

Gender and Power in Shaping the News: A Critical Discourse Analysis Approach of the Divorce Case between Sheikh Mohammed Bin Rashid Al Maktoum and Princess Haya Al Hussain in the BBC

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ABSTRACT

The focal point of this research is to examine the role of gender and power in influencing the UK legal system by conducting a discourse analysis on the BBC news coverage of a royal divorce. BBC reported the case of Mohammed bin Rashid al-Maktoum v Princess Haya [2021] in six articles and portrayed the context that Princess Haya was in “fear for her life” and needed rescue through the court. These articles focused on reporting Sheikh’s negative reputation by mentioning his alleged kidnapping of his daughter, Sheikha Latifa, against her will to flee from the country. Although Princess Haya was unfaithful to her husband, however, it was not mentioned; instead, their marriage was noted as forceful. This portrayal led to the judge’s decision in Princess Haya’s favor in both divorce and children’s custody. It shows the significance of media in defining the narrative about a person underpinned by the framing theory. Media can shape the narrative about court cases and influence ruling outcomes.

INTRODUCTION

In 2019, H.R.H. Princess Haya Bint Al Hussein of Jordan filed for divorce from her husband, H.H. Sheikh Mohammed Bin Rashid Al Maktoum of Dubai, at the Royal Court of the United Kingdom (UK). The case for divorce and child custody continued for a couple of years, ending in 2021 with the court’s decision that the Princess was granted her request for divorce and the custody of her children. This case is called Mohammed bin Rashid al-Maktoum v Princess Haya [2021] (“EWHC 3480,” 2022; “EWFC 16,” 2022).

Some people questioned the reason behind filing the case in the UK family court instead of Dubai or Amman. However, to rule out any biases by the Emirati and the Jordanian legal systems, the Princess resorted to the two states’ most trustable ally, the UK. According to Bostock and Davis (2022), London is the divorce capital of the world for the mega-rich. Therefore, the UK court system is the go-to destination for wives of the super-rich looking to divorce, mainly due to a legal tradition that is more favorable than most to the financially weaker party. After the divorce settlement, it was also registered in the Dubai Court in May 2019 under Sharia law (Sinha *et al.*, 2023).

To briefly explain the series of events setting up the divorce case in motion, the following consistent details appeared in the published news reports and were supported by the court proceedings. First, the events started by mentioning that Princess Haya had escaped Dubai to London and filed for divorce (Shoup, 2021). Second, almost all media outlets provided the same story that the Princess had an affair with a male bodyguard in 2017 while still in wedlock (Siddique, 2020). Upon the discovery of the affair by the Princess’s husband, Sheikh Mohammed Al Maktoum, he was enraged and divorced her according to Sharia law

(Gardner, 2021b).

Princess Haya hired the same female lawyer, Baroness Fiona Shackleton, who represented Prince Charles of Wales in his divorce case from his wife, Princess Diana, in 1996. The prince won the case despite an ongoing affair outside of wedlock (Griffiths, 2024). Similarly, in this case, Princess Haya won the case despite having an affair outside of wedlock. History repeated itself with reversed gender roles where the female won the case despite being unfaithful to their spouse.

This court ruling was surprising to the public due to the sensitive circumstances surrounding the case, especially since both parties involved in the case were not British subjects. Burke (2018) claimed that since the UK is suffering from the dilemma of appearing moderate and mainstream in its anti-Islamic stance, it is struggling to reflect gender equality, specifically in the family courts. As per Bostock and Davis (2022), a divorce lawyer, Ayesha Vardag, mentioned the UK as a peculiar jurisdiction for wives seeking divorce, and the principle that there is no discrimination between breadwinner and homemaker is the cornerstone of why the English jurisdiction is seen as a particularly fair one for the financially weaker spouse. Therefore, the UK court was an optimal choice in favor of Princess Haya.

Numerous news releases were published online by the British media outlets surrounding this case. However, BBC only published 6 media news articles covering the case. This paper focuses on the BBC online news releases to highlight the role of gender and power in influencing the UK legal system by using Critical Discourse Analysis (CDA). Fairclough’s model is used to analyze the discourse of the BBC online news articles regarding the most expensive royal divorce case of the century.

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Theoretical Framework

A system of knowledge and ideas, together with beliefs, actions, and practices, regularly shapes the subject matter that they describe. As a framework, it defines what knowledge covers while functioning to build a specific understanding of systems and knowledge production (Mohammed *et al.*, 2021). According to Fairclough (2013), Fairclough’s 3D model of discourse is a CDA approach that appeared in the early 90s and was designed to analyze the relationship between language and power in texts. Fairclough’s model is the best for analyzing discourse related to a socio-linguistic context. The model is based on three pillars: description, interpretation, and explanation. Thus, a text is analyzed by breaking it into segments that examine the textual elements, the discourse practice, and the sociocultural practice. By combining all these elements, Fairclough’s model evaluates the level of power delivered by the language used and the impact of such text on the social fabric (Hjelm, 2021).

According to framing theory, selecting specific content while emphasizing it creates a particular framing effect. Mainstream media relies primarily on ‘Framing of Situations’ and ‘Framing of Attributes’ to create

descriptive narrative accounts (Jacob, 2022; Karim, 2024). Framing theory is applicable in this research because of its use by the BBC in the case of Mohammed bin Rashid al-Maktoum v Princess Haya [2021], to shape the narrative of Sheikh’s character and ultimately influencing the court’s judgment.

MATERIALS AND METHODS

This qualitative research involves a discourse analysis of the BBC news coverage regarding the divorce case Mohammed bin Rashid al-Maktoum v Princess Haya [2021] (“EWHC 3480,” 2022; “EWFC 16,” 2022). Six news articles published by BBC are selected and coded as A1, A2, ... A6 for the analysis (Table 1).

Fairclough’s Three-Dimensional Model of Discourse is used to examine the BBC news articles to show the influence of words on the judge of the High Court of England and Wales, Sir Philip Drury Moor, in taking the decision towards the Princess’s favor. The analysis discusses the vocabulary and grammar, informal and formal discourse, and the social implications of the text circulation that challenged the Emirati social scene.

Table 1: Selected BBC articles for the analysis

No.	BBC Article Title	Code Assigned	Author	Source	Reference
1.	Princess Haya Bint al-Hussein: The Dubai royal 'hiding in London'	A1	Not mentioned	BBC	(BBC, 2019a)
2.	Dubai's Sheikh Mohammed abducted daughters and threatened wife - UK court	A2	Frank Gardner	BBC	(Gardner, 2020)
3.	Princess Haya: Dubai ruler had ex-wife's phone hacked - UK court	A3	Frank Gardner	BBC	(Gardner, 2021a)
4.	Princess Haya: Dubai ruler's wife in UK 'in fear of her life'	A4	Frank Gardner	BBC	(Gardner, 2019)
5.	Princess Haya: Dubai ruler's wife seeks marriage protection order	A5	Not mentioned	BBC	(BBC, 2019b)
6.	Princess Haya: The Princess, the Sheikh and the £550m divorce settlement	A6	Frank Gardner	BBC	(Gardner, 2021b)

RESULTS AND DISCUSSION

Language intersects with power in three ways: social, cultural, and political (Simpson *et al.*, 2018). Therefore, Fairclough’s three-dimensional model is the best approach for CDA considering the discourse of news articles (Fairclough, 2013). The BBC presented Princess Haya and Sheikh’s divorce as both an elite court fight and a symbol of struggles regarding women’s rights in the Arab Royal family.

Analysis revealed that the BBC portrayed the Sheikh as a wealthy, controlling and powerful man, who is dangerous and could easily harm anyone without consequences. Their media coverage drew attention to coercive control allegations against Sheikh Mohammed during an examination of his behavior toward his female relatives who attempted to flee (Gardner, 2021a). The BBC

reported on the court ruling, which affirmed that the Sheikh had kidnapped and forced his daughters, Princess Latifa and Princess Shamsa, back to Dubai against their will. They highlighted parallels between Princess Haya’s recent escape and Princess Latifa’s previous unsuccessful flight for liberty, thus emphasizing Sheikh’s absolute dominion over his family members combined with his ability to access state resources to track and subdue female relatives who want to flee. As shown in the following excerpts:

The court also found proven allegations that he kidnapped and forcibly returned to Dubai two of his own daughters, Sheikha Latifa and Sheikha Shamsa (Gardner, 2021a). A3 In April 2019, Princess Haya fled to Britain, taking her two children with her. The court heard how veiled threats from Sheikh Mohammed had left her terrified for her own

safety, as well as fears that her children could be abducted and forcibly returned to Dubai (Gardner, 2020). A2

Sheikh Mohammed Al Maktoum's wife, Princess Haya Bint al-Hussein, is the third female member of his court to try to run away apparently (BBC, 2019b). A5

In examining the news articles published on the BBC website, all six articles shared one main phrase in the same context: "in fear of her life." Most vocabularies illustrate that the Princess is "hiding," "threatened," and "in fear," suggesting that she is a weak female seeking help and she is distressed. This portrayal was to gain sympathy of the people towards the princess because the modern society is not tolerance towards violence and threats against a women (Karlsson *et al.*, 2021). On the other hand, BBC depicted her husband, the Sheikh, as a "threat" and an "abductor", suggesting that he is a powerful male figure who is in control and might inflict pain and dangerous to others. As shown in the following excerpts:

Sources told the BBC she was in fear for her life as she prepared for the court battle with her husband (BBC, 2019a). A1

telling friends she was in fear for her life (Gardner, 2020). A2

She has since said she is living in fear for her life after receiving threatening messages from agents of her former husband (Gardner, 2021a). A3

Living in fear of her life (Gardner, 2021a). A3

Princess Haya Bint al-Hussein, a wife of the ruler of Dubai, Sheikh Mohammed Al Maktoum, is in hiding in London and is said to be in fear for her life after fleeing her husband (Gardner, 2019). A4

This month, she was reported to be in hiding in London and is said to be in fear for her life (BBC, 2019b). A5

Princess Haya fled from Dubai to Britain with her children in 2019, saying she was in fear for her life (Gardner, 2021b). A6

BBC reports also mentioned claims that the Sheikh ordered the hacking of his wife's mobile phone, which resulted in uncovering the affair between the Princess and the bodyguard, and then the Sheikh threatened the Princess's life (Gardner, 2021a). It reinforced the idea that family issues were the state's concerns and that he would utilize state's resources to impose his authority. However, there was no evidence to back these allegations and the Shiekh also denied them (Holden & Macaskill, 2021). BBC reported that after these hacking attempts, the Princess flew discreetly with her children to Berlin, then to London to seek asylum in her palace in London, and filed for a civil divorce case against her husband to maintain the custody of her children. As shown in the following excerpts:

The judgment concluded that "the allegations of hacking came before the court at a time when it had already made very serious findings against the father" (Gardner, 2021a). A3

Princess Haya asked for the wardship of her children - with whom she left the United Arab Emirates (UAE) - as well as a forced marriage protection order and a non-

molestation order (BBC, 2019b). A5

Princess Haya said the discovery [of hacking] had made her feel 'hunted and haunted' (Gardner, 2021a). A3

The use of language is formal when mentioning the court proceedings. However, it is informal when it mentions the suffering of the Princess and her children. It reflects the stereotypical role of a female, a princess, a mother who is trying to live a better life to nurture her children away from the male who holds the upper hand in society (Rudman & Glick, 2021). It is close to Holmes's analysis regarding gender and power relations at the workplace, since it demonstrated how the system makes gender relevant in social settings (Holmes, 2005). The Princess claimed that she received numerous threats, showing no tangible evidence; however, the judge seemed convinced that she was in danger and found "proven allegations" regarding the abduction of the Sheikh's daughters, Sheikh Latifa and Sheikh Shamsa. As shown in the following excerpts:

Princess Haya continued to receive threats after moving to Britain, with messages saying "we can reach you anywhere" and she has since spent vast sums on security for fear her children would be abducted and flown back to Dubai (Gardner, 2021b). A6

Later, however, sources alleged that Princess Haya had become aware of new information related to the case [of Sheikh Latifa], and as a result came under increasing pressure from her husband's extended family (BBC, 2019b). A5

Sheikh Mohammed, a close ally of Britain's and a billionaire racehorse owner, was found by the High Court in March 2020 to have threatened and intimidated Princess Haya (Gardner, 2021a). A3

A campaign of intimidation by Sheikh Mohammed's agents began, and the court heard that a gun was twice placed on her pillow with the safety catch off. A helicopter landed outside her house with a threat to remove her to a remote desert prison" (Gardner, 2020). A2

There is no relevance regarding the "proven allegations" and the divorce case. Hence the fact that the Princess had cheated on the Sheikh seems justified in this case, while it was not considered when His Royal Highness Prince Charles of Wales, and his ex-wife, Princess Diana had filed for divorce. However, there was a slight indirect mention of the affair that the Princess had (BBC, 2019a). However, there was no mention of the words dishonesty, disloyalty, unfaithfulness, infidelity, or affair for Princess Haya that would clearly redirect the attention to her misbehavior. BBC only mentioned that the Sheikh accused an unidentified woman of "treachery and betrayal" through a poem posted on his Instagram. As shown in the following excerpts:

Sheikh Mohammed, 69, who is a billionaire racehorse owner and has often been seen conversing with the Queen at Ascot, has posted a furious poem on Instagram accusing an unidentified woman of "treachery and betrayal" (Gardner, 2019). A4

"He [the Sheikh] published a poem called, 'You lived,

You Died,' widely assumed to threaten the Princess after discovering she was having an affair with her British Ex-Army bodyguard" (Gardner, 2021b). A6

There was only one mention of a 'relationship' between the Princess and her husband, with the focus on Princess Haya maintaining her decorum as a nice wife. As shown in the following excerpt:

In the years since, Princess Haya has spoken effusively in public about her relationship with Sheikh Mohammed, painting a picture of perfect family life" (BBC, 2019a). A1
The social imprint of the articles reflected a great deal on the social scene in the United Arab Emirates. The news of the Princess case created rumors regarding the disappearances or 'abductions' of the daughters of the Sheikh by him. BBC mentioned that the Princess ran away in fear for her life because she discovered that the Sheikh could abduct his daughters and place them under house arrest for attempting to run away from the palace. The perception that money is associated with power and influence (Stefanov, 2023) is used by the BBC to emphasize the Sheikh's power and control over his wife. The fact that the Princess was unfaithful to her husband was ignored. As shown in the following excerpts:

She is the youngest of six wives of Sheikh Mohammed Bin Rashid Al-Maktoum - the multi-billionaire ruler of Dubai, prime minister of the UAE, and influential horse-racing owner (Gardner, 2021b). A6

Abduction, forced return, torture, and a campaign of intimidation. On Thursday, the damning allegations made against the billionaire ruler of Dubai, Sheikh Mohammed Bin Rashid Al-Maktoum, by his former wife, Princess Haya Bint Al-Hussain, became established fact, published in a series of judgments by the High Court in London" (Gardner, 2020). A2

The social fabric of the UAE is traditionally discrete, and conservative Muslim society does not allow any personal matters to be discussed in public. Therefore, there was no official comment by the Ruler of Dubai nor the Emirati Press regarding the case and its alleged incidents. Adding to the fact that the Princess had an affair while still married to the Sheikh, the public remained silent towards the allegations made by the Princess.

In consideration of all the alleged claims by the Princess, the judge ruled in her favor, considering her helpless and that she suffered indirect threats from the Sheikh. At last, the judge ordered a £554 million (\$734 million) settlement of divorce in favor of the Princess as well as the custody of her two children (Gardner, 2021b).

The judge, Sir Philip Drury Moor, applied the framing theory on the character of the Sheikh based on the fictional stereotypical style of rich royals living in the Gulf region instead of making his decision wisely based on solid facts and not on gender bias. Apparently, the judge took into consideration that the Sheikh, being the ruler of an Emirate, a Prime Minister, a father, and a grandfather, found the time to harm the Princess and her two children while his children were living their social lives in the open. According to Rubio (2018), framing theory is

reinforced due to the multimodal dimensions of framing when discussing gender presentation. (Iacob, 2022). It involves making some aspects of reality more salient during communication to shape causal interpretation and moral evaluation and determine appropriate treatment responses for the subject being described (Albeladi, 2019).

Women possess the ultimate power of gender influence in court cases, as shown in other high-profile cases such as the case of Actor Johnny Depp and Actress Amber Heard. Due to the negative media coverage and gender influence of Amber, the UK court ruled against Johnny Depp and considered him abusive towards his ex-wife when his wife falsely accused him of domestic abuse despite any evidence or witnesses of abuse (Marishta *et al.*, 2024). After much later, Depp was found innocent in a US Jury trial. It shows that society views women as vulnerable and helpless against a powerful male figure regardless of the truth (Mori *et al.*, 2023). Rudman and Glick (2021) argue that men are stereotypically more dominant than women and the society has established a preconceived notion that men are the perpetrators in an abusive relationship. This perception was further solidified in the "Me Too" movement in 2017, where women around the world were coming forward with their abuse cases. It fueled the narrative of 'Toxic Masculinity' and influenced a large number of court cases, such as, Depp v Heard and the Sheikh v Princess Haya. Ultimately, media holds the power to shape the narrative about court cases and influence ruling outcomes. Thus, there is a need to resolve this issue as it affects the correct course of court ruling, which should be based on evidence and witnesses instead of stereotypes and character framing by the media.

Limitations

This research has its limitations regarding the generalizability of the findings as the focus was solely on the divorce case coverage by BBC. However, the discourse of media coverage remains similar to other cases as discussed. Moreover, the research design is interpretive, which makes it subjective to the bias of researcher's perspective and dependent on their capability of analysis.

Future Direction

Future studies are recommended to perform discourse analysis on BBC's news coverage of other court cases that influenced its judgement outcome. It is needed to understand the role of other media channels in changing the court ruling as well, thus, future studies can be conducted on the other channels covering this case.

CONCLUSION

'Narrative is stronger than reality' is the basis of framing theory, and it is proven in the divorce case between the Sheikh and Princess Haya. The stereotypical gender roles help women achieve their goals when applied appropriately despite the truth. The use of language

to reflect powerlessness and helplessness secured the winning of the Princess's case against her husband, the Sheikh, despite being unfaithful and having an affair outside of wedlock.

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