo with juridical tools to challenge the co-occupiers, as the British found themselves restrained by the legal scheme they had crafted to secure their position in the Nile Valley. As the Matryoshka symbology suggests, a legal framework structured patterns of subordination and contestation across the Anglo-British imperial complex.

This dynamic fully unfolded after the Great War. In 1914, the Lloyd George government reacted to Khedive Abbas Hilmi’s endorsement of the ‘holy war’ against the Entente by

³⁵Juan R. I. Cole, *Colonialism and Revolution in the Middle East: Social and Cultural Origins of Egypt’s ‘Urabi Movement* (Princeton: Princeton University Press, 1993); Lidwein Kapteijns, ‘Mahdist Faith and the Legitimation of Popular Revolt in Western Sudan’, *Journal of the International African Institute* 55, no. 4 (1985): 390–9.

³⁶John Pollock, *Kitchener: The Road to Omdurman* (London: Constable, 1998); Edward M. Spiers, ed., *Sudan: The Conquest Reappraised* (London: Cass, 1998).

³⁷For example, Georges Blanchard, ‘Le Problème de la souveraineté au Soudan nilotique’, *Revue générale de droit international public* 10 (1903): 169–201 admitted both options; D. Gwyther Moore, ‘Notes on the Legislation of the Anglo-Egyptian Sudan’, *Journal of Comparative Legislation and International Law* 6, no. 1 (1924): 131–4 argued for the second.

³⁸Roland Gaignerot, *La question d’Égypte: Le bassin du Nil en droit international* (Albie: Nouguès, 1901), 259–82.

³⁹Genell, 92–143.

⁴⁰Jordan Sand, ‘Subaltern Imperialists: The New Historiography of the Japanese Empire’, *Past and Present* 251, no. 1 (2014): 273–88; Troutt Powell, 1–25.

⁴¹Saliha Belmessous, ‘The Paradox of an Empire by Treaty’, in *Empire by Treaty: Negotiating European Expansion, 1600–1900*, ed. Id. (Oxford and New York: Oxford University Press, 2015), 1–18.

proclaiming a protectorate over Egypt. The size and scope of this essay do not allow an adequate survey of the internal and international events leading to and following the Egyptian Revolution of 1919.⁴² I will only focus on the juridical status of Egypt vis-à-vis Britain, and of them both in relation to Sudan. After failed negotiation attempts between HMG and the *Wafd* [Delegation] of the Egyptian Legislative Assembly headed by Zaghlul, the Foreign Office unilaterally proclaimed Egypt a 'sovereign and independent' kingdom in February 1922. A few questions had impeded a consensual termination of the protectorate, one being Sudan. Thus, the FO listed the condominium among the matters reserved for the 'full discretion' of His Majesty's Government (the other reservations concerned the security of British imperial communications, the protection of foreigners and the preservation of Egypt from external aggression or interference); meanwhile, the Convention of 1899 would remain in force.⁴³ The evolution of Cairo's international condition intersected with the disappearance of the Sublime Porte. The extinction of Ottoman sovereignty over Egypt and Sudan, beginning *de facto* before 1914, was ultimately sanctioned *de jure* in 1923. Under article 17 of the Lausanne Treaty, the new Turkish state renounced all titles on the ex-khedivate and its Sudanese 'dependences'.⁴⁴ Little wonder, then, that King Ahmed Fu'ad I of Egypt also claimed the crown of Sudan. Nationalist grievances inflamed Egyptian public life in the months leading to the murder of Major-General Stack.

The Anglo-Egyptian condominium between subalternity and competition

The advisors to the Foreign Office and to the British Residency in Cairo realized very soon that the Ottoman defeat, combined with references to the *status quo ante* in the declaration of February 1922, reinforced Cairo's legal rights on Sudan. In January 1923, James Headlam-Morley, a renowned classicist who turned to diplomatic service after World War One, wrote a lengthy memorandum on the Sudanese controversy based on Ottoman and international law prior to the British occupation of Egypt. International recognition of (or lack of opposition to) the Sudan *firman*, he argued, indicated that, by 1882, the khedive was internationally recognized as the ruler of Egypt, and, 'from the international point of view', there was 'no distinction between his authority over Egypt proper and the dependences'. In this framework, the Convention of 1899 could only be understood as an administrative arrangement, limiting the khedive's actual control of Sudan but not affecting his legal title thereon. Any impartial court, Headlam-Morley concluded, would predictably award the territory to Egypt.⁴⁵

What troubled London's advisors and politicians was the potential overlapping of 'empire by treaty' with international supervision. The newly established League of Nations threatened the British position in Sudan in two ways. The Geneva organization required its member states to seek non-violent accommodation of international disputes through the alternative procedures outlined in articles 12–16 of the Covenant, including a political resolution of the Council, a judicial settlement by the Permanent Court of International Justice or adjudication by an arbitral commission *ad hoc*. In addition, the mandates system established under article 22 entrusted 'civilized' powers with the administration of former Ottoman and German colonies in the interest of their

⁴²M. W. Daly, 'The British Occupation, 1882–1922', in *The Cambridge History of Egypt*, volume 2, ed. Id., (Cambridge: Cambridge University Press, 2008), 239–251; Ellis Goldberg, 'Peasants in Revolt – Egypt 1919', *International Journal of Middle East Studies* 24, no. 2 (1992): 261–80; Ziad Fahmy, *Ordinary Egyptians: Creating the Modern Nation through Popular Culture* (Stanford: Stanford University Press, 2011), 134–66; Erez Manela, *The Wilsonian Moment: Self-Determination and the International Origins of Anti-Colonial Nationalism* (New York and Oxford: Oxford University Press, 2007), 63–76 and 141–58.

⁴³Declaration to the sultan, 16 February 1922, TNA, FO 371/7731/1816.

⁴⁴Treaty of Lausanne, 24 July 1923, <http://www.mfa.gov.tr/lausanne-peace-treaty.en.mfa>. Previous peace treaties had forced the Central Powers to recognize the British protectorate in Egypt (see, for example, article 147 of the Versailles Treaty, https://avalon.law.yale.edu/subject_menus/versailles_menu.asp, retrieved on 6 September 2021).

⁴⁵Memorandum by Headlam-Morley on the Egyptian claims, 17 January 1923, TNA, FO 371/8959/789.

inhabitants until the latter were capable of self-rule, and placed mandatory administrations under the oversight of an international commission. The Foreign Office took very seriously the likelihood of League arbitration upon Egyptian request, and planned to turn the dispute in Britain's favor by invoking an international mandate on Sudan.

London's experts scanned the Covenant in search of Trojan horses allowing the Egyptian government to penetrate the legal edifice of the League. Articles 11 and 17 seemed the easiest ways in, for they potentially extended the dispute resolution scheme to non-member countries. The former provision declared any 'threat of war' among whatever belligerents to be 'a matter of concern to the whole League'. Article 17 was less ambiguous. It explicitly dealt with controversies between non-member states or between a member and a non-member. In these cases, non-member countries should be 'invited to accept the obligations of membership in the League'.⁴⁶

William Malkin, who advised the FO on legal matters, remarked that HMG might resist an Egyptian appeal to the League under article 15.8, that is, by claiming that the Sudanese dispute constituted a matter 'solely within the domestic jurisdiction' of the British Empire. We will shortly see that this argument enjoyed consensus in contemporary jurisprudence, but Malkin doubted it would 'prevail in the atmosphere of Geneva', where 'the tendency' was 'against restricting the class of disputes to which the machinery of the Covenant' applied. Hence, assuming that the Egyptian government would succeed in bringing the Sudanese question before the Council, it could either request an arbitration based on the Convention of 1899 or claim that the latter was no longer valid and ask the Council to recommend a new settlement. In case of termination of the condominium, Malkin suggested, London should claim a League mandate over Sudan.⁴⁷

Colonel George Schuster, the Financial Secretary of the Sudan government, concurred that League involvement might undermine both British interests and 'the Sudanese reliance on the United Kingdom'. Nonetheless, he pointed out that a blessing from Geneva would legitimize the British stance in the eyes of the world. He even recommended the Foreign Office to anticipate Cairo's appeal to the LoN by immediately stating HMG's readiness to take up the entire administration of Sudan 'as a trust for the natives', and 'welcome a system of control and supervision by the League of Nations as though they held a mandate under article 22 of the Covenant'. It is not clear from Schuster's words whether and how this mandate-like administration should differ from a proper mandate. Indeed, the colonel expected the Council to declare its lack of competence on the issue. What mattered was that the British government seized a precious opportunity to pledge loyalty to the Geneva system and justify its presence in Sudan under the progressive *ethos* of 'native wellbeing'.⁴⁸

Ambiguous attitudes emerge from this survey of expert arguments, mirroring a plastic and relatively open-ended moment in the history of empire. On a purely juridical level, their constant shifting between Ottoman *firman*s, the 1899 Convention and the LoN Covenant signals uncertainty about the normative hierarchy between imperial constitutional law, colonial treaties and 'new' international law. The Covenant itself could be interpreted as alternatively securing or undermining the British position, which encouraged political speculations about the will of the Council to interfere with the imperial strategies of the great powers represented in it. On this issue, too, the positions of FO advisers oscillated between confidence and anxiety. Furthermore, the international challenges perceived by the British colonial establishment overlapped with domestic ones. In the mid-1920s the Labour Party rose to national prominence. In January 1924, the Conservative Stanley Baldwin lost the premiership to the leftist James Ramsay MacDonald before returning to Downing Street in November. Several Liberal and Labour MPs demanded that the executive

⁴⁶Covenant of the League of Nations, https://avalon.law.yale.edu/20th_century/leagcov.asp, retrieved on 6 September 2021.

⁴⁷Note by William Malkin on the Sudanese question, 17 September 1924, TNA, FO 371/10053/8028.

⁴⁸Memorandum by Colonel Schuster, 23 September 1924, TNA, FO 371/10053/8186.

formulate its Sudanese policy in compliance with indigenous will,⁴⁹ while the more internationalist wings of Westminster pressed the Foreign Office to seek mediation and supervision by the League of Nations.⁵⁰ HMG, Schuster wrote, should be ready to present British public opinion, the Egyptians and the entire world with a ‘fundamentally right’ position.⁵¹

In the last stages of the Great War, Allied rhetoric had elevated ‘national self-determination’ to the regulating principle of peacemaking while simultaneously excluding ‘less civilized’ polities from it.⁵² Moreover, the popular will was invoked to justify territorial settlements both during the Paris Peace Conference and in the early border disputes adjudicated by the League: it presupposed, however, ethno-linguistically homogeneous communities.⁵³ In this context, the cultural and historical ties between the Egyptians and the Sudanese, and the alleged wishes of the latter became crucial to London’s and Cairo’s campaigns against each other, as did the respective credentials of the condominium rulers as ‘civilizers’. The actual position of the Sudanese proto-nationalists and general opinion vis-à-vis the Egyptian and British occupiers is still the subject of historiographical debate. Among others, Eve Troutt Powell has emphasized the tactical anti-Egyptian alliance between British administrators and Sudanese tribal sheikhs and religious leaders, whereas Elena Vezzadini has recently maintained that ‘politically-minded Sudanese’ welcomed Egyptian influence as a barrier against British exploitation.⁵⁴ This divergence of views is of secondary importance for the purpose of this essay. What matters here is London’s and Cairo’s respective monitoring, appropriation and circulation of indigenous opinion.

Between May and August 1924, Lee Stack drafted two extensive memoranda on the future of Sudan, with plenty of petitions from previous years attached.⁵⁵ In his introductory remarks, the governor-general displayed a quasi-scientific concern with the territory’s sociopolitical and anthropological makeup. He described Sudan as an agglomerate of ‘backward races’ not ready for self-government, due to, among other things, ‘the past records of Egyptian misgovernment’. Darfur and the animist South were the least ‘civilized’ parts of the country, in which people were hardly able to understand public issues. Conversely, the social organization of the Arabic- or Bedawi-speaking central and northern *sancacks* allowed rudimentary manifestations of public opinion. There, illiterate people ‘content[ed] themselves to leave notables in charge of politics’. The interweaving of public and religious affairs in the ‘theocratic institution of Islam’ made the writings of either tribal sheikhs or religious khalifas ‘indicative of more general political orientations’.⁵⁶

The petitions collected in the May memorandum included a letter by notables of the Blue Nile, White Nile, Berber, Kassala and Dongola Districts praising the ‘countless benefits of the British administration’, which Sudan had ‘never been able to achieve, . . . and the Egyptians’ had ‘likewise failed to obtain’.⁵⁷ Another missive from the Red Sea coast made numerous examples of those benefits, including irrigation works, communications, schooling, the abolition of bastinado

⁴⁹See, for example, the parliamentary question of Joseph Kenworthy in the House of Commons of 7 July 1924, <https://api.parliament.uk/historic-hansard/written-answers/1924/jul/07/sudan>, retrieved on 6 September 2021.

⁵⁰Speech by Thomas Johnston in the House of Commons, 10 July 1924, https://api.parliament.uk/historic-hansard/commons/1924/jul/10/foreign-office#S5CV0175P0_19240710_HOC_344, retrieved on 6 September 2021.

⁵¹Schuster memorandum of 23 September 1924.

⁵²Manela.

⁵³A good example of this is the definition of the relative borders of British Mandate Iraq, French Mandate Syria and the Turkish Republic. See Sarah Shields, ‘Mosul, the Ottoman Legacy and the League of Nations’, *International Journal of Contemporary Iraqi Studies* 3, no. 2 (2009): 217–230.

⁵⁴Troutt Powell, 168–216; Vezzadini.

⁵⁵On the British infrastructure for collecting and monitoring Sudanese opinion, see Mark Fathi Massoud, *Sudan’s Fragile State: Colonial, Authoritarian, and Humanitarian Legacies in Sudan* (Cambridge and New York: Cambridge University Press, 2013), 51–67.

⁵⁶Memorandum by the Sudan government, 1 August 1924, TNA, FO 371/10050/6600.

⁵⁷Petition by sheikhs and notables from the White Nile, Blue Nile, Berber, Kassala and Dongola Provinces, 17 January 1922, TNA, FO 371/10049/5239.

and, most importantly, the preservation of local traditions and religions.⁵⁸ Similarly, the sheikhs of Kamlin thanked Britain for ‘opening the doors of advancement’ to Sudan, while criticizing Egypt’s selfish claims, as if the Nile ‘were a blessing for Egypt alone’.⁵⁹ Major-General Stack concluded that, ‘so far as the Sudanese’ were ‘able to give expression to a national feeling’, they gave ‘convincing evidence of their desire to remain under British administration’.⁶⁰ As further grounds for HMG’s pride, such evidence came from the only regions to which ‘the Egyptian claim to brotherhood with the Sudanese on the ground of religion, language and economic interest, with its more than doubtful implication that such brotherhood involve[ed] the right of Egypt to control the whole’ might ‘reasonably apply’.⁶¹

These petitions were used by cabinet members in their responses to parliamentary questions.⁶² Ahmed Mazloum, the president of the first Chamber of Deputies in ‘independent’ Egypt, commented positively on the Labour criticism of HMG as a sign of the growing anti-imperialist consciousness of the British working class.⁶³ Indeed, most interventions in the Egyptian parliamentary debate on Sudan in the spring and summer of 1924 sought to deconstruct the official British narrative. The *Wafd*, now operating as a stable political party, triumphed in the two-ballot elections of 1923–24, especially in the Chamber of Deputies, where it secured 188 seats out of 215.⁶⁴ Addressing the deputies in his new capacity as prime minister, Zaghlul accused the British of systematically falsifying the will of the Sudanese and repressing genuine manifestations of pro-Egyptian feelings.⁶⁵ Several petitions provided the bases for this claim. The Egyptian parliamentary records mention especially two telegrams addressed from Khartoum by, respectively, 35 and 15 local notables. The signatories, including ‘Blacks’ and ‘Arabs’, denounced the arrest of anti-British demonstrators in Khartoum and Omdurman and reported that a Sudanese delegation had been prevented from moving to Cairo to pledge loyalty to King Fu‘ad.⁶⁶

Most deputies concurred with Zaghlul on Egypt’s ‘right to Sudan’ while nonetheless emphasizing the ‘unity’ between the two territories on the grounds of ‘blood ties’ and ‘common interests’.⁶⁷ The speech by ‘Abd al-Rahman al-Rafi‘i of 24 June 1924 represented an outsider voice in a *Wafd*-dominated legislature and deserves mention for both the stature of the orator and the articulation of the argument. In the following decades, Rafi‘i would become the most awarded Egyptian historian of the twentieth century (though a non-academic one) thanks to a 16-volume history of the Egyptian nation from 1798 to 1959 that appeared between 1929 and 1951. In this monumental *corpus*, he celebrated the people as the driving force of Egyptian national awakening, in clear opposition to contemporary academic authors who attributed the same role to the monarchy.⁶⁸ In 1924, he was a lawyer in his mid-thirties, as well as the secretary of *al-Hizb al-Watani* [the National Party]. For decades, Western historians have associated the *Watan* with a ‘radical’, ‘violent’ and pan-Islamic/pan-Ottomanist tradition of Egyptian nationalism, in contrast with the ‘moderate liberal’, secular and purely ‘Egyptianist’ views of the rival *Hizb al-Umma*, from

⁵⁸*Ibidem*, petition by various tribal leaders of the Red Sea provinces, July 1921.

⁵⁹*Ibidem*, petition by sheikhs and notables of Kamlin and the Blue Nile Province, 15 June 1922.

⁶⁰*Ibidem*, Stack memorandum of 25 May 1924.

⁶¹Sudan government memorandum of 1 August 1924.

⁶²See the reply of Ramsay MacDonald to Kenworthy’s question of 7 July 1924.

⁶³Egyptian Chamber of Deputies, first legislature [*hay‘a*], yearly session [*dawr*] no. 1, volume 1 (from now on, ECD, 1/1/1), daily session [*jalsa*] no. 58, 28 June 1924, pp. 713–32, PRME/Dep.

⁶⁴Jacob M. Lindau, *Parliaments and Parties in Egypt* (London and New York: Routledge, 1953), 59–70.

⁶⁵ECD, 1/1/1/54, 23 June 1924, 659–68, PRME/Dep.

⁶⁶ECD, 1/1/1/55, 24 June 1924, 669–78, and 1/1/1/56, 25 June 1924, 679–91, PRME/Dep.

⁶⁷See the interventions of Abdul Latif al-Soufani, Mahmud Allam Afandi, and Ahmed Ramzi in ECD, 1/1/1/55.

⁶⁸Yoav Di-Capua, ‘“Jabarti of the 20th Century”: The National Epic of ‘Abd al-Rahman al-Rafi‘i and Other Egyptian Histories’, *Internaitonal Journal of Middle Eastern Studies* 36, no. 3 (2004): 429–50.

which the *Wafd* derived.⁶⁹ Hussein Omar has recently shown how simplistic and misleading this taxonomy, ultimately originating from the colonial archive, is.⁷⁰ Indeed, Rafi'i cultivated ambiguous feelings towards the Ottoman past, as earlier generations of *Watanists* had done vis-à-vis the Ottoman Empire; their anti-British stance was, however, patent.

A 'nationalist-populist' outlook and stern Anglophobia were overarching themes in the political-intellectual trajectory of Rafi'i's life,⁷¹ and surfaced in his parliamentary addresses of June 1924. He described two competing forces in Sudanese nationalism: a 'spontaneous' and endogenous movement, emanating 'from the people' and desiring union with Egypt, versus an 'artificial' one 'imposed' by the British authorities. He used the same reality/fiction and truth/deception dichotomies to compare the 'modernization' projects of Sudan's co-occupiers: while the Egyptians had built public works and infrastructure in the interest of the indigenous, the British had merely 'exploited' Sudanese lands for the needs of their own cotton industry. Thus, Rafi'i substantiated Egypt's 'right to Sudan', which other MPs had invoked as an *a priori* dogma, by equating it with the right of the Sudanese to self-determination. Only when free of English 'colonialism' could all inhabitants of the Nile Valley enjoy sovereignty over their land 'on equal terms'.⁷²

The fundamental agreement between the leaders of the *Watan* and the *Wafd* indicates a quasi-universal consensus behind the Sudanese policy of the Zaghlul government. No source illustrates the strict nexus between Egyptian decolonization and Cairo's sub-imperialism better than the resolution adopted by the Chamber of Deputies on 24 June 1924. The MPs expressed solidarity with their 'Sudanese brothers' suffering under the English yoke, as Egypt had done before. The British were described as turning the Upper Nile into 'a cotton farm for Lancashire'. By contrast, Egypt had put 'untold energy and money as a national duty in order to civilize the Sudan' and promised to lead it to self-rule. Of course, the national emancipation of Sudan meant union with the Egyptian older brother – such were, according to the document, the wishes 'emanating from the hearts of the Sudanese people'.⁷³

In the same months, Egyptian diplomats endeavored to encourage a favorable movement of opinion in Britain in view of negotiations with HMG. They portrayed control of Sudan in terms of the survival of their national economy. Official figures at Cairo's Ministry of Public Works indicated that the annual discharge at the Aswan Low Dam barely satisfied the water needs of Egyptian farmers: meanwhile, the country's population was increasing by 200,000 inhabitants per year. Therefore, only the construction of a further reservoir south of the Egyptian border would secure farmers against drought and water loss through evaporation.⁷⁴ According to Aziz Izzet, the Egyptian minister in London, the unity of the Nile Valley corresponded to the 'vital interests' of all its inhabitants while also reflecting the 'natural and rightful' boundaries of the Egyptian state.⁷⁵ The diplomat addressed these words to the Manchester Cotton Association, which, alongside other textile lobbies, pressed HMG to retain full control of the Nile.⁷⁶ Clearly, the condominium stemmed from the economic interests of both occupiers; yet, the

⁶⁹Albert Hourani, *Arabic Thought in the Liberal Age* (London: Oxford University Press, 1962); Israel Gershoni and James P. Jankovski, *Egypt, Islam and the Arabs: The Search for Egyptian Nationhood, 1900-1930* (Oxford: Oxford University Press, 1986), 3–54.

⁷⁰Hussein Omar, 'Arabic Thought in the Liberal Cage', in *Islam after Liberalism*, eds. Faisal Devji and Zaheer Kazmi (London: Hurst, 2017), 17–45.

⁷¹Di-Capua.

⁷²ECD, 1/1/1/54.

⁷³ECD, 1/1/1/55.

⁷⁴Crabitès. The Sennar Dam was completed in 1925.

⁷⁵'Egypt and Lancashire', *The Near East*, 12 June 1924.

⁷⁶Empire Cotton Growing Corporation, 'Note on the Present Situation in the Sudan for Submission to the Prime Minister', 19 June 1924, TNA FO 371/10049/5307.

Egyptian argument run, Cairo needed Sudan to survive, whereas London wanted it for the sake of expansion.

Unexpectedly, the Stack assassination presented the British government with a pretext for a drastic unilateral solution. HMG blamed the Egyptian authorities for failing to secure Stack's safety against mounting Anglophobic feelings. By the ultimatum of 22 November 1924, London asked Zaghlul to satisfy seven heavy conditions. The first four (solemn apologies, a serious inquiry into the murder, the prohibition of political demonstrations and financial compensation) met no opposition in Cairo. In contrast, the prime minister resigned rather than accepting the last three clauses, which demanded the evacuation of all Egyptian troops from Sudan in 24 hours, the removal of existing limits to irrigable fields in Gezira and complete British authority on the protection of foreigners in Egypt. The Governorate-General of Sudan enforced the ultimatum, and, in further retaliation, British troops occupied customs in Alexandria. On 24 November, the Chamber of Deputies in Cairo voted for an appeal to the League of Nations.

The League of Nations and the Matryoshka of empire

Foreign Office lawyers contemplated interference from Geneva (some even desired it) and discussed policy options accordingly. To be sure, that Malkin's fears were excessive was already evident in 1922. After the formal end of the British protectorate, Geneva's officials raised the issue of Egyptian legal status in the context of a marginal technicality. The League used to notify non-member states eligible to join of treaties and conventions. The LoN secretary-general, the British Eric Drummond, doubted that such communications should be sent to Egypt, and asked the Foreign Office for confidential clarifications on the 'real' situation of the ex-protectorate. Contrary to Drummond's view, the FO Counselor Charles Tufton explained that Cairo was perfectly entitled to stipulate international agreements, as had already been the case under Ottoman rule.⁷⁷ Hence, Joost van Hamel, who directed the Legal Section of the Secretariat, struggled to make sense of the British communiqué of February 1922: even though France, Italy, the United States and other countries had immediately recognized Egypt as 'a sovereign and independent state', what difference existed, in fact, between the new kingdom and the previous regime?⁷⁸

The legal puzzle of Egypt's membership to the family of sovereign nations was densely imbued with political implications. The answer determined whether the Anglo-Egyptian dispute over Sudan might be detected, analyzed and adjudicated by the League of Nations. The territorial resettlements triggered by the dissolution of the German, Austrian-Hungarian, Russian and Ottoman Empires encouraged creative jurisprudence on questions of quasi-statehood and international subjectivity.⁷⁹ Assessing the degree to which imperial sub-polities were titular of rights and duties under international law (in technical terms, assessing their legal 'personality') was a recurring theme in interwar international jurisprudence, which normally assumed 'civilized' nation-states, endowed with full internal sovereignty and recognizing each other as legitimate diplomatic counterparts, to be the normative model.⁸⁰ As the Parisian lawyer Robert Ruzé observed in the *Revue de droit international et de législation comparée* (RDILC), the oldest international law periodical in Europe, associated, since 1873, with the Ghent-based *Institut de droit international* (IDI), the 'juridical equality of states' did 'not imply the equality of their rights'. Under this sort of international separate-but-equal doctrine, each state enjoyed a 'just and acceptable measure' of sovereignty as allowed by its 'capabilities'.

⁷⁷Drummond to Tufton, 9 November 1922; Tufton to Drummond, 21 November 1922, LNA, Secretariat, box 619, dossier 39825.

⁷⁸*Ibidem*, van Hamel to Drummond, 27 November 1922.

⁷⁹Natasha Wheatley, 'Spectral Legal Personality in Interwar International Law: On New Ways of not Being a State', *Law and History Review* 35, no. 3 (2017): 753–87.

⁸⁰Matthew Craven and Rose Parfitt, 'Statehood, Self-Determination and Recognition', in *International Law*, ed. Malcolm D. Evans (Oxford and New York: Oxford University Press, 2017), 177–226.

This quote comes from a lengthy essay on the ‘international situation of Egypt’ that appeared in two successive issues of the RDILC in 1922–23.⁸¹ The Egyptian nationalists precisely expected the international legal framework of the League of Nations to redress the existing military and political power gap with the British, thus homogenizing the ‘capabilities’ of big and small empires. In fulfillment of the resolution of November 1924, Ahmed Mazloum telegraphed the League. Albeit stigmatizing the murder of Lee Stack, he denounced HMG’s ‘disproportioned reaction’. Against the British resort to ‘brutal force’, Mazloum appealed to ‘the rights of the Egyptian nation, its sovereignty and its constitution’, as well as to more general principles like the rule of law, civilization, ‘the spirit of the time’ and the ‘sacred rights of all nations’.⁸² The telegram was addressed ‘to the League of Nations and to all parliaments in the world’. In fact, the Permanent Secretariat of the League, led by Drummond, was the institutional interlocutor of the Egyptian petitioners, as it was in charge of handling Geneva’s correspondence and then forwarding documents to other League bodies (if the case warranted further attention). These included, among others, the Permanent Court of International Justice, a consultative Assembly in which each member state held a seat, and a Council representing the main powers with the faculty to issue political recommendations to national governments. According to Paul Mantoux, the head of the Political Section of the Secretariat, the document could in no way be taken as a legal appeal; it was a mere manifestation of protest. Moreover, Mantoux pondered the effects of circulating the telegram among the members of the Assembly. By doing so, the League could avoid accusations of disinterest, but it would also encourage the Egyptians to reinstate their complaint.⁸³ In the end, Drummond forwarded the Egyptian protest to President Paul Hymans of the Council with the explanation that no action was expected from the latter organ and replied to Mazloum with a simple *accusé de réception*.⁸⁴

This was enough to stimulate further claim-making. Petitions from Egyptian public officials and private organizations reached Geneva, as did protests by international philanthropic and humanitarian associations sympathizing with the Egyptian cause.⁸⁵ Among these ‘unofficial’ documents, an appeal by the Egyptian bar and Law College students deserves attention here. The authors requested (and obtained) copies of the League’s internal regulations, especially the rules of procedure of the Assembly, the Council, and the Court of Justice.⁸⁶ We do not know how connected these petitioners were to their government. However, the letter of Senator L. A. Fanous of 10 December 1924 was much more technical in content and better grounded in the Covenant than the previous protest of the lower chamber. The author, a member of the senatorial Foreign Affairs and Executive Committees, appealed to article 11 of the LoN statute and asked the Council ‘to stop the disturbance of the Nile Valley which the present aggression of His Britannic Majesty’s Government in Egypt’ was ‘calculated to produce with a disastrous effect to the PEACE and ORDER of the EAST’. Should article 11 not grant sufficient legal bases, the petitioner affirmed that British aggression against a ‘sovereign and independent state’ violated the founding principles of the League in the preamble of the Covenant.⁸⁷

Drummond’s reply to Fanous was inversely proportional in length and complexity to the argument of the petitioner. Nonetheless, the Secretary-General included some legal reasoning in his meagre telegram. He regretted that article 11 allowed only member states to raise questions before the League. Against Malkin’s predictions, Geneva’s officials understood the Covenant in quite

⁸¹Robert Ruzé, ‘La situation internationale de l’Égypte, 1914–1922’, *Revue de droit international et de législation comparée* 49, no. 3 (1922): 385–423 [part 1], and 50, no. 4 (1923): 66–95 [part 2].

⁸²Mazloum to the Secretariat-General of the League of Nations, 25 November 1924, LNA, Secretariat, 619/40641.

⁸³*Ibidem*, comments by Paul Mantoux on the Mazloum telegram, 26 November 1924.

⁸⁴*Ibidem*, Drummond to Mazloum, 27 November 1924; Drummond to Hymans, 27 November 1924.

⁸⁵*Ibidem*. For example, letter by Emmy Freundlich and A. Honora Enfield of the International Cooperative Women’s Guild, 11 December 1924.

⁸⁶*Ibidem*, Abdel Fettah Hebeisha to Drummond, 26 November 1924.

⁸⁷*Ibidem*, Fanous to Drummond, 10 December 1924 (capitalizations in the original).

restrictive terms. Non-members could accept League jurisdiction in a dispute under article 17, but only after the Council had been ‘duly summoned’ by a member state. To the eyes of a group of Syrian students and scholars writing to support Egypt, Drummond’s quick disengagement underscored a mixture of political opportunism and cultural racism.⁸⁸

Charles de Visscher, the chief editor of the RDILC and IDI fellow, came to the rescue of the League of Nations, providing much stronger legal justifications for inaction on Sudan than the secretary-general had done. Existing research suggests that the *Institut de droit international* and its journal lost relevance among Western scholars by the end of the nineteenth century to the advantage of the Paris-based *Revue générale de droit international public*.⁸⁹ Indeed, de Visscher, a law professor at Ghent University, also served on the scientific board of the *Revue générale*, which qualifies him to stand as a good representative of ‘mainstream’ European jurisprudence of the time. His article on the Anglo-Egyptian crisis appeared in the RDILC a few days after the death of Lee Stack, timely enough for a copy to be sent to Drummond.⁹⁰ De Visscher’s starting point was the creation of the Kingdom of Egypt in 1922. In his view, regardless of its contested genesis, the British communiqué acquired international legal value through recognition (or lack of objections) by other governments, including Cairo’s. Despite the formal declaration of independence, the four reservations perpetuated the substance of the protectorate, and their incorporation into the Egyptian Constitution satisfied the requirement for a lawful protectorate of bilateral understanding between the protecting power and the protected state. Therefore, not only were British claims to Sudan legal; they were also ‘constitutive’, in a restrictive sense, of Egyptian sovereignty.

According to the Belgian professor, what prevented *a priori* the submission of the Sudanese question to the League was not the non-member status of Egypt, but rather the very *nature* of the controversy itself. The administration of the Nile Valley was and would invariably remain a domestic affair of the British Empire beyond the reach of international organizations. As the author remarked, the case of India and the other dominions showed that states ‘with limited sovereignty’ could be admitted to the League, but subject to restrictions. He mentioned an accompanying declaration by the British government to the LoN protocol of 1922 for the peaceful settlement of disputes, to which the dominions also acceded. HMG clarified that ‘from the point of view of international law, the dominions [did] not constitute collectivities endowed with a distinct international status from the British Empire’; hence, they could never apply the protocol against Britain. In other words, even if Egypt joined the LoN, it would do so as a British subject.

A state whose sovereignty is limited by the persistence of special relationships with [another] state cannot escape these relationships by appealing to the provisions of the Covenant. The *fixed* character of such special relationships is a legacy of the protectorate. All relationships between a superior state and a subordinate one are of a constitutional and not of an international order.⁹¹

De Visscher found a supportive authority for his thesis in the classical *Chapters on the Principles of International Law* by John Westlake (1894).⁹² Fanous himself was aware that existing legal doctrines secured limited help to Egypt as far as they proceeded from the practice of European empires instead of questioning it. In a long memorandum attached to the missive to Drummond, the Egyptian politician transcended legal vocabulary and ventured into what

⁸⁸*Ibidem*, Petition by the students of four Syrian graduate schools to the Secretary-General of the League of Nations, 30 December 1924; petition by six ulemas, six lawyers, six journalists and four physicians from Syria to the Secretary-General of the League of Nations, 30 December 1924.

⁸⁹Koskenniemi, *The Gentle Civilizer of Nations*, 11–97; Ignacio de la Rasilla, ‘A Very Short History of International Law Journals (1869–2018)’, *European Journal of International Law* 29, no. 1 (2018): 137–68.

⁹⁰De Visscher to Drummond, 22 February 1925; Drummond to de Visscher, 23 February 1925, LNA, Secretariat, 619/40641.

⁹¹Charles E. de Visscher, ‘Le conflit Anglo-Égyptien et la Société des Nations’, *Revue de droit international et de législation comparée* 51, no. 5 (1924): 564–89. Emphasis in the original.

⁹²John Westlake, *Chapters on the Principles of International Law* (Cambridge: Cambridge University Press, 1894), 178.

Koskenniemi calls the ‘excess of sovereignty’; that is, he traced the historical process and the political struggles behind the juridical status of Egypt.⁹³ Extricating the Egyptian Kingdom from the imperial context in which it had matured was essential for proving the international character of the dispute with Britain. Therefore, the senator outlined an autochthonous genesis of Egyptian statehood, an alternative to de Visscher’s ‘intra-imperial’ genealogy.

In Fanous’s view, the FO communiqué of 1922 and its acceptance by foreign powers solemnly consecrated the ‘eighty-year efforts of the Egyptian people’ towards independence. In fact, the Egyptians had already conquered their freedom under Muhammad Ali by defeating the Ottoman army in the 1830s. However, the ‘political principles of the time’ required the formal preservation of Ottoman territorial integrity. As a result, the Egyptians had ‘contented themselves with an autonomy practically equivalent to independence’. Such was the context of the 1899 Convention, which aimed to restore Ottoman sovereignty ‘in the person of the khedive’. Cairo’s nominal submission to Constantinople ended with the defeat of the latter in the Great War. All British involvements in Egyptian affairs up to that point, including the condominium agreement, were thus of a merely administrative nature, entailing no limitations of Egyptian sovereignty.⁹⁴

That the legal dimension of the Anglo-Egyptian controversy was subordinated to underlying geopolitical and racial hierarchies was evident to the Egyptian academic lawyer ‘Abd al-Razzaq Ahmad al-Sanhuri. In 1927, he completed a doctorate in law at the University of Lyon under the supervision of the renown French jurist Édouard Lamberd, previously his mentor at the Khedival Law School in Cairo. Soon afterwards, Sanhuri took up a chair in law at Cairo University, eventually becoming the main author of the Egyptian and Iraqi Civil Codes and an outstanding public law scholar in the Arab world.⁹⁵ The second of Sanhuri’s two doctoral dissertations was published in Paris in 1926 as *Le Califat*. There, he supported Egypt’s entry into the League of Nations and envisioned mediation by Geneva’s bodies under articles 12–16 of the Covenant to achieve a *modus vivendi* between Egypt’s ‘legitimate rights’ and British ‘imperial interests’ in Sudan.⁹⁶

To be sure, the Sudanese controversy was but a marginal side issue in Sanhuri’s work, as his main concern was to revitalize the old institution of the Islamic Caliphate (lacking historical fulfillment after the fall of the Ottoman Empire) in an ‘Oriental League of Nations’, replicating the institutional structure and the basic norms of Geneva’s League but encompassing only ‘culturally’ Muslim countries.⁹⁷ Extremely precious, for the purposes of the present article, is Sanhuri’s appraisal of the existing LoN, which he called the ‘Mother League’. The Egyptian jurist maintained that the European countries had waited too long to aim for a truly ‘universal society’, as their nations had grown too ‘exclusivist, chauvinist and imperialist’. As a result, the LoN was mainly a tool of European intrigues and power politics, lacking any ‘*esprit d’internationalité*’.⁹⁸ In particular, following Count Coudenhove-Kalergi, Sanhuri recognized three main regional power blocs in the contemporary world: one led by the United States (‘Washington’s League’), one centered

⁹³Martti Koskenniemi, ‘Conclusion: Vocabularies of Sovereignty – Powers of a Paradox’, in *Sovereignty in Fragments: The Past, Present and Future of a Contested Concept*, eds. Quentin Skinner and Hent Kalmo (Cambridge: Cambridge University Press, 2010), 222–42.

⁹⁴‘Memorandum on the Anglo-Egyptian Conflict’ attached to Fanous’s letter of 10 December 1924, LNA, Secretariat, 619/40641.

⁹⁵For a survey of Sanhuri’s jurisprudence and legal thought, see the classical Enid Hill, ‘Al-Sanhuri and Islamic Law: The Place and Significance of Islamic Law in the Life and Work of ‘Abd al-Razzaq Ahmad al-Sanhuri, Egyptian Jurist and Scholar, 1895–1971’, *Arab Law Quarterly* 3, no. 1 (1988): 33–64 [part 1], and 3, no. 2 (1988): 182–218 [part 2].

⁹⁶‘Abd al-Razzaq Ahmad al-Sanhuri, *Le Califat: Son evolution vers une Société des Nations Orientale* (Paris: Geithner, 1926), 455–64.

⁹⁷For a general background on the caliphate concept and traditions, Bawar Bammarny, ‘The Caliphate State in Theory and Practice’, *Arab Law Quarterly* 31, no. 2 (2017): 163–86. For a contextualization of Sanhuri’s project within the caliphate debates of the interwar years, Mona Hassan, *Longing for the Lost Caliphate: A Trans-Regional History* (Princeton: Princeton University Press, 2016), 184–217.

⁹⁸Sanhuri, 586–96.

around the Soviet Union ('Moscow's League') and one coinciding with the British Empire ('London's League'). The latter was, in fact, the hegemonic force within the Mother League.⁹⁹

In Sanhuri's design, the Oriental League would be affiliated with the Mother League and permanently represented therein, thus collectively voicing Muslim countries vis-à-vis the European empires. This new version of the Islamic Caliphate would preserve cultural and political ties among the peoples of the 'East' against the risk of mutually exclusive nationalisms while simultaneously granting their developing nation-states an umbrella against European colonialism.¹⁰⁰ Amr Shalakany has presented *Le Califat* as 'an exercise in modernity/tradition discourse' confronting 'the anxieties of post-colonial identity'.¹⁰¹ Interestingly enough, Sanhuri's pan-Islamic and anti-colonial internationalism overshadowed ongoing nationalist struggles within the Muslim world, up to the point that he wrote of Egypt and Sudan in terms of 'natural unity' and 'strict solidarity'.¹⁰² Equally stunning is the author's silence in a law dissertation on important legal aspects of his project, such as the forms of the Oriental League's participation in the mother body and the relative jurisdictions of the two. Islamic public law was a more urgent concern for Sanhuri compared to international law. Most significantly, the political-ideological substratum of the latter mattered more than legal forms did. Especially if read against the backdrop of the contemporary Anglo-Egyptian dispute, *Le Califat* appears an exercise in political realism and civilizational thinking.

Conclusion

The Sudanese crisis tested the limits of the Geneva system on multiple grounds. Three broad questions emerged: whether the mandates regime might stretch beyond the territories originally allotted by the peacemakers; whether colonial quasi-states could stand before LoN bodies as full-fledged international persons; and to what extent the institutional engine for the peaceful resolution of disputes disciplined by the Covenant was available to League outsiders. Overall, the relative power of the League of Nations and of pre-existing colonial empires to shape the world and regulate the relationships among its members was at stake. The Council's inaction on Sudan implied 'conservative' answers to all these questions. Nonetheless, the *possibility* of a League intervention elicited claim-making and legal reasoning independent on the acts of Geneva's bureaucrats. London and Cairo expected the legal edifice of the LoN to be accessible by outsiders, but Drummond and his advisors took shelter behind a strict interpretation of the Covenant to ignore Egyptian demands. Most significantly, pro-Egyptian petitioners, as well as de Visscher in his RDILC piece, overcame contingent questions of League membership to address the preliminary and more substantial issue of Egypt's sovereignty/international personality. Their speculations pushed international law up to its frontiers with imperial law, only to find that the latter posed unsurmountable barriers to League jurisdiction. Senator Fanous sought to place the emergence of the Egyptian state chronologically and 'ontologically' prior to its encounter with European imperialism because he realized that the latter impressed a permanent mark of deficiency and subalternity on the former, thus rendering the Sudanese controversy internationally invisible.

Yet, it was precisely such an encounter which made Egypt's international status appreciable to 'Westphalian'-minded Western jurists, assuming state sovereignty as both the source and the limit of international norms.¹⁰³ Their emphasis on reciprocal recognition and acquiescence by 'civilized' states as indicators of external sovereignty consecrated the practice of European

⁹⁹*Ibidem*, 600–7.

¹⁰⁰*Ibidem*, 596–600.

¹⁰¹ Amr Shalakany, 'Between Identity and Redistribution: Sanhuri, Genealogy and the Will to Islamise', *Islamic Law and Society* 8, no. 2 (2001): 201–44.

¹⁰² Sanhuri, 337–39.

¹⁰³ Pärtel Piirimäe, 'The Westphalian Myth and the Idea of External Sovereignty', in Kalmo and Skinner, 64–80.

nation-states-empires as ‘a power of moral significance in history’.¹⁰⁴ Fanous’s ‘pre-legal’ notion of Egyptian statehood and the ‘Abyssinian’ standard of civilization analysed by Rose Parfitt in her account of the Italo-Ethiopian conflict were alternative attempts to argue along the lines of European legal discourses and yet circumvent them.¹⁰⁵ I concur with Parfitt that the League’s passive, if not servile, attitude towards European imperialism was rather indicative of its entrenchment within a traditional legal conception than symptomatic of a deficit of legalism. Accordingly, Sanhuri’s deeply political, racialized and regionally compartmented worldview, so different from de Vischer’s universalist formalism, underscored scarce faith in a binding and truly ‘international’ law. As legal historiography has unveiled, the dependence of ‘classical’ international law on Western power politics would push later generations of Global-South jurists to either uphold a political understanding of international organizations over a legalist one, or, on the contrary, advocate a new kind of international law, drawing legitimacy from a supranational authority.¹⁰⁶

Susan Pedersen’s historiographical manifesto of 2007 marked a paradigm shift in LoN scholarship from the dominant failure narratives of previous decades to accurate explorations of what the League did in its multiple realms of operation.¹⁰⁷ This article takes a further step towards understanding what the League *meant* to both its members and its outsiders. Cairo and London looked at Geneva’s arbitration scheme as a potential vehicle for internationally sanctioned territorial control. Indeed, the Egyptian petitioners generically protested against the violation of their country’s sovereign rights and demanded the end of the British occupation of Sudan without envisioning a realistic alternative settlement for the region securing higher recognition for the rights of its inhabitants. Sanhuri himself, while imagining a joint Anglo-Egyptian military occupation of the Suez area under LoN supervision on the model of the Danzig and Saar arrangements, remained vague about Sudan.¹⁰⁸ Like other subaltern empires or post-imperial states at the close of the Great War, the Egyptians reworked the Wilsonian promise of a ‘parliament of mankind’ safeguarding ‘big and small states alike’ to pursue regional power and territorial aggrandizement against major empires. The Turkish nationalist aims in Anatolia and the Caucasus, and Australian annexationist claims to former German colonies in the Pacific provide interesting parallels here.¹⁰⁹

Conversely, in their exchange of views, the experts of the Foreign Office and the Cairo Residency laid out a range of possible outcomes for League involvement, ranging from its declared lack of competence to the awarding of Sudan to Egypt and the establishment of an international mandate there. Hence, the *ethos* of the mandates system, legitimizing the imperial tutelage of peoples ‘unable to stand alone’, framed the Anglo-Egyptian rhetorical contest. Regardless of the actual likelihood of a mandate over Sudan (Schuster himself was skeptical about that), the LoN regime for the re-organization of ex-Turkish and ex-German possessions furnished a reference model of colonial administration, available for export at least in analogical and symbolic terms. By contemplating the mandate option, London challenged Cairo on the slippery ground of Sudanese self-determination. In fact, the Egyptians could easily prove that their country could not stand without

¹⁰⁴Anthony Carty, ‘Doctrine versus State Practice’, in Fassbender and Peters, 972–96.

¹⁰⁵Parfitt, 351–368.

¹⁰⁶Arnulf Becker Lorca, ‘Sovereignty beyond the West: The End of Classical International Law’, *Journal of the History of International Law* 13 (2011): 7–73; Umut Özsu, ‘Organizing Internationally: Georges Abi-Saab, the Congo Crisis, and the Decolonization of the United Nations’, *European Journal of International Law* 31, no. 2 (2020): 601–19.

¹⁰⁷Susan Pedersen, ‘Back to the League of Nations’, *American Historical Review* 112, no. 4 (2007): 1091–117.

¹⁰⁸Sanhuri, 461–4.

¹⁰⁹Sarah Shields, *Fezzes in the River: Identity Politics and European Diplomacy in the Middle East on the Eve of World War II* (Oxford and New York: Oxford University Press, 2011); Alexander Balistreri, ‘A Provisional Republic in the Southwest Caucasus: Discourses of Self-Determination on the Ottoman-Caucasian Frontier, 1918–1919’, in *The Ottoman East in the Nineteenth Century: Societies, Identities and Politics*, eds. Ali Sipahi, Dzovinar Derderian, and Yasar Tolga Cora (London: I.B. Tauris, 2016), 62–90; Cait Storr, ‘“Imperium in Imperio”: Sub-imperialism and the Formation of Australia as a Subject of International Law’, *Melbourne Journal of International Law* 19, no. 1 (2018): 335–68.

Sudan, but the ‘wishes’ and interests of the Sudanese were a matter of contention. Therefore, the ‘virtual’ Anglo-Egyptian dispute before the League featured not only a clash between legal arguments but also competing notions of Egyptian and Sudanese self-determination. The Egyptians fused anti-colonial internationalism, geographical determinism and economic nationalism into a composite discourse purporting the emancipation of the Nile Valley from British rule while simultaneously essentializing the region into a Greater Egypt.

On the other side, declaring HMG’s will to assume mandatory duties dignified British expansionism in the eyes of ‘international public opinion’. As the chief legal advisor of the FO explained to Austen Chamberlain (who replaced Lord Curzon as Foreign Secretary in November 1924), after the murder of Lee Stack, the best available policy to Britain was to ‘magnify’ the power of the next governor-general while ‘standing firmly’ on the 1899 Convention.¹¹⁰ In 1936, a new treaty between the United Kingdom and Egypt reintegrated the latter into the condominium but in a diminished capacity, as the agreement stated that Egyptian nationals could only be hired in the Sudanese government in the absence of qualified indigenous civil servants.¹¹¹ Alden Young has accurately described the subsequent British efforts to isolate Sudan from the Egyptian economy and turn it into a cotton reservation for Britain’s Empire.¹¹² Nonetheless, London carried out its ‘de-Egyptianization’ policy along the Upper Nile with an ostensible commitment to both international legality and Sudanese self-rule.¹¹³ The post-Ottoman recolonization of the Nile Valley was as much the result of the interaction between Sudanese nationalism and the clashing Egyptian and British imperial projects as an indirect effect of the League of Nations framework fueling and channeling those forces.

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¹¹⁰Memorandum by Cecil Hurst on the international relations of Sudan, 22 January 1925, TNA, FO 371/10883/189.

¹¹¹Hervé Bleuchot, ‘Le Soudan anglo-égyptien’, in *Le Soudan contemporain: De l’invasion turco-égyptienne à la rébellion africaine (1821–1989)*, ed. Marc Lavergne (Paris: Karthala, 1989), 171–224; Anne-Claire de Gayffier-Bonneville, ‘La rivalité anglo-égyptienne au Soudan: Les enjeux de la décolonisation’, *Relations internationales* 133, no. 1 (2008): 71–89.

¹¹²Alden Young, *Transforming Sudan: Decolonisation, Economic Development, and State Formation* (Cambridge: Cambridge University Press, 2018), 34–38.

¹¹³Massoud, 51–81.