The nation-state form and the emergence of 'minorities' in French mandate Syria, 1919-1939

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by

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Abstract (i)

The first part of this thesis questions the concept of 'minority', and the way it has been used to analyze French imperial policy in Syria ('divide and rule'). Chapter 1 traces the concept's emergence, showing that it is not self-evidently valid but rather depends on a set of wider social and political circumstances related to the existence of modern nation-states: the minorities of modern Syria cannot be mapped directly back onto the Ottoman *millets* or religious communities. Chapter 2 examines the term's application in Syria between the wars: French imperial policy emphasised divisions in Syrian society, but the term 'minority' was only systematically attached to these divisions from the 1930s. The concept's spread in Syria reflects its growing importance in international public discourse worldwide, as the nation-state became the standard state form after World War One.

The second part of the thesis uses case studies of particular themes to show how the emergence of minorities illuminates processes of state-formation that have shaped the modern world. Chapters 3 and 4, on the question of 'separatism' and the definition of modern Syria's northern border, examine the spread of effective state authority across a 'national' territory. This process bound culturally-divergent populations more tightly into the fabric of a centrally-controlled state, thereby constituting them as 'minorities'. Chapter 5 examines the debate about a Franco-Syrian treaty leading to Syrian independence, showing that this made the recently-established body of international law on 'minorities' in newly-independent states applicable to Syria: the term only became widespread in Syria at this time. Chapter 6

looks at French efforts to reform personal status law in the later 1930s, when the restructuring, on religious lines, of the institutional relationship between the Syrian state and its population created a new uniformity within communities at the national level (one condition for their developing the sense of being 'minorities'). It also sparked opposition from groups now claiming to represent the 'majority'. Other Syrians, though, understood their society in different terms.

Abstract (ii)

This thesis uses French and Arabic archival sources to demonstrate that the development of the nation-state form under the French mandate led to the emergence of 'minority' as a meaningful category in Syria.

The first part of the thesis questions the category of 'minority', and the way it has been used to analyze French imperial policy in Syria ('divide and rule'). Chapter 1 traces the emergence of the concept of 'minority', showing that it is not self-evidently valid but rather depends on a set of wider social and political circumstances related to the existence of modern nation-states. By the same token, it would be a mistake to assume that the minorities of modern Syria can be mapped directly back onto the Ottoman *millets* or religious communities. Chapter 2 examines the term's application in Syria between the wars: French imperial policy emphasised divisions in Syrian society, but the term 'minority' was only systematically attached to these divisions in the second half of the mandate period. The concept's spread in Syria reflects its growing importance in international public discourse worldwide, as the nation-state became the standard state form after World War One.

The second part of the thesis uses case studies of particular themes to show how processes of state-formation that have shaped the modern world are illuminated by the emergence of minorities. They also illustrate that minorities are not marginal to the development of the nation-state, but central to it. Chapter 3 uses a discussion of the question of 'separatism' to address the spread of the state's authority across its territory, a process

which bound culturally-divergent populations much more tightly into the fabric of a centrally-controlled state—and duly provoked resistance. Seeing those populations as foreign to the nation-state, and describing their aspirations as 'separatist', takes for granted the ideological claim that a coherent national territory already existed. It also means ignoring separatist or autonomist mobilizations whenever these involved communities that formed part of the majority envisioned by nationalists. In fact, understanding how nationalism comes to define certain populations as foreign (that is, non-national) and portray their mobilizations as 'separatist' helps us to understand how nationalism defines the 'nation' and promulgates its territorial claims.

Chapter 4 continues the analysis of the state's relationship to its territory, showing that the delineation of fixed borders fits—as both a consequence and a cause—into the same process of expansion and intensification of state authority. In the case of the Syrian-Turkish frontier, it was propelled by the need to assert state authority over culturally-divergent populations. Such groups are not strays, interlopers, 'allogenous elements' within a pre-existing national territory. Their presence is not exceptional (all modern states contain such minorities, because it is the modern state that creates them), and if it is 'marginal' this is only in the sense that a margin defines a page: their existence permits the definition of the majority. They become minorities because the state in question adopts a 'national' identity that excludes them; but their presence on the territory makes the definition of that national identity, by contradistinction to them, easier. Examining how such communities are constituted, rather than taking them to be

'minorities' from the start, helps us understand the state's efforts to impose its authority over the territory, and to define a national identity binding it to the ('majority') population.

After World War One, the newly-independent nation-states of Europe achieved international recognition through the League of Nations, subject to signing treaties guaranteeing the rights of their national minorities. This was how the concept of 'minority'—almost unknown before the war—spread, and how it acquired distinct legal implications. Syria was under mandate from the League of Nations and Syrians hoped to progress, with League recognition, to full independence. As this became a more realistic prospect in the second decade of the mandate, so too did the prospect that Syria would have to sign 'minority' guarantees—thereby making the term's application in Syria far more widespread. Chapter 5, on the Franco-Syrian treaty negotiations of the 1930s, shows how the different actors involved used the term, and what was at stake. The definition of such minorities (and, by extension, the majority) was not the mere recognition of existing groups. Rather, the debate over who was a 'minority' and how they were to be legally defined and protected was a central part of a larger struggle to redefine the institutional relationship between population and state—in a state that had itself been profoundly redefined. Studying the emergence of a legal category of 'minorities' helps us recognize and understand these changes. The transformation of the state is particularly 'visible' in the interwar period in those many parts of the world where new nation-states, like Syria, had abruptly replaced dynastic empires. But the transformation of the state in the modern period more generally is marked by such

struggles for and against 'minority' rights—partly because the state's relationship to the majority is defined in relation to the rights offered, or denied, to minorities.

The final chapter, meanwhile, continues this investigation into the changing institutional relationship between the population and the state by assessing French attempts to reform personal status law in the later 1930s. It shows how the increasing codification and standardization of legal theory and practice that is characteristic of modern states—as an ideal if not as a reality—could increase the sense of shared identity within communities whose members now experienced a much more uniform relationship with the state. If this offered opportunities to influential actors within 'minority' communities to redefine the latter to their own advantage, within a nation-state context the claim to speak for a 'majority' could permit other influential actors to redefine to their own advantage the state's relationship to the entire population. Assuming that a majority and minorities existed from the outset obscures important aspects of the relationship between the population and the state; these are revealed if we examine how those categories were constituted. One thing suggesting that they did *not* exist from the outset is the way many parties to this debate legitimated themselves not in terms of the new language of majorities and minorities but by reference to an older, pre-national understanding of their own society.

Through these case studies the thesis captures the reasons why 'minorities', defined as such, became important to French imperialism, and why the

term became meaningful as a modern Syrian nation-state developed after World War One. It challenges the imperial vision of Middle Eastern society as primordially divided, without accepting an equally ideological nationalist counter-narrative of a mystically unified Syrian Arab nation. Having established that minorities are not marginal to the nation-state, the conclusion reflects on the ways in which their history has been marginalized—not only by the writing of 'majority' histories, but also by the writing of 'minority' histories—and suggests means of overcoming that marginalization.

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*

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NB—The word count of this thesis, including appendices but minus bibliography, is c.99,800 words (including bibliography: 108,600). The page count is increased by my use of a large, clear font, Trebuchet, recommended by the British Dyslexia Association for its legibility.

INTRODUCTION

Introduction

I began my doctoral research on minorities in French mandate Syria hoping that examining these communities would allow me to understand better the confrontation between two ideologies that have shaped our time: imperialism and nationalism. The French in Syria, it has been argued, used the minorities—in some eyes even *created* the minorities—in order to offset the opposition of the nationalist majority.[1]

My original plan was to consider several specific minorities defined along religious or linguistic lines (or both) to see how these different variables affected their relationships with the majority, the nationalists, and the imperial power. The study would thereby provide insight into the imperialist conception of the colonized society as hopelessly divided, and the aggressively divisive policies that it underpinned. At the same time it would illuminate the means whereby Syrian Arab nationalism constructed the Syrian Arab *nation*. While I was sceptical from the beginning of the imperialist claim that religious or linguistic cleavages in Syrian society were primordial, permanent, and insurmountable, and that religious or linguistic identity governed political identity, I was also aware that such cleavages are not negligible, especially to the development of nationalism. A numerical majority of the inhabitants of the new state were Sunni Muslims, but that majority was divided by language; a numerical majority were Arabic-

[1] Khoury 1987: 58; Provence 2005: 50. The same interpretation can be found in textbooks: Aldrich 1996: 208-212; Cleveland 2004: 218-223.

speakers, but that majority was divided by religion. Sunni Muslim Arabic-speakers—sharing both language and religion—were a numerical majority but a substantially smaller one: nationalism would need to appeal beyond this group to achieve a solid base in Syrian society. Since French imperialism imposed divisions on that society precisely to *hinder* nationalism's appeal outside this group, examining Syrian Arab nationalist responses to those divisions—whether denying their significance and seeking to reassure minorities of their place within the nation on the one hand, or threatening minorites, even denying their existence, on the other—would offer a useful insight into the way the ideology functioned. Such a study would thus find its place in the comparative history of both imperialism and nationalism.[2] Since much of the world has been shaped by either imperialism, or nationalism, or both, this seemed a worthwhile project.

I still believe that such a study would be a worthwhile project. This thesis, however, is not quite it. It *does* answer some of my original questions about how different variables affected the position of different minorities relative to the French and to the nationalists. My underlying research questions slowly shifted, however—because quite early on in my archival research, I noticed something unusual. The term 'minority' was freely used in the secondary literature about French mandate Syria, and analytical force attributed to it (certain groups behaved in such a way *because* they were

[2] My main, well-founded worry was that the focus on minorities might lead some to assume a prejudged hostility on my part towards Syrian nationalism in particular. Nationalist claims deserve to be examined with the same sceptical inquisitiveness wherever they are made.

'minorities'). But in the archives of the French mandate themselves, and in other contemporary texts on the mandate, it was used fairly infrequently until around 1930—when it quickly became very widespread.

This provoked two questions: when did people start thinking of themselves or others as 'minorities', and for that matter as 'majorities'? And why? I therefore put inverted commas around both terms, so to speak, and my research project changed: using the example of French mandate Syria as a case study, I now hoped to trace the emergence of these categories and understand the historical context that *made* them meaningful—which, I have come to conclude, is the context of the modern nation-state: states with a supposedly eternal 'national' territory over which state authority is uniformly applied, and deriving their legitimacy from some version of the principle of representativity expressed in the claim to share a cultural identity with a majority of their population.

As it has actually been written, then, my thesis focuses on how the development of the nation-state gives rise to 'minorities' and 'majorities'. This is one key element of the thesis. The other, more metahistorical, is to use this case to offer a critical analysis of a concept—'minority'—that is frequently used by historians (and others) to describe the societies we study.

* * *

The thesis's place in the literature

Many sound historical works have demonstrated that French officials approached Syria with a communitarian understanding of Syrian society, and on this basis adopted a divisive communitarian politics. Philip Khoury's classic political history of the mandate offers numerous examples in the framework of a general argument about the shape of mandatory politics, as do earlier works by Albert Hourani and Stephen Longrigg.[3] An influential article by Edmund Burke relates this aspect of French policy in Syria to imperial experiences elsewhere, showing that it fitted into the 'associationist' model of imperial rule developed in Morocco, where the French emphasised—and institutionalized—the division between Arabs and Berbers.[4] Other works have shown how the dynamic functioned either with regard to specific events or specific communities. Communitarian patterns of recruitment into the local armed forces, for example, have been widely discussed, as have their effect on politics in independent Syria. Philip Khoury outlines the pattern; other scholars have nuanced the picture, like Nacklie Bou-Nacklie, or discussed recruitment from specific groups or into specific formations, as in Jean-David Mizrahi's account of the formation of the 'Circassian squadrons'.[5] (The policy pre-dated the mandate, indeed, with French recruitment of an initially mostly Armenian *Legion d'Orient* to fight against the Ottomans during World War One.[6]) Patrick Seale discusses the participation of ᶜAlawis in the armed forces of the mandate in his

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[3] P. Khoury 1987; Hourani 1946; Longrigg 1958.

[4] Burke 1973.

[5] P. Khoury 1987: 80-82; Bou-Nacklie 1993; Mizrahi 2003: 152-154.

[6] Tachjian 32-33 and *passim*.

account of the rural ᶜAlawi background of Hafiz al-Asad—an account which certainly takes 'minorities' to be the basis of French policy.[7] The effects of this pattern of recruitment on independent Syria have also been noted elsewhere: tellingly, Khoury closes his account of the mandate by discussing it, while Eyal Zisser's discussion of the ᶜAlawis' passage "from ethnic minority to ruling sect" also draws the link.[8] The use of irregular troops from Armenian, Circassian, and other communities in the repression of the 'Great Revolt' of 1925-27 is also well-known.[9] It is *against* the contemporary French interpretation of the revolt as a sectarian outburst instigated by feudal notables that Michael Provence argues that the uprising brought together different communities *and* different socioeconomic classes—that it was, in a sense, the crucible in which a Syrian nation was forged.[10]

Communitarianism did not only mark French military policy. The administrative division of Syria along communal lines is discussed in the general histories of the mandate; the so-called 'compact minorities' and the statelets attributed to them by the French have also been the specific subject of scholarly studies.[11] France's relations with Syria's refugee

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[7] Seale 1988: chs1-2.

[8] P. Khoury 1987: 628-630; Zisser 1999: 133-134.

[9] P. Khoury 1987: 191-2, 196, 206.

[10] Provence 2005.

[11] For example in Rabinovich 1979 (on the 'compact minorities') or Schaebler 1998 (on the Druzes).

communities have been studied, too[12], and with the Kurds—a community including recently-arrived refugees and long-established residents.[13] French policy 'ethnicized' groups whose boundaries and communal identity had not previously been clear.[14] This understanding of Syrian society as primordially divided was materialized in the form of countless postcards and photographs of communal 'types', often playing out typical 'scenes'.[15] The communitarian basis of French policy is thus well-established—though it is worth noting that by concentrating on the relationship between French officials in Syria and Syrian society, such scholarship has often overlooked this model's implications for *French* history. The relentlessly communitarian French understanding of Syrian society, and the correspondingly non-communitarian French understanding of *French* society, add weight to the argument that the imperial project provided a hook on which French national identity could be hung.[16]

As regards this literature, my aim is not to dispute the fact that French policy had a communitarian basis, but rather to nuance the argument based on the discrepancy I noticed between the terms used in the literature and those used in the sources. I do this by showing that understanding this

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[12] Lust-Okar 1996 and Watenpaugh 2004 on French policy towards Armenians; Tachjian 2004 on French policy towards refugee communities more generally.

[13] Tejel Gorgas n.d. [2003], Fuccaro 2004, and McDowall 2004: 466-484 on the Kurds.

[14] The term comes from Firro 2006, referring to Lebanese Shi^{c}is under the mandate.

[15] Fournié 1995, though note that 'scenes and types' were also common tropes of metropolitan (i.e. urban, especially Parisian) depictions of rural France (Robb 2007: 313).

[16] As Rod Kedward puts it in an important recent work, "Colonialism was universally projected in France as an epic adventure in the realization and growth of French identity. [...T]he level of tacit agreement on colonial matters in the period 1900-1914, and well beyond, was itself a rare facet of French political life." Cf., *inter alia*, Blanchard 2003.

communitarian politics in terms of minorities (the commonly-used term in most, if not all, the above titles) and a majority is anachronistic: it implies the prior existence of a Syrian Arab nation-state with a coherent majority. The definition of the Syrian state's territory, its binding together as a coherent unit[17] by common institutions, and its *separation* from surrounding areas by the new borders that partitioned the recently-vanished Ottoman Empire were all developments of the mandate period, and gradual developments at that. There was, indeed, a fundamental redefinition of the state as Syria passed from being part of a non-national dynastic empire whose legitimacy still derived chiefly from the maintenance of a religious order, to being a nation-state that was supposed to represent its population. Until these changes were at least partly accepted by the population, the idea of a single group constituting (and constituting *itself*) as a 'majority' with a right to dominate 'Syria' is questionable. As we have seen, Sunni Muslim Arabic-speakers were a numerical majority in Syria as a whole. But it is hard to argue from first principles the existence of a Sunni Muslim Arabic-speaking majority in any meaningful political sense. During the mandate period, influential figures within that numerical majority might include a Sunni Muslim Arab in Aleppo whose political loyalty was to the Ottoman caliphate; another in Dayr al-Zur who wanted his town to be detached from Syria and incorporated into an Iraqi nation-state; still another in Homs arguing for Islam as the basis of state law in Syria, not because Muslims outnumbered non-Muslims in the state but simply because

[17] Despite the administrative divisions imposed by the French—see below.

Islam was the true religion and only legitimate source of law; or another, a nomad in the Syrian desert, who regarded the settled population as legitimate prey. (We will meet some of them, not just at the outset of the mandate period but well into the 1930s.) None of them was acting as part of a coherent Syrian 'majority' with the others. Only when the developing Syrian state came to enframe the political ambitions of these different actors, and nationalist ideology constituted them as a single group within the state, did certain Syrians begin to harness their political ambitions to the term 'majority'. And when they did, their definitions of the majority differed, and may have been contradictory—because the majority they usually identified tended to be either Arab, including diverse religious groups, *or* Sunni including speakers of several languages. Even then, whether the 'majority' existed as anything other than a politically useful fiction may be questioned.

It was these and other developments during the mandate period, I argue, that made the concepts of 'minority' and 'majority' meaningful in Syria. But if the communitarian nature of French policy in Syria is widely regognized in the literature, the modernity—and historical contingency—of the concept of 'minority' are not. Works that clearly grasp and express this are rare.[18] One reason for this is that by the time the mandate ended, the concept was well-developed in Syria: even works written soon afterwards by observers who had experienced Syria under the mandate adopted it to

[18] Kedourie 1988, on the concept in general, and Fuccaro 2004, on a specific minority, are among them.

understand the functioning of mandatory rule, not just in its final decade, but from the start.[19] (For that matter, the same is true of primary sources from the later mandate period.) Since the concept retains its power in the societies from which modern historians and social scientists come, Syrians included, they too have used it. But, as I will argue, adopting these terms and attributing analytical force to them masks the very important development that was the creation of a modern nation-state in Syria. This is by no means unique to the Syrian case: as soon as it had emerged, the concept was being projected back into the past in all sorts of cases. The thesis therefore takes its place not just in the literature on the French mandate, but also on the comparative study of minorities.[20]

In the first instance, then, the aim of the thesis is to refine our understanding of the dynamics of French policy towards the colonized society in Syria. But it will have become clear that attempting to understand why the concept of 'minority' *did* come into widespread use has led me to concentrate on the form and practices of the modern state, and the responses they engendered among Syrian society—without taking these forms and practices for granted, or making prior assumptions about the responses they provoked. In this I join some of the very recent scholarship on the Levant in modern times.[21] Keith Watenpaugh's work on Aleppo examines the effect of modernity on the "architecture of community" in the

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[19] Hourani 1946, and on the Arab world more generally 1947; Longrigg 1958.

[20] This literature is surveyed in chapter 1.

[21] Deserving mention here is the research programme on the mandates at the Institut français d'études arabes de Damas in the late 1990s and early 2000s which resulted in the publication of two substantial edited volumes (Méouchy 2002; Méouchy and Sluglett 2004).

city during and before the mandate period; Ussama Makdisi's work on Ottoman Lebanon, too, looks at the effects of modern state-building on communal identity. Both see modern communal identities as having been in many senses produced, and certainly profoundly altered, by modern state development—not as primordial 'givens' snarling this process.[22]

Beyond its examination of the Syrian case, my specific focus on the aspects of modern state development that give meaning to the concept of 'minority' advances the field by providing a robust and generalizable analytical framework for comparative study.[23] This, I hope, will function on two levels, and overcome three kinds of exceptionalism. First, it allows existing studies that concentrate on particular minorities in the Middle East to be incorporated into a single framework.[24] There are good reasons for concentrating on a specific community, but there is a risk that too narrow a focus may encourage the first kind of exceptionalism—the assumption that the minority under study is exceptional in the way they have related to the state(s) in which they live. An extreme form of this is the 'nation denied' model, in which the minority is taken to constitute a nation in the exceptional situation of having been—unlike its oppressors—denied the state that every nation should have by right. This is a model that accepts

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[22] Watenpaugh 2006; Makdisi 2000, and 2002 on Ottoman modernity more generally.

[23] This was refined by my discussions with participants at a 'thematic conversation' I organized at the Middle East Studies Association's annual conferences in 2006 and 2007, and a panel I ran at the British Society for Middle Eastern Studies annual conference in 2005, both under the title *Majorities and minorities in the Middle East and North Africa*.

[24] Such studies are numerous. Examples that are particularly relevant to the Syrian case include McDowell 2004 on the Kurds, or Husry 1974 (a and b) and Zubaida 2000 on the Assyrians in Iraq.

nationalist ideology from the outset, and typically examines its subject in comparison only with 'nations' that *do* have states.[25] Without wanting to deny the specificity of different minorities, it is both possible and useful to draw a sustained comparison between them. Doing so illuminates similar processes of state development in the region. It allows us to see not only that individual minorities are not exceptional, but also that *minorities* are not exceptional (the second kind of exceptionalism): minorities are integral to the development of modern nation-states, not awkward groups that do not properly fit into them. Meanwhile, by examining the emergence of minorities and majorities as a dynamic, dialectical process it avoids the primordialism which often creeps even into good scholarship in this field. This is an effort worth making, as a glance at some of the more tendentious scholarship shows.[26]

The second level for comparative study is of nation-state development in different states, not only in the Middle East, under different conditions: the framework I propose can be applied to the emergence of minorities (and thus to the development of states) anywhere. A particularly useful comparison would be between nation-state formation in the Levant, under mandate, and the contemporary formation of nation-states in eastern and central Europe. To take only one obvious example, the role of the debate about treaty guarantees for minorities in the construction of both minorities *and* a majority, studied here with reference to the Franco-Syrian treaty,

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[25] The term 'nation denied' comes from the title of McDowall 1992, though McDowall 2004 is somewhat more careful in its assumptions. Yacoub 1985 is not.

[26] Indicative in this regard is Nisan 1991.

could very well be compared with the debate about the minorities treaties in European states. Here, too, a kind of exceptionalism is avoided: the notion that the Middle East is an exception in the number, treatment, or sensitivity of its minorities.

Lastly, in a more indirect way the thesis contributes to the literature on nationalism in Syria and the Middle East—by proposing a way of studying the development of nationalism from outside the ideology itself, but *inside* the state-form that gives it meaning.

* * *

Major sources

The most important archives for the study of the French mandate in Syria are those of the High Commission. Since the High Commission belonged to the Ministère des Affaires étrangères, these are now held at the Centre d'archives diplomatiques in Nantes. Inevitably, they are incomplete: apart from the ordinary work of triage carried out by archivists at the time, substantial portions of the Commission's records—especially on political affairs in the 1930s—were deliberately destroyed by the Vichy High Commissioner, Dentz, on the approach of Free French and British forces in 1941; more were lost at the mandate's end, during the inelegant French withdrawal. Some may yet be found.[27]

[27] Fournié and Trégan 2004.

Nonetheless, the surviving records amount to thousands of boxes: the richest available source for the mandate 'on the ground', so to speak. This thesis is concerned with the institutional restructuring of the Syrian state that took place under the supervision of the High Commission, and how Syrian society responded; the material contained in the archives on the relationship between the mandatory authorities and the society they sought to rule over is therefore extremely valuable. It gives a good picture of French official thinking on specific policies—why this administrative division was desirable, why that reform was necessary—and specific problems: what to do about refugees, how to deal with Turkish complaints about the border. From these a broader picture emerges, both of the general framework of the mandate and its institutions and of the set of attitudes that underlay French policy. In some senses the most informative aspect of the records may be the gaps in them—by which I mean not the lacunae resulting from loss or destruction, but the things that French officials chose not to say, or did not even think of saying. To take one highly pertinent example, documents on a startling diversity of subjects find it necessary to emphasise the absence of unity in Syrian society, its 'non-nationness'; the language of minorities, when it developed, fitted neatly into this rhetoric. But to my knowledge, no mandate functionary ever questioned the (eminently questionably) unity or nationhood of *French* society.[28] This dichotomy deserves comment, as one of the clearest signs of the category distinction French officials made between colonizing and colonizable

[28] A valuable recent work demonstrating just *how* questionable is Robb 2007, which draws on the earlier works of Eugen Weber.

societies—a distinction that historians should not reproduce. As I noted above, it also has implications for our understanding of the imperial project as a unifying factor in French politics and society.

Syrians, meanwhile, left an impression on the French archives both indirectly and directly. Indirectly, in the sense that most of the material generated by the mandate administration naturally related to the administration of the mandate: that is, the government of Syrians. Government is never frictionless, however much *governments* might wish that it were; we can therefore learn a lot about how Syrians dealt with the mandatory authorities from the records the latter kept. Syrians figured constantly in French considerations, especially (but not only) when they objected to the way they were being governed. Much of the material in the French archives, however, was *directly* generated by Syrians: letters, petitions, newspaper articles. Crucially, then, the archives can tell us how Syrians presented themselves politically, whether to the High Commission or to the League of Nations—how they understood their own society. There are reservations, of course: the archives were constructed subjectively, and may tell us more about who the French wanted to listen to than about who was actually important. (One might particularly cite the extraordinary prominence of the Christian patriarchs as the High Commission's favoured interlocutors among the Christian communities—and the near absence of sustained correspondence with Muslim religious figures.) Also, how people presented themselves and their communities to the authorities was not necessarily how they presented themselves to other Syrians. A nationalist politician might address the High Commission on behalf of a Syrian Arab

nation, but to an assembly at a Damascus mosque as a Muslim defending Islam.[29] In particular, we should be very careful, when reading (for example) the account given of his community by a Kurdish notable, an Orthodox patriarch, a Catholic deputy, a nationalist journalist, *not* to assume that we are getting an image of the community that its members would recognize. Again, the most informative aspect of the records may be the gaps in them. Still, such reservations must be brought to any historical source; they are what permits meaningful analysis, and despite their blank spots the High Commission archives provide plenty of material to digest.[30]

The other main French public archives for the Mandate are at the Quai d'Orsay and Vincennes. While Nantes holds the High Commission's archives, including material received from the ministry in Paris, the Quai d'Orsay holds material generated by the ministry itself.[31] However, the collection here is also incomplete. Most importantly, almost all political documentation for the period 1932-1940 was destroyed on the orders of the ministry's secretary-general ahead of the German occupation of Paris[32]; this includes all the ministry's records of the 1936 negotiations for a Franco-Syrian treaty, which would have been especially valuable to this thesis. In

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[29] Of course, it is neither unusual nor blameworthy to pitch oneself correctly to an audience.

[30] From the point of view of this thesis, perhaps the most frustratingly absent records are those of the High Commissioner's representatives—delegates, assistant delegates, or governors—in Damascus, Aleppo, Lattakia and Suwayda'. We have some of what they sent to Beirut, but nothing that they produced for internal consumption, or preferred not to forward.

[31] The Quai d'Orsay reading room has recently closed, and the archives are inaccessible. A new facility housing them is due to open at La Courneuve in 2009.

[32] This was Aléxis Léger, better known today as the poet Saint-John Perse.

the end, since the archives at Nantes contained so much—including duplicates of much of what *is* held in Paris—for diplomatic material I concentrated on the archives there.

The archives of the Service Historique de l'Armée de Terre at Vincennes are another matter. Again, there are gaps: in this case, not material that was destroyed prior to an enemy advance, but rather material that was not destroyed in time. Tens of thousands of boxes, including some from the Armée du Levant in Syria, were seized by the Germans and taken to Berlin, from where they were taken to the Soviet Union at the end of World War Two. Post-Cold War diplomatic agreements saw some, but not all, of this material returned to France.[33] The division between military and political affairs is not entirely clear for the French mandate: on the one hand, the Armée du Levant was under the orders of the High Commission, which belonged to the Ministère des Affaires étrangères; on the other, many of the mandate's French functionaries (especially its intelligence officers), not to mention several High Commissioners, were army officers on secondment.[34] In theory, at least, documents relating to the political and diplomatic aspects of the military's role in Syria were archived by the High Commission; the military archives received material, above all, on operational matters.[35] This proved very useful, especially for understanding the slow spread of French authority into remoter areas of the mandate

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[33] Thomas 2002: 2. (The fact that the *partial* return amounted to 40,000 boxes shows the size of the original haul.)

[34] A prosopography of the Service des renseignements du Levant is contained in Mizrahi (2003: 183-288).

[35] See introduction to the inventory of Archives du Levant, sub-series 4 H (1917-1946).

territories, or the recruitment and functioning of troops from 'minority' communities.

If the French archives for the mandate are characterized by large gaps, the Syrian archives for the period are more gap than archive. The *Markaz al-wathâ'iq al-târîkhiyya* (Historical Documents Centre) in Damascus has remarkably complete records for the Ottoman period, much less for the post-Ottoman period.[36] The holdings for the mandate are patchy and unsystematic. However, they represent a vital complement to the French archives, since only here are any substantial records held for the *Syrian* administration as opposed to the High Commission—and most of the business of government was done by a Syrian bureaucracy, police force, gendarmerie, judiciary, even if the hands of French advisers were heavily felt. Where records survive, then, they provide important information about the bureaucratic and institutional 'shape' of the Syrian state under French rule. From Damascene police reports, provincial governors writing to the interior ministry, or officials on a tour of inspection in rural areas, we can gain a valuable picture of the ways in which the state apparatus touched the lives of Syrians across the country—despite the unsystematic nature of the collection, and even when the reasons why such items were kept are not the reasons why they are interesting today. For example, barely any of what must have been a mountain of daily reports produced by the police stations in Damascus have survived. To judge from markings in

[36] At the time of my research in Damascus the Centre's staff had recently prepared an archival law, the country's first, for the Syrian administration—whether it would be passed, or, having been passed, *applied*, was not certain.

blue pencil on those that did, the reason why a few were kept was because they were from days when (presumably nationalist) activists had disrupted the (foreign-owned) tramway. But those few are enough to give us useful information: where the city's police stations were; that the General Police Directorate (*Mudîriyyat al-shurta al-ᶜâmma*) collated information on the crimes and misdemeanours each station dealt with; what some of those crimes were, from stabbings to public drunkenness, brawls to rapes, or the murder of a baby girl[37]; and a vague idea of how the police dealt with each one—where someone had been injured, for example, they usually noted how long it was expected to take for them to recover.

Frequently, then, such documents can shine a narrowly-focused but intense beam of light on a particular subject. For someone trying to write a narrative history of some aspect of Syrian life under mandate, the scant and arbitrary nature of these sources might be frustrating, like trying to perceive the design of a vast mosaic from spots of torchlight falling here and there on random clusters of tesserae. But for this thesis, which concentrates on general, structural aspects of state development in Syria, the information in these sources may prove more illuminating—as the same torch, shone around the room, might at least tell you where the walls and ceiling are.

[37] A number of such reports can be found in MWT, *wathâ'iq al-dawla*, sijill 2, under *wizârat al-dâkhiliyya – al-amn al-ᶜâmm – taqârîr*. The murder of a baby girl, whose body was found in a garden off Baghdad Street, is recorded on 5/9/1936 in a report under call number 6.

The most important of my published sources is the Syrian nationalist press of the mandate period. Starting with the reservations about the usefulness of this source for this project helps identify what it *is* useful for. First, at risk of stating the obvious, newspapers are much better at telling us what journalists and editors thought than what opinions were widely held in society. I would nuance Souheil al-Malazi's assessment that the nationalist press "bore on its shoulders the mission of expressing the wishes of the people, and their desire for freedom"[38]: this was the vision the nationalist press had of *itself*. Without dismissing newspapers as entirely unrepresentative, it pays to be cautious about one's conclusions. What readers really thought is harder to say; what the illiterate majority thought, who heard the news read aloud, or by word of mouth, or not at all, harder still. Historical work on the press in the Middle East has tended to concentrate on production and neglect reception: more attention has been given to what journalists wrote than to those who read their words, and how they read them[39]—which is, of course, much harder to study. The press was also heavily centred on the cities, and especially Damascus: of a list of daily and weekly titles appearing in Syria during the mandate, more than half were published in Damascus, and more than half of the remainder in Aleppo.[40] The audience nationalist journalists claimed to be addressing was Syrian, but in reality most of their readership was concentrated in Damascus

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[38] al-Malazi 1996: 198—nonetheless a valuable work, particularly on technical questions and on the role of the Armenian community in the Aleppo press.

[39] Ami Ayalon's work is an exception (1995: ch6; also 2004: ch4-5 on reading more generally).

[40] al-Rifa^{c}i 1969: 161-164.

and a few other cities—where nationalist feeling was strongest and most articulate. Again, it is not necessary to dismiss nationalist claims as untrue; but they should be understood *as* claims, not verities. It is prudent to assume that nationalist newspapers, rather than expressing the wishes of the 'nation' entire, reflected the views of an urban, nationalist public.

It was initially frustrating, then, to realize that nationalist newspapers were chiefly useful as a source for the study of nationalist ideology, which was not my subject. But, as my interest in state development crystallized, it became clearer that the nationalist press could be a valuable source for understanding how an ideology can be used to harness the state, how the modern state apparatus in turn lends itself to the ideology of nationalism, and how the two together transform the relationship between state, society, and territory in ways that are directly relevant to the emergence of minorities. The enormous abundance of documentation, combined (paradoxically) with patchy coverage, meant that a systematic survey was neither feasible nor necessarily useful. Instead, I identified particular periods and subjects which were likely to offer an illumination of nationalist attitudes on the minorities question: these included the great revolt of the mid-1920s; the treaty negotiations of 1933-36; the Alexandretta crisis, a little later; the arrival of refugees, from Turkey in the 1920s and from Iraq in the 1930s.

I read articles on these subjects taken from a number of different titles, selected because all—by the standards of the time—had a relatively large

circulation and influence.[41] For the early mandate years I used material from *al-Muqtabas*, the newspaper founded by Muhammad Kurd ᶜAli in the late Ottoman period and edited during the mandate by his brother Ahmad. After its closure in 1928 it was replaced by *al-Qabas*, whose editor Najib al-Rayyis stayed close to the National Bloc until the end of the 1930s.[42] A harder line of nationalism was represented by *al-Ayyam*, which at its founding in 1931 was also associated with the Bloc, but moved into the Shahbandarist nationalist opposition from 1935[43]; while a more inclusive understanding of the Syrian nation emerged from *Alif Ba'*, the "semi-official daily newspaper of Damascus".[44] Since my understanding of the 'minorities question' changed so radically in the course of my research, I have used less of this material in the thesis than I expected—mostly as it related to the question of a Syrian national territory. But I derived from it a much keener awareness of the ideology of Syrian Arab nationalism, and of the functioning of nationalist ideology in general—with all its inevitable contradictions and *non dits*.

French published sources, meanwhile, also became less relevant than I had expected as my research questions shifted away from French imperialism and more towards the nation-state form in Syria. Nonetheless, a range of

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[41] Ayalon 1995: ch6. Nasir Denaria's help in locating these articles, among stacks of bound volumes and kilometres of microfilm, was invaluable.

[42] Al-Rayyis 1994, vol. 1: 27 (introduction by Jûzîf Ilyâs).

[43] P. Khoury 1987: 269, 573. The newspaper introduces itself in its first issue: *al-Ayyâm*, 10/5/1931, under the headline *al-Ayyâm*.

[44] P. Khoury 1987: 136. After discussing a fiery article from *al-Ayyâm* with a (Christian) Arabic teacher in Damascus, he said he understood why his father preferred *Alif Bâ'*.

books and articles published by French writers during (and about) the mandate were important for a wider understanding of French imperialist attitudes to Syrian society, the place of the Syrian mandate in French conceptions of empire, and the place of empire in modern French politics and society. My understanding of *that* subject was particularly shaped by the debates about Syria in the French National Assembly, set down in the *Journal officiel*—and by the rarity of those debates. On some subjects, notably the question of Franco-Syrian treaty negotiations and their role in the more systematic application in Syria of the concept of 'minority', this material is clearly present in the finished thesis: I make extensive use of the changing use of the concept in the colonialist bulletin *L'Asie française*, which I surveyed for the entire interwar period. But even material that in the end went unused nonetheless influenced my thinking throughout.

* * *

French High Commissioners, 1920-1939

Although this is not a diplomatic history of the mandate, I refer to the senior French officials frequently—enough to make a brief overview of the successive High Commissioners worthwhile.

The first French High Commissioner to rule over Damascus as well as Beirut was General Gouraud. He was the first of three military High Commissioners, being replaced by Generals Weygand (from April 1923 to November 1924) and Sarrail (until November 1925). Sarrail, whose time in office was terminated early after the outbreak of the great revolt, was

succeeded by a civilian Henry de Jouvenel. De Jouvenel stayed an even shorter time in Beirut, returning to France to pursue his political career in September 1926.

The first years of the mandate were thus marked by a rapid turnover of High Commissioners: it was not until de Jouvenel's successor, Henri Ponsot, arrived in Beirut that some administrative stability was reached at the High Commission. Ponsot stayed in office for seven years, until July 1933; his replacement, Damien de Martel, stayed in office for over five, retiring in October 1938. The fact that he *retired* rather than being recalled marks a contrast with the political turmoil of the High Commission in the 1920s. The final High Commissioner to govern in the period of this study was de Martel's replacement, Gabriel Puaux, who was in office when World War Two began.[45] After the fall of France a Vichy administration was put in place, but expelled by a joint British/Free French invasion in 1941; thereafter, nominal authority rested with the ranking French officer in Beirut, but a 'fake' independence was granted to Syria and Lebanon in 1943, while actual authority rested with the all-too-real British military occupation. It is because of this extreme political complexity that I chose to focus—other things being equal—on the interwar years.

It should be noted that the relative stability at the High Commission in the 'long' decade 1927-1938 is in sharp contrast with the tumultuous comings-

[45] A complete list of French High Commissioners and their dates in offices can be found in the introduction to SHAT, *Inventaire des archives du Levant. Sous-série 4 H (1917-1946)*, the source for dates in this paragraph. These reflect the official period in office; in practice, High Commissioners usually arrived in Beirut some time after their appointment—Puaux was appointed in October 1938 but reached Lebanon in early January 1939.

and-goings of governments in the metropole, in perhaps the most divided and unstable period of modern French politics.[46] The point made by Andrew and Kanya-Forster about the Third Republic *before* World War One is worth bearing in mind for the interwar period also:

> The ministries of the Third Republic, often precarious, usually preoccupied by domestic affairs, rarely attempted to impose Cabinet control over foreign and colonial policy. Major decisions could be taken by a single minister and approved by Cabinet without serious discussion, or even implemented without Cabinet approval at all. Ministerial instability sometimes left the permanent officials in control of policy [...][47]

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Administrative divisions

French rule in Syria was marked throughout by a policy of territorial division: what Syrians referred to as *tamzîq* or *tajzi'a*. In 1921, Robert de Caix, the colonial lobbyist turned mandate official, suggested dividing the mandate territories—an area smaller than mainland Britain—into a total of *nine* statelets.[48] By then the most important, and lasting, division had already been made: Greater Lebanon, a much-expanded version of the Ottoman *mutasarrifiyya* of Mount Lebanon, had been declared in 1920. The existence as separate entities of Lebanon and Syria was enshrined by the mandate charter itself in 1922; all the other divisions imposed on the

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[46] "[F]ifteen cabinets under the presidency of Gaston Doumergue, 1924-1931; three in the eleven months of Paul Doumer's presidency before his murder in 1932; seventeen under Albert Lebrun, between 1932 and 1940—though only eleven prime ministers and ten ministers of foreign affairs led the musical chairs." Weber 1995: 111, and ch5 more generally.

[47] Andrew and Kanya-Forstner 1971: 127. A similar point is made by Abrams and Miller (1976: 703 and following).

[48] Gérard Khoury 2006: 248-270.

mandate territories were within the newly-constituted 'Syria', and all but one proved temporary.

The 'Syria' of the mandate charter had already been divided into several constituent parts. The main body of the interior was made up of the states of Damascus and Aleppo; the coastal mountains between the Lebanese border and Latakia—which had been under French occupation for longer than Damascus—were also constituted as a separate statelet, which I will refer to throughout the thesis as the Alaouites.[49] To these three, another was added in 1922 when the Jabal Druze was detached from the state of Damascus. The states of Damascus and Aleppo were united from the beginning of 1925 as the state of Syria. The other two statelets, however, remained administratively separate until the 1940s—except the years of nationalist rule, 1936-39, when they were placed under the authority of the Syrian government in Damascus. I discuss the grounds on which these divisions were made—including the presence in the coastal mountains and the Jabal Druze of what have been termed 'compact minorities'—in chapters 2 and 3. When looking at the map[50] of these divisions, two important caveats should be borne in mind. First, for most of its length in

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[49] The region's official name changed several times during the mandate: Territoire des Alaouites, Etat des Alaouites, Gouvernement de Lattaquié (when the French wanted to de-emphasise the communitarian basis of the statelet), Etat des Alaouites again (when they wanted to *re*-emphasise it). On one occasion its name changed by accident: the High Commissioner's decree of 28 June 1922 linking the statelets of Syria as a federation mentioned an Etat des Alaouites that did not exist—the entity concerned was the *Territoire* des Alaouites. The High Commision noticed its mistake the next month and issued another decree retrospectively upgrading the Territory to a State as of 28 June (Takla 2004: 80). French officials usually referred to the statelet as "les Alaouites"; by retaining their spelling I avoid confusion over the multiple name-changes and distinguish between the statelet of the Alaouites and the ᶜAlawis who made up most of its population.

[50] See map 1 in annexes.

the early years of the mandate, and for much of its length until much later, the neat line of Syria's external border *only* existed on maps. Second, the impression given by a map of a stable geographical unit under the uniform authority of a state—never a wholly accurate reflection of reality—is particularly misleading here: for example, permanent French military posts and regular patrols in the northeastern regions of Syria only began in the later 1920s, in some zones even the 1930s. That these two points are related should be evident; chapters 3 and 4 investigate them in depth.

Several subdivisions within the state of Syria should also be mentioned. First, the uncultivated steppe of the Syrian desert was administered, to the extent that it was administered at all, by the military Contrôle Bédouin.[51] The Sanjak of Alexandretta, although part of the state of Aleppo and then Syria, had autonomous status because it was home to a substantial Turkish-speaking community; Turkish was an official language there, alongside French and Arabic. In 1936, just as the autonomous statelets of the Alaouites and the Jabal Druze were placed under the authority of the Syrian government for the first time, the Sanjak of Alexandretta's gradual, permanent detachment from Syria began: the combination of pressure from Turkey and the increasingly Turkish nationalist outlook of the Sanjak's Turkish-speakers[52] led first to its becoming 'independent', then to its annexation by Turkey. Many of its Arab and virtually all of its Armenian

[51] P. Khoury 1987: 58-59; Thomas 2002.

[52] This should not be taken for granted. In the 1920s the Sanjak was a refuge for Turks loyal to the vanished Ottoman Empire and opposed to Mustafa Kemal's nationalist republic. In other parts of northern Syria, notably the city of Aleppo, substantial turcophone communities became increasingly arabized during the mandate as Syrians.

inhabitants fled in the process. Finally, by the mid-1930s the far north-east of Syria—the Jazira—was both more firmly fixed under state authority and considerably more populous as a result of immigration by Kurds and Christians fleeing Turkey and Christians fleeing Iraq. This influx, and French support, had also transformed the region's economy. The Haute-Djézireh or upper Jazira was therefore upgraded to a full governorate. The inhabitants of the region were not, however, keen to be placed under the authority of the Syrian government in Damascus in 1936; in 1939, when the Druze and ᶜAlawi statelets were 'de-incorporated' from Syria, the Jazira too was placed under direct French control as an autonomous region.

Despite these divisions, the state apparatus put in place by the French was in many ways unified: within Syria as a whole Damascus was the 'senior' city; if the various statelets each had their own flag, their inhabitants shared a common, *Syrian* nationality, as well as a common currency and a common external tariff.[53] As I argue throughout the thesis, both implicitly and explicitly, if the French did their best to hinder the development of a 'nation' in Syria, they were nonetheless obliged to construct a *state*. (The tension between these two aims ran through the mandate period.) Politics in Syria under the mandate was largely a contest over control of that state apparatus. Syrian Arab nationalists wanted to control the entire state apparatus, and in the period 1936-39 they were permitted to (up to a point). Syrians who favoured cooperation with the French, and opposed the

[53] In the words of Owen and Pamuk (1998: 64), "[F]rom an economic point of view […] the whole area [of 'Syria'] was governed more or less as a single unit".

nationalists, were also usually concerned with controlling the state apparatus, or at least the part of it that touched them. As a mandate state, Syria was meant to be an expression of its inhabitants' right to self-determination—a nation-state, even if the identity of the Syrian nation remained to be defined.

A word about the 'ordinary' administrative subdivisions within Syria: the state was divided into governorates (*muhafâdha*) and sanjaks, which were further divided by caza (*qadhâ'*) and district (*nâhiya*). The senior local official at each level was the governor (*muhâfidh*) for governorates and sanjaks, the *qâ'immaqâm* for cazas, and the *mudîr* for districts.

* * *

Structure

The thesis is divided into two parts. In the first (chapters 1 and 2), I make a general argument then apply it to French mandate Syria; in the second (chapters 3 to 6), I offer specific case studies illustrating the argument.

Chapter 1 outlines the circumstances in which the concept of minority emerged in international public discourse, as the nation-state became the standard state form after World War One. Having identified the concept's historical origins, it shows how its usage has escaped those origins—to the detriment of its analytical usefulness. It explains why minority is a distinctively *modern* concept, and outlines various aspects of modern nation-state development which give it meaning.

Chapter 2 reconsiders the concept's place in the history and historiography of the French mandate in Syria. While French policy in Syria was certainly divisive, simply describing it as 'divide and rule' and assuming that the divisions involved were those between a majority and minorities is not satisfactory. The mandatory authorities certainly saw many divisions in Syrian society and sought to exploit and exacerbate them, but the category of 'minority' was not systematically attached to those divisions—not at first, at least, and in some cases hardly at all. By outlining how certain groups came to be identified as 'minorities' (or not), the chapter offers an insight into French imperialist attitudes towards Syrian society and groups within it, and the policies that those attitudes informed. It also broaches the question of *why* the category came into use, contrasting it with the older Ottoman category of 'millet' or religious community, and links my general argument in the first chapter to its specific application in Syria.

Part I thus establishes my general analytical framework (chapter 1) and the parameters of my specific empirical enquiry (chapter 2). Part II presents four thematic chapters, each offering a case study of one aspect of state development in French mandate Syria to illustrate how that development led to the emergence of 'minorities'—these are introduced in more detail at the end of chapter 2. Since the structure of this thesis is thematic, not narrative, a list of chronological 'signposts' is included for quick reference as an annexe.

PART I

Chapter 1 – Minorities, majorities, and the nation-state

Introduction

The 11th edition of the *Encyclopaedia Britannica*, published in 1910-1911, contains no entry for 'minorities'. In the 14th edition of 1929 the entry on minorities runs to eleven pages, mostly discussing the post-World War One peace settlements and the League of Nations.

Minorities seem to have come out of nowhere; or rather, the *term* 'minority' does. As late as 1914 it hardly existed in its modern sense of a group "distinguished by common ties of descent, physical appearance, language, culture or religion, in virtue of which they feel or are regarded as different from the majority of the population in a society"[1] (a distinction usually understood to have political significance). But in the immediate post-war period the term suddenly emerged as a key concept in the mainstream of international public discourse. By the end of the twentieth century the term was applied to a bewildering range of groups in widely differing situations around the world. Moreover, the term was freely applied to past societies: Jews in medieval Europe, for example, or non-Muslims in the Islamic empires. The resulting theoretical confusion has been great. The term is frequently—indeed, almost always—used as if it were a neutral, objective category: as if certain groups within any given society are self-evidently 'minorities'. This is not the case. Still more

[1] Bullock et al. 1988: "minorities".

unsafe is the unspoken assumption, implicit in the use of the term 'minorities', that *majorities* exist as unproblematic entities.

In the first part of this chapter I use definitions of the term 'minority' from a series of major reference works written to chart the initial emergence of the concept and the way it was used in the interwar period. These works furnish evidence of the concept's historical origins, while also showing how quickly those origins were forgotten by almost all concerned. The second part of the chapter moves up to the present, outlining the proliferation of the term's use by scholars—which has not gone uncriticized—and the growing analytical incoherence that this has produced.

The chapter's final section attempts to recover the forgotten historicity of the concept, showing what historical conditions gave rise to its emergence. Examples are drawn mainly, but not only, from the Ottoman and post-Ottoman Middle East. A proper understanding of those conditions suggests that the terms 'minority' and 'majority' should be used with much greater caution and in a much more limited range of cases; but it also leaves us with an analytical framework that is considerably less obfuscatory. At the same time, taking these categories not as analytical tools but as objects of study in their own right opens a valuable perspective on a crucial historical development of our own time: the emergence and development of the nation-state. This section underlies the argument that is developed in later chapters.

Since it sets out the historical and historiographical background to the rest of the thesis, chapter one is based mainly on secondary sources.

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'Minority': origins of a slippery concept

The use of the word 'minority' in the modern sense—meaning a culturally-defined group within a polity whose members faced legal, political, or social disadvantages because of their cultural belonging—is relatively recent. It first appeared in the mid-1800s, and referred most often to religious groups. At that time, though, this sense seems not yet to have been clearly distinguished from the more narrowly political meaning of a group holding distinct political views that are not shared by a majority of political actors. (This, in any case, is the impression given by the *Oxford English Dictionary*[2] citations for the use of the word in the 19th century.) This was an important concept in democratic political theory, but while there is some theoretical overlap, it is not congruent with the sense of a minority group within society at large.

Setting aside for now the bottomless question of precisely how such groups are defined, the broader meaning became suddenly more distinct, and widespread, in the years around the First World War—as the example of the *Encyclopedia Britannica* shows. The *OED*'s first citations for the locutions *national* and *ethnic minorities* are in 1918 and 1945 respectively; in French, *Le Robert* cites the equivalent terms in 1908 and 1931. At the root of this change is the assumption that groups defined by some aspect of their culture will *permanently* form a political minority because their cultural

[2] Henceforward *OED*.

identity defines their attitudes across a wide range of political issues, especially regarding their relationship with the state.[3]

That assumption belongs to the age of nationalism and modern states—as was recognized early on by the *Encyclopaedia of the social sciences* (1930-1935), which noted that "[t]he enormous extension of the competence of the state into cultural and economic spheres has considerably decreased the sphere of the non-political." As a result, "[t]he distinction between political and non-political […] is fraught with much practical difficulty."[4] Expressions of cultural identity which would previously have been politically neutral were now taken as signs of loyalty or disloyalty to the state, a change that indicates a fundamental transformation of the state itself. As we shall see, it is striking that later reference works very largely ignore the modern transformation of the state as a factor in creating the conditions for 'minorities' to emerge—if they bring the state into their analysis at all. Even this early article, meanwhile, despite understanding that the development of modern nationalism has affected the *relationship* between majorities and minorities, sees the *existence* of such groups as a phenomenon independent of nationalism.[5]

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[3] Kedourie 1988.

[4] *Encyclopaedia of the social sciences* 1930-1935 [henceforward *ESS* 1935]: "Minorities, National". These are the only minorities covered by this encyclopaedia. The following entry, "Minority Rights", makes a passing reference to minorities as permanent sociopolitical groupings along these lines, but is mostly a discussion of the rights of minorities vis-à-vis the majority in democratic political theory.

[5] This is not surprising: the article's author, Max Hildebert Boehm, was a prominent German *Volk* sociologist whose ideas (notably *Volksgemeinschaft*—the *Volk* as a primordial entity sharing common interests) were well adapted to the corporatist ideology of the Nazi regime. Boehm was appointed to a professorship under the Nazis, whom he enthusiastically

Of course, the concept of 'minorities' did not achieve currency in international political discourse simply because people had thought of it in the abstract, as a problem of statecraft in the age of nationalism. The concept solidified at a particular historical moment because it was seen to describe the situation of certain groups *at* that moment; and the groups concerned were the 'national minorities' of central and eastern Europe. The re-drawing of the map of post-war Europe, justified in terms of the principle of the self-determination of peoples, had turned the continent into a crowded patchwork of new nation-states, each associated with one particular 'people' or nationality. Members of other nationalities resident in those states were in a new situation, summed up by the opening definition of the 1935 article in the *Encyclopaedia of the Social Sciences*:

> The term national minority is applied to a distinct ethnic group with an individual national and cultural character living within a state which is dominated by another nationality and which is viewed by the latter as the particular expression of its own identity.[6]

That is, they had become minorities because they were now resident in states which had *majorities*. Previously, these groups had mostly been living in multinational, or rather non-national, states. That a state could be viewed as the "particular expression" of a nationality's identity was a novelty that was not fully understood. However, not all groups resident in

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supported. (Kamenetsky 1972: 224; Francis 1951: 10 n1.) What *is* surprising, in light of the above, is the sincere moral concern Boehm seems to display here for *all* the groups classified as 'national minorities', his anger at their mistreatment, and his rejection of coercive means—notably population transfer—as a solution to the 'minorities problem'. Even this may be less surprising than it at first appears, if we take into account that Germans constituted a national minority in several European states. Indeed, "the Germans were the strongest of all the officially recognized minorities, both in numbers and economic position" (Arendt 1986: 273).

[6] ESS 1935: "Minorities, National".

these states but not belonging to the 'state people'[7] were considered to be 'minorities'. Like other such works, the *Encyclopaedia of Social Science* offered various criteria by which to define minorities; in this case, for example, small and geographically dispersed groups were not to be considered 'minorities'.[8]

Attempts to provide objective criteria by which a group can be properly identified as a 'minority' are a common feature of reference works down to the present time. Since minorities are subjective, not objective, groups, as a rule such criteria only multiply inconsistencies.[9] However, whereas later reference works differ wildly in the groups they take to be 'minorities', at this early stage a common defining characteristic was visible. While commentators did raise, with varying degrees of unease, the possibility of various other groups being considered as 'minorities', they concentrated on groups that had been recognized as such in international law.[10] How did that recognition come about?

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[7] Arendt (1986: ch9) takes this term, with due reservations, from the texts of the post-WWI peace treaties.

[8] It is notable that the criteria established by Boehm, while by no means restricted to German minorities in central and eastern Europe, would confer on them clear 'minority' status. Boehm's assertion of the rights of such minorities to privileged contact with the "mother country" stands out in this respect as presaging subsequent traumas.

[9] While the criteria by which minorities are defined vary greatly, they almost all fall into the analytical trap of assuming that minorities are objective, discrete, and primordial units.

[10] See, for example, *Encyclopaedia Britannica* 1929: "Minorities"; *EES* 1935: "Minorities, National". The 1975 *Grand Larousse de la langue française* cites its own 1931 edition as a source when it defines 'minority' in this sense as "*En termes de droit international*, communauté qui, à l'intérieure d'un État, représente un petit nombre d'individus qui ont en commun un certain nombre de caractères (race, langue, religion)". Emphasis added.

The powers involved in re-drawing the map of Europe, including the USA, were aware that creating new states or expanding existing ones in accordance with the principle of self-determination of peoples would in itself create new problems and risks of war—since 'national' groups were not distributed in neat blocs across the landscape, but rather intermingled. (I am deliberately not questioning, here, the assumptions that nationalities exist *per se* and that the boundaries between them are distinct and permanent. Although these assumptions are highly questionable, they were not widely questioned at the time, and they underlay the politics of the period as they underlie these reference works.) Granting a state to a given people on a given territory where that people was in a majority created the problem—peculiar to the era of nationalism—of how to manage relations between the state and the 'state people' on the one hand, and inhabitants belonging to other 'peoples' on the other. The possibility of population transfer having been generally rejected[11], measures were taken to secure the rights of these new 'minorities' through international law. Beginning with the treaty whereby Poland's independence was recognized by the Allied and Associated Powers, a body of law arose to protect the rights of these 'minorities'. Once the League of Nations was established, it oversaw

[11] The largest-scale attempt to enact such a 'solution' was that between Greece and Turkey, where the exchange of (often Turkish-speaking) Greek Orthodox Christians for (sometimes Greek-speaking) Muslims is a reminder that 'national' groups do *not* exist as self-evident and discrete units. The "enormous sacrifices in life and heath" (*ESS* 1935: "Minorities, National") involved, not to mention huge political, practical, and *moral* difficulties, discouraged its widespread adoption elsewhere—until the vastly larger transfers of the 1940s. Other, smaller attempts were made or considered in the 1920s and 30s, however.

existing treaties; similar treaty guarantees also became a condition for membership of new states.[12]

Despite the (fairly) good intentions behind the establishment of this body of law, its defects were obvious to all. The fact that it was applied to some states and not others caused great resentment.[13] Minorities could not themselves complain that their rights had been infringed: such complaints had to be raised by a state or the League on their behalf. Nor was it clear exactly what constituted a 'minority', though as a rule simple *realpolitik* meant that only groups belonging to a 'nationality' which itself possessed a state elsewhere were officially recognized—as noted above, these are the groups described as minorities in scholarly work of the period.[14] These are defects in the very framework of the law; in practice, the institutional working of the League meant that it granted no real protection.[15] On the whole the minorities treaties only exacerbated the perception of each state concerned that its 'minorities' were disloyal—that their primary loyalty was to the (often hostile) state within which their own 'nationality' was the

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[12] These treaties drew on the historical precedent of nineteenth-century treaties that included clauses on the status of religious groups, *without* describing such groups as 'minorities' (Owen 2005—I would like to thank Professor Owen for making the text of this paper available to me).

[13] Calderwood 1934.

[14] Jews were a partial exception in that, despite lacking any such legal safeguards, they were widely accepted to constitute a 'minority' in the states concerned—a semi-official recognition that can be ascribed to the active, but ultimately unsuccessful, participation of Jewish delegations during the post-WWI peace negotiations. Arendt (1986: 289-90) terms them the "*minorité par excellence*".

[15] An account of the institutional barriers is given in *ESS* 1935: "Minorities, National".

majority.[16] Nevertheless, thanks to this body of law the concept 'minority' was now in widespread circulation. It was commonly agreed to be meaningful even if discord reigned as to its proper application.[17]

In a sense, the terminological confusion that prevails in later reference works (and in common usage) arose because the word so evidently *did* correctly describe the situation of certain groups. Although the early works consulted here are aware that the international law of minorities is novel, and to an extent that 'minority' identities have been made salient by recent political transformations, they already assume that the term, being accurate in the present, can also be applied to the past. A group that is a 'minority' today was one yesterday too. This, I will argue, was a mistaken assumption—similar to those made regarding the historical continuity, and similarity, of nations and states. Even at this stage, so soon after the concept's emergence, its historical origins were being lost—with important consequences for its analytical usefulness.

Once it existed, the term acquired its own inertia. Not only was it applied to the past; it was also adopted by groups not covered by the treaties to describe their own situation, and by scholars to describe yet other groups in both present and past. Some of this was foreseen by the League's rapporteur on minorities, who in 1926 advised against the generalization of the minorities regime to other states:

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[16] For the functioning and failings of the Treaties, and their implications, see Arendt 1986: 269-76.

[17] Chapter 5 discusses this body of law and its application to Syria.

> The introduction into the laws of all countries of provisions protecting minorities would be enough to cause them to spring up where they were least expected, to provoke unrest among them, to cause them to pose as having been sacrificed, and generally to create an artificial agitation of which no one had up to that moment dreamed.[18]

This is too cynical in its presumption that 'minorities', outside the states where they have already been recognized, would be purely artificial and opportunistic. But it does reflect the way in which the usage of the concept, once it existed, could not be restricted. Inasmuch as it was open to be adopted by groups (especially disadvantaged ones) as a means of gaining some sort of advancement or protection, the concept encouraged a wide range of groups to constitute themselves as 'minorities'. However, in one respect the rapporteur's viewpoint is quite mistaken: the generalization of such legal protections is mostly irrelevant to this process. Once the concept of 'minority' was in circulation, the possibility was open for groups anywhere to adopt it to describe their own situation, whether they were covered by minority guarantees or not.[19] Likewise, the way was open for outsiders to start to define certain groups as 'minorities', whether for benign or malign purposes.[20] This thesis charts that process as it occurred in Syria under the French mandate, and places it in its context: the material

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[18] Quoted in Calderwood 1934: 1092. The rapporteur was citing, approvingly, the opinion of Dutch senator Baron Wittert van Hoogland.

[19] A modern-day parallel might be 'indigenous peoples', the subject of lengthy debate at the UN which may, soon, adopt a Declaration on their rights. Where such measures are adopted there is reason to suspect that disadvantaged groups lacking other means for advancement have (reasonably enough, but at some cost to the principle of equality) reconstituted themselves as 'indigenous peoples' to gain recognition and benefit from the state. Reboratti 1996 suggests that Kolla people in Salta province, Argentina may be such a case. Dr Andrew Newsham outlined this case to me. See also Kenrick and Lewis 2004.

[20] Once again I am leaving aside the obvious question: what makes a 'group'?

and ideological transformation of the state that made 'minority' a meaningful concept in the first place.

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Academic proliferation of the term

As noted above, another aspect of the concept's proliferation was its use by academics. E.K. Francis wrote in 1951 that

> [t]he problem of what should be understood by a nation, a people, a race, a nationality, an ethnic group, a minority group, and so on, has been a vexing one ever since these terms have come into use. […] The general confusion in our terminology seems to indicate that the concepts through which we are trying to understand this complex of socio-cultural phenomena, are by and large the idols of the market place whose meaning is constantly changing with the ever shifting political moods and aspirations of the day.[21]

Despite the reservations cogently expressed by Francis, and other scholars since[22], applications of the concept have continued to proliferate down to the present time. Although this thesis concentrates on the interwar period, I include a critical discussion of this more recent academic use in order to highlight some of the problems it raises—and to show how I will *not* be using it.

By the time the *International Encyclopedia of the Social Sciences*[23] was published in 1968, the term was no longer restricted to 'national' minorities, nor to Europe. In an entry entitled simply 'Minorities', the

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[21] Francis 1951: 219.

[22] See King Jr. 1956; Meyers 1984; Gleason 1991; Cashmore et al. 1996: "Minorities", and no doubt others.

[23] Henceforward *IESS* 1968.

author gives much attention to the question of 'minorities' in America, without quite knowing how to define them except in more or less exceptionalistic terms ("Negroes" are a minority because they are a minority; Italian-Americans are not, because they are not). One particularly frustrating aspect of this article is the useful analysis of the role of the state in creating linguistic minorities in India, where the assigning to the fourteen most-spoken languages (of the hundreds in use) of official language status at the level of federal states reduced those who do not speak those languages, and even those who do speak them in states outside the one where their own language is the official language, to a disadvantaged minority status. This is frustrating because the state is more or less absent from the author's analysis of 'minorities' in America, Europe, and other parts of the world: as I will be arguing later, the concept of 'minority' makes little sense without the context of a state. The notion of a 'majority' is also absent from the *IESS*, as 'minority' comes to be associated simply with disadvantaged status: "relative numbers in and out of the group have not been found to be important."[24] These problems—an inadequate understanding of the state context to the question of 'minorities', and a 'majority' that is either deemed irrelevant or, worse, taken for granted as actually existing—are common in works dealing with minorities, either as a concept or as (supposedly) real sociopolitical groupings.

It is worth noting that as the numerical aspect of the term disappears, the historical origin of the concept is definitively lost. Its adoption to describe

[24] *IESS* 1968: "Minorities".

various groups sharing some kind of subordinate status on the assumed basis of their belonging to that group, by members of those groups or by others, demonstrates the term's rhetorical power, but only adds to the analytical confusion. One possible source of this confusion is the *legal* concept of minority as opposed to majority—women, for example, being considered 'minorities' because they are, or were until recently, legally restricted to a status resembling that of a (male) minor.[25] However, it is fairly clear from the etymological sources that in our sense the term derives from the numerical political meaning—a minority of voters within a representative assembly, etc.—not the legal concept.[26]

In any case, if oppressed groups are a numerical majority, why bother calling them a 'minority' when 'oppressed group' is more accurate?[27] The commonly-cited example of a numerical majority being a minority, until 1994 at least, was that of black South Africans.[28] Iraqi Shi^{c}ites have also often been cited. But it was precisely on the grounds of their status as a numerical *majority* that members of these groups sought to end their oppression and achieve political power at least proportionate to their demographic weight. The term minority became meaningful precisely because *being* a numerical minority was what made certain groups

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[25] *International Encyclopedia of the Social and Behavioral Sciences* 2001: "Minorities" (henceforward: *IESBS* 2001).

[26] See also Kedourie 1988.

[27] Meyers (1984) is not alone in making this point.

[28] E.g. in *IESS* 1968: "Minorities".

subordinate, and it serves no useful purpose to extend it to numerical majorities.

The problems inherent in abandoning number as a defining factor in creating minorities are very visible in the *IESS* article, as is apparent from the following extract:

> A minority's position involves exclusion or assignment to a lower status in one or more of four areas of life: the economic, the political, the legal, and the social-associational. That is, a minority will be assigned to lower-ranking occupations or to lower-compensated positions within each occupation; it will be prevented from exercising the full political privileges held by majority citizens; it will not be given equal status with the majority in the application of law and justice; or it will be partially or completely excluded from both the formal and the informal associations found among the majority.[29]

It is obvious enough that "one or more" of these four conditions might apply just as well to the working class, for example, as to any group constituted as a 'minority' it cites (e.g. institutional disadvantages to gaining political power, unequal treatment by the judicial system). Barton Meyers argues, fairly persuasively, that in such usage—whether the group it is applied to constitutes a numerical minority or not—the concept is an "ideological formulation". Particularly in the American context, it exists precisely in order to obscure the true nature of power relations. Another critic of the term's ideological content, E.E. Cashmore, is also talking about America when he makes a similar point:

> the definition of minority in racial and ethnic terms, and the association of that term with political and economic exclusion from the majority mainstream represents an obfuscation of class realities. Specifically, it ascribes the status of dominant group […] to a group much larger and much more diffuse than the actual ruling class of American society. It […] disguises the fact that the United States is,

[29] *IESS* 1968: "Minorities".

> like all societies, ruled by a small elite, not by a large amorphous group such as WASPs; that is, the term the minority salvages the majoritarian myth of bourgeois democracy.[30]

Concentrating on the American case, Cashmore perhaps fails to see that the same point holds *a fortiori* in non-democratic states. The public aggrandizement of the 'nation' or the 'majority', and the identification and perhaps persecution of 'minorities', are powerful ideological tools permitting closed and unaccountable regimes of all kinds to curtail the political rights of their citizens while presenting themselves as an expression of the popular will.[31]

To return to the *IESS*'s "four conditions", another problem is that some groups that do consider themselves, and are considered by others, to be 'minorities' might not suffer particular disadvantages in most of these areas—indeed, in some cases members of a recognizable 'minority' might itself monopolize power in one or more of these areas. This is another problem with abandoning number as a criterion of 'minority' status: when a numerically inferior culturally-defined group dominates an important sphere of activity within a state, and particularly when it dominates the state itself, the group concerned is typically well aware that it is a 'minority' and that if another group constitutes a numerical majority it is likely to try and seek power *on that basis*.

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[30] Cashmore 1996: "Minorities".

[31] Dr James McDougall kindly drew my attention to this point, with a forceful analysis of North African politics.

Some sources are uneasy about whether such power-holding groups can strictly be described as minorities[32]—but for the wrong reason. What worries them is that 'minority' should be used to describe a group that holds rather than being excluded from power, whereas the problem is that 'minority' obscures the real nature of power relations just as effectively here as it does when applied to oppressed groups. It is a shame that Meyers, for example, did not extend his critique of 'minority' as an ideological formulation to cases where it is used to describe 'minorities' that hold power—such usage is also frequently ideological, as in descriptions of the Ba^{c}th regime in Syria as being "largely controlled by a small non-Muslim and widely despised minority called the Alawites".[33]

Despite critiques from a number of angles, however, the term's rhetorical force has permitted it to survive and flourish both in academic and popular discourse. It remains subject to inconsistent usage, sometimes quite bafflingly so—one substantial reference volume contains the entry "MINORITIES. See RACE AND RACISM"[34]—and some academics still assert that "a minority need not be a numerical minority".[35] In recent times academics have attached the term to groups that do not reproduce endogamously (such as homosexuals and the disabled[36]), developing a trend

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[32] *ESS* 1935: "Minorities, National".

[33] Barry Rubin, interviewed in *Near East Report*, 15-30 July 2007.

[34] *Oxford companion to politics of the world* 2001: "Minorities".

[35] Clarke and Foweraker, eds., 2001: "Minorities".

[36] Homosexuals are quite commonly cited as a minority: e.g. Robertson 1993: "Minorities". Both groups were discussed as minorities at a conference I attended in May 2007 at the Ecole Pratique des Hautes Etudes, Paris, entitled *L'histoire des minorités est-elle une histoire marginale?*

already visible in its earlier application to women. It may or may not be appropriate to describe such groups as 'minorities'; it certainly makes it harder to see what the point of 'minority' as a distinct category is, and takes us yet further away from the historical origins of the term.

In some usages the term has even come full circle, back to its narrowly political meaning, to describe groups united by a shared political viewpoint that is seen to set them apart from the mainstream of the population—notably ecologists.[37] One is hard pressed to see what objective characteristics link, as definable groups, ecological activists with Roma in eastern European states, or the physically disabled. While describing ecologists as constituting a minority current of opinion is certainly accurate (though gradually less so), to describe them as a permanent, culturally-distinct group seems absurd. It does, however, usefully alert us to the debased analytical currency of the term 'minority'.

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The emergence of 'minorities'

A review of scholarly literature on the question suggests that objective criteria for defining 'minorities' are unlikely to be found. Nor has the search for them been particularly helpful. It might be appropriate to jettison the term as an analytical category, and—as Meyers and Cashmore, amongst others, demonstrate—it certainly *is* appropriate to examine it

[37] Boudon and Bourricaud 1989: "Minorities".

carefully for the ideological baggage it carries, especially in implying the existence of a 'majority'. This thesis, however, is not directly concerned with whether 'minority' stands up as a valid category of analysis when used by scholars, nor with particular 'minorities' as objective groups within Syrian society. It is concerned with the history of the concept itself: what were the political conditions that made it meaningful to those who used it *at the time*, and how and why did particular actors deploy it? These questions help us recover the historicity of the concept, and with it that of the 'majority'.

That such an effort is worthwhile—indeed, necessary—is demonstrated by any number of examples of the usage of the concept by scholars. One such comes in the *IESS* article on 'minorities', which makes the following claim:

> Some [European national minorities] are of very ancient origin, and their minority status has not changed appreciably in centuries, such as the Basques in Spain and the Greeks in Turkey, who also use a language different from that of the majority in their respective countries.[38]

To say of the 'Greeks' in 'Turkey' that "their minority status has not changed appreciably in centuries" is, simply, wrong. One might first note that until the 19th century the terms 'Greek' and 'Turkey' would have had limited significance to Greek Orthodox Christians living in the Ottoman Empire—certainly it was by religion rather than language, 'nationality', or 'ethnicity' that this group was identified by the Ottoman state, and many Anatolian 'Greeks' spoke Turkish as their language of ordinary use as late as the population transfer. One important change in this group's status

[38] *IESS* 1968: "Minorities".

occurring since 1800 is the 'nationalization' of Greek identity (and its closer association with the Greek language) after the establishment of an independent Greece—an event which also radically altered the prospects of 'Greeks' remaining in the empire. At the same time, state-building reform in the empire and its republican successor fundamentally changed the relationship between state and society, a process which also brought into being a 'Turkish' majority where once there had been Ottoman rulers and 'Turk' peasants. Finally, as a part of this process, the number of Greek Orthodox Christians in the Ottoman Empire/Turkish Republic declined precipitously both proportionately and absolutely, leaving the remaining 'Greeks' as a much smaller group relative to a much more cohesive 'majority' in an actively nationalist, Turkifying state. These are altogether appreciable changes in the group's status. Similar changes have no doubt affected the Basques in both Spain and France.

All of this history is elided if the historical origin of the concept of 'minority' is forgotten—if, once applied to a group in the modern period, it is assumed to be a valid description of that group in the past. There is a real danger of anachronism in too carelessly adopting 'minority' as a category of analysis. It is in order to avoid such confusion that the remainder of this chapter attempts to recover the historical origins of the concept of 'minority', and find a more limited but more satisfactory way of using the concept to understand the past.

I have already alluded to the reasons why the existence of numerically inferior, culturally defined groups (i.e. minorities) became politically

meaningful, and resulted in the emergence of the concept of the 'minority'. These reasons lie in the related development of modern states and nationalism. In a sense, there was no articulated concept of 'minority' prior to the modern period because minorities did not exist: the concept only acquires meaning once certain conditions associated with the existence of modern nation-states have been fulfilled.[39] I outline some of these in this section. The Ottoman Empire provides many of my examples, since it provides the background for the rest of this study. However, my purpose here is not to give an isolated account of a particular place, diverting enough but of strictly local interest, but to provide a case study in support of a general comparative argument. Therefore, I freely bring in examples from other regions. In doing so, I want to avoid the mistaken assumption that the history of state-building in the later Ottoman Empire and post-Ottoman Middle East is one of catching up (or failing to catch up) with European states. As they underwent this process of transformation, the Ottoman Empire and the states that replaced it were not catching up with norms that had already been established in European states. The emergence of minorities (and majorities, and nation-states) took place in the Ottoman and post-Ottoman Levant at the same time as it occurred in much of Europe—not later. As Selim Deringil remarks in his study of the ideology of the late Ottoman state, the Ottoman experience paralleled "the broad sweep of change that was taking place in European societies as a

[39] This is, obviously, not to say that the communities that later *became* minorities did not exist, but rather that the term 'minority' does not usefully describe their place in relation to the wider society and to the state.

whole at the same period".[40] If this becomes particularly clear when the empire is compared with the other European dynastic empires, it nonetheless frequently holds for a comparison with states further west too. The conditions in which the terms 'minority' and 'majority' become meaningful developed quite recently everywhere.

- *Representative government*

Philosophically, the most important precondition for the emergence of minorities is the existence of a concept of representative government. Under what Niyazi Berkes calls the medieval view of society, the ruler does not represent the ruled: he represents the will of God.[41] In the Ottoman case, it is hardly controversial to observe that for most of its existence the state made no claim to *represent* the population, though it certainly claimed the right to rule over them. A divinely-appointed sultan has no need to represent his subjects. This is not to claim that the sultan's subjects passively accepted his authority—but when that authority was challenged, as it frequently was, this was not on the grounds that the sultan had failed to 'represent' a 'majority' of the population. More usually it was on the grounds that he had failed to ensure the stable balance of the correct social 'order' (*nizam*).[42]

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[40] Deringil 1998: 8.

[41] Berkes 1964: 8-10.

[42] Inalcik and Quataert (1994: 17) also discuss the role of *nizam*: "the general principle was adhered to that each individual should remain in his own status group so that equilibrium in the state and society could be maintained."

Representative government fundamentally alters the relationship between rulers and ruled. Propelling the spread of a concept of representative government is the state's need to make ever greater direct demands on the population. The population, naturally, bargains hard in return for concessions from the state.[43] It is no longer seen as legitimate for states to have no link to the populations they rule beyond the coercive extraction of surplus. Previously it was acceptable—indeed, necessary—for the ruling ideology to be one that sharply differentiated between rulers and ruled: "To be Ottoman was […] to maintain an imperial difference between sultan and subjects."[44] But now, an ideology of cohesiveness develops as the terrain on which this bargaining can take place. This is not a purely top-down development: it arises from the compromise between pressure from above and resistance from below. The notion of representativity is part of this ideology of cohesiveness: the state is no longer above the people but *of* the people.[45] Dynastic states lose their *raison d'être* at this stage if the monarchy cannot identify itself with the population.

The notion of representative government is not imposed from above: rulers adopt it in response to pressure from below. The representation involved, however, does generally spread from top to bottom, as the sections of the population with which the state must deal directly gradually widen from

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[43] Tilly 1992, especially ch4, "States and their citizens". NB—It would be a mistake to assume a singularity of purpose on the part of the entire population, or indeed the entire state apparatus, in this process.

[44] Makdisi 2002: par. 12.

[45] When colonial states made the same demands on the population *without* representation, the opposition came to justify itself precisely by claiming to represent the population.

dominant elites to the whole of the population—that is, as the state's direct demands fall on ever wider sections of society, from aristocrats and perhaps clergy in the first instance to an urban bourgeoisie and other property-holders, to all adult males, and eventually (in the twentieth century, under the impulse of the mobilization of entire populations for total war) to women also.[46] It is when the concept of representativity is widened to embrace the entire population at the level of individual households (represented through their adult males) that the terms 'majority' and 'minority' start to apply to the whole population—rather than to, say, all property-owning voters, or members of a town or communal council.[47]

It must be emphasised, here, that the concept of representative government does *not* imply democracy. What is at issue is whether the state claims to represent the population: whether that representation is democratic or not is irrelevant. Kemal Atatürk was no democrat, but he based his legitimacy entirely on the claim to represent the Turkish 'people'. The claim to be representative is frequently used by states and rulers precisely to foreclose the possibility of any real democratic representation—a similar point to the one made above about the concept of the 'majority'. The fact that many non-democratic regimes call themselves democratic simply shows the rhetorical power of *that* concept in buttressing the notion of representativity.

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[46] Tilly 1992.

[47] Kedourie 1988.

In the Ottoman Empire, as elsewhere, the concept of representative government spread to touch the entire population in the 19th century.[48] While Ottoman sultans by no means abandoned the claim to divine right and to religious legitimation, the state sought to widen its repertoire of legitimating practices. (Both of these statements apply to other European monarchies that survived the century: British monarchs retained the claim to reign *deo gratia*, although the British state no longer legitimated itself purely by that claim.) This was the import of the *tanzimat* reforms, which for the first time introduced the notion that the state represented as well as ruling the population. Later changes in the empire's ruling ideology—notably a renewed use of Islam as a basis for legitimation under Abdülhamid II (discussed below)—retained the notion of representation. It would be wrong to see this development as an adoption of foreign practices. The internal dynamic of state-society relations drove reform, even if external pressure made it imperative.

- *State identity, national identity*

Earlier, I described representative government as part of an ideology of cohesiveness creating a terrain on which the interaction between state and society—with demands and resistance emanating from both sides—is played out. But it is only one part of that ideology. For the population to take

[48] A classic account of this can be found in Davison 1990 [1968]. Davison concentrates on elected institutions, a narrower meaning of representation than that outlined here. I suspect he also overestimates the extent to which representation was a "Western" import rather than something driven by internal dynamics of the Ottoman state-society relationship. Berkes (1964: 158) notes the effect of such changes within the non-Muslim *millets*, transforming them from "little theocracies within an empire" into "little non-territorial republics and incipient "nations."".

seriously the state's claim to represent it, the relationship between them must be defined: who, precisely, does the state claim to represent?

One part of this process of definition is the establishment of fixed borders, territorially defining the population upon which the state can make demands—and vice versa. But in the modern period, the demands made by both sides have steadily increased: states demand individual income tax, general conscription, attendance at school; populations demand a greater say in how revenue is spent, healthcare, education. This is the stuff of politics in modern states, and the population's mere residence on the state's territory has not usually provided a strong enough connection to bear the weight of such politics. A stronger link is needed, usually based on shared culture: the state demonstrates that it is of the people by sharing their 'national identity', and this in turn provides the population with a basis for making *their* demands.

Whether the pressure to create such a cultural link comes from the state (as in France) or from segments of the population in opposition to the state (as with separatist nationalisms in the Austro-Hungarian and Ottoman Empires[49]), it makes the relative numbers of different culturally-defined groups increasingly salient. When such pressure comes from the state there is an obvious benefit in assuming or idealizing a cultural identity that is shared by or at least acceptable to a majority of the population. Likewise, if members of a culturally-defined group come to see the ruling state as

[49] Both trends, in fact, can be observed in the Ottoman Empire.

alien and therefore reject it as not representing them, their likely response will either be to take over the state for themselves (if the group, as they constitute it, represents a numerical majority within the existing state) or to try and break away and form a new state within which they are a numerical majority. Charles Tilly shows how these two currents strengthen each other, with

> the attempt of rulers to commit their subjects to the national cause generating resistance on the part of unassimilated minorities, the demand of unrepresented minorities for political autonomy fostering commitment to the existing state on the part of those who benefit most from its existence.[50]

In either case, number becomes increasingly important. As states old and new come to present themselves as sharing the identity of a 'majority', those culturally-defined groups that fall outside the definition of national identity adopted by the state but inside its geographical borders become 'minorities'. Since populations are rarely homogeneous, with territories of any size containing culturally diverse populations, 'minorities' appear almost everywhere.

The link between the concepts of representative government and national identity is easy to see.[51] Their development together is what allowed Boehm to describe a post-WWI Europe where each state was viewed by a given 'nationality' as "the particular expression of its own identity"[52]: in

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[50] Tilly 1992: 116-117. I am making the slightly different point, however, that groups come to be defined as 'minorities' *through* this process.

[51] Again, there is nothing to stop a profoundly unrepresentative regime legitimating itself by claiming some kind of representativity—the concept of national identity makes this easier.

[52] *ESS* 1935: "Minorities, National"

other words, nation-states. But as cultural identity became more salient in the relationship between state and society, it also became more likely to mark lines of conflict between them. In the pre-modern era it was sometimes problematic for religiously-legitimated states to rule over populations belonging to a different faith; in modern times there are far more potential points of disagreement, since 'nations' define themselves using varying combinations of language, ethnicity, geography, religion, and (supposed) shared history, and because—as the *ESS* also noted—the state's activities had expanded into cultural fields. The terms 'minority' and 'majority' having already become relevant at the level of the entire population, this is when their extended meaning as permanent political groupings defined by their cultural identity emerges.[53]

So far this analysis has been presented as if already-defined groups exist in these circumstances. This is a misleading simplification: social groups are also *produced*, or produce themselves, by this process, and cultural identities refashioned or (re)invented—the example of the 'Greeks' in Turkey, or indeed the 'Turks', illustrates this. Notably, boundaries between culturally-defined groups often harden as they become associated with political identities relative to the state (and much more so in the modern period than previously). This is always a dialectic process in which different groups define themselves in relation to one another and the state, with the state sometimes serving as the instrument of one group. In the definition of

[53] Kedourie 1988.

a 'majority' and 'minorities', each side of the process depends on the other.

The Ottoman state did not—for most of its history—claim a cultural affinity between itself and all groups within the population, any more than it claimed to represent a 'majority'. In a religiously-legitimated monarchy, whether or not the ruler shares the language or 'ethnicity' of the ruled is irrelevant.[54] Nor need he even share their religious beliefs, since he draws his right to rule from his own religion. Religious differences may become politically salient in the relationship between ruler and ruled, as in Europe during and after the Reformation, but this is by no means inevitable.[55] The empire claimed an Islamic identity which it shared with a substantial part of the population, but whether that part was a numerical majority or minority of the population was irrelevant. The Arab caliphates had ruled over a majority of non-Muslims for centuries; so did the Ottomans in their Balkan provinces.[56] Islamic law provided a place in the social and political order for non-Muslims, and although this was a structurally subordinate place it was nevertheless guaranteed by the state. And of course, non-Muslims were not subordinated because they were a minority (often they were not) but

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[54] Cf. Anderson on the 'dynastic realm'. Anderson 1991: 19-22.

[55] Even when religion *does* become salient in the relationship between ruler and ruled, it is not necessarily correct to assume that a 'majority' dynamic is at work (i.e. it has become impossible for a ruler belonging to a 'minority' faith to rule over a 'majority' belonging to another). It may well be more accurate to say that the religion not of a majority but of certain influential groups—aristocrats, urban middle classes, an established clergy—is what matters.

[56] Indeed, since the early Ottoman sultans won substantial territories in the Balkans before they expanded into the Levant, Arabia, and Egypt, "before the sixteenth century they probably ruled over more Christians than they did Muslims" (Mazower 2005: 25).

because they were non-Muslims. Under this system of government, whose ordering principle was religious (with no direct reference to number), ethnic identity had very limited political salience. The Ottoman state required that its servants speak Ottoman Turkish, not that they be 'Turks'. State functions were assigned to members of the different religious communities, not to members of 'ethnic' or 'national' groups.

It was only in the nineteenth century that this began to change, as the empire—like other states—shifted towards an idea of representative government. At the same time as the state came under pressure from separatist nationalisms that presented it as alien to 'their' nationality—a process which, at the risk of repetition, involved constituting a new form of political identity—it also adopted measures to promulgate a cultural identity of its own. The Ottomanism of mid-century, Hamidian Islamism that followed it, and eventually the current of Turkish nationalism can all be seen in this light, with separatist nationalisms acting as both a countercurrent and an example. Ottomanism was a culturally diffuse concept, based on a putative shared loyalty to the state's institutions and residence on the territory. Its vagueness was deliberate: Ottomanism was concerned with overcoming the growing centrifugal forces within the empire, particularly among Christian populations, and therefore needed to be as inclusive as possible—in a sense, to forestall the emergence of minorities by making everyone a part of an Ottoman nation. (It also existed alongside an older and sometimes oppositional concept of the Islamically-

legitimated state which would prove both resilient and flexible.) Other states in comparable situations in this period adopted similar solutions.[57] While the vagueness of Ottomanism was necessary, given the diversity of the population, it made the concept less effective as a mobilizing ideology in the face of the more exclusive separatist nationalisms that developed, and attracted foreign support, within the population.

One reason for Islam's renewed prominence as a source of legitimacy and as a cultural identity linking state and society as a whole in the later 19th century was that in this period Muslims finally became an overwhelming numerical majority in the empire.[58] This was partly the result of the loss of most of the Balkan provinces, especially after the 1877-78 war with Russia: the Christian populations remained in the newly-formed Balkan states, while large numbers of Muslim refugees fled from them into the remaining territory of the empire.[59] (Many others were massacred.) Thus, proportionately and absolutely the number of Christians fell sharply while that of Muslims increased.[60] The same period saw the consolidation of Russian control in the Caucasus, causing a wave of Muslim immigration to

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[57] Deringil (1998: 16-17), comparing the similar legitimation strategies adopted by the Russian, Austro-Hungarian, Japanese, and Ottoman empires in this period, notes the Habsburg monarchy's attempts in this period to build a sense of national identity based on loyalty to the emperor and shared belonging to the 'Imperial Fatherland'—a repertoire to which Stone (1999: 236) adds the multiplication of bureaucratic institutions.

[58] Kayali 1997: ch1; Hourani 1991: 309. Deringil 1998, especially chs1-4, examines Ottoman self-legitimation in this period.

[59] Karpat 1984; Inalcik and Quataert 1994: 782. This work also notes (792) a lesser but not insignificant contribution to the shifting balance: the increase in emigration to the Americas in the later decades of the 19th century. Most emigrants were Christians. NB—These references come from Part IV of the work, authored by Donald Quataert.

[60] Kayali 1997: ch1.

the empire. In both cases the numbers of Muslim immigrants were substantial.[61] This is when it *starts* to become meaningful to talk about a Muslim majority: not only because there certainly *is* one, in numerical terms, but because the state is self-consciously claiming to represent that majority and to promote a more robust cultural link between itself and the population than Ottomanism. However, given the numerous ethnolinguistic divisions within the Ottoman Muslim community it remains dangerous to assume the existence of a coherent Muslim majority, as the various ethnolinguistically-based nationalisms already developing within that community would soon demonstrate.

- *Common institutions covering the entire population and territory; a common public sphere*

Spreading over the boundary between philosophy and political geography, several other developments marking the transformation of the state in the modern period can be seen as preconditions to the emergence of 'minorities' and a 'majority'. As we have already seen, the concepts of representative government and national identity develop together; these factors, too, develop as part of the same process.

[61] Inalcik and Quataert 1994: 794-795; Karpat 1984: 72. Karpat notes that some of the Circassians fled twice: from the Caucasus to the Balkans in the 1860s, and from the Balkans to Anatolia and the Levant in the 1870s. Meyer (2007) argues that the Russian empire generally tried to keep hold of its Muslim population, and notes that some (though not many) migrants returned to Russia temporarily or permanently. Others retained their Russian citizenship and used it to gain access to Russian consular protection in the Ottoman empire.

As the concept of representative government spreads, for example, it is embodied in common institutions operating across the entire territory and touching the entire population. Most important, perhaps, is the institution of common citizenship, but also included are such essential parts of a modern state as a judicial system which operates in more or less the same way across the territory, and on all individuals within it; a state education system with a common curriculum and a state language[62]; and such 'representative' institutions as may exist as a link between state and population (whether truly representative or not). These either replace or subsume to one state-wide framework the multiple local and regional institutions of varying power and influence which are common in pre-modern states—where, under the tenuous sovereignty of one ruler, different regions and different groups within the population may be subject to radically different legal systems (for example). Much of the process of Ottoman reform in the last century of the empire's existence can be interpreted in this way: consider, for example, the standardization of law under the *mejelle*, which attempted to reduce discrepancies both in local customary law and in the communal law of the *millet* system, and also hoped (unsuccessfully) to overcome the exceptional status of the mixed courts; or the development of a common Ottoman citizenship, which attempted to standardize the relationship between members of different

[62] The process of language standardization is clearly a crucial one, but far too large a subject to go into in detail here. Balibar (1991: 97-99) brilliantly links language and school, and shows that the development of a national language is marked by the stratification of 'levels of language' *within* one language.

millets and the state.[63] Ussama Makdisi has drawn the contrast between this and earlier phases of the relationship between Ottoman state and population:

> After the nineteenth century, Ottoman reformers sought to nationalize (Ottomanize) the empire and ultimately to absorb the margins into a cohesive and uniform Ottoman modernity.[64]

While far from wholly successful, these reforms did fundamentally alter the relationship between individual Ottomans and the state; and they also mirror transformations of the state in other countries in this period.[65]

Just as important to the development of a sense of national identity, is the development at a large scale of a public sphere going beyond educated elites. Benedict Anderson's lastingly influential analysis has shown how important this is to the development of modern nationalism.[66] This is somewhat more distinct from the state than the kinds of institution mentioned above, but in a sense they contribute to it—and not only because they create cadres who are among the public sphere's most active participants. Institutions such as citizenship or an education system act to establish the sense of commonality (of interest and experience) on which a public sphere going beyond a local level depends. They also, thereby, work strongly to stake out 'national' boundaries within the public sphere.

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[63] Concentrating on the fact that the *tanzimat* enshrined legal equality for non-Muslims, scholarly literature has often ignored the fact that these reforms also introduced a concept of equal citizenship to all *Muslims*.

[64] Makdisi 2002: par. 8.

[65] One might note the very comparable timescale for the political emancipation of Catholics and Jews in Britain, and perhaps also the fact that these mid-nineteenth-century developments have not yet resulted in a Catholic or Jewish prime minister.

[66] Anderson 1991.

Even in the modern period, we have already seen the effect that the formulations 'minority' and 'majority' have in glossing over divisions within a society and obscuring very different relationships to the state *within* the 'majority' or each 'minority'. In the pre-modern period, the absence of common institutions and a public sphere makes it hard to see what meaning the term 'majority' could have at the level of the population as a whole. It implies a perception of commonality of interest and experience which self-evidently does not and cannot exist of itself. The developments outlined here, and no doubt others besides, are necessary before that perception can exist. Whether that perception is true or false is of course another question.

- *A 'national territory', uniform state authority, and fixed borders*

Developing alongside the common institutions described above is the notion of uniform state authority over a permanent national territory, replacing the formally and informally differentiated state authority and weaker philosophical link between state and territory that was normal prior to the modern period.[67] Because modern states *do* claim a uniform sovereignty over the entire territory, and in many cases possess the means to enforce that claim or at least punish those who challenge it, it is hard to remember that until recently states did not—and could not—make such claim. In these

[67] See chapter 3. Balibar (1991: 87) places the transformations discussed here earlier, with the development of *absolute* monarchy that "brought with it effects of monetary monopoly, administrative and fiscal centralization and a relative degree of standardization of the legal system and internal 'pacification'. It thus revolutionized the institutions of the *frontier* and the *territory* [emphasis in original]." I take the point, but would argue that (i) it is likelier to hold for France than for other states and (ii) if these processes *began* earlier, they reached a new intensity in modern states—notably revolutionary France.

circumstances, culturally-differentiated groups in areas away from the main centres of state authority were not under anything like the same pressure to conform to state-imposed norms than they are today.

To an extent the same goes even in centres of state authority, because that authority was more likely to bend itself to, or at least accommodate, local factors than it was to impose common norms. For example, by comparison with the Balkan mountains, the Jabal Hawran, or the Arabian desert, Ottoman authority was strong in Salonica, Damascus, and Mecca—but the three cities operated under very different regimes. At the level of the city it would be possible to argue, without having to make heroic assumptions about the coherence of a non-Jewish majority and the uniform authority of a non-Jewish state at the level of the empire, that the small Jewish community of Damascus constituted a 'minority' in more than a numerical sense. Whether the same could be said of the Jews of Salonica, a city which they dominated not only numerically but also economically and socially (at all levels), and where "the docks stood silent on the Jewish Sabbath"[68], is doubtful. As state authority comes to be more uniformly applied, through the instrument of a state apparatus that functions more uniformly at the level of the entire territory and population, and as common institutions and a public sphere at the state-wide level develop, communities of all kinds gain a sense of their place relative to a greater whole.

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[68] Mazower 2005: 8. Mazower mentions that this was the case well into the modern period, as late as 1912.

The geographical limits of that whole are set by an important development in political geography, mentioned briefly above: the establishment of fixed borders with a state's authority on either side, a process closely related to the spread of the state's physical presence across its territory. This is relevant to the emergence of 'minorities' because it restricts the field of political action open to subordinate communities within each state *to* that state. If a subordinate community under threat can simply pack its bags and head west of its own free will, as it were, then it has a freedom of action which a minority group within a modern state does not have, however traumatic such a migration may be in practice. Among countless examples are successive waves of nomadic migrations west out of central Asia under pressure from the east; Protestant religious groups fleeing Britain for America; Boers moving north through southern Africa at the time of the British occupation of the Cape; or Caucasian Muslims fleeing to the Ottoman Empire to escape Russian imperial expansion in the 19th century. Modern minorities under threat have a much more limited range of options: flight, individually or en masse, can only take them to another nation-state where they may be assimilated to the majority (at best), become an immigrant minority, or remain as stateless refugees (at worst).[69]

- *Extension of modern communications*

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[69] Hannah Arendt expresses this problem in her stark description of interwar Europe, with its "migrations of groups who, unlike their happier predecessors in the religious wars, were welcomed nowhere and could be assimilated nowhere. Once they had left their homeland they remained homeless, once they had left their state they became stateless; once they had been deprived of their human rights they were rightless, the scum of the earth."

In terms of physical geography, the extension of modern communications underpins many of the developments described above—permitting some approximation in reality of the uniform application of state authority, for example, as well as the establishment of a common public sphere. The extension of the state's *real* authority over its entire territory and population brings communities which might previously have been semi-autonomous into permanent and direct contact with the state, and fixes them within a state structure where they are in a minority.[70] For the Ottoman Empire, the Druzes of Mount Lebanon and the Hawran are an obvious example; less obviously, because a larger and more diverse community, it is unlikely that the Christians of the Ottoman Balkans would have considered themselves to be a minority before the nineteenth century at the very earliest—if they ever did. Muslims may have been a majority, though not an overwhelming one, in the empire as a whole; but before the spread of modern communications the empire did not act as a whole, and in the Balkans the Christians were a numerical majority. It was in the period of the *tanzimat* that infrastructural developments (railways, telegraphs, steamships) started to tie the territory together—putting the state apparatus more firmly, and more immediately, under the direct control of the centre, and simultaneously giving the population more direct access to the central state.[71] Similar processes were occurring in other European states at the same time.

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[70] See chapters 3 and 4.

[71] On the impact of the telegraph in this respect, for example, see Rogan 1998.

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It is difficult to separate out these preconditions, or to say with any certainty which way causation runs between them. The processes involved contribute to and reinforce one another. Moreover, it should be apparent that these preconditions—and the list is not exhaustive—are ideals, not realities. Many of them could never be fully achieved. Even today, the authority of the most powerful states is not uniform across the territory, weakening in remote rural areas or urban areas whose populations are hostile to state intrusion.[72] In other states the differentiation is greater, and may be extreme. There are also frequently exceptions to supposedly common state institutions—witness the peculiar and possibly unconstitutional status relative to Congress of Washington, DC, the exceptions to French citizenship applied to Algerian Muslims (nonetheless French *subjects*) under the *code de l'indigénat*, or the so-called 'West Lothian question' hanging over the UK parliament. Such exceptions, whether made for particular regions or particular groups within the population, often represent practical solutions to the problem of government—but they may pose serious existential questions for the state.[73] If most borders, meanwhile, are now clearly delineated on maps, they

[72] Scott (1998: 56 n12) shows that this point holds even in cities designed on a grid pattern, for maximum 'legibility' and accessibility, in powerful modern states.

[73] Sometimes it is the creation of a common institution which creates the problem, as when formal citizenship or nationality laws institutionalize the exclusion or subordination of certain residents within a territory—one example being immigrants and their offspring, down to the third resident generation and counting in Germany; another example, less salient in Western Europe today than in the past but more so elsewhere, being women. Such institutions inevitably create exceptions, and the argument over where to draw their limits underlies much of modern politics.

frequently remain porous; state authority is rarely uniform along their length. Above all, national identity usually escapes precise definition.

What is important, however, is not that these ideals exist in reality but that states, their rulers, and their citizens *act* as if they exist—as if the ideal is the norm. In the era of nation-state, this is largely the case. Taken altogether, the adoption of these ideals as something approaching norms represents a radical transformation of the state—a transformation which has taken place across the globe over the last two centuries. It is not final—the current preoccupation of scholars and journalists with 'globalisation' is one indicator of this—but it is the framework for this study.

It is this transformation of the state which gives meaning to the twin concepts of majority and minority, understood as groups within a population: terms which emerged in a specific, contemporary context. This transformation has so profoundly marked our era that it is difficult to imagine how *different* the past was—to imagine, for example, that political categories which are fundamental to us could have been literally unthinkable so short a time ago. But outside the specific, contemporary context of the nation-state it is difficult to see what meaning these two concepts could have. Put simply, the burden of proof is on anyone who claims that majority *is* a valid term of analysis when applied to the past to show how a coherent 'majority' could possibly have been constituted without all these various developments that we take for granted in modern states; likewise for 'minority'. Each of these terms implies a relationship between the state and the population—above all, between the state and the

supposed majority—which simply did not exist previously. The concepts would have been meaningless to residents of the Ottoman Empire for most of its long history. Neither are they useful from the historian's point of view until late in the day, since the conditions which make them meaningful were absent: the terms only begin to become meaningful, with reservations, in the later Ottoman period. But it was not until the mandate period, when these concepts became fully developed in international political discourse, that individual actors began consciously to refer to themselves as members of a majority or a minority.

The 'reverse implication' of the argument that majority and minority are not meaningful concepts outside the context of a modern nation-state, however, is that tracing the emergence and development of these concepts—especially minority—is a useful way of studying the development of modern nation-states without adopting (knowingly or not) the categories that the nation-state itself creates. Paradoxically, focusing on minorities as central to the state permits us to get beyond a state-centred analysis, because instead of assuming the existence of powerful state norms it enables us to see how those norms gradually developed and imposed themselves. Given that the nation-state form has shaped recent world history, this is a worthwhile task. As Benedict Anderson puts it, "When the forty-two founding members of the League of Nations assembled in 1920, they inaugurated an era in which the nation became the only internationally

legitimate state form".[74] This is how this thesis proposes to use the concept of 'minority': not as an analytical category, but as a subject of study in its own right—one that will shed light on the process of state-formation in the modern Middle East and elsewhere.

[74] Anderson 2001: "Nationalism".

Chapter 2 – 'Minorities' and the French mandate

Introduction

The Ottoman Empire remained a dynastic empire to the end. The states that replaced it, by contrast, were constituted as nation-states representative of their populations from the outset, and recognized as such by the League of Nations. In that formal, institutional sense the end of World War One was a decisive turning point in the Middle East—although the break between what came before and what comes after was less radical than that might imply. Like other states in Europe and elsewhere, the Ottoman Empire in the nineteenth century had adopted many of the characteristics of a nation-state, as the previous chapter described; and, as elsewhere, the transition to a nation-state form masked many continuities.

In the new nation-states of the post-war period in central and eastern Europe, and in what became the republic of Turkey, the relationship between each state and its new minorities was essentially bilateral, despite external intervention by the League of Nations—through the minorities treaties—and other states interested in populations belonging to 'their' state people. In Syria and the other states of the Levant, however, the relationship between the new states and their (new) minorities was mediated by a third factor: imperial occupation. Rather than being recognized as a fully independent nation-state by the League, Syria was *provisionally* recognized as independent and placed under the mandatory tutelage of France.

This chapter examines the general development of minority identities in French mandate Syria, examining the interplay of two distinct factors. First, the policies the French put in place in Syria in order to structure, and exacerbate, the divisions between Syria's diverse communities. Second, and more profound in its effects, the transition to a nation-state form. Although state development in mandate-era Syria was, without doubt, animated and ordered by the imperial power, it is harder to locate the norms that it followed with French imperialism alone. States inside and outside Europe, imperial powers or not, adopted them in the modern period; to a great extent the 'national' practices and institutions that shaped state development in mandate Syria were continuations of Ottoman trends.

In this context, the chapter discusses the place of the concept of 'minority' in the relationship between France and Syria. Doing this with a critical understanding of the concept and its historicity allows us to refine earlier analyses of French policy in Syria as one of 'divide and rule' based on using 'minorities' to offset the 'majority'. The concept came into common use in both French and Syrian writings later than one might think, and was used not only as a justification for French domination in Syria (on the grounds of 'protection of minorities') but as a means for certain groups in Syrian society to advance their own interests relative to the mandatory authorities, the Syrian state, and society at large. The discussion of the concept of 'minority' is placed in a wider analysis of the French imperialist vision of Syrian society which shows how that vision affected French policy in Syria, and how French policy in turn affected Syrian society. This casts

light on the contradictions created by French attempts to order Syrian society along religious lines within the secular state form of the nation-state.

Examining this question also offers us a way of assessing the continuities and discontinuities between the Ottoman and post-Ottoman periods in Syria. The communities that emerged as 'minorities' during the mandate cannot simply be mapped back onto the *millets* or Christian and Jewish communities of the Ottoman period.[1] A minority is a modern phenomenon, a millet pre-modern, though by 1914 the Ottoman millets were already marked by the effects of the transformation of the state. Even those religious communities that did previously exist as millets saw their relationship to the state and the wider society alter significantly as they became minorities in the new Syrian nation-state; other minorities, with no prior history as millets, also emerged. In many cases neither the Syrian minorities nor the French understood the significance of the transformation that had occurred—unsurprisingly, since it was a long, uneven, and difficult process that had begun long before. Frequently, Syrians recognized the import of their changed circumstances before their French rulers did.

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Divide and rule—but on what grounds?

[1] The term *millet*, originally meaning 'religious community', can refer to Muslims as well, though by the nineteenth century this was not the normal usage. Later instances of this word will not be italicized. It is pronounced *mil-LET*.

France is usually said to have employed a policy of 'divide and rule' in Syria where the divisions exploited by the French followed communal lines; more specifically, France cultivated close links with *minority groups* in order to offset the opposition of the *majority*.[2]

Although not entirely inaccurate, this is an unsatisfactory interpretation. Such an interpretation assumes that there was a coherent majority in Syria at the start of the mandate from which other groups can be easily distinguished as 'minorities'. As the previous chapter demonstrated, these are unsafe assumptions: these concepts only gradually became meaningful in Syria, in the mandate period. This interpretation also implies that minorities as such figured in the French imperialist vision of Syrian society; but 'minorities' were almost absent from French rhetoric about Syrian society at the outset of the mandate. The concept spread gradually in both French and Syrian usage as the 1920s and 1930s progressed. By the mid-1930s it was common in both French *and* Syrian writings about Syria—but it was not applied in the same way to all communities that were numerical minorities.

Simply seeing French policy as one of manipulating or instrumentalizing minorities carries further risks. First, it tends to assume the power and agency of the colonizer while overlooking the agency of the colonized—with the possible exception of the nationalists who opposed France. In fact, even individual members of 'minority' communities who were strongly pro-

[2] See introduction n1.

French were far from being passive tools of imperialism: they were agents who made their own choices, and were quite capable of putting pressure on France to advance their own interests. Second, it overlooks the diversity of responses to the French presence between and within particular 'minorities'. In every community there was a range of responses to French imperialism—a fact which goes for the 'majority' as well as the minorities. And third, it ignores the significant differences in the way the French treated different 'minorities': significant both in the sense that they were large, and that they reveal much about the imperial understanding of Syrian society. As we will see, in their effort to 'divide and rule', French officials in Syria gave most weight to religious divisions. Although they did exploit Syria's ethnolinguistic divisions, it was in a less extensive, less formalized way. The gradual and incomplete change from a sectarian to a minoritarian understanding of Syrian society—in both French and Syrian sources—reflects the transformation of that society. By analysing the French imperial understanding of Syrian society on which this policy of 'divide and rule' was based, I hope to offer a more nuanced account of how it functioned. My analysis starts with a brief account of the contemporary European understanding of the Ottoman millet system, in which the French understanding of post-Ottoman Syrian society was rooted.

* * *

European understandings of the Ottoman millet system

According to the classical European understanding of the millet system, the non-Muslim communities of the Ottoman Empire were divided up according

to their religion: Greek Orthodox Christian, Armenian Christian, and Jewish. Each of these communities was given political autonomy, under the authority of the Patriarch in the first two cases and the Chief Rabbi in the last. The head of each community was a senior official of the Ottoman administration resident in Constantinople; the first holders of these posts had been appointed by Mehmet the Conqueror immediately after the city fell to him in 1453. The millets were discrete units, administered by their respective religious hierarchies through which they interacted with the state—for example, by paying tax; each had its own legal system for personal status law. There was little interaction between the non-Muslim millets, or between them and the Muslim population.

This understanding of the system has been extensively revised in the last thirty years.[3] It is too dependent on the view from Constantinople: it assumes that the formal legal relationship of the millets in Constantinople was reflected throughout the empire. Moreover, it anachronistically projects the state of affairs existing at the apogee, and under the influence, of European expansion in the empire back into the Ottoman past. Thus it presents the 'system' as more systematic than it in fact was. The formal relationship between the non-Muslim peoples of the empire and the state varied considerably from place to place and over time, rather than being set in stone from 1453; the very concept of the millet as a specific community

[3] See among others (in a now extensive literature) the articles in Braude and Lewis 1982 vols. 1 and 2, especially those by Cohen, Karpat, and Ma'oz; Göçek 1993; Valensi 1997; Encyclopaedia of Islam 1999: "Millet"; Masters 2001. Makdisi 2000 removes sectarian violence in 19th century Ottoman Syria from a narrative of primordial religious (millet) hatreds, seeing it instead as a result of identity formation under the pressure of Ottoman modernizing reforms.

of non-Muslim Ottoman subjects developed much later than that.[4] If the Ottoman authorities even in the empire's heyday were unable to impose central control over the population (assuming that such a thing was even considered desirable then), it is unlikely that the Patriarch's authority over the Greek Orthodox of Homs, say, was especially effective. His spiritual authority might be acknowledged but in temporal matters diversity was the rule. (The Jewish community of Salonica—the largest in the empire—consistently *rejected* the authority of the chief rabbi in Istanbul.[5]) The clergy's role in actual administration of the community was probably smaller than was once thought. Within the non-Muslim communities, religious subdivisions gradually came to be recognized by the establishment of new millets, for example the Armenian Protestant millet recognized by the Sultan in 1850 under British pressure. There were fourteen officially recognized millets by 1914, while several religious communities that were (broadly speaking) Muslim but were distant from the Ottoman state's official interpretation of Sunni Islam—notably, for our purposes, the Druzes and ᶜAlawis of the Levant—behaved as unofficial millets, a term I explain below.

The danger of describing Ottoman society in terms of the millet system is that, by assuming a systematic organization of state-society relations, we may overlook the *ad hoc* and constantly developing nature of those relations, especially at the local level away from Constantinople. It is

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[4] Encyclopaedia of Islam 1999: "Millet".

[5] Mazower 2005: 56-57.

better to acknowledge that the millet system was not systematic: it constantly adapted to meet new circumstances. The complicated reality of interaction between the religious communities of the empire, and between individual non-Muslims and the state, is obscured by the assumption that it was extremely limited. Likewise, the diversity of the empire's populations, both Muslim and non-Muslim, is obscured by the assumption that only religious divisions mattered, when even within the main religious groupings there were many more cleavages, both religious and ethnolinguistic. In the transformation of the Ottoman communities, ethnolinguistic divisions gained a primacy they had never had under the millet system.

Although by the nineteenth century European perceptions of Ottoman society were influencing how that society perceived itself, the millet ideal was not merely a creation of European scholarship: the millets themselves traced their lineage back to the conquest of Constantinople.[6] This reflects an historical irony. Under the ideal of the millet system, religion was the main marker of identity, religious law was paramount, and religious hierarchies wielded temporal authority over the non-Muslim communities on behalf of the Sultan. These three phenomena had probably never been as prevalent in practice as in theory—but the ideal crystallized at exactly the point when they began to wane definitively, in favour of ethnic/national identities, secular law, and the secularization of political authority within the millets.

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[6] Braude 1982: 74-77 and following.

For the purposes of this thesis, however, the most important thing to bear in mind about the classical ideal of the millet system as outlined above is that this was the understanding that French officials under the mandate brought to Syrian society: they believed that it was a society already divided *along religious lines* into numerous mutually suspicious and insular communities, and that religious identities trumped all other kinds (a tenacious misconception about the Middle East). "Each community is a little people, jealous of its personality, which has its chief, national and religious at the same time; they are so many nations, and in effect they carry that name."[7] Therefore, the political divisions they sought to impose followed religious lines—divisions that applied both to the territory and to the population under mandate. In categorizing the population by religion in censuses the French authorities followed Ottoman precedent; the same could be argued for the use of religious communal law to divide the population, although the French extended official recognition in this way to communities that had not previously had it. Likewise, while the administrative division of the mandate territories along religious lines had some precedent in the late Ottoman era—namely the special administrative status granted to the *mütesarrifiye* of Mount Lebanon in the 1860s—it went far beyond that precedent. Syrian society reacted in unpredictable ways to these administrative and judicial divisions.

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[7] Haut Commissariat de la République Française 1922: 53. 'Nation' here is likely a translation of millet—which has become the modern Turkish word for 'nation'.

A religious ordering of society within a secular nation-state form

The emergence of minorities in Syria took place within the framework of a new nation-state form created by the Allied powers after the World War One. This state and France's role in it both derived legally from article 22 of the League of Nations Covenant, which enshrined the principle of 'mandates'. Clause 4 states that:

> Certain communities formerly belonging to the Turkish Empire have reached a stage of development where their existence as independent nations can be provisionally recognised subject to the rendering of administrative advice and assistance by a Mandatory until such time as they are able to stand alone.[8]

The mandate thus simultaneously justified French occupation *and* legitimated Syrian nationalism—which, developing from pre-war Arabism, was already a rising force. James Gelvin has shown how the emir Faysal's short-lived regime attempted to mobilize the population using a nationalism defined from above, while in Syria's larger cities a popular nationalism with rather different priorities emerged.[9] This national feeling was not universal: it should not, for example, be taken as expressing the will of a coherent majority. (Later chapters will elaborate on this point.) It *was*, however, sufficiently dynamic to represent the main challenge to French rule. Colonial rule provided a rallying-point for nationalism even as colonial policies undermined it, and the nation-state form in itself encouraged nationalism even if Syrian nationalism felt cramped by the borders imposed in the postwar peace settlement. Within those borders, the emergence of

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[8] De facto, the Mandates pre-dated the League, having been granted to Britain and France at San Remo in 1920 by the chief Allied powers—i.e. Britain and France.

[9] Gelvin 1997, 1998.

minorities (as opposed to millets) was inevitable. But even without the Sykes-Picot agreement and the mandate, a Syrian nation-state of some form would still have appeared with its own borders, nationalism, and 'minorities', to seek the recognition of the League of Nations—as the example of the Turkish Republic suggests.

Despite this new, explicitly national framework of the Syrian state, the French attempted to concretize religious divisions: particularly, by distributing seats to representative bodies on religious communal grounds, extending legal autonomy in matters of personal status to communities which had not previously been autonomous, and granting administrative autonomy to certain religiously-defined groups. That is, by extending what remained of the Ottoman millet system—as they undersood it. This policy adhered to the colonial theories of Marshal Lyautey, whose principle of *association* as opposed to *assimilation* had been developed in Morocco.[10] Rather than attempting to assimilate Syrian society to French norms, the mandatory authorities would rule by *association* with that society, through native governments and laws. Ottoman legal reforms since the mid-19th century had reduced legal distinctions between Muslim and non-Muslim subjects, but in the important area of personal status law religious

[10] Khoury 1987: 55-57; Burke 1973. Burke forcefully argues the importance of Morocco as a model (and source of personnel) for the mandatory authorities in Syria. While accepting his argument, I would nuance his terminology. Burke states that in the early 1920s the French in Syria sought to administer certain 'minorities' separately; for reasons that will become clear in this chapter, I would argue that the French did not apply the concept of 'minority' to their Syrian policy until later, and that it is misleading for historians to use it in this context. (This does not mean that the French did not seek to administer certain communities and regions separately.) Incidentally, Burke does not use the term 'majority', but is the only historian I have encountered to describe the Bedouin as a 'minority'. The standard work on Lyautey in Morocco is Scham 1970.

distinctions still obtained.[11] The continued competence of communal religious courts in this area was ensured by article 6 of the mandate charter, including the line: "Respect for the personal status of the various peoples and their religious interests shall be fully guaranteed". On this basis, personal status law was crucial to French efforts to divide Syria's communities religiously.

Examples are numerous. Before the mandate even officially began, the High Commission established separate ᶜAlawi religious courts on the authority of a judgment from an amenable Muslim legal scholar that the ᶜAlawis were not heretical Muslims but a distinct religious community.[12] A later High Commissioner, Damien de Martel, issued a decree on religious law—*Arrêté no. 60/L.R.*, of 13 March 1936—requiring the communities to submit their own communal statute for governmental approval, based on their religious texts and traditions. This remained in abeyance due to Sunni Muslim opposition but French efforts to formalize the position of religious communities continued—even when the community was so small it had no religious authorities competent to draw up its own communal law, as with the Ismaᶜilis.[13]

What were the reasons for this policy of extending, not reducing, the religious divisions of Ottoman law? It derived from the French authorities'

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[11] Yapp 1987: 112-114.

[12] Al-Hakim 1983: 53. See Firro 2006: 741-743 for French attempt to "ethnicize" the Lebanese Shiᶜi community in the same institutionalized way.

[13] AD-SL Box 494, dossier *Traité Franco-Syrien – Application – Question des minorités*. De Martel to MAE, 19/04/1938.

religious understanding of Syrian society, itself influenced by France's historical links with the Christian communities. Maintaining these communities as client groups—above all, justifying the separation from the rest of the mandate territories of a Lebanese state dominated by Maronite Christians—required a system of political organization which kept them distinct from the rest of the population. Since the main Christian communities were Arabic-speakers, that meant choosing a religiously-ordered organization; the active contribution of some Syrian Christians influenced this choice. It should be stressed, however, that this policy could be perfectly effective without any reference to the concept of 'minority': it found its justification in religious differences, not number. (In Lebanon, indeed, a similar policy of religious division was effectively put into place, with the active cooperation of some Lebanese, but *without* anything resembling a 'majority'.) As we shall see, the concepts of majority and minority were later bolted on to those different religious groups by both French and Syrian observers, but they were not there at the outset.

But when the French tried to order Syrian society along religious lines, the various Syrian communities—religious or other—did not react as planned. Their reactions were conditioned, in a way that French actors often failed to understand, by the transition to a nation-state form. The next part of the chapter considers these communities, grouped into three main categories: non-arabophone Sunni Muslim communities; Arabic-speakers belonging to (broadly) Muslim, but not Sunni, religious communities; and

arabophone Christians.[14] References to nationalist sources give 'minorities' the necessary context of a 'majority', showing how a majority in formation both reacted to and acted on the formation of minorities.

- *Non-arabophone Sunni Muslim communities*

Within a Syrian Arab nation-state[15], Syria's Sunni Muslim community split along ethnolinguistic lines. The various strands of Syrian Arab nationalism were most strongly rooted in, and addressed themselves most directly to, the Sunni Muslim Arabs who dominated Syria's cities and towns: the national 'majority' (though while nationalists may have taken this majority for granted, historians should not: Sunni Muslim Arabs were not an overwhelming majority in the mandate territories as a whole[16], while the term 'majority' itself glosses over important divisions[17]). Despite the French conception of religion as the main marker of identity, it was probably easier for arabophone religious minorities to join that 'majority' than it was for non-arabophone Sunni Muslim groups: Circassians, Kurds, and Turks. In an editorial written early in the mandate period, the (Christian) newspaper editor Yusuf al-ᶜIssa proposes the adoption of the Prophet's birthday—"the *Arab* Prophet's birthday"[18]—as a national holiday which

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[14] It will be apparent from my laborious terminology—"arabophone", etc.—that I do not take 'Arab' identity for granted.

[15] See introduction and chapter 3 for the argument that Syria under the mandate can be taken as a nation-state in formation despite the territorial subdivisions imposed by France.

[16] Bou-Nacklie 1993: 645. This useful point is unfortunately undermined by Bou-Nacklie's confused use of statistics.

[17] See in particular chapter 6, below.

[18] This and following quotations from *Alif Bâ'*, 27/10/1923. (To avoid repetition, multiple quotations from one newspaper article have one reference.) All emphasis is added.

would rally the entire nation: that is, "all the arabophone communities [*kull al-tawâ'if al-nâtiqa bil-dâd*]"[19]. Moreover, Syria should follow republican Turkey's example by inculcating a national identity through state education; the barriers to unity are less serious in Syria, because "our country contains only one, Arab, stock".

Al-ᶜIssa's vision of a nation united by Arabic language was no doubt partly intended to counter the insistent French claim that religious divisions in Syrian society were irremediable; it shows that majorities are open to multiple definitions. Like any definition of a majority, however, this one creates its own minorities: to find a national identity capable of overcoming religious divisions, al-ᶜIssa adopts an ethnolinguistic definition of nationality that excludes non-Arabic-speakers—indeed, denies their existence on Syrian soil. But such communities did exist. The new nation-state form had created the conditions for them to become 'minorities', a transformation wrought partly by the decision of individuals within those communities to employ a language of 'minorities' in advancing their own political interests. Within the nation-state, such communities had to negotiate their relationship with the national 'majority', even if the identity of that majority was still uncertain. One factor governing this relationship was the extent to which minorities were identified with external actors, starting with the League of Nations—a reference point for anyone wishing his or her community to be defined as a 'minority'. More specifically, France was the

[19] "*al-nâtiqa bil-dâd*" literally means "pronouncing the *dâd*", a reference to the emphatic 'd' that is a characteristic sound of Arabic.

relevant external actor for the small and dispersed Circassian community, as for Syria's Christians. Other external actors mattered more to the larger Sunni Muslim ethnolinguistic minorities: for the Kurds, the Kurdish minorities of neighbouring states; for the Turkish-speakers of Alexandretta, the Turkish Republic. It was the division of the region into nation-states that had made these communities into minorities within Syria.[20]

Some members of these ethnolinguistic communities made full use of the repertoire of political action opened to them by the growing weight of the concept of 'minority' in international public discourse—not least at the League, since the mandate was a constant reference point for the French authorities. Understanding their changed position, within a decade of the French occupation they were pushing for political representation and international guarantees of their rights as national minorities analogous to those of central and eastern Europe. But "the High Commission has always refused to consent to the organisation of a Kurdish minority as elsewhere to the organisation of any other ethnic minority".[21] Some Circassians had requested the recognition of their political rights as a 'minority' by 1928, if not earlier.[22] Such demands troubled the French, who were unwilling to acknowledge ethnolinguistic minorities within the *religious* majority. The

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[20] See chapter 4.

[21] AD-SL Box 571, dossier *La question des Kurdes en Syrie. Correspondance. Les Comités Kurdes*. HC's assistant delegate for Aleppo vilayet to HC (16/05/1930).

[22] AD-SL Box 568, dossier *Tcherkess*, subdossier *Armement des villages tcherkess de Boueidan, Blei, Bourak*. HC's delegate to State of Syria (Veber) to HC's delegate to Contrôle Général des Wakfs (23/02/1928).

High Commissioner's delegate to the *Contrôle Général des Wakfs* clarified France's position:

> Under the name 'communities' are generally designated groupings of individuals of the same religion and the same rite... This definition of communities evidently excludes any other grouping whose individuals are united by links other than confessional links (community of religion and of rite).
>
> The Tcherkess [Circassians] are of Sunni Muslim religion (Hanafite rite) and cannot, from the confessional point of view, form a distinct community.[23]

The Circassians *could*, he wrote, be considered as an "ethnic minority" *if* international law gave them this status and they had specific common interests to defend—but he preferred to adopt "in the political order" a religious classification, as "resolving without difficulty the problem of representation of the minorities or the distribution of seats in the representative assemblies".

Such a religious distribution of political power—with a guaranteed proportion of representation reserved for the *religious* minorities—favoured France's Christian clients: this, along with a two-stage electoral system and judicious intimidation, made it easier (though not always *easy*) to turn supposedly representative institutions into instruments of French domination. Allowing Circassian representation as an ethnic minority, however, would invalidate that religious distribution of power. Syrian identities were in flux at this time, and many French and Christian writers asserted or assumed that religious boundaries implied ethnic, even 'racial',

[23] This and following quotes from *Note* (02/03/1928) by HC's delegate to Contrôle Général des Wakfs in the same location as the above letter. NB—The use here of "ethnic minority" precedes *Le Robert*'s first cited instance.

boundaries—stating for example that the administrative division of Syria had been "imposed... by the populations concerned, who are separated by rivalries of race as well as their religious beliefs."[24] But such assertions were made to *reinforce* the religious division of society, not for their own sake. An ethnolinguistic division of society would subsume the mainly Arabic-speaking Christians within a group dominated by Sunni Muslim Arabs, the community perceived by the French—with much generalization—as being the most 'nationalist'. This would imperil the religious conception of Syrian society that justified both the French presence and the separate status of Lebanon, where France's interests and clients were concentrated. When Kurds—members of a much larger, less dispersed community than the Circassians—requested autonomy for the regions they inhabited, the threat was greater: their claim to a state menaced not only the religious order France had imposed, but also Syrian Arab nationalism and the nationalisms of neighbouring states. Turkey, especially, put constant pressure on the High Commissioner to ensure that no such autonomy be granted.[25]

Of course, the French reluctance to recognize ethnolinguistic minorities officially did not preclude the exploitation of ethnolinguistic divisions, for example by recruiting Circassian squadrons for the Troupes du Levant.[26] This policy, which extended also to Armenians from the refugee community, had a (deliberately) damaging effect on communal relations. In Ulfat al-

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[24] SHAT 4 H Box 122, dossier 1. *Note sur la situation politique dans le Levant* [1924].

[25] See chapter 4.

[26] SHAT 4 H Box 261, dossier 1 *Historique du Groupement d'escadrons légers du Levant, 1922-1926*.

Idilbi's semi-autobiographical novel *Dimashq ya basmat al-huzn*, such recruits are described as "mercenaries, who had lived by the goodness of this nation then turned against its people and joined the enemy".[27] The character narrating these words, like the author, belongs to the Damascene Sunni Muslim elite that provided Syrian Arab nationalism with many of its leading figures, and arguably its most responsive audience.

- *Arabic-speaking Muslim non-Sunnis*

The Ottoman Empire did not recognize divisions within Islam, so the other Muslim communities of Syria—notably the Druzes and the ᶜAlawis—had never been officially recognized as millets. But living in areas relatively remote from the urban centres of political life in Syria, they were accustomed to running their own affairs subject to fluctuating levels of state interference.[28] They can therefore be regarded as 'unofficial' millets: religiously-demarcated communities exercising a large measure of autonomy, sometimes with official toleration.[29] These groups are often described as 'compact minorities' because their geographical concentration enabled the French to set them apart in statelets of their own.[30] Because this was done on religious lines, it reinforced the religious conception of Syrian society—rather than undermining it, as establishing a Kurdish statelet

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[27] Al-Idilbi 1989: 190.

[28] Provided that they caused no trouble. Batatu 1999: ch8 notes that, for short periods at least, the Ottoman state was quite capable of projecting its power into the ᶜAlawi mountains when necessary (another reason to doubt the 'mountain refuge' model).

[29] Schaebler 1998: 336-339 gives evidence of such a relationship between the Ottoman state and the Druzes of Syria.

[30] Rabinovich 1979; Khoury 1987: ch20.

(for example) would have done. But calling these communities 'minorities' prior to Syria's independence is problematic: the term does not fully explain their relationship with either the French authorities or Syrian Arab nationalism.

At the time of the 1936 treaty negotiations the High Commission received, and forwarded to Paris and the League of Nations, numerous telegrams and statements from inhabitants of the ᶜAlawi statelet both for and against its being placed under the authority of Damascus. Petitions arguing *against* the region's incorporation into Syria generally avoid the terminology of minorities, instead simply requesting autonomy—sometimes as a community, often without specifying.[31] One of the rare petitions that *does* use the term 'minority' came from ᶜAlawi and Christian members of the region's representative council. It states that

> the populations of this government belong to different Communities, each one having its beliefs, traditions, and distinct customs. *Relative to Syria as a whole*, they constitute minorities that cannot and do not wish to be incorporated into Syrian Unity in any way.[32]

Rather than considering themselves minorities, they are trying to avoid *becoming* minorities by their incorporation into a larger Syrian state.

This is in marked contrast with the Christian communities, who as we shall see in a moment had wholeheartedly adopted the language of minorities by this time. The difference, I think, lies in the geography. The millet system

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[31] For reasons explained in chapter 3, I prefer to avoid the term 'separatist'.

[32] AD-SL Box 410, untitled dossier. Schœffler (Governor of Lattakia) to Meyrier (Delegate General of HC), 04/04/1936—copy of statement accompanying letter. Emphasis added.

had never had territorial implications and for the Christian communities of Syria (Lebanon apart) it never would. But the Druzes and the ᶜAlawis, while considering themselves as separate communities for religious reasons, like millets, were also attached to territorial units. Their geographical concentration had obtained for them separate statelets: an institutional framework within which they could mobilize as a majority, with no more reason to consider themselves a 'minority' than Scots in Scotland. The Syrian judge and politician Yusuf al-Hakim, who was from the ᶜAlawi region and was involved in attempts to re-incorporate it into Syria, frequently refers to the ᶜAlawis as a majority, *akthariyya*, in his memoirs.[33] The French, preoccupied with the Christians, also preferred not to consider Muslim but non-Sunni communities as 'minorities' (though they might consider them as separate communities, i.e. as millets—hence the 'officialization' of ᶜAlawi, Ismaᶜili, Druze communal law[34]). And obviously, *nationalist* Druzes and ᶜAlawis considered themselves to be not 'minorities' but part of the Syrian Arab *majority*.

Thus, whether they were motivated by a desire to maintain majority status in an autonomous state (albeit aware of the prospect of *becoming* a minority in a unified Syria), or asserting membership of a wider national majority, simply describing these communities as 'minorities' is

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[33] Al-Hakim 1983.

[34] They also recruited them into the army. A report by General Gamelin places the recruitment of Druze and ᶜAlawi units in the context of the army's political preference for maintaining territorial divisions in Syria, see SHAT 4 H Box 134, dossier 2: *1926. Doubles: rapports Gamelin. Correspondances. Situations d'effectifs*. Gamelin to War Ministry, Army GHQ, Army HQ—Africa-Orient *section d'étude* (21/8/1926).

unsatisfactory. It does not explain why individuals belonging to these communities acted as they did, and occludes diverse political opinions within them. It also risks reading history backwards, implying either that a Syrian nation-state with a coherent majority already existed at the beginning of the mandate or that the incorporation of these communities into a Syrian nation-state as minorities was inevitable. The process of state formation that fixed them, as minorities, within a Syrian nation-state was taking place during the mandate, despite the French attempts to separate them. But it was not complete.[35] The fact that in the mandate period they are rarely identified as 'minorities', either by themselves or by the French, reflects this.

- *Arabophone Christians*

The next section considers those communities which unlike the Kurds or Circassians *were* wholeheartedly claimed by the French as minorities, and unlike the Druzes and the ᶜAlawis *did* apply that term to themselves: the Christian communities which had already had communal legal status as millets in the Ottoman period.[36]

Although this chapter contends that 'minorities' are *not* equivalent to 'millets', French officials were most comfortable when that equivalence could be made. The same applied to many Syrian Christians, especially the

[35] See chapter 3.

[36] Many of the observations made here would likely also apply to Syria's Jewish community in the mandate period, with the proviso that the community was very small and, relative to the Christian communities, unhierarchical.

religious hierarchies, who accepted the continuation and rigidification of the millet system. Indeed, they acted perhaps more than ever before according to the ideal of the system: the clergy provided almost the only political leadership of these communities to leave a trace in the French archival sources I have read. While this may reveal more about which correspondence the High Commission took seriously enough to keep than about the realities of political organisation among Syria's Christians, it is obvious enough that the French preferred to use religion to structure their relationship with these communities. Of course, this also permitted them and their Christian allies to marginalize the (many) Christians who were *not* hostile to nationalism.[37]

This policy suited the historic justification for French involvement in the Ottoman Empire, protection of the Christian communities; but it sat uneasily with the secular nation-state form and the philosophy of League of Nations. In line with that philosophy, the French therefore gradually came to recast their present purpose *and* past involvement in Syria as being the protection of 'minorities'. Pro-French Christians did the same. The concept was in any case becoming increasingly meaningful in Syria, as various institutions of the nation-state took deeper root; now—and only now—it also became an important part of the self-justifying rhetoric of French imperialism. This development was related to the growing pressure on France to put an end to the mandate and sign a treaty granting Syrian

[37] Compare Firro's depiction (2006: 747) of French policy towards Shi^{c}i leaders in Lebanon: "reward[ing] leaders who sided with the Mandate and the Lebanese state, while marginalizing those who remained loyal to Syrian unity."

independence, especially after Britain had done just this in Transjordan and Iraq. The new nation-states of Europe had had to sign minorities treaties with the League as a condition of their independence: these offered a legal precedent for minorities clauses to be inserted into any treaty with Syria, as a means by which France might retain its right to interfere in Syrian affairs. Unsurprisingly, the 'minorities question' became a crucial and sticky one in successive rounds of treaty negotiations of the mid-1930s. But behind this terminological shift lay the same preoccupation with Christians: whether it is used by pro-French Syrians, French officials, or Syrian nationalists, 'minorities' is frequently a synonym for 'Christian [and sometimes Jewish] communities'.[38]

Thus, Christian clergymen such as Monsignor Ignace Nouri wrote to the High Commissioner, de Martel, to demand continued French protection of the minorities, "that is to say, the Christians and Jews".[39] His letter also gives an extremely partial account of the treatment of Syria's (Christian) 'minorities' in history: it is not only modern scholars who project this modern category into the past. De Martel's comment to the New York Times, meanwhile, that France was in Syria to protect its "Christian elements" elicited protests from *Christian* nationalists in Aleppo.[40]

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[38] I give a fuller account of the relationship between the treaty negotiations and the emergence of a language of 'minorities' in chapter 5.

[39] AD-SL Box 493, dossier *Traité Franco-Syrien. Minorités. Sous-dossiers.* Nouri to HC, 07/08/1936. A French translation is also included. Nouri was Patriarchal Vicar of the Syrian Catholics.

[40] AD-SL Box 494, dossier *La question des minorités à la suite de l'évolution du problème syrien.* Enclosed with *Information nº 214,* Sûreté Générale, Aleppo 03/03/1936.

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The persistence of 'millet' identities?

The controversy about 'minorities' during the 1930s, especially during the 1936 set of treaty negotiations, raises a wider and interesting question about the seeming persistence of 'millet' identities in post-Ottoman Syria.

Externally guaranteed 'protection' for minorities was no more welcome to Syrian nationalists than to the governments of the new states of Europe, whose recognition by the League was conditional on their signing minorities treaties.[41] It represented an infringement of national sovereignty, and in the Syrian case an obvious excuse for permanent French interference. In a 1932 editorial discussing the pretexts for British and French involvement in the Middle East, Najib al-Rayyis summed it up in a few words: "As for Syria, always minorities".[42] It is noticeable, however, that nationalists too preferred to restrict the term to former (non-Muslim) millets. Indeed, this very article sets out to rebut the claim, published in *La Syrie*, that France had responsibilities towards a Shi^{c}ite 'minority' in Lebanon. Al-Rayyis points out that "'minorities' had been known as a term for Christians only" and denies that the "Muslim Arab Shi^{c}a" constitute a minority.[43]

There are several possible reasons for this. The first is the most obvious: that the division of society along religious lines into Muslim, Christian, and

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[41] See chapter 5.

[42] Reprinted in al-Rayyis 1994 vol 1: 225-229; quote at 226.

[43] Al-Rayyis 1994 vol 1: 226-227. Note the incorporation of the Shi^{c}a, whether they like it or not, into an "Arab Muslim" majority as envisaged by a *Sunni*.

Jewish communities was not merely an imperialist construct but had resonance for Syrian writers. We can say this without reproducing French imperialist rhetoric, especially if we take into account the ways in which the nation-state form had altered the relationship between religious groups and the state (something that may not have been clear to contemporary actors). For nationalists as much as for pro-French figures like Nouri, the millet system was a well-established framework within which Syrians could understand their own society—especially when it was taken for granted that that society was an *Arab* national community.

A second reason has less to do with established structures of thought, and more to do with current political concerns. Admitting the existence of minorities other than the Christian and Jewish communities would in any case have posed difficult new problems to Syrian Arab nationalism—raising the possibility, for example, of Turkish-speakers in the sanjak of Alexandretta demanding League-backed treaty guarantees with the support of Ankara. Extending the term 'minority' to communities other than the former millets, even to deny its applicability, was not in the nationalists' interests. Earlier I cited a letter in which a French official mentioned the High Commission's refusal to recognize ethnic (i.e. non-religious) minorities; the same letter goes on to say that

> [t]his is also the opinion expressed by Damascene nationalist circles, which intend to hold to respecting the rights already acquired by confessional minorities only. The Kurds being Muslims like the Tcherkesses must in this regard be assimilated to

the Syrians [*sic*] of the same religion.[44]

Interestingly, Sunni Muslims (*not* only active nationalists) also continued the old assumption that Muslim but non-Sunni groups had no right to recognition as separate communal entities—as we saw in the extract from al-Rayyis with respect to the Shi^{c}a. While this can be understood within the 'traditional' framework of the millet system, as a refusal to admit religious divisions within Islam, amongst nationalists it can also be understood as a convenient means of delegitimizing the territorial separation of the Druze and ^{c}Alawi statelets within the new framework of the nation-state.

On the French side, meanwhile, the preference for keeping to a 'millet' understanding of Syrian society has already been explored in some detail above. With regard to the specific question of minorities in the treaty negotiations, we might add that it would suit French interests quite well to retain a right of intervention on behalf of Syrian Christians—a small community, lacking any major external backing from other sources, and with a strong pro-French element. It would be rather less in French interests to take on an obligation to protect, for example, a Kurdish 'minority' whose loyalty to France was far shakier, and whose existence as part of a far larger Kurdish population spreading across regional borders (and far beyond French influence) raised the possibility of France being drawn into conflict not only with an independent Syrian government but

[44] AD-SL Box 571, dossier *La question des Kurdes en Syrie. Correspondance. Les Comités Kurdes*. HC's assistant delegate for Aleppo vilayet to HC, 16/05/1930.

with neighbouring states. This did not stop Kurds demanding communal recognition, of course.

The question remains as to why the Christian hierarchies, too, continued to act as millets, despite having adopted a new term—'minorities'—which fitted the times and qualified them for international protection. The following suggestions are speculative, but I hope plausible. First, as well as legitimating France's presence in the Levant the religious conception of society strengthened the Christian communities as privileged clients of France, in the eyes of some Christians at least. This would also explain why some Christians might prefer for ethnolinguistic minorities *not* to be recognized as such: it would dilute their own claim to special status. Second, the political significance of the religious hierarchies would likely dwindle in a national (as opposed to religious) state. Many clergymen disliked the transition to secular authority within their communities. This process had begun long before, as had their opposition to it: Niyazi Berkes notes that "the religious leaders of the *millets* were the most strongly opposed to the secularizing provisions of the [1856 Ottoman] Reform Edict".[45] The French willingness to accept the clergy as the legitimate authority within the Christian communities, however, seemed to provide an opportunity to arrest the process.

Not all Christians, not even all clergymen, were hostile to nationalism: the Greek Orthodox, especially, seem to have asserted their place within a

[45] Berkes 1964: 188. See also Masters 2001.

Syrian Arab nation.[46] (Perhaps because of this, mandate officials often called them "cousins of Islam".[47]) At the height of the minorities controversy, in 1936, a senior French official in Damascus complained that the Greek Orthodox Patriarch Alexandros III Tahan had visited nationalist leaders and

> allowed himself to say that he "didn't understand all the noise being made over the question of minorities; we're all Arabs and we don't need any special protection except that of the common laws in an Arab country".[48]

But Tahan was untypical. Many Christian clergymen held onto a religious political order that preserved their own influence, adopting the new term 'minority' for that purpose—at the risk of excluding their communities from the 'majority' in formation.

For Christian nationalists like Yusuf al-ᶜIssa, it thus became necessary to *transcend* millet identities: to insist—to other Christians, to the French, but especially to the wider nationalist movement—that the religious difference did not affect the Christians' status as members of the national community: that they were not, in any politically meaningful sense, a 'minority'. It was not always an easy task, and it was made harder by the cooperation between some other Christians and the French authorities, which reinforced the sense among many Muslim nationalists that Christians were *not* fully part of the national community. This sense is as often implicit (it is

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[46] Khoury 1987: 425.

[47] Private papers of Albert Zurayq, kindly made available to me by Souheil Chebat.

[48] AD-SL Box 493, dossier *Traité Franco-Syrien. Minorités. Sous-dossiers.* Meyrier to MAE, 08/05/1936.

frequently clear in nationalist texts that the author is *assuming* a Muslim audience) as it is explicit (as when nationalist texts adopt a tone that is threatening or outright hostile towards Christians).[49]

As we can see, then, it was not only due to simple inertia or the persistence of primordial religious categories that aspects of the millet system remained operative underneath the new terminology of minorities—whether in the writings of pro-French or nationalist Syrians. The seeming continuity of an older order can mask the current political concerns of those involved; it can also make us forget—as many actors at the time perhaps forgot—that the situation of a minority in a nation-state is riskier than that of a millet. Non-Muslims in the post-Ottoman nation-states of the Middle East risked a greater degree of exclusion from the *national* community than did the Ottoman millets, with their marginal but recognized and accepted place in the Ottoman polity.[50]

High Commissioner Damien de Martel understood that risk. In July 1937 he related to Paris his recent meeting with the apostolic delegate, Monsignor Leprêtre, and the Syrian Catholic Monsignor Tappouni. They had discussed

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[49] This question illustrates nicely that a great deal of the work of imagining a national community consists in *taking for granted* that the community exists, in *not* stating explicitly who belongs to it or not.

[50] In this respect it is interesting to compare the cases of republican Turkey and the Levantine Arab states. In the former, the Christian and Jewish communities were almost completely suppressed even when they were heavily Turkified, whereas non-Turkish Muslim communities were treated as 'lost' Turks who needed to be *re*-Turkified—albeit by force if necessary. In the latter, Arabic-speaking Christian communities have not suffered nearly so badly—indeed, have in some respects prospered—under the pressure of nationalist conformity, whereas ethnolinguistic minorities remain more wholly *excluded* from the national community. (The very different fate of the Arab Jewish communities can be attributed to the creation of the state of Israel.)

the relatively light-handed protection of minorities guaranteed by the 1936 treaty:

> [T]hese intelligent prelates willingly recognize that the disappearance of the Ottoman Empire has put the question of minorities onto quite new bases. Within an empire composed of heterogeneous nationalities, the Christian communities were able to constitute themselves as 'nations' and benefit from a foreign protection the principle of which was not contested. But on the ruins of the Ottoman Empire states with a national basis have created themselves, whose patriotism risks being all the stormier for being younger... The traditional mission of protector of minorities [*sic*] that France has assumed for centuries has become, because of this fact, much more complex. By protecting them too assertively or too strictly, or by seeming to take their presence as a pretext for hindering the development of national sentiment, France would have risked making its protégés into foreign bodies condemned to exodus or massacre on the day when international complications prevented her from defending the threatened minorities effectively.[51]

But even de Martel still refers only to *religious* minorities despite understanding the 'national' root of the problem. He also lets France off too lightly: although French humanitarian concern for the minorities was genuine—the refugee communities were a worrying reminder of the fate of national minorities in an era of nation-states[52]—it was inextricably linked with the furthering of French imperial aims. The French had already placed the minorities at risk, not by "protecting them too assertively" but by using them as a justification for occupation and exploiting them as a political (and military) tool against the formation of a coherent majority.

* * *

Conclusion

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[51] AD-SL Box 494, dossier *Traité Franco-Syrien – Application – Question des Minorités*. De Martel to MAE (07/07/1937).

[52] Being refugees from elsewhere, in the mandate period at least these groups seem to have been considered by all concerned as separate from Syrian society rather than as minorities within it.

In chapter one I argued that the concept of 'minority' emerged when it did, coming into widespread usage after World War One, because it was only in this period that objective conditions made the term meaningful: the term did not exist earlier because 'minorities' did not exist, although the cultural identities by which majorities and minorities would later be defined *did*, in some form. While some of those conditions were falling into place in the late Ottoman period, it was only during the mandate, in the context of a Syrian nation-state, that the term 'minority' was adopted by Syrians and others to describe groups within Syrian society. The 'minorities question' thus became relevant in Syria at the same time as it did in European states.

It would be an over-statement, though, to say that minorities sprang into existence in 1918, when a Syrian state independent of the Ottoman Empire was established, or 1922, when a Syrian state under French mandate was recognized by the League of Nations; underlying the quite sudden post-WWI change in the formal structure of the state in Syria are slower, deeper processes of state formation that had begun in the Ottoman period but continued in the mandate period. By examining here the ways in which the concept of 'minority' was explicitly employed in the mandate period I have tried to give an understanding of some of the changes wrought by the imposition of a new state-form, but also of some of the continuities from earlier times. In a nation-state based on an identity which included the component of the Arabic language, ethnolinguistic divisions—already becoming more salient in the later Ottoman period—gained an added edge. But as we have also seen, that did not necessarily mean that religious divisions became less salient: in some senses, French, Syrian nationalist, and

pro-French Syrian writers all had an interest in concentrating on religious differences as a means of excluding ethnolinguistic questions from the debate about minorities.

One thing that emerges clearly from this analysis is that the use of the category of 'minority' to describe French policy in Syria has generally been unsatisfactory, largely because it assumes that 'minorities'—and a 'majority'—existed in Syria at the outset of the mandate. If we accept the term as meaningful at all, what *made* groups as diverse as Syrian ᶜAlawis, Greek Orthodox Christians, or Kurds into 'minorities' was the emergence and development in this period of a Syrian nation-state with an Arab identity. The same goes for the majority. Even within French rhetoric about Syrian society, the concept of minority was at first scarcely used; it only became prominent in the second half of the mandate period.

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The rest of this thesis explores certain specific themes illustrating the different processes that acted to make the concept of 'minority' ever *more* meaningful in the 1920s and 1930s. They have already been alluded to in part I: in general terms in the first chapter, and in this chapter with reference to specific cases within the framework of the mandate. In chapter 1, I noted the importance of a coherent national territory under something approaching a uniform state authority: until these develop there is no reason for members specific communities to start to see themselves as linked to all other members of the same communities within the state as a 'majority' or 'minorities'. Here, I have noted that describing the Druzes

and ᶜAlawis as 'compact minorities' implies the prior existence of a Syrian national territory to which the Druze and ᶜAlawi statelets—and the Druzes and ᶜAlawis themselves—'belonged'. In chapter 3, I draw these strands together. Using the Druze and ᶜAlawi cases, and several others, I show how the issue of 'separatism' illustrates the spread of state authority and the development of a new conception of the national territory. Chapter 4 continues my analysis of the intensification of the state's authority over its territory by examining the causes and effects of the definition of the Syrian-Turkish frontier. It draws out the complex relationship between the definition of frontiers and the emergence of minorities, which I discussed in general terms in chapter 1, by using the Kurdish case that I have alluded to here.

Following this pair of chapters on territorial questions come two more which focus on developments in international and Syrian law. Chapter 5 places the emergence of the *language* of minorities in Syria in the context of developments in international law between the wars, as the nation-state became the standard state form. The change was not just terminological: the existence of a (novel) body of international law relating to 'minorities' meant that the term had a specific legal content and political implications. But, as I have noted here, it was not until the treaty negotiations of the 1930s that the term became widely used in Syria. Chapter 5 explains why; it also shows what different individuals and groups *within* the different communities stood to gain, and lose, by adopting this language. The final chapter, meanwhile, uses French attempts to reform personal status law in Syria—part of the effort to structure the religious division of Syrian society

described above—to illustrate how the increasing systematization and 'uniformization' of the state's relationship to society contributed to the development of a sense of 'minority' among certain populations. It also provided an opportunity for certain figures to claim to speak for a 'majority'.

PART II

Chapter 3 – Separatism and autonomism

Introduction

Separatism divides territory. States depend in part on their control of territory, especially in the modern period when a sacralized notion of an indivisible national territory has become central to the ideology of nationalism. By dividing its territory, separatism poses an existential threat to the nation-state. Nation-states and nationalists are therefore particularly fearful of, and ideologically hostile to, separatist movements that threaten 'their' national territory. By the same token, separatist movements—which in the modern period frequently adopt nationalist ideology for themselves—are fearful of and hostile to nationalisms and states that rule or claim the territory that is the object of their own aspirations.

The first part of this thesis argued that minorities are created by the process of state development that leads to the nation-state form. Minorities permit the 'nation' to be defined and enable a cohesive politics to develop among the 'majority', but in a number of ways they may constitute a threat (real or imagined) to both nationalisms and nation-states—for example, by weight of numbers, by their predominance in strategic areas of the territory or of economic life, by their external alliances, or simply by demanding freedoms that the state prefers to deny to the whole population. While nationalism in a sense depends on the existence of minorities, then, its attitude to them is usually wary and often hostile—a feeling that is reciprocated, since nationalism and the nation-

state constitute an even more serious potential threat to those who have become 'minorities'. This being so, it is not surprising that separatism is frequently associated with minorities.

A critical discussion of the question of separatism permits an analytically useful deconstruction of a number of easily-made assumptions—including the assumption that certain mobilizations are 'separatist'. In this chapter I consider the question of separatism in French mandate Syria, in order to illuminate the related processes whereby a concept of 'national territory' developed and the authority of the state expanded within a new nation-state form. The first part of the chapter shows how the question of separatism, *infisâliyya*, helped to shape and spread nationalist conceptions of the national territory. The second part widens the focus to include autonomist movements that did not seek full separation from Syria, and shows how separatist and autonomist moblisations cast light on the expansion of state authority—a process which underpinned the developing notion of national territory. Rather than looking at nationalist attitudes towards autonomist mobilisations, it looks at such mobilisations themselves as they appear in the archives of the French High Commission and the Syrian government. In the process it offers a reappraisal of the relationship between minority identities and separatism.

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Nationalism and 'separatism'

The question of separatism poses two distinct but linked problems for nationalism: how, in relation to the 'nation', to place the populations associated with separatist aspirations; and how to assert that the territory which is the object of those aspirations is in fact part of the *national* territory that is the object of *nationalist* aspirations. This section therefore analyses a selection of Syrian Arab nationalist texts of the mandate period (mostly newspaper articles) in order to outline how the question of separatism illuminates the development and diversity of nationalist attitudes towards the 'national territory' and the relationship between it and the population.

Although the simplest definition of nationalism is the belief that the borders of nations should be congruent with those of states, nationalisms do not necessarily emerge with a fully-formed notion of what the national state should look like—or even with a belief that the only possible vehicle for national aspirations is an independent nation-state. The Arabism to which various modern forms of Arab nationalism trace their origins began, within an Ottoman context, as a movement of cultural reinvigoration to which it would be difficult to ascribe a precise territorial identity: after all, Istanbul was one of its important centres. Even as Arabist aspirations took on a more specific territorial identity (attached to the Arab provinces of the empire), prior to the First World War they did so mostly within the context of the Ottoman decentralization movement rather than in the context of

outright separatism.[1] Nor did they necessarily make the *exclusive* claim to territory that a modern nationalism does—i.e. that the Arab provinces of the empire were the rightful home of Arabs only. It would be unnecessarily time-consuming, and redundant, to outline here the complicated history of the emergence of such an exclusive claim within Arab nationalism prior to 1920, and the changing territorial units that were the object of such claims.[2] This discussion will begin instead with a brief overview of the concept of the national territory as it existed in nationalist thought immediately prior to the mandate, during Syria's short-lived independence.

James Gelvin, in his work on popular nationalism in Faysali Syria, discusses the steps by which nationalist aspirations came to focus around the slogan 'the complete independence of Syria within its natural frontiers', a call which won much greater popular acceptance in Syria's towns than wider definitions of the Arab nation that would include, for example, the Arabian peninsula or Iraq.[3] This conception of the territory—which the Faysali

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[1] This is not to claim that Arabism was a 'backward', underdeveloped proto-nationalism when compared to, say, Greek nationalism—merely to make the rather less value-laden observation that for the politically-active sections of Ottoman Arab society, the empire's institutions went on providing an acceptable framework for political action for longer. See, for example, Kayali 1997.

[2] There is a substantial literature on the development of Arab nationalism in the late Ottoman period, (too) much of it influenced by Antonius 1938, which created a paradigm for understanding Arab nationalism that was still evident at the publication of Khalidi et al. 1991. This paradigm has tended to concentrate on the ideology of nationalism rather than, for example, its social origins: see criticisms voiced by James Gelvin (1993—a review of Khalidi et al.) and Edmund Burke (1998: 505 n7). The precise nature of Arab nationalism's territorial claims, and how those claims were circulated, put into practice, and contested in relation to local populations (i.e., as opposed to imperial powers) form one neglected aspect of the question.

[3] Gelvin 1998: 150-168.

government also came to adopt and then promote, because of its popularity—is fairly specific. Syria's 'natural frontiers' were roughly defined in a number of nationalist texts as running from the Taurus mountains in the north to Madâ'in Salih in the south, and from the Mediterranean coast and the line linking Rafah to ᶜAqaba in the west to the Euphrates and Khabur rivers in the east.

Gelvin is duly cautious about the notion of 'natural frontiers', showing what material, social, and economic (rather than 'natural') developments underlay the popular appeal of this construction of Syrian territory.[4] However, I would suggest that an even greater degree of caution is in order with respect to the popularity of this conception of the national territory. The view of the national territory described here, while certainly not just the view from the top, *is* the view from the centre. If, by 1919, there was a broad popular consensus in the towns—especially Damascus—around this construction of the Syrian national territory, there is no reason to assume that the same view prevailed in rural areas, particularly where the population did not share the dominant language and religion of the towns. As Peter Sluglett puts it, recent historical work that examines the development of nationalism by focusing mainly on Damascus does not "give much consideration to the practical, political and ideological difficulties raised by the creation of a state whose constituent parts had not previously

[4] Gelvin 1998: 158-159.

considered themselves part of that wider whole".[5] It is those difficulties that are the focus here.

An approximate idea of 'natural' frontiers may be sufficient for rallying popular support, particularly under the threat of imperialist aggression and division, but nation-states require precisely-defined frontiers.[6] The nation-state form imposed on Syria under the mandate had such frontiers; and even if they were much more cramped than the 'natural' frontiers described above, they still contained plenty of people who, to put it mildly, had not fully assimilated nationalist goals. Although several currents within Syrian Arab nationalism retained a more expansive vision for the national territory, the discussion here concentrates on attitudes to the *actual* territory of Syria under mandate—the territory, already recognized internationally as belonging to a Syrian nation-state, which independent Syria would (more or less) inherit.

That inheritance, however, was frequently in doubt—not only because of French unwillingness to relinquish imperial control, but also because of the territorial divisions imposed on the mandate territories and the real risk that further divisions might be imposed and that some or all of them would become permanent. A fundamental concern for nationalists was therefore to oppose the *tamzîq* or *tajzi'a*—dismemberment or division—of Syrian territory. It is hardly surprising, therefore, if autonomist or separatist

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[5] Sluglett 2002: 274 n2.

[6] See chapter 4.

mobilisations of any kind were viewed with great suspicion in Damascus. We should be wary, however, of making assumptions either about the origins of such mobilisations, or indeed about the nature of nationalist suspicion.

If nationalists were against the division of Syria, by the same token they were *for* the territorial unity of the country. However, the justifications they gave for that unity vary greatly. Sometimes they make reference to the populations of 'separatist' (or at least *separated*) regions, and the aspirations—separatist or not—of those populations. At other times attitudes to territorial unity are expressed in a way which overrides the wishes of local populations or even ignores them altogether.

One way of countering separatism was to understand and explain it. In a 1923 report in *Alif Bâ*, this Damascus newspaper's correspondent in Lattakia described competing calls in the Alaouites[7], then an autonomous part of the Syrian Federation, for the region's complete separation or its full reunification with a unitary Syrian state. The terms he uses to refer to separation are emotive: not just *infisâl*, 'separation', but also the somewhat sharper *faskh*, 'severing, sundering' and *insilâkh*, which means 'becoming detached' but derives this meaning from the action of flaying. "Those who demand separation", he said, "are the Christians *en masse* and a great proportion of the ᶜAlawis".[8] The numerical predominance of the

[7] My use of this term is explained in the general introduction.

[8] This and following quotes from *Alif Bâ*' 19/04/1923: *al-ittihâd wal-infisâl aydan* [Federation and separation too].

ᶜAlawis was the justification for the separation of the Lattakia statelet; but in political matters, the author stated, the ᶜAlawis were "followers of the influential", their leaders "simple folk". Their calls for separatism, it is strongly implied, derived from the "interference" of the French-controlled government. One gets the impression that the author was not writing for an ᶜAlawi audience.

Separatism among the *Christians* of the region was more sympathetically analyzed. According to the writer, they were pro-separatist because although a (numerical) minority in the Alaouites they dominated bureaucratic jobs there: the community depended economically on this privileged relationship with the administration and feared it would lose it in a unified Syria. They were therefore "temporarily justified" in their separatism, but nevertheless mistaken because "they do not look to the long term" and see how unification would benefit everyone, for example by the development of the port of Lattakia. But "they do not want to look at all this, and other tangible benefits, in the face of the temporary benefit of individuals among them [*manfaᶜat afrâd minhum manfaᶜa^{tan} mu'aqqata^{tan}*]".

This author acknowledged the existence of widespread separatist feeling and accepted that the reasons for it were real, though he presented them as mistaken. Another response to separatist mobilisations was to claim that they were unrepresentative of the population as a whole: that is, to accept that separatist feeling existed but to deny that it was widespread. Such assertions came not just from the centre but also from Syrian nationalists in supposedly separatist regions. For example, a statement sent to the High

Commission's Delegation in Damascus by inhabitants of six villages in the Jabal Druze in the summer of the Franco-Syrian treaty negotiations (1936) supported unity with Syria: it criticized "religious chiefs [who] have obtained full liberty to interfere in political affairs by exploiting their traditional influence, and this in the aim of going against the popular movement"—that is, against the popular preference for unity.[9] Around the same time, a number of individuals in the Alaouites describing themselves as a "union of Christian, ᶜAlawi, and Muslim youth" went even further, saying that

> The so-called chiefs currently meeting in Tartus under the pressure and surveillance of the intelligence services to repeat what is dictated to them for an audience in [*à l'adresse de*] France and at the League of Nations reproduce the orders of those services, not the true wishes of the people, nor even the private wishes of those in attendance if they were left free and sheltered from all pressure.[10]

(It bears mentioning that the folders in the archives containing each of these documents also contain documents from separatists—and French officers—denouncing nationalists as unrepresentative of the wishes of the population.[11])

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[9] AD-SL Box 413, dossier *LE DJEBEL DRUZE ET L'UNITE SYRIENNE*, subdossier *UNITE SYRIENNE – djebel druze* [*sic*]. Undated translation of statement to Damascus Delegation, forwarded to Meyrier, secretary-general of High Commission, (21/07/1936).

[10] AD-SL Box 410, untitled dossier, translation of telegram (no. 724) to HC for transmission to French president, League of Nations and other recipients; signed Abboud Ahmed, Ahmed El Kheir, Boulos Dibe and 29 others (25/02/1936). This is a useful reminder of the undoubted significance of French involvement.

[11] For one example among many, see AD-SL Box 413, dossier *LE DJEBEL DRUZE ET L'UNITE SYRIENNE*, subdossier *Requête de chefs religieux druzes en faveur de l'autonomie du Djebel Druze. Requête addressee à Son Excellence Léon Blum…* (16/06/1936), signed by the three Druze religious leaders Ahmed El-Hijri, Ahmed Jarbou, Ali El-Hennaoui (names as in original): "the crushing majority of chiefs, notables, and peasants agree with separation. There is no reason to take into account the words of certain individuals who demand Syrian

Both of the strategies outlined above acknowledge the existence of separatist or autonomist aspirations while downplaying them either as being mistaken or opportunistic, or as being the choice of a small part of the population. They also justify unity, sometimes on quite concrete material grounds, as being a better deal not just for the 'centre' but for the population of autonomous or separatist regions as well. At other times, however, the aspirations of local populations (whether separatist or unionist) are simply overridden from the centre on the grounds of what might be called *raison d'État*, or perhaps *raison de nation*. Whether or not those populations would benefit from unity does not enter into consideration. Thus, when the abortive Franco-Syrian treaty negotiations of 1933 were being planned, Najib al-Rayyis, editor of the nationalist daily *al-Qabas*, wrote an article demanding not only the incorporation of the ᶜAlawi and Druze states "on the basis of decentralization", but also the reversion to Syria of the Lebanese port of Tripoli and the railway leading to it. He made no reference to the wishes of the inhabitants, separatist or otherwise—a startling omission in the case of Tripoli, where the desire for reunification with Syria was strong. Nor did he attempt to explain why unity would benefit these regions as well as the nationalist centre: rather, al-Rayyis simply stated that "we will not accept that they [the French] enclose

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unity in a [self-]interested aim". In box 410, untitled dossier, a duplicate of an intelligence service *Information* (unnumbered and undated, because a duplicate; *a/s Visite de Mgr. Abed*) reports a Maronite monsignor in the Alaouites stating that only 2 out of the 7000 Maronites there were pro-unity. Abed named them as Faiez Elias and Boulos Dibé—the latter being a signatory to the unitarian petition described above.

us between the desert and the sea".[12] This begs the question, who are "we"? Such writings tend to assume that the populations of areas that were the object of *nationalist* aspirations will simply fall into line once unity is achieved.

Perhaps even more common are nationalist writings that instead of countering the arguments for separatism with arguments for unity simply declare the area concerned to be a part of the Syrian territory, eternally and non-negotiably. This almost mystical claim is summed up by the incantatory phrase "the return of [area] to its mother, Syria". With variations, Yusuf al-Hakim uses it dozens of times in his memoirs, referring to Alexandretta and the Alaouites. (On one occasion, and with no apparent sense of irony, he reports the phrase as being used by Atatürk about Alexandretta's return to its mother *Turkey*.)[13] He was not alone: this formula was a commonplace of nationalist writings about the regions wholly or partially detached from the 'rump' Syria under French rule. Such claims vanish the population of the territory completely, making no reference to the aspirations (whether separatist or nationalist) of local populations. Instead the population is submerged into a mystically unified and eternal territorial entity. Making no argument, such claims are unarguable. If the national territory (*watan*) is sacralized in this way, the nation as a human community (*qawm, umma*)—including its properly nationalist elements—

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[12] *Al-wahda al-sûriyya wal-siyâda al-wataniyya. Hal yaᶜûdûn fi mufâwadâtihim ila al-warâ'?!* 12/2/1933. Reprinted in al-Rayyis 1994 vol 2: 539-543.

[13] al-Hakim 1983: e.g. 166-169 for Alexandretta, 250, 260 for ᶜAlawi region, 283 for Atatürk.

disappears. It goes without saying that politics, too, is elided. One can see the value of such an approach for a nationalist making a claim to a strategically useful piece of territory.

Nationalism is built on the idea of a specific and three-sided relationship between a particular state, population, and territory. State forms other than the nation-state do not attach the same importance to a *specific* population, dwelling on a *specific* territory: in pre-modern monarchies, in dynastic empires and even colonial empires into the modern period, the relationship between state and territory is neither so fixed, nor so dependent on the state's claim to represent the population of that territory. Such state forms can, without contradiction, rule a territory and its local population by means of a bureaucracy and coercive forces brought in from elsewhere, with no reference at all to the wishes of that population. When nation-states do the same[14], they must at least *claim* to represent the population of the territory they rule—and if parts of that population are unwilling to accept that claim, then they must either be made to do so (by coercion, cooptation, or persuasion) or be rejected as part of the national community. This being so, it is ironic that of the nationalist conceptions of territory outlined above, the one which most effectively 'disappears' the population, along with all human agency, is in a sense the most purely *nationalist*: the one which regards the national territory as an eternal and indissociable unit in and of itself. But in all of the positions outlined so far

[14] Cf. Robb 2007: 257-8 on 'Napoléonville' (La-Roche-sur-Yon) in post-revolutionary Vendée.

there is little sense of the national community *and* the national territory as shared human constructions.

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An exception to this trend came in an article about the far north-east of Syria in the Damascus newspaper *Alif Bâ'*, which explicitly addressed the relationship between population, territory, and state. It did so in a way which, unusually, emphasised the agency in constructing a national territory not just of the population in general but of populations remote from the main centres (and mainstream) of Syrian Arab nationalism. This account can be very fruitfully compared with another report on the same situation published a week later in a different newspaper also published in Damascus, *al-Ayyâm*. Although the two texts can both be described as nationalist, the comparison reveals a radically different approach to the events they report—and, more generally, to nationalist conceptions of territory as they are illuminated by the question of (supposed) separatism. The following rather long discussion is justified, I hope, by the depth in which it allows us to examine these conceptions. The purpose is not to give a comprehensive overview of nationalist attitudes to the national territory in Syria: that would be impossible. Rather, my intention is to suggest a way of reading nationalist texts that, rather than taking the existence of a national territory for granted, questions the existence of such a thing—and, I hope, thereby offers a better understanding of how national territories are created.

The two articles date from September 1932, and they both report on confrontations that had taken place in the far north-east of Syria, the Jazira, between the local population on the one hand and the local branches of the Syrian administration on the other. The Jazira was largely inhabited by Christians and Kurds, many of whom had fled the nationalism of the early Turkish Republic[15]; while they were generally happy to deal with representatives of the mandatory authorities (which in this region meant military officers), they had a much tenser relationship with the representatives of the *Syrian* state bureaucracy centred on Damascus. The local French officers were quite happy to play up these tensions in order to undermine the authority of 'Damascus'. This situation had led to the clashes reported in these two articles. The underlying tensions would only grow as the 1930s progressed, as the region's Christian population rapidly increased with the installation of Assyrian refugees from Iraq, and its economic importance within Syria also grew—a not unrelated fact, which also contributed to the growing interest in the region on the part of Syrian Arab nationalists in the urban centres. These articles thus presaged later events in the region. Their different interpretations of this unrest are evident from the start, in the articles' titles: *Alif Bâ'* had "No separatist movement in the Jazira. The unrest in the Jazira and its causes", while *al-*

[15] See chapter 4.

Ayyâm introduced the same events with the title "Separatist rebels… Are they creating a new 'sixth' government in Syria[?]".[16]

The article in *Alif Bâ'* began by referring to an earlier piece in the Aleppo newspaper *al-Ittihâd* which had characterized the local population as Christians who had migrated from Mardin, over the border in Turkey, "and settled in Syrian territory". It had also claimed that

> the French authorities have settled them in Hasaka and Ra's al-ᶜAyn and Qamishli, made it easy for them to [find] work, and opened commercial markets to them, and that the people had demanded separation from Syria and the creation of a homeland of their own [*watan khâss bihim*].[17]

According to the Aleppo newspaper, a group of these Christians, led by priests, had attacked the local gendarme chief.

Alif Bâ' set out to rebut these claims and the assumptions underlying them. Tellingly, it began this rebuttal by describing neither the events nor the people involved, but rather the territory on which these events unfolded:

> In response to this, I say that the territories of Qamishli, Hasaka, ᶜAmuda, Darbisiyya, Ra's al-ᶜAyn and Tall Abyad were empty and desolate, the abode of predatory animals, a place of attacks and raids in which people died [*tuzhaq fîhâ al-arwâh*, lit. "ghosts were given up"] and blood was shed… And now, by the effort of the sons of the country and with the help of the mandatory state they have become civilized, populated lands.

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[16] *Alif Bâ'*, 1/9/1932: *lâ haraka infisâliyya fil-Jazîra. fitnat al-Jazîra wa asbâbuhâ*, and *al-Ayyâm*, 8/9/1932: *al-infisâliyyûn al-mutamarridûn… hal yakhluqûn hukûma jadîda «sâdisa» fi Sûriyya*. The reference is to the five existing governments in the mandate territories: the state of Syria itself, the autonomous statelets of the Alaouites and the Jabal Druze, the sanjak of Alexandretta, and the 'independent' Lebanon.

[17] This and subsequent quotes from *Alif Bâ'*, 1/9/1932.

From the start, and throughout the article, the author lay out a particular vision of the relationship between territory and population in which it was the efforts of the population—recognized as part of the nation—that made the territory 'national'. The transformation of the Jazira from desolation to civilization was what made it into part of Syria's national territory. Simply by referring to these territories by name and discussing them in a national public sphere, the author diffused the notion of their *belonging* to the Syrian 'nation' amongst a reading public concentrated far away from these border territories in the urban centres. But the article made clear that the agents of the Jazira's transformation into a productive territory, and thus into a part of Syria, were the region's inhabitants, the "sons of the country" [*abnâ' al-bilâd*]. This itself is a telling phrase: the early 20th century saw a shift in attitudes towards the lower classes (especially peasants) in literate discourse, a shift closely associated with the age of mass politics and nationalism. The peasants (and workers) of earlier ages were the object, not the subject, of politics: there to be ruled over. By contrast, the 'son of the country' may be rustic and uneducated, but he is born of the national territory and is part of—indeed, is the foundation of—the national political community. This is the transformation of workers and peasants, as Joel Beinin puts it, "from rabble to citizens of the nation".[18]

What, then, of the claim that these 'sons of the country' were recent migrants from over the Turkish border? *Alif Bâ'* made no attempt to deny

[18] Beinin 2001: 73-77.

it, but rather demonstrated that this did not make them illegitimate incomers:

> These territories are the property of the people of Mardin and the Kurds of Tur al-ᶜAbidin and its dependencies [,] Muslims, Christians and Jews. When unforeseen political events occurred these territories were separated from Mardin and Diyarbakir and their appendages[, and] the owners of the land were obliged by their attachment [*bi-tabᶜihim*] to travel to their lands. Therefore these are not, as the respected writer [in *al-Ittihâd*] claimed, foreign migrants who have settled in Syria.

The writer firmly attributed right of ownership over this land to the current inhabitants even though they had previously lived in towns that now separated from the region by "unforeseen political events [*al-tawâri' al-siyâsiyya*]", i.e. the destruction of the Ottoman Empire and establishment of a new border. This implied that these populations had *chosen* Syria over Turkey. The author did not express an opinion as to whether the new border was in the right place. He did, however, assert that it was a recent creation, and that the inhabitants of the Jazira had every right to be on this side of it even if they used to live on the other. (He also gave a clear impression of religious and linguistic diversity, and was comfortable with it.) Seen from Aleppo or Damascus, Syria's northeastern border might well look like a distant horizon beyond which all was alien. But unlike *al-Ittihâd*, *Alif Bâ*'s correspondent—even though his newspaper too was published in a distant urban centre—made the effort of looking at the border from the perspective of those whose lives were directly affected by it. Seen from up close, the border was a novel political development that had cut land off from its owners and severed towns from their natural hinterland.

This point was developed as the article addressed the question of trade. For *Alif Bâ'*, it was the people of the Jazira who had developed the region and opened it to trade with Aleppo. Indeed, had they not done so Aleppo "would have lost its commercial status for good"—because, coming back to the question of the border, Aleppo's trade had previously been oriented toward areas now included in the Republic of Turkey. "[T]herefore, there remains no trading outlet for Aleppo except the outlet of the Jazira, which was built by the effort and wealth of its [i.e. the Jazira's] sons." The author also acknowledged the French assistance that had made this development possible.

While it may be unusual for a nationalist to acknowledge the help of the colonial power, there is no doubt that the vision of territory and population put forward here was a nationalist one: the author emphatically *did* claim the Jazira as part of Syria. But he did not base that claim on a mystical, eternal notion of the national territory—the Jazira belonging naturally to its 'mother' Syria; nor on the strategic imperatives of the Syrian state (e.g. access to the region's water resources). Instead, the Jazira becomes part of Syria by the human agency of its own population: the (auto-) development of the previously desolate region had provided Aleppo with a new hinterland, saving the city from the loss of the old. The largest city in the mandate territories, and their most remote rural area, were bound together in a new economic relationship that mutually benefitted both: from such human processes, the national territory was made—a relationship built, in this conception, from the periphery to the centre.

Such was the structural foundation of recent events, as described in the article. Only after this lengthy introduction did the writer return to those events—what *al-Ittihâd* had apparently described as an assault on the gendarme chief in the town of Qamishli by a group of Christians, led by priests, with separatist ambitions, and the immediate purpose of releasing an imprisoned Christian leader. Not so, said *Alif Bâ'*: the protest resulted from "the chaos and corruption of the Qa'immaqam and the justice of the peace, who have planted the spirit of religious, sectarian, racial, and national division in [people's] minds."

Rather than being a separatist mobilisation, then, the demonstration in Qamishli was a popular protest against the misdeeds of local representatives of the central state bureaucracy. What is more, it was these bureaucrats who were guilty of sowing division—not, for example, the French, who were (justifiably enough) the more usual target of such an accusation. Until the appointment of these two officials, the Jazira had been undisturbed by unrest and "the people, in their different races [*ᶜanâsir*], had enjoyed their rights and worked together [*yuᶜâmilûn*] in justice and equality". Petitions and protests against the two men went unanswered; instead, they

> increased in tyranny, and used every means to divide opinion. They incited the Arab [i.e. Bedouin] tribes to attack and destroy Qamishli by claiming that the Christian inhabitants intended to kill the Muslim functionaries; the inhabitants feared the results, so they undertook a peaceful demonstration in which every element participated—Muslims, Christians, and Jews—and demanded that the government send the tribes and the armed Bedouin back to their homes, and deliver them from the corruption of the Qa'immaqam […]

All in all, the article is a sustained elaboration of the position outlined in its title. From the historian's point of view it is a fascinating example of how a

Syrian nation and its territory were imagined through the debate on separatism.[19]

The prominent nationalist journalist Nasuh Babil, writing about the same subject in his newspaper *al-Ayyâm*, offered an almost diametrically opposed understanding of nation and territory. This is already clear from the title of the article, which characterized the population of the region as "separatist rebels". The subtitle also connected the allegedly separatist intentions of the population of the Jazira with the administrative divisions imposed on Syria by France: to the five 'governments' into which the mandate territories were already divided, the separatists wanted to add a sixth.

Unlike the article in *Alif Bâ'*, which made explicit references to the diversity of the region's population both linguistically (specifically mentioning Kurds and Arabs) and religiously (Muslims, Christians, Jews), the article in *al-Ayyâm* made only passing references to the cultural identity of the population. Describing unrest among the inhabitants of ᶜAyn Diwar, Babil mentioned that "most of them are Armenian" [*aktharuhum min al-arman*].[20] This simplification identified the 'rebels' as non-Syrian, non-Arab, non-Muslim refugees: in every respect outside the nation as he conceived it, and—more to the point—distant from *al-Ayyam*'s target audience of Damascene Muslim Arabs. While Babil did not specifically describe the 'separatists' as Christians, except implicitly by this reference

[19] As it happens the article almost certainly underestimates the extent of separatist feeling in the region—but it understands the region, and the state's actions there, unusually well.

[20] This and subsequent quotes from *al-Ayyâm*, 8/9/1932.

to some of them as Armenians, his article prominently displayed its own Islamic identity: it began with the invocation "Praise be to God; there is no power and no strength except through God [*subhan Allâh wa lâ hawl wa lâ quwwa illâ billâh*]".[21] Babil also skipped over the relationship between the population of the Jazira and the territory itself. Whereas *Alif Bâ'* carefully established that the people of the region were legitimate owners of the land and had by their own efforts transformed it from desolation to productivity, to the benefit of the Syrian nation, *al-Ayyâm* made no attempt here to explain how the population was related to the land.[22]

The author did, however, give an account of the relationship between *state* and territory—in some respects vaguer but in others more explicit than that given in *Alif Bâ'*. In *Alif Bâ'*s version the Jazira had been *made* a part of Syria by the efforts of its own inhabitants—a process in which the Syrian state, seemingly, played no role. By contrast, Babil simply took for granted that the territory was a part of Syria, making no effort to explain *why*; but he *did* offer a clear picture of the role in the territory of the central state, or rather government [*hukûma*][23]. He did this largely by outlining the offences committed against the authority of the government

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[21] This does not imply that Babil's politics were *Islamist*, merely that his frame of reference was explicitly Islamic.

[22] However, in an article on the same subject a few weeks earlier, entitled "The plot to detach the Upper Jazira: how the Kurdish-Armenian homeland was devised" [*mu'âmarat fasl al-Jazîra al-ᶜUlyâ. kayfa dubbir al-watan al-kurdî al-armanî*] (29/7/1932), the newspaper had referred to the inhabitants of the region as *dukhalâ'*. The word means 'newcomers' or '[incoming] foreigners'.

[23] *hukûma* should be understood in the wider sense of the *apparatus* of government (i.e. the state) as well as in the narrower sense of the ruling political authority.

(unquestioningly taken as legitimate) by the 'rebels'. These included the rebels' attack on the prison—to release a prisoner who, in Babil's view, had been quite legitimately detained—and expulsion of the qa'immaqam of Qamishli. In ᶜAyn Diwar, the ("mostly Armenian") inhabitants had attacked the local doctor

> and some of the officials of the caza, and lowered the flag of the constitution from Government House and insulted it; they threatened anyone who went against their will with murder […]

There is a clear notion here of the state imposing order, through its officials and symbols, and of the local population as the (criminally resistant) objects of this imposition. Thus, the qa'immaqam of Qamishli had been expelled

> not for a reason, but because his presence in the caza was unsympathetic to those who insulted the government, infringed its laws and attacked its employees, because he was intent on applying the law and punishing the transgressor.

Babil described those who committed this act as "chaos-causers [*fawdawiyyîn*]", whose actions had "exacerbated their rebellion and their going against [*khurûjahum ᶜala*] the government in a regrettable and quite intolerable way". Meanwhile, the functionaries who had fled to Aleppo and Damascus refused to go back to their posts until they could be sure of their safety—and sure that the people understood

> that there is in ᶜAyn Diwar and Qamishli an authority that can punish rebels, that is capable of curbing their recalcitrance, and that is able to apply the law, raise the flag, and convince everyone [*ilqâ' al-qanâᶜa fil-nufûs*] that there is in the country a government that has respect, honour, standing, and authority.

One thing that stands out in this account is Babil's insistence on respect for the *symbols* of state authority—the flag; Government House—and the equation of that symbolic authority with real authority. Even more striking

is the unidirectional nature of that authority, which emanates from the centre and is applied to the periphery.

This point is worth lingering on. The manifest content of this piece is a protest against infringements of the state's authority in peripheral regions, by populations who are also characterized as peripheral (if not merely alien). But the *latent* content of the article is the assertion of that state's authority *everywhere* on its territory, and perhaps particularly in the centre: after all, the primary audience for Babil's writing was in Damascus.[24] At the risk of making the point too crushingly obvious, states typically respond unsympathetically to separatist movements in peripheral zones not (or not *only*) because maintaining control over such and such a region and its population is necessarily vital to the strategic or economic well-being of the state, but also because permitting the state's authority to be challenged at the periphery risks undermining that authority at the centre. By the same token, asserting the state's authority at the periphery is a means of asserting it at the centre.[25] The political significance of separatism goes far beyond the zones where separatist movements are active.

All of this provides a background to the attitudes expressed here by Nasuh Babil. As a nationalist—a prominent supporter, at this stage, of the National

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[24] This is a plausible assumption rather than an established fact: see note on press sources in introduction. Newspapers were no doubt also a means of addressing the mandatory authorities.

[25] The terms 'centre' and 'periphery' can also be understood in a more than merely geographic sense, for example to refer to *culturally* peripheral groups.

Bloc—Babil wanted the nationalists to have control of the Syrian state; he also wanted that state to have full authority over the population within the largest 'Syrian' borders possible. In this context, therefore, the use of the word government (*hukûma*) is particularly salient. Syria being under French mandate, the state (*dawla*), was in many senses in the hands of the French. The French authorities were referred to as exactly that, the authorities—or rather, the authority (*al-sulta*). But the government was at least nominally in the hands of Syrians. Attacking 'separatists' and demanding proper respect for the government was a way for Babil to demand a greater role for Syrians—understood as meaning *nationalists*—in that government. It also permitted him to attack the French authorities, but indirectly enough to avoid them suspending his newspaper, which happened often. This is all clear enough in the following passage, with its coy reference to the French:

> The government is incapable of spreading its authority in those two cazas, and feels its own weakness, because it does not possess the strength to discipline the rebels, a little or a lot; while those who do possess that power [i.e. the French] are unaware or feigning unawareness—we say no more than that—of everything that is happening in those parts!

Al-Ayyam placed events in the Jazira much more directly in the context of the formal relationship between the central state and the mandatory, an articulation missing from the article in *Alif Bâ'*. Throughout, Babil emphasised that this 'separatism' undermined the central state and the institutions—parliament, the constitution, the Republic—that were supposed to be the measure of Syria's independence and development under French tutelage. This also allowed him to target the non-nationalist politicians who actually made up the Syrian government at this time, under whom it had

> abandoned [these two cazas], recognized its inability to administer them, and cleared the way for the separatists there to announce their separation and form the sixth government, under the protection of the republic and the constitution!

If the government did not have the strength to maintain its presence in the Jazira, he wrote, it should request "those who are responsible" for the government's weakness—the French again—"to use that strength against the separatists, so that if they refused the responsibility would fall upon them alone"—rather than this responsibility falling on, and discrediting, the Syrian government. Thus, Babil used the issue of separatism to assert the authority of the Syrian government *everywhere* on its territory.

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Political slogans about 'natural frontiers' aside, there was no self-evident national territory in Syria prior to 1920, no more than any other 'national territory' exists outside of human agency. The link between population, state, and territory is a human construction, and the *debate* about national territory itself is one important means for spreading the idea, in the minds of the population, that such a thing exists. The author of the article in *Alif Bâ'* is unusual in explicitly recognizing that territory is *made* 'national': more often, nationalist journalists implied that the national territory *already existed* by framing this debate as being about 'separatism'. This is illustrated by the terms they used, notably the words *infisâl* and *infisâliyya*: 'separation' implies that there already exists a Syrian national territory

which separatists wish to separate *from*.[26] But the territory to which these writers were referring had only recently been formed itself, by its separation from the Ottoman Empire. What is more, in much of the territory under mandate—particularly the more remote areas, like the mountainous Alaouites—the presence of permanent state authority was a novelty of the mandate period (i.e. of French rule). Describing the late Ottoman period in the region that would become the Alaouites, Patrick Seale notes that away from the urban centres the state was virtually absent and offered no services. "The only expression of authority was rapacious and oppressive: the tax collector or the mounted gendarme. It was not unknown for a single gendarme to ride into a village, assemble the villagers, take money if they had any, kill a chicken for his lunch, and make off back to civilization."[27] ᶜAbdallah Hanna, meanwhile, quotes the opinion expressed by rural Syrians in oral history interviews carried out over several decades that "in Turkish times there was no state, in French times there *was* a state [*sâr fî dawla*]".[28] A more elegant, and perhaps accurate, rendering would be "a state happened".

In these circumstances, the idea that populations in regions like the Alaouites wanted to secede from a previously-existing whole is not entirely

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[26] This idea may be expressed even more clearly by the Arabic term *infisâliyya* than by the English term *separatism*, since the Arabic term derives from the verbal noun *infisâl*, "[act of] separation", while the English derives from the adjective "separate", which describes a state. A translation capturing this somewhat more 'active' sense might be "secessionism".

[27] Seale 1988: 4-5

[28] Hanna 2002: 186. A clumsier but more literal translation of this phrase (*sâr fî dawla*) would be that in French times "there *came to be* a state".

satisfactory—and if there was such a whole then it was the defunct Ottoman Empire, not 'Syria'. When nationalists used this vocabulary of *infisâliyya*, then, they were not reflecting the actual existence of such a whole but rather attempting to bring it into being. The risk to historians who read these texts is that we may then take them at their word, accepting the prior existence of a national territory rather than asking how that territory was created. We thereby dehistoricize the nation-state, eliding the always complex and never frictionless processes by which states and the political actors who control them come to exert their authority over territory—and in the era of nationalism, over the 'nation' too.[29]

An example of this comes from the opening chapters of Patrick Seale's work quoted above, an authoritative and astute biography of the former Syrian president Hafiz al-Asad, which describe Syria and particularly the Alaouites in the decades on either side of Asad's birth in 1930. As Seale describes the onset of European rule in the former Arab provinces, the term 'natural Syria' quickly escapes its quotation marks and the language used to describe the fate of this 'natural' unit uses precisely the same cutting terms as the nationalist texts cited above: Syria was "carved up"; the cession to republican Turkey of much of the Ottoman province of Aleppo was an "amputation"; the special status granted to the region of Alexandretta "further whittled away" the same province; the Alaouites and the Jabal

[29] Goswami (2004: 4) ascribes this analytical failure to "methodological nationalism": "the common practice of presupposing, rather than examining, the sociohistorical production of such categories as a national space and a national economy".

Druze "were severed from Damascus".[30] All of this is assuming a greater degree of territorial coherence in *bilâd al-Shâm*, a greater degree of *separation* between it and the rest of the former Ottoman territories, and a greater acceptance of Damascus as a natural centre and capital than is likely to have existed in the aftermath of the First World War. For example, I doubt that many notables in late Ottoman Aleppo would have agreed with Seale's contention that of the cities of *bilâd al-shâm*, "Damascus was acknowledged to be the most important".[31] Seale's own comments about the weakness or indeed *absence* of state authority outside the cities tend to confirm this position. Without wanting to deny the reality of the divisions imposed on the post-Ottoman Middle East by European imperialism, to see these as anything other than the division of the Ottoman Empire is problematic. To see them as the division of a 'natural' Syria, meanwhile, is to accept the ideological endpoint of nationalism as one's *starting* point.

Alongside the idea of a national territory, nationalist writings of the sort examined here also use the issue of separatism to spread the idea of belonging to a nation. The article in *Alif Bâ*' encourages its readers to see the inhabitants of the Jazira as Syrians, while the article in *al-Ayyâm* does everything to exclude them from the Syrian nation; both, however, assume that the reader will see *himself* as part of that nation. Up to a point this was probably correct: nationalist writers were reflecting public opinion as

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[30] Seale 1988: 14-16. Such terms are common in the literature.

[31] Seale 1988: 14. Aleppo's population was substantially larger and its political and economic weight within the empire was greater. See Sluglett 2002 on this question.

well as trying to influence it. But just as it is wrong to assume that a coherent national territory existed simply because newspapers took its existence for granted when they wrote about 'separatism' in a particular region, so it is wrong to assume that a coherent national *community* existed simply because newspapers took its existence for granted when they wrote about 'separatism' in a particular population. Such texts reflect the attempt to construct a national territory and community, not their prior existence.[32] This process of construction—which takes place in every nation-state—goes on being the case long after the nation-state is well-rooted in both population and territory: nations require continuous maintenance, as historians should recognize.

To express this risk in a slightly different way, one might say that by concentrating on the nationalist struggle for control of the state, historians may overlook the *state's* struggle for control of population and territory—a risk that is evidently not restricted to historians of French mandate Syria. 'Separatist' movements do not simply arise from a desire to break away from some larger, supposedly natural unit, and separatist aspirations among one part of a population are not necessarily a function of cultural differences dividing them from the rest of the population (differences that are often understood as a minority/majority dynamic). Such movements do not develop in a void: they arise in response to the presence, actions, and policies of states. The remainder of this chapter will demonstrate this point

[32] This does not mean that that territory did not exist in the minds of the authors of these texts. Their belief in it was no doubt thoroughly internalized and even sincere.

by examining a range of what I will call *autonomist* mobilisations in French mandate Syria. I adopt this term partly because of the reservations expressed above about the vocabulary of 'separatism', and partly because it permits a comparison between mobilisations not all of which wanted formal separation but which otherwise shared many characteristics.

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Separatism and state authority

So far my argument about the national territory being constructed through the language used to describe it has been rather idealist—as if just claiming in a Damascus newspaper that such-and-such a region 'belonged' to Syria was enough to make it part of the national territory. The importance of such rhetorical constructions should not be understated: if the population in a state's major centres do *not* regard a peripheral region, say, as being part of a shared national territory, then persuading them that the state needs taxes and conscripts to put down a separatist rebellion there might be difficult. But the rhetorical construction of a national territory outlined above is unlikely to be effective without a material basis—those taxes and conscripts, as it were. To put it in Benedict Anderson's terms, the apparatus of the state provides the material basis that permits a national territory to be *imagined*. In the era of nationalism, states (and non-state nationalist movements) claim a permanent, sacred link with their national territories; some examples of this were offered above. But what permits that link to be made—and what is concealed by phrases like "the return of

Alexandretta to its mother, Syria"—is the expansion of state authority, real or potential, across the territory.[33]

This can be seen from the article by Nasuh Babil already cited. As I mentioned, Babil was most outraged by what he perceived to be the disrespect of the "separatists" towards the authority of the state: in a modern nation-state the government must be able to raise its flag anywhere on its territory and have that flag respected as a symbol of its authority.[34] But that authority is expressed in more material form: the establishment of a government presence—buildings (*dâr al-hukûma*, gendarme posts) and functionaries (bureaucrats, policemen)—even in towns and villages which would until the late Ottoman period at the earliest have been off the government's map, sometimes quite literally.[35] The physical presence of the modern state across its territory is much greater, and by the same token so is the intrusion of the state into the lives of population, through taxes, conscription, education, and the whole array of methods of enumeration and classification that underpin them. This expanded field of state activity becomes a new field for political action, in two respects.

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[33] The theoretical and empirical literature on the expansion of the state in the modern period is immense. Works which have influenced my own thinking in this respect include Gelvin 2004, Mitchell 2002, Scott 1999, Stone 1999, Tilly 1992.

[34] See discussion of uniform state authority in chapter 1.

[35] On the symbolic importance for nationalism of maps, see Anderson 1991: ch10. On the physical process of mapping a national territory, and its significance, see Scott 1999, and the relevant case study in Mitchell 2002: introduction and ch3.

First, the symbolic and real manifestations of state authority immediately become sites for the expression of discontent or opposition. National flags can be lowered, burned, urinated on—or indeed, burned *then* urinated on, as happened to the Syrian flag in Qamishli in 1939.[36] If the state now has a material presence in even quite small, remote settlements, it is hardly surprising if opposition—of whatever kind—to the state concentrates its efforts upon those outposts of the state. To take a few concrete examples, decrees of the High Commissioner were in at least some cases effective from the moment at which they were posted on the door of Government House [*ʿala bâb dâr al-hukûma*][37], where the local bureaucracy was based in any given town or province. The local population interacted with the state through that bureaucracy: for example, when the High Commissioner Gabriel Puaux visited the Jazira in early 1939 it was in the government buildings of Qamishli and Hasaka that he met representatives of the local population.[38] His visit reveals other aspects of the expansion of state authority: the senior French official in the entire mandate territories visited this relative backwater and was able to do so easily, by aeroplane; he not only spoke to local notables but also to employees of the local state bureaucracy, and inspected the garrison at Hasaka.

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[36] This incident is recounted in the following chapter.

[37] See e.g. text of decree 243/LR (18/10/1934) restricting the making and export of cinematographic images in the mandate territories. MWT, *wathâ'iq al-dawla,* sijill 1; *qadâyâ mukhtalifa,* 47/1148.

[38] MWT, *wathâ'iq al-dawla*, sijill 1, *qadâyâ mukhtalifa*: for Hasaka, 67/1168 (governor of Jazira to ministry of interior, 3/2/1939 [misdated: in fact 3/3/1939]); for Qamishli, 70/1171 (qa'immaqam of Qamishli to governor of Jazira, 3/3/1939).

Such visits from on high reinforced the (perfectly accurate) impression of power in residence. This is why political demonstrations in towns large and small would make their way to the local Government House to voice their protests—whether those protests were for or against France, for or against the Syrian government. For the first three months of 1939 (i.e. around the time of Puaux's visit to the Jazira), a small sample of the very incomplete records of the Syrian administration yields references to demonstrations congregating in front of the Government House in Homs, Dayr al-Zur, Dar^{c}a, Hasaka.[39] The differing purposes of these demonstrations point to an irony about the presence of state power. In Homs, Dayr al-Zur, and Dar^{c}a the demonstrations were, like numerous others at this time, nationalist in orientation: their protests were against the French occupation. But these and similar protests were also directed at the Syrian government of the National Bloc—at times in straightforward hostility towards a by now discredited administration, at others in support of a government held in an impossible position by France.[40]

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[39] Three in Homs in January (MWT, *wathâ'iq al-dawla*, sijill 1; *idrâbât*, 7/613 and 11/617), one in Dayr al-Zur in January (same sijill; *idrâbât*, 4/610), one in Dar^{c}a in March (same sijill; *hawâdith*, 14/794), one in Hasaka in January (same sijill; *qadâyâ mukhtalifa*, 63/1164). The demonstration in Dayr al-Zur, and one of those in Homs, began at the local government secondary school, the *Tajhîz*—evidently a widespread phenomenon. The Tajhiz being itself part of the state apparatus, this demonstrates my point that sites of expanding state authority also created new spaces for contestation. Souheil Chebat informs me that demonstrations of students in Damascus often began at the Tajhiz then filed past, and drew support from, schools belonging to religious communities (see chapter 6). This was the pattern followed by the student demonstration in Homs, described in 11/617 above.

[40] For example, around the same time twelve Bloc members in ^{c}Afrin—another small town—telegraphed the ministry of the interior to protest that local employees of the French authorities had threatened them with prison if they did not raise *only* French flags the next day. "The nation", they wrote, "firmly united behind the decisions of the National Bloc, protests strongly against these measures." MWT, *wathâ'iq al-dawla*, sijill 1; *idrâbât*, 12/618 (7/2/1939).

The demonstration in Hasaka, meanwhile, was different again. Hasaka was the administrative centre of the Jazira, which by this stage had become a governorate in its own right (until the early 1930s it was administered from Dayr al-Zur). Its upgraded administrative status reflected its rapid demographic and economic growth, but also the French wish to administer its largely (and increasingly) Christian and Kurdish population separately from the rest of Syria. However, after the signature of the 1936 treaty the High Commission agreed to the governorate's administrative subordination to the Syrian bureaucracy, and the appointment of its governor by the new National Bloc government. This change was unwelcome to significant sections of the Jazira's population; the local French military officers, hostile to the treaty, also never accepted it. The demonstration recorded in January 1939 was therefore outspokenly *anti*-nationalist and carried French flags; but it was not simply *pro*-French. As well as expressing their opposition to Syrian Arab nationalist rule from Damascus, Syrian Catholic[41] Christians were demanding the release of several Christians detained in connection with the abduction of the (nationalist-appointed) governor of the Jazira, and protesting against their own local leaders and the French authorities who together had been promising their release for some time.[42]

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[41] The word 'Syrian' here comes from the Arabic *sûriyânî*. 'Syrian Catholic' is a common translation for the name of this church, but 'Syriac' might be more accurate and would avoid confusion with the modern usage of 'Syrian'.

[42] MWT, *wathâ'iq al-dawla*, sijill 1; *qadâyâ mukhtalifa*, 63/1164. Governor of Jazira to ministry of interior (23/1/1939).

The irony revealed by all of this is that the apparatus of state power can be in different hands, sometimes at the same time, and that its expansion provides a space for contestation that may target that power at a number of different, and sometimes contradictory, levels: the Government House was seen, accurately, as a locus of both French *and* Syrian power. The first sense in which the expansion of the state apparatus created a new field for political action was that the new manifestations of state authority, both symbolic and material, became focal points for the expression of discontent or opposition. But the second, more important sense was that the expanded state apparatus itself became the object of contestation. The French had developed the state apparatus as a tool of their own rule in Syria, and sought to maintain control over it—despite the fact that, in theory, they were meant to be building it for the benefit of *Syrians*. Syrian nationalists, meanwhile, wanted the theory of the mandate to be translated into practice: they wanted control of the state apparatus to pass to themselves, as Syrians. Anti-nationalists, in turn, contested their control. Populations may resent the greater intrusions of the modern state into their lives—especially when they are faced with that intrusion for the first time rather than being socialized into it from birth—but they are not blind to the opportunities that it offers alongside the inconveniences. While this eye for opportunity may be most developed among groups that already have some independent social and/or political status, it is not restricted to them.

The expansion of a modern state apparatus in the geographical region of *bilâd al-Shâm* did not begin in the mandate period: it was a process that was already well advanced by the start of the First World War.[43] What distinguishes the mandate period are, first, the ever greater extension of an increasingly effective state's authority to regions beyond the main towns, their hinterlands, and major routes of communication[44]; and second, the new state-form within which that expansion was taking place. The Ottoman Empire, like the other European dynastic empires in the 19th century, had developed some of the characteristics of a nation-state (with a greater or lesser degree of success)—characteristics which are closely connected to the development of a modern state apparatus. Its successor state, however, even though under colonial rule, was recognized as a territorial nation-state from the off. Moreover, it comprised a fairly compact territory whose population, though diverse, was much less so than that of the empire. Within this territory nationalism became a more appealing ideology for political mobilisation: it became more plausible (though not unproblematic) to associate the state with one particular cultural identity. The territory also had a new capital, Damascus. Although the city's status as capital was neither a foregone conclusion nor undisputed, it was reinforced by the mere fact that the Syrian government and bureaucracy were seated there:

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[43] See the articles collected in Philipp & Schaebler: 1998.

[44] The mandatory state's use of air power to secure the territory is one notable example of this, though for Iraq, Dodge argues that air power was an unsatisfactory *substitute* for the development of effective (and legitimate) state authority: "the state's presence became neither permanent nor legitimate to the Iraqi people. It was fleeting and violent with a limited and extractive purpose" (2005: ch7, quote at 145).

attempts by populations across the territory to engage with the central government, whether in support or in opposition, naturally came to focus on Damascus. Meanwhile, although *bilâd al-shâm* was now divided into several states, the bureaucracy across the French-controlled territories, Lebanon excepted, was subordinated to Damascus. In the Ottoman period the same territory was divided between the three provincial capitals of Aleppo, Beirut, and Damascus. The presence of the High Commission as a 'higher authority' nuances this picture for the areas with autonomous or other special status, but a countervailing force was the presence across the territory—even in those areas—of nationalists who tended increasingly to treat Damascus as the natural capital of Syria.[45]

The same expansion of state authority that, in the context of an increasingly 'national' state, helped to create a national territory in Syria in turn helps to explain autonomist mobilisations and the shape they took. A striking aspect of the demands presented by autonomist mobilisations—which seem to have been addressed to the High Commission or the League of Nations more often than the Syrian government—is their preoccupation with concrete issues relating to the interaction between local populations and the state. Indeed, the demands of autonomist mobilisations give us a good picture, in imprint, of what that material expansion entailed. Here I will argue that the expansion of state authority should be seen as at least as

[45] For anti-nationalists it was common to go 'over the head' of Damascus and directly address the High Commission in Beirut, the Ministry of Foreign Affairs in Paris, and/or the League of Nations in Geneva. But on the other hand, nationalists addressed these three institutions in order to *endorse* Damascus's status as capital of Syria.

important a spur to autonomist mobilisations as identitarian feeling. The two factors should not necessarily be *separated*, but it is useful to distinguish between them—and to question the direction of the relationship between them.

Autonomist demands were indeed frequently, though not always, expressed in identitarian terms. One example among countless others is a petition sent to the French authorities by ᶜAlawis in the caza of Masyaf in 1933—another year of treaty negotiations, abortive in this case—which demanded the continued autonomy of the Alaouites. The preamble warns of the threat posed to ᶜAlawis by Sunnis—it being taken for granted that the nationalist movement is a purely Sunni affair:

> Considering that the exploitation by the Sunnis of every opportunity to destroy the ᶜAlawis [*li-hadm kiyân al-ᶜalawiyyîn*] indicates that this community [*umma*] imbued with a spirit of religious fanaticism [*rûh al-taᶜassub al-dînî*] […] cannot be entrusted with a people like ours, separated from them by innumerable monstrosities recorded by history from a thousand years ago up to today. It would be unjust to abandon us as victims in the hands of a majority whose nails are still tainted with our blood, and whose religious leaders' decisions—which authorize massacring us [*tuhallil taqtîlanâ*], raping our women, pillaging our possessions—are attested [*muthbata*] in their religious books, read and studied and transmitted from father to son.[46]

The list of demands which follows this preamble, however, goes beyond asserting communal difference. It protests Sunni mistreatment of ᶜAlawis and demands the independence of the Alaouites; but it also, more specifically, requests that government jobs be distributed in proportion to

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[46] AD-SL Box 414, dossier *LES ALAOUITES EL L'UNITE SYRIENNE* [handwritten: *1933-1936*], petition from ᶜAlawis of al-Haffa (in French 'Haffé') caza, 7/2/1933. My translation is based on the original, verified against a French translation also present. An identical text from the caza of Massyaf [Masyâf] with a different list of signatories is present only in French translation.

the number of ᶜAlawis, and rejects any court not composed of an ᶜAlawi majority. Other petitions submitted by ᶜAlawis in the same period make similar demands for a share of government jobs and an advantageous tax status without troubling to mention the community's precarious situation vis-à-vis the fanatical Sunnis. A 1936 petition to the French Foreign Minister, meanwhile, demanded autonomy for the Alaouites, ᶜAlawi participation in public functions, a return to the name *État des Alaouites* (the region then being known as the *Gouvernement de Lattaquié*), and the banning of proselytism in the region.[47]

Such specific demands are interesting. For instance, when ᶜAlawis requested an end to missionary proselytism in the Alaouites they were not making a protest against Syrian nationalism but against the status quo under the French: the mandate had seen a substantial Jesuit missionary effort develop among the ᶜAlawis, causing some perturbation. Influential ᶜAlawis might have been happy to cooperate with a French presence that limited the dominance of Sunni landlords in Lattakia and pulled their region out of the orbit of the large cities of the interior, but they did not surrender themselves entirely to the French will: when French policies threatened established authority among the ᶜAlawis they were quite ready to protest—even in the context of a petition whose other articles are directed against Syrian nationalism. The very long list of signatories to this petition is

[47] AD-SL Box 410, untitled dossier, petition to MAE (25/2/1936), signed el Kinj *et al.*

headed by France's closest ally among the ᶜAlawis, "Brahim agha El Kinj, President of the C.R. [*Conseil représentatif*], chief of the Haddadine tribe".

It is not hard to find other examples, from a number of different sources throughout the mandate period, of autonomist mobilisations making demands that, like these, betray a preoccupation with the expanding modern state. There is much in common between these mobilisations, whether full 'independence' from Syria is one of their demands or not. For example, in January 1926 the deputy for the caza of Salamiyya, where Syria's small Ismaᶜili community was concentrated, requested that the caza be detached from the muhafaza of Hama and constituted "as an autonomous Sandjak under the direct authority of the [*relevant directement du*] High Commission".[48] He also requested the formation of a 200-strong Ismaᶜili cavalry squadron under a French commanding officer, but also under the authority of an Ismaᶜili leader. This request was made at the height of the 'Druze' revolt, and justified on the grounds that both autonomy and a local military force would serve to protect the region from the rebels. It would be a mistake, though, to assume that the deputy's prime motive was hostility towards Syrian Arab nationalism. In the early months of the revolt, the movement's status as a nationalist mobilisation was far less clear than it would seem later,[49] and there were opportunistic

[48] This and following quote from AD-SL Box 414, dossier MOUVEMENT AUTONOMISTE, subdossier *Menées Separatistes. Généralités. Traduction résumée* of a request to HC, from "Le Chef de la Communauté des Islamaïliés et député du Caza de Salimié: S./. Tamer …… (Illisible)".

[49] When it began, nationalist newspapers in Damascus were by no means uniformly favourable to this rural uprising among a backward community. See the *Revues de la*

raids by Bedouin taking advantage of the precarious security situation. The deputy seems to understand the rebellion as mere Bedouin disorder, justifying his request for an Isma^{c}ili squadron by saying that his community "desires to safeguard […] the security of its regions, ever menaced by the raids of the Bedouin".

We can usefully relate this demand to the question of state authority, in a way which acknowledges the ambiguity of the relationship between that authority and the population. The request for an Isma^{c}ili squadron, under Isma^{c}ili authority, can be seen as residents of a relatively peripheral region[50] simultaneously seeking out the authority of the state (by requesting that the state impose order on a disorderly situation) *and* seeking to limit that authority (by requesting that the state's coercive forces deployed locally be made up of local men under the authority of a local notable). Upgrading the caza to an autonomous sanjak, meanwhile, would presumably have entailed a larger share of state expenditure and an expanded local bureaucracy. Autonomism evidently remained significant in Salamiyya: in 1939 a petition circulating among the Isma^{c}ilis in the caza made the very

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Presse de Damas for July-September 1925 in AD-SL Box 1727, bound volume avril-décembre 1925.

[50] If Salamiyya is considerably less 'peripheral' than the Jazira or even the Alaouites in this period, its position away from the large towns towards the edge of the settled agricultural zone of western Syria means the term is still applicable. See Norman Lewis's account of the resettlement of Salamiyya by Isma^{c}ilis in the 19th century and its history up to 1940 (1987: 58-67).

similar request that their area become "an autonomous Muhafaza directly subordinate to French authority" was said to have gained 1,500 signatures.[51]

A similar demand was presented to the High Commission in 1927 by "the Tcherkess"—that is, by certain Circassians claiming to represent their community, another fairly small community concentrated particularly (but not exclusively) in a single caza, Qunaytra.[52] In that year the High Commission received a request for the caza to become a sanjak, "with only Tcherkess functionaries".[53] By 1933, the year of failed Franco-Syrian treaty negotiations, Circassians, a document signed by "Tcherkess notables, religious leaders and second-degree electors who represent the Tcherkess population of Syria" made autonomist demands on the grounds that the Circassians were an ethnic minority and should be officially recognized as such in the treaty. Their ten demands were for: guaranteed representation in parliament; Circassian officials in Circassian areas; recognition of the rights of Circassian civil and military functionaries; Circassian-medium teaching in Circassian primary schools; scholarships for Circassian students at secondary level and above; Circassian control of Circassian schools; freedom to publish in the Circassian language; free association on a minority basis; participation in waqfs; and the right of "Tcherkess religious leaders"

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[51] AD-SL Box 414, dossier *MOUVEMENT AUTONOMISTE*, subdossier *Mouvement autonomiste Djebel Druze* (evidently misfiled). *Information N° 481* (20/1/1939).

[52] Both *Circassien* and *Tcherkess* exist in French; I am using 'Circassian' uniformly in my text, but 'Tcherkess' in direct quotes from French sources where that word rather than *Circassien* is used.

[53] AD-SL Box 568, dossier *Tcherkess*, "Demandes présentées au Haut-Commissaire par les Tcherkess" (5/1/1927). These had been received no later than December 1926.

to conduct marriages following "Tcherkess national customs and traditions".[54] Circassian identity is emphatically the basis on which these demands are made, but their *focus* is equally emphatically the interaction of population and state. Again, the relationship with the state is ambiguous: the signatories want to limit the threat that the state might pose to them by ensuring—through articles in a treaty guaranteed by outside powers—local control over the local bureacracy and education system, plus a local say in national politics. At the same time they want to take advantage of the opportunities a modern state can bring: this is particularly apparent in the demands centred on education.[55] It is notable that separation from Syria is *not* one of their demands.

My point here is not to argue that identitarian motivations were irrelevant to the question of autonomism/separatism, but rather to give a more nuanced understanding of their relevance. Cultural identities do not have an *a priori* political content (or political effect): they *acquire* politial salience in particular conditions—and the modern state, with its unprecedented degree of control over territory and intervention in the lives of the population, certainly creates those conditions. As Charles Tilly notes,

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[54] AD-SL Box 568, dossier *Tcherkess*, petition from Circassians in Qunaytra, Homs, Hama, and Marj Sultan to High Commission for forwarding to League of Nations (1/4/1933). This was probably the petition reported to be circulating in Homs a couple of weeks earlier: AD-SL Box 620, dossier *Mouvement minoritaire Chrétien,* subdossier *La question des minorités en Syrie et en Irak (Généralités – correspondances – informations). Information N° 1203* (18/3/1933). See also chapter 5.

[55] It is quite possible that demanding Circassian-medium education was as much as anything a strategy for gaining more and/or better schools.

> [i]n the period of movement from tribute to tax, from indirect to direct rule, from subordination to assimilation, states generally worked to homogenize their populations and break down their segmentation by imposing common languages, religions, currencies, and legal systems, as well as promoting the construction of connected systems of trade, transportation, and communication. When those standardizing efforts threatened the very identities on which subordinate populations based their everyday social relations, however, they often stirred massive resistance.[56]

At the same time, this analysis allows for ambiguity: rather than assuming that an expanding state will automatically provoke hostility from minorities, it understands the role of that expansion in *creating* a sense of 'minority' identity—and also accounts for the range of options that it opens up for the communities that become 'minorities'. In the Syrian case these include outright hostility and a desire for a separate state, with French support offering a means of going over the head of the central state[57]; a desire for autonomy, simultaneously taking advantage of *and* limiting state authority, with League of Nations guarantees providing a weaker but still significant external source of support; and a desire for full integration into the 'national' community of Syria and the nation-state that claimed to represent it. Similar options would be available to the populations of other states during the process of state intensification and expansion—for example, France in the 'long' nineteenth century to 1914. The presence of an imperial power in Syria represents one variable within a process that is nonetheless broadly comparable from state to state.

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[56] Tilly 1992: 100.

[57] While imposing different limits, set by French imperial strategy—which, for example, had no intention of allowing the Kurds to establish a state on territories under French mandate (see chapters 2 and 4).

Many factors influenced the popularity of a particular strategy with any given community. The point is, though, that individuals belonging to any given community could adopt any one of these strategies or change between them according to circumstance. Just as important, identity could be—and was—harnessed to any strategy. Whereas individuals suspicious of the state and/or of Syrian Arab nationalism emphasised those aspects of their identity which set them apart from the state or from a dominant community (however defined), members of 'minority' communities who chose to adopt Syrian Arab nationalism adopted an interpretation of Syrian identity broad enough to include them. For example, in February 1933, fifteen Lebanese Shi^{c}is from Nabatiyya wrote in support of the Syrian National Bloc, stating that "Syrian Unity constitutes the wish of every Syrian Arab. The Djebel Amel, which is purely Arab, unceasingly demands it with all its strength." This strategy sometimes involved a broader interpretation of Syrian national identity than members of the linguistic *or* religious mainstream might have offered—but that interpretation is no less 'authentic'. Examples exist of nationalists belonging to more or less every 'minority' community; the case cited here is particularly telling since it is the precise opposite of a separatist mobilisation, and comes from *outside* Syria.

All of these points about the relationship between autonomism, state authority, and 'minority' identity are demonstrated in reverse, as it were, by separatist mobilisations among communities that form part of mainstream on both linguistic and religious criteria—that is, Sunni Muslim Arabic-speakers. What we might call regionalist mobilisations were not unknown in French mandate Syria: there is evidence of such mobilisations in

Hawran and Qalamun, south and north of Damascus respectively. If these were not taken seriously even by the French when they emerged in the 1920s (and the nationalist press vilified them), things were different a decade later: under the National Bloc government of 1936-39, Hawran once again saw "a move for local autonomy, with all-Hawrani officials", which the government sought not to repress but to to accommodate by traditional methods: "postponement of taxes due, remissions of sentences, and the removal of the unpopular Muhafidh".[58] My main example here, however, comes from Dayr al-Zur in 1939, and I have chosen it because it is documented and taken seriously in the archives of the Syrian administration. (In the archives of the French High Commission, autonomist mobilisations are often exaggerated.)

In the spring of 1939 the governor of the Euphrates province wrote in concern to the Syrian ministry of the interior. At a time when the Nationalist Bloc administration was discredited and vulnerable, and the political situation across the country was tense, he was worried about "separatist propaganda [*daᶜwa infisâliyya*]"[59] in Dayr al-Zur. What he feared was a campaign for the governorate to become, not a separate state, but part of Iraq. As he pointed out, "the people of the Euphrates are very

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[58] Longrigg 1958: 246. A digest of press reports on the Hawrani separatist movement immediately prior to the great revolt can be found in AD-SL Box 1727, bound volume avril-décembre 1925, *Revue de la presse de Damas du 15 Juillet 1925* (18?/7/1925). Material on separatism in the Jabal Qalamun can be found in AD-SL Box 414, dossier *MOUVEMENT AUTONOMISTE*, subdossier *Mouvement Separatiste Damas*.

[59] This and following quotes from MWT, *wathâ'iq al-dawla*, sijill 2; *wizârat al-dâkhiliyya*. 44/5409: handwritten letter from governor of al-Furât to ministry of interior (13/4/1939).

close, in their characteristics and customs, to the people of Iraq". Their "particular inclination [*mayl khâss*]" towards Iraq was reinforced by their "close communication with it"—and their sense of both "the spread of civilisation there" and "evidence of [its] independence".

This feeling of closeness to Iraq had inspired widespread mourning upon the death of King Ghazi I: on the Friday after the monarch's death the preacher in the town's great mosque had called for the city's "attachment to Iraq". One of the city's preachers, the governor told his superior, had "gone so far […] as to say that the Euphrates considers itself part of Iraq", and "does not recognize the [Syrian] government nor the president of the Republic". The result of such claims being made in the province, he continued, was the development among the populace of a widespread "hostility towards the Syrian government and its employees, especially those who are not local people [*man kân min ghayr ahâlî al-mintaqa*]".

The population of Dayr al-Zur was almost wholly Arabic-speaking and Sunni Muslim—part of the 'majority'. Yet even looking at the situation there through the eyes of a nationalist functionary, the similarity with autonomist mobilisations among 'minority' populations is marked. The hostility towards the central government, and the preference for local people in the local bureaucracy, is the same; even the question of cultural identity is raised, in the reference to "characteristics and customs". And there are also clearly underlying material and political causes: Iraq seemed prosperous and independent relative to a Syria whose subordination to French rule was only increasing, while it was hardly unreasonable for the inhabitants of a town

on the Euphrates to feel a closer connection to cities downriver than to Damascus, hundreds of kilometers away across the desert.

This case shows how the two parts of this chapter are articulated. It illuminates the relationship between autonomism/separatism and the expansion of state authority, demonstrating that separatism was not only a strategy of 'minorities', nor simply a creation of the French—who would have had little interest in losing part of their mandate territory to British-dominated Iraq, however much they might have relished a chance to undermine the nationalist government's authority. At the same time, it provides a further case for analysing nationalist attitudes to the territory and population of peripheral regions. Since in this case the attitudes are those of the state official administering the region concerned, not a Damascus-based journalist, they bring together the rhetorical and material sides of my argument.

It is noteworthy that the governor made no *positive* case for the Euphrates region to remain a part of Syria, on either material or ideological grounds. He did not choose to argue for a connection with Damascus, nor did he even say why it should *not* be a part of Iraq. Instead, he concentrated on the practical business of shoring up the Syrian state's authority. Describing the local population in terms that closely resemble those of French officials, he wrote that "although the people as a whole remain primitive, and the tribal inclination (in which there is something of the roughness of the Bedouin) prevails over them, nevertheless they are quick to yield [*sarîʿû al-inqiyâd*] before strength […]". The High Commissioner's delegate in Dayr al-Zur was

apparently keen for the French army to take responsibility for maintaining order—which, as the governor noted, would further undermine the Syrian government's authority there. He therefore suggested increasing the local police force by at least ten men.[60] He recommended replacing the police chief, on whom he could no longer rely; he also pointed out that many members of the force were from the local population and linked to it by bonds of family and tribe. He evidently saw this as a problem for the stability of state control, and argued that the new police chief should be free to replace them as necessary.

Of the various nationalist conceptions of the state's relationship to population and territory outlined in the first part of this chapter, this vision is closest to that of Nasuh Babil writing in *al-Ayyâm*. It is striking that as far as the governor was concerned, the only way to ensure the state's authority was to reinforce its coercive power: more policemen, more firmly subordinated to the central state. He suggested no non-coercive ways of countering the separatist current, for example by bringing local people into the state apparatus—indeed, he evidently was the latter as a problem, not a solution. In this understanding, the only thing linking the state to the region and its population was the state's ability to impose its coercive power. As responses to such coercion, autonomism and separatism no doubt had their attractions—just as nationalism did in response to imperialist coercion.

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[60] At the time of writing the police force totalled 28 men. Accounting for men on leave or on duty outside the city, at any one time there were only 20 policemen in a town of 60,000 inhabitants, "and this is a very weak proportion".

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Conclusion – minorities and separatism

The aim of this chapter has been to use a discussion of separatist and autonomist mobilisations to investigate the relationship between state, population, and territory in the era of nation-states. In order to understand separatism in the modern period, it is necessary to understand how nationalism conceptualizes the relationship between territory and population, and between these two and the state. The question of separatism also enables us to see how authority over territory was established in rhetoric and in practice, without confusing the two. In the first case it becomes apparent that the notion of separatism may itself serve as a tool for creating a coherent territorial unit; in the second case, separatism helps us understand both the progress and the limits of the expansion of state authority.

Minorities are created by the extension of the state's control over (and claims upon) both population and territory that is characteristic of the modern period—the age of the nation-state.[61] In the modern period, there is a strong case to be made for this same expansion of state authority as the primary motivation for separatism: by its nature, separatism arises in response to a state. There is, therefore, a connection between minority identies and separatist feeling. But it is not a precise correlation. Separatism as a political agenda is only open to members of minorities in

[61] See chapter one.

certain conditions. These might include the existence of a substantial and concentrated minority population (that largely shares both the sense of minority identity *and* the desire for separatism); the existence of a neighbouring state whose national majority belongs to the community that is a minority on this side of the border; substantial minorities sharing the same identity in adjacent areas of a neighbouring state or states; or the presence of another external actor willing to support the separatist minority at the expense of the state and its national majority. Where such conditions do not apply, any autonomist agenda developed by members of minorities is likely to fall short of full separatism. When the state's institutions are flexible enough to permit the expression of minorities' political aspirations and cultural identity alongside those of the majority, autonomism is likely to be minimal or non-existent.[62] None of these outcomes is inevitable or permanent: they depend on prevailing conditions, especially the political situation (which reflects social, economic, and demographic conditions)—just as a particular community's status as a 'minority' is neither primordial nor unchanging.

Finally, neither autonomism nor separatism are limited to minority communities. These agendas can and do also appear among populations which objectively form part of the 'majority', which supports the argument that the expansion of the state is the primary spur to separatism.[63] Minority

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[62] In such situations, communities objectively definable as 'minorities' may well not consider themselves as such.

[63] An example from another context comes in Charles Tilly's discussion of the unprecedentedly rapid and deep extension of state authority in revolutionary France, the

identity—itself spurred by state expansion—is a secondary cause. Indeed, in some cases separatism creates, or attempts to create, a sense of minority identity rather than vice versa. Separatist and autonomist mobilisations among the majority, often on regionalist or city lines, also demonstrate that it is a mistake to assume the existence of national feeling among the community claimed by nationalists as the 'majority'.

These observations all refer directly to the foregoing discussion of cases in Syria under the French mandate. More generally, however, they should also serve for comparative purposes in a world that is organized into nation-states, where separatist movements, autonomist movements, and minorities are permanent features of state politics.

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exemplar for the transition from indirect to direct rule in the modern period: "Federalist movements began in the spring of 1793, when the Jacobin expansion of the foreign war… incited resistance to taxation and conscription, which in turn led to a tightening of revolutionary surveillance and discipline. The autonomist movement peaked in commercial cities that had enjoyed extensive liberties under the Old Regime, notably Marseille, Bordeaux, Lyon, and Caen. In those cities and their hinterlands, France fell into bloody civil war." (Tilly 1992: 113)

Chapter 4 - The border and the Kurds

Introduction[1]

Historians of the Middle East have been much preoccupied with borders. The artificiality or otherwise of the region's post-World War One frontiers is a staple of scholarship: how they were drawn by the colonial powers ("Winston's hiccup"), and the consequences for state stability and legitimacy.[2] Disputes that affected the route of particular borders are much studied: works on the Alexandretta crisis could fill a bookshelf, works on Israel's wars a library. But the border itself has often been taken for granted, perhaps because—like so many other phenomena related to the development of modern states—borders now have such a strong presence in the collective psyche that they are taken as part of the natural order of things, seeming to need no explanation. Philip Khoury notes, quite accurately, that the Syrian-Turkish border cut Aleppo off from its natural hinterland[3]; but how? Jean Perez states, of the mandate period, that the transhumant pastoralism of the Bedouin of the Syrian desert led them to "make a mockery of frontiers [*se jouer des frontières*]", as if the frontiers had been there before the Bedouin arrived.[4] It would be truer to say that

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[1] Many of the places referred to in this chapter are marked on Map 2. I would like to express at the outset my gratitude to Seda Altuğ of the University of Utrecht, who is writing a history of the Syrian-Turkish border, for several long discussions that directly influenced (and benefited) my thinking in this chapter.

[2] To refer only to standard works, see Cleveland 2004: 163-173; Gelvin 2005: ch11 (183 for "Winston's hiccup"); Yapp 1987: ch6, 1996: 35-46; Fromkin 2000: 513-4 and ch61; Shlaim 1995: ch1.

[3] P. Khoury 1987: 104, 122, 135, 185. This was also evident to commentators at the time: see references to *Alif Bâ'* (1/9/1932) in chapter 3.

[4] Perez 2003. NB—Page numbers not given in online version of this article.

the region's borders—lines drawn very recently on a map that would itself have been quite meaningless to the nomads concerned—*se jouaient des Bédouins*.

Even scholarship whose ostensible subject is a border, such as Eliezer Tauber's article on the determination of borders between Syria and Iraq[5], can offer a perfectly sound and thoughtful account of how a particular border came to follow a particular route without asking either the question of what the border actually *was*—how it was delineated, both concretely and institutionally—or the rather more difficult question of what the border *meant*: how its concrete and institutional existence served to constitute the territory of the states concerned, how borders relate to state authority, how they affect populations whether resident close to or far from them.

In one sense the importance of borders to the subject of this thesis is quite obvious: it is the delineation of a nation-state's borders that decides who, in that state, is going to be a 'majority' and who a minority. The point is, if anything, too obvious[6]: it assumes the existence and coherence of the groups involved from the outset, whereas—as I hope to show—it can be argued that majority and minorities are constituted in relation to the state *through the process of* its establishment, including the drawing of its borders. It also offers a fairly unproblematic view of the border, concentrating on the effect of different groups arguing over where a

[5] Tauber 1991.

[6] It is also rather pessimistic: not all nation-states are condemned to this sort of zero-sum struggle between different groups among the population.

particular border should run without examining how the establishment of fixed, nation-state borders is a constitutive process in the making of modern states' authority and 'identity'.

In this chapter I try to draw out the complexities in both areas—how borders define minorities (and a majority), and how borders are related to state authority. The chapter continues my analysis of the relationship between state authority, territory, population, and identity. The first part of the chapter asks what material presence Syria's new borders had in the mandate period—that is, how the state's authority was manifested concretely at its boundaries. The second part examines the relationship between the border and state authority across the whole territory and population through the lens of the 'Kurdish question' that arose in the region after World War One as nation-states replaced the Ottoman Empire. This section concentrates on the Syrian-Turkish border in the mid-to-late 1920s, when that border was (gradually) created. The final section turns to the Kurds of Damascus in the 1930s, to show how the drawing of Syria's borders came to 'minoritize' Kurds resident far away from them.

* * *

The border's physical presence (or absence)

One thing that emerges clearly, though indirectly, from Tauber's account of the definition of the Iraqi-Syrian border is that there *was* no actual border—that is, the border itself had little or no meaningful material presence. The zones under the control of Faysali Syria on the one hand and British-

occupied Iraq on the other were not defined by a contest over a particular line but by a contest for control of certain towns and villages (and their respective gendarme posts and government buildings[7]) across a swathe of disputed territory. The term 'crossing the border' was literally meaningless in this situation, since the border had no material presence, nor was its location agreed by the two jurisdictions it was supposed to separate.

The same point could be made for long stretches of Syria's land borders for much of the mandate period. Moreover, insofar as Syria's borders 'solidified' in this period, it was more as demarcation lines between two mutually-recognizing jurisdictions than in any material sense of lines marked by a physical barrier or permanent surveillance. The fences and watchtowers that mark the Syrian-Turkish border today are for the most part far more recent (1970s), while Syria's long desert frontier with Iraq was largely unmarked on the ground until the aftermath of the US invasion of 2003.[8]

A few examples serve to illustrate this point with respect to the Syrian-Turkish border. This border remained uncertain for several years after the end of World War One, through the fleeting period of Faysali rule in Damascus and the revenant post-war Ottoman government in Istanbul and on into the 1920s, when the Ankara government in Turkey and the French occupation authorities in Syria fought a war over where the border should

[7] See chapter 3 for a discussion of the *dâr al-hukûma* and other sites of state authority.

[8] The information on the Syrian-Turkish border comes from Seda Altuğ; the information on the Syrian-Iraqi border is familiar to anyone who has followed the news since the invasion.

lie. Neither jurisdiction recognized the other: French troops briefly occupied a large area claimed by the Ankara government, which in turn sent armed bands deep into French territory and supported anti-French activities in Syria.[9] France and Turkey stopped fighting and formally recognized each other with the Franklin-Bouillon Agreement of 1921, agreeing on a border between Turkish and French mandate territories that was confirmed by the Treaty of Lausanne in 1923 (which also established a joint border delineation committee to fix its exact route on the ground).[10] But long after this the border remained very loosely defined. In the north-east of Syria, for example, the French only established a semblance of permanent authority several years later, with two posts totalling 60 soldiers established at Darbisiyya and ᶜAmuda in May 1926—whose "presence did not modify the general physiognomy of this region, whose principal feature continued to be a profound anarchy".[11] The installation of more, larger military posts, notably at Qamishli from 1926, seated French authority more firmly in the western part of the 'Bec de Canard', the panhandle of Syrian territory extending toward the Tigris with Turkey to the north and Iraq to the south; but troop movements further east were limited. When a diplomatic protocol of 1929 agreed the precise border in this zone, there were four French and six Turkish military posts between Nusaybin and the Tigris—but the haziness of the border hitherto can be gauged from the fact that *four* of

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[9] P. Khoury 1987: 99-110.

[10] P. Khoury 1987: 102; Mizrahi 2003: 172.

[11] SHAT 4 H Box 168, dossier 1: *Opérations des troupes du territoire de l'Euphrate dans la Haute-Djézireh (occupation du Bec de Canard) 1927-1930*, subdossier *Organisation des Postes du Bec de Canard et occupation de [ces postes]. Note sur l'action politique menée dans la Région Nord de Djézireh* […] (1/12/1926).

the Turkish posts were in Syrian territory, well to the south of the agreed border.[12] Whether the border represented any kind of real barrier between those posts, or longer-established ones further to the west, is dubious. (In August 1930, for example, the exiled Kurdish leader Hajo Agha was able to lead an abortive armed incursion across the border onto Turkish territory.[13])

It was not only in the furthest northeastern reaches of Syria that the border was ill-defined and state authority hazy. An idea of the limits of the state's physical presence in border regions comes in a 1934 report by a Syrian government official, the qa'immaqam of the Kurd Dagh—the region of limestone hills between Aleppo and Antioch extending north to the Turkish border.[14] The author, one of nature's born bureaucrats, mentions in passing that in the nahiya (administrative district) of Bulbul the office of the mudir (district chief) "has no furniture, even essential items [*laysa ladâ al-mudîriyya shay' min al-mafrûshât hattâ al-darûriyya minhâ*]" and appeals to the minister of the interior in the Syrian government "if possible, to assign a sofa and two wicker chairs to this office [*arjû idhâ kân fil-imkân takhsîs maqᶜad wa kursiyayn khuzayrân li-hâdhihi al-mudîriyya*]".[15] Events

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[12] SHAT 4 H Box 168, dossier 1, *Opérations des troupes du territoire de l'Euphrate dans la Haute-Djézireh (occupation du Bec de Canard) 1927-1930*. Printed map, *Abornement de la frontière Turco-Syrienne entre Nissibin et le Tigre d'après le protocole d'Angora du 22 juin 1929*. This infringement could still provoke the indignation of a certain kind of French military historian in the 21st century: see Perez 2003.

[13] Details, including Hajo Agha's subsequent interrogation in Damascus, are in AD-SL Box 572, dossier *Passage de Hadjo Agha et des fils de Djemil Pacha en Turquie 1930*. NB—For this and other Kurdish names I have used a rough but consistent transliteration rather than adopt any one of the multiple variants in French sources.

[14] Today the border actually skirts the western slopes of the hills, but in 1934 the sanjak of Alexandretta was still a part of Syria.

[15] MWT *wathâi'q al-dawla*, sijill 2; *wizârat al-dâkhiliyya – al-amn al-ᶜâm – taqârîr*. 1: letter from Khayrî Ridâ, qâ'immaqâm of Kurd Dagh, to minister of interior (25/4/1934).

would demonstrate that such seemingly minor details could affect the very course of the border itself. When the Syrian-Turkish border in the region was redrawn a few years later, its winding path through the village of al-Hammam on the Aleppo-Alexandretta road, which brought certain valuable buildings (a hotel, the eponymous mineral baths) and the municipal gardens into the Sanjak and out of Syria, was partly defined by the personal political loyalties of their proprietors and partly by the fact that the pro-Turkish authorities in the Sanjak sent out a police unit and installed a police station in the village faster than the Syrian authorities.[16]

As late as 1939, even in a place where the apparatus of state authority was present on both sides of the border, the border itself did not necessarily pose much of an obstacle. After 1926 the town of Qamishli, less than a mile from the Turkish town of Nusaybin across the border, quickly developed from almost nothing into a busy small town. Its development, indeed, depended on the border: it was initially populated almost entirely by refugees from republican Turkey, notably Syriac Christians and Kurds, who settled there upon leaving a jurisdiction that was threatening to them. A French colonialist bulletin attributed its rapid emergence as "the *Bec de Canard*'s veritable pole of attraction" to "the vigorous impulsion of two remarkable intelligence officers, Lieutenant Bret and his predecessor

[16] MWT *wathâi'q al-dawla*, sijill 2; *wizârat al-khârijiyya*. 21: documents dated 27/12/1938-15/1/1939. By this time, incidentally, the name of the caza had been Arabized from the Turkish *Kurd Dâgh* to the Arabic *Jabal al-Akrâd*.

Captain Terrier".[17] Decades later, Terrier's replacement would remember him as "the unforgettable founder of Qamishli and pioneer of the Syrian Jazira"; in the memory of its residents today, however, it was the efforts of the new arrivals that made the town.[18]

By 1939 these 'mirror' towns were each the seat of local branches of their respective governments—a Syrian qa'immaqam as well as a French garrison in Qamishli, a Turkish kaymakam in Nusaybin. In other words, one might reasonably expect the Syrian-Turkish border to be monitored and controlled *here* if anywhere. Yet this seems not to have been the case. In the last chapter I referred to an incident in the spring of that year where anti-nationalist Christians in Qamishli expropriated Syrian flags that had been sent by the National Bloc government in Damascus to local nationalists, setting them alight and then urinating on them. But the flags were actually seized on *Turkish* territory: the flags had been sent by rail, and the railway station was on the Turkish side of the border. The station-master at first refused to hand the flags over to anyone other than the addressee, and the anti-nationalists hesitated to press him since they had been followed by armed *nationalists*. It was only when they returned with a French officer that the station-master was persuaded to relinquish the flags—whether they were then defaced in Nusaybin or in Qamishli is not entirely clear.[19] These

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[17] "Le Bec de Canard syrien", *L'Asie française* 268 (March 1929), pp90-94.

[18] Rondot 1993: 98-99. Seda Altuğ provided me with the information on Qamishli today, based on her interviews.

[19] It was done on the road in front of a café near the town hall, but which town is not specified.

events all occurred in the morning and early afternoon of one day, with further unrest in Qamishli later on, too.

What is relevant here, and remarkable, in the detailed and extremely disapproving report on the matter written by the qa'immaqam of Qamishli, is the seeming ease with which two mutually antagonistic groups of people, at least some of them armed, were able to stroll across the border into Turkish territory for a stand-off that involved one group pressurizing a Turkish official. Despite the fact that either group might reasonably have been taken as hostile to Turkey, no mention is made of their facing any hindrance, or indeed surveillance, at the border.[20] The French officer seems to have had no trouble either.

The mandate period, then, witnessed a steady accretion of state authority along the border, in the shape of military installations, bureaucratic institutions, and even wicker chairs (if they ever arrived). This is in line with my argument in the previous chapter about the spread and 'deepening' of state authority across the territory. Yet the border itself as a physical barrier seems to have remained almost negligeable right through the mandate period. Its real development in this period was as a *jurisdictional* barrier.

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[20] All details on this incident are from MWT *wathâ'iq al-dawla*, sijill 2; *wizârat al-khârijiyya*. 23—particularly the handwritten letter from qâ'immaqâm of Qamishli to minister of interior (21/2/1939).

The border as a jurisdictional barrier, the 'Kurdish question', and state authority on both sides

As mentioned above, after the Franklin-Bouillon Agreement of 1921 there was mutual recognition between the French authorities in Syria (and thus the Syrian state too) and the new Turkish government in Ankara. Although their common frontier remained to be precisely defined, it would now be done by diplomatic cooperation rather than military contest. This mutual recognition immediately had one important consequence for the border, in that each side's military forces retreated to the agreed frontier: the French left Cilicia and Turkey reduced its support for armed bands on French territory. In other words, the two *states* on either side of the new border no longer transgressed it (or at least did so a little more discreetly). Both the Ankara government in Turkey and the French High Commission in Syria were newly-established regimes facing many internal and external challenges to their authority; for each government, mutual recognition removed one important challenge and freed up men and resources for dealing with others—notably the Greek invasion, for Ankara, and the uprisings led by Shaykh Salih al-ʿAli and Ibrahim Hananu in northern and western Syria, for France.

These pressing but temporary political reasons that pushed France-in-Syria and Turkey to recognize one another and agree to a common frontier were supplemented by longer-term reasons of statecraft. The state-building project on which each government was engaged involved building a *nation-*

state (albeit with rather greater conviction on the Turkish side[21]), with a national territory and fixed borders. One effect of the modern transformation of the modern state—as state authority becomes theoretically uniform across the entire territory, and modern communications permit some practical approximation of this—is that these sharp dividing lines replace the buffer zones and indistinct frontiers of earlier periods. Important state functions, not only related to defence, move to the frontier: notably, monitoring and collection of customs duty moves from strategic points within the territory to a point of entry at the border. The links between the definition of fixed borders, on the one hand, and the development of state authority, on the other, are multiple and complex. My intention here is to concentrate on one particular aspect of this question: how these interlocking developments also contributed to the emergence of 'minorities', with specific reference to the Kurds.

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Turkish state policy towards the Syrian border zone in the years after the Treaty of Lausanne (1923) reflects its wider policy towards southern and eastern Anatolia. The republic was seeking to regain and replace Ottoman authority in zones that had been occupied by France after the war; impose permanent state authority across a broad swathe of territory with a culturally diverse population; contain the opposition which this process naturally provoked; and forestall any future challenges, including such as

[21] A brief overview of Turkish history in this period, touching on state-building reform, nationalist ideology, and the Kurdish question, can be found in Zürcher 2004: ch10-11.

might be launched from *outside* the national territory by groups with a claim *to* sections of that territory. All of this involved the border, and Syria, because in a number of cases the populations involved spread over (or, indeed, had previously been more or less completely expelled) into the mandate territories.[22]

The end of the Ottoman Empire and establishment of the Turkish Republic had seen the almost complete elimination (by massacre, expulsion, flight, or arranged transfer) of Anatolia's Christian populations, considered inassimilable to the Turkish 'nation' in construction. Nationalist attitudes—and policy—were rather different towards non-Turkish *Muslim* populations, most importantly the Kurds of eastern Anatolia. The republic had no intention to expel the Kurds *en masse*: the aim was to incorporate this population as citizens, and preferably as Turks.[23] Opposition among Kurdish elites to Ankara's imposition of authority was rooted in the challenge to their political and economic position in the region, and expressed itself in religious terms (as opposition to secularizing reform) and in some cases as incipient Kurdish nationalism. Insofar as it thus posed an existential challenge to the republican regime, armed opposition was put down violently, and its leaders were liable to execution or internal exile[24]—many fled across the border into Syria. The republic was not, however, hostile to

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[22] Tachjian 2004: chs5-8 examines this question from the vantage point of the communities regarded as inassimilable by the republican government.

[23] A more detailed account of Turkish policy towards the Kurds in this period can be found in McDowall 2004: ch9. Barkey and Fuller 1998: ch1 surveys this period as background to the contemporary relationship between the Turkish republic and its Kurds. An overview of Kurdish relations to the modern state more broadly is van Bruinessen 2000 [1991].

[24] Olson and Tucker 1978: 206.

the existence of the Kurds on 'Turkish' soil, *provided they could be incorporated*.[25] What it objected to was any movement that posed the risk of a Kurdish *state* on Turkish soil. This Turkish interest in Kurdish affairs had important implications for Syria and the border.

The archives of the French High Commission contain much evidence of the scale of unrest over the border in Kurdish areas of Turkey. During the first major outbreak of violence, the Shaykh Sa^{c}id revolt of 1925[26], Turkey received French permission to transport troops by rail from Mersin or Adana to the affected areas (the railway line ran partly in French territory)[27]; for several months the French monitored their numbers, which ran into the hundreds or even thousands per day.[28] Although this was one of the largest revolts, violence remained endemic throughout the later 1920s and 30s, down to the Dersim rebellion of 1938[29]—and the French in Syria paid close

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[25] For a recent discussion of Turkish policy towards the Kurdish regions in this period, see Cagaptay 2006: ch6.

[26] An account of this revolt, in historical perspective, is given in Olson 1989.

[27] AD-SL Box 1054, dossier *Kurdes 1925*, subdossier *Transports des troupes pour la révolte Kurde 1925. Note pour Monsieur l'Officier de Liaison Britannique* (3/3/1925).

[28] AD-SL Box 1054, same dossier and subdossier, *Message téléphone*, Délégué Adjoint (Aleppo) to HC, 19/3/1925 gives figures for mid-March—well over 1,000 troops, plus supplies, carried by several trains on 17, for example. Such heavy use of the line actually strained the economy of the whole Aleppo region: same location, telegram from SR to Mougin, French ambassador to Turkey (27/3/1925). Some figures for June are in AD-SL Box 1054, same dossier, subdossier *Passage des Troupes à Muslimié*.

[29] Cagaptay 2006 lists numerous minor and major insurgencies in different parts of Turkish Kurdistan in these years (106). His more detailed account (107-113) of the last major uprising, in Dersim in 1937-38, explicitly makes the connection between the expansion of state authority in the mid-30s and the outbreak of violence: "Once in place, the Fourth Inspectorate [of regional bureaucracy] focused on building roads, bridges, and *gendarme* stations throughout the region. Now, Ankara's power was felt more strongly here. It appeared that the government would finally crush Dersim's feudal chiefs and independent tribes. Soon enough, Dersim rebelled […]" (111).

attention.[30] The major revolts of these years were high points on a continuum of constant unrest, not isolated events.

In one sense that unrest was a reaction to the expansion of (Turkish) state authority; but at the same time, by a process of feedback, it contributed to it, by bringing the state into the Kurdish regions in force and stimulating the development of a permanent state presence—not only to undergird the military effort. The extension of state authority in general was tending to harden the frontier, but the need to 'manage' the Kurds impelled this process in particular: partly because this population spread beyond the borders claimed by the new republic, and partly because military repression sent Kurdish refugees—especially insurgents and their families—into Syria. Once there, they remained politically active and interacted with others (notably Syrian Kurds, other refugee communities, the French authorities, and Syrian Arabs) in ways that heightened the border's significance.

For fleeing insurgents, the border's value was clearly as a barrier beyond which they could shelter from Turkey: the Franklin-Bouillon accord meant that Turkey recognized the border as a jurisdictional barrier even if it was not, for most of the 1920s, precisely defined. Thus, soon after the Shaykh Sa^{c}id rebellion began the French Assistant Delegate for Aleppo wrote to the High Commissioner to "attract [his] attention to the probable repercussion

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[30] See e.g. AD-SL Box 1054, dossiers *Kurdes 1925*, *Kurdes 1926* and *Kurdes 1927*, though more material (up to the early 1930s) is scattered throughout boxes 1054 and 1055. For example, the Service des Renseignements reported in February 1928 on Turkish military preparations intended to preempt a spring recurrence of the Kurdish insurgency: AD-SL Box 1055, dossier *Question Kurde – Mouvement Kurde en Syrie – Année 1928. Bulletin de renseignements N^{o} 10* (4/2/1928).

of current events in Kurdistan on the Syrian zone of the Syro-Turkish frontier, in large part populated […] by Kurdish tribes", on the presumption that "to escape the chastisement that threatens them numerous rebels will seek refuge with their brothers in Syria".[31] This presumption remained accurate for years to come. But although the border afforded them an opportunity for protection, and even a safe place from which to prepare future action against the Turkish state, once they had crossed it the frontier also became a barrier which the republic could use to keep them out. Both of these functions depended on *and* simultaneously stimulated the development of state authority on the *French* side of the border—not just at the border, but deep within the territory too.

At the outset of the rebellion, the nearest stretches of the Syrian frontier were not precisely delineated and French authority on the Syrian side of the border was extremely tenuous. Insurgents fleeing into this zone were hardly relying on the protection of French *troops*; rather, they were relying on the fact that the Turkish state recognized French authority and would not follow them there. In many cases, when insurgents arrived and settled on 'French' territory they were entirely outside meaningful French influence. The High Commissioner Henri Ponsot made this point in September 1927, in one of very many documents produced by French officers rebutting or contesting Turkish diplomatic claims that the mandatory authorities were permitting or even assisting refugee insurgents to organize for further action on Turkish

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[31] AD-SL Box 1054, dossier *Kurdes 1925*, subdossier *Pièces au sujet du passage en Syrie de populations Kurdes ou chrétiennes ou de déserteurs turcs*. Délégué Adjoint, Aleppo, to HC (1/3/1925).

territory. Two Kurdish leaders who provoked Turkish suspicions, Hajo Agha and Emin Agha, "were installed in a part of the Syrian territory of which we have only really taken possession since the creation, 7th August last [i.e. only weeks earlier], of the posts of KUBUR EL-BID and DEMIR-KAPOU".[32]

While French authority was weak when Kurdish insurgents first started fleeing into this 'French' territory, this example shows how the expansion of state authority in these areas, and the related hardening of the frontier, were stimulated by the need to bring them and the insurgents who arrived there under control. A slightly earlier example can be cited further to the west—and therefore closer to the main population centres of Syria, where French authority was imposed earlier. In March 1925, soon after the Shaykh Sa^{c}id rebellion began, the High Commission ordered that a Service de Renseignements (SR) post be established at ^{c}Arab Punar, another frontier village. Its mission was to gather information on the Kurdish movement and the military operations of the rebellion; to monitor the state of mind of Kurds on the Turkish side of the frontier; and to "[s]urvey the attitude of the Kurds of Syria and prevent any manifestation of solidarity" between them and the Turkish Kurds: all aims clearly linked to the events in Turkey, though the third is equally clearly intended to forestall any threat to French authority in Syria. But achieving them, again, implied a strengthening of state authority on the border. The post was staffed by one SR officer, assisted by an interpreter and a platoon of *gendarmerie mobile*; the

[32] AD-SL Box 1055, dossier *Question Kurde – Mouvement Kurde en Syrie. Années 1926 et 1927*. Ponsot to MAE (this copy intended for French ambassador to Turkey; 29/9/1927).

platoon's tasks included carrying out surveillance missions among local tribes, and "making frequent patrols along the frontier".[33] The post's personnel—and indeed its office furnishings—were to be seconded from the existing post at Jarablus, but it was to report directly to the SR's regional centre in Aleppo.

At its establishment, this post was intended to be temporary. But although Jarablus was assured that it would get its typewriter back[34], it probably never did: an intelligence post at Arab Pounar was still functioning in the late 1930s.[35] The general trend was towards the development of permanent state authority: not just military, but also bureaucratic; and not just on the frontier, but 'behind' it as well. This was necessary not only for monitoring the newcomers but for tasks such as assessing the customs payments refugee families would have to pay on the flocks they brought across the border with them, if any; granting them Syrian nationality, in some cases; and, more pressingly, disarming them and moving them further away from the frontier.[36]

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[33] Information in this paragraph from AD-SL Box 1054, dossier *Kurdes 1925*, subdossier *Installation provisoire d'un Officier du S.R. à Arab Pounar. Note de Service* (22/3/1925).

[34] Before assuming that this material weakness of the state was restricted to colonial backwaters like Jarablus, consider Eugen Weber's comment (1995: 63) on metropolitan France in the 1930s: "Machines in general were not much in demand. *Inspecteurs des finances* on tour through the provinces remember few or none in banks, post offices, tax bureaus; no typewriters, and no typewritten reports, no calculators."

[35] It was the source for several *Informations* produced by the Direction de la Sûreté Générale—successor to the SR—included in Box 572, untitled dossier (material released under 60 year rule), subdossier *Les Kurdes en Syrie – Informations*.

[36] On the first two items in this list, see AD-SL Box 1055, dossier *Mouvement Kurde (1928)*, subdossier *Question Kurde – ~~Immigrants~~ – Réfugiés Kurdes*. Principal inspector of customs. Syria and Alaouites, to Ripert, assistant delegate for Sanjak of Dayr al-Zur (dated "24 X^{bre} 1927" but referred to in other correspondence as dated 24/12/1927).

This brings us back to my earlier point that from the Turkish perspective, while the border might have created inconvenience inasmuch as insurgents could flee across it to escape the discipline of the Turkish state, once they had crossed it, it also served as a barrier that could be used to keep them out. This function depended on the development of French authority on the other side of the frontier, because without that authority the border was an ineffective barrier: this explains the Turkish authorities' concern to keep refugees not only on the French side of the border, but *far* on the French side—and monitored carefully wherever they were. But it also stimulated the development of state authority on the French side, because of the constant Turkish pressure on the High Commission (via officials in the border region, Turkish diplomats in the mandate territories, or through the Ministère des Affaires Etrangères) to keep a tight reign on Kurds—and other groups in Syria—who were suspected of being a threat to the nervous and unstable young republic as it sought to impose state authority on *its* side of the border.

- *Distance and disarm.*

The most pressing Turkish concern for the security of the border was to prevent any armed insurgents who had fled across it from crossing back with their guns. To address this, in early March 1925 the High Commissioner (at that point General Sarrail) dispatched instructions regarding the refugees to his personnel. Individual insurgents taking refuge among Syrian Kurdish tribes were to be watched to ensure that they did not "constitute any

centres of anti-Turkish agitation".[37] To this end, the tribes were to be carefully monitored and gendarme units in the area "reinforced if necessary". *Groups* of insurgents were to be treated differently: they "should be settled at a distance of at least 30km from the frontier", and "[o]nce settled, they should be disarmed in order that they constitute a threat neither to our own tribes nor to the Turkish populations north of the border". Later documents sent to the High Commission by officers on the ground, or by the High Commissioner to Paris, make clear that these guidelines remained operative for years.[38] Indeed, after a Franco-Turkish accord on 'good neighbourliness' (*bon voisinage*) in 1926, the 'exclusion zone' had been extended to 50km from the border.[39] This was still the agreed distance in the early 1930s, when the Kurdish leader Hajo Agha—whose tribal lands in fact spread across the new frontier—could not return to his home village after a failed incursion into Turkey because it was less than 50km from the frontier.[40] (A few years later, the Turkish chair of a

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[37] This and following quotes from AD-SL Box 572, dossier *Passage en Syrie de populations Kurdes ou chrétiennes ou de déserteurs Turcs. Note Nº 868/K.3*, signed Sarrail (5/3/1925). This document also gives instructions regarding potential Assyro-Chaldean immigrants from Iraq, and deserters from the Turkish army. The arrival of the former was considered imminent (a harbinger of events in the 1930s); they too were to be kept away from the *Turkish* border. The latter remind us that the imposition of Turkish state authority on the Kurds also involved the assertion, through conscription, of state authority over other citizens—some of whom were evidently unenthusiastic.

[38] There are literally dozens, if not hundreds, of such documents in the French records on the Kurds for these years. One such, sent by the assistant delegate for the sanjak of Dayr al-Zur to refute Turkish claims about the activities of Kurds who had settled there, refers to the 1925 note as "still in force" in 1927. AD-SL Box 1055, dossier *Question Kurde - Mouvement Kurde en Syrie. Années 1926 et 1927*. Ripert to HC, 9/12/1927.

[39] Mizrahi 2003: 178. Mizrahi discusses these agreements in some detail (2003: 172-178), and describes (178) the "difficult extension towards the east of the logics of state".

[40] Indeed, he spent a year or so in forced residence in Damascus before being permitted to settle in Hassaka in June 1931. Details are in AD-SL Box 572, dossier *Passage de Hadjo Agha et des fils Djemil Pacha en Turquie 1930*.

meeting of the League of Nations council on the subject of Assyrian refugees from Iraq expressed his country's preference that these "victims of the world war", if settled permanently in Syria, be kept *100km* from the border, though 50km would do.[41]) In some cases the exclusion zone was not enough, and the French authorities expelled the person concerned from Syria entirely: for example, in June 1925, the newly-appointed French ambassador in Turkey, as part of his efforts to persuade Ankara that "without damaging our higher principles of humanity, every measure has been taken to make it impossible for the persons in question to foment new disorders on Turkish territory", noted that another participant in the Shaykh Sa^{c}id revolt, Edhem Bek, had been expelled from Syria—a handwritten note to this letter suggesting that the words "even before the Turkish request" be added.[42] (Edhem Bek, meanwhile, ended up in Iraq, where he gave rise to a newspaper article expressing his disappointment with Syria: "thinking that it was a free and independent country", he had entered it only to find the French authorities—their 'higher principles' notwithstanding—"ready to cast underfoot every sentiment of humanity", and too ready to believe "Turkish spies".[43])

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[41] AD-SL Box 620, dossier *Mouvement minoritaire Chrétien*, subdossier *La question des minorités en Syrie et en Irak (Généralités – correspondances, informations)*. Minutes of League Council meeting (entitled *Protection des minorités. Etablissement des Assyriens de l'Irak*), n.d. but internal evidence makes clear the meeting took place on 17/4/1935.

[42] AD-SL Box 1054, dossier *Kurdes 1925*, subdossier *III l 01*. Sarraut to MAE (3/6/1925). The ambassador in question, Albert Sarraut, played an important role in French colonial history: see Thomas 2005.

[43] AD-SL Box 1055, dossier *Mouvement Kurde (1928)*, subdossier *Réclamations turques a/s des chefs Kurdes de H^{te} Djézireh – Hadjo, Emin Agha, Edem Tcherkesse, Mudir d'Amouda, Fils d'Ibrahim Pacha*. Extracts from Essiasa (i.e. *al-Siyâsa*), forwarded to Beirut by French Consul in Mesopotamia in letter (27/6/1925).

Of course, there is every reason to doubt just how effective the exclusion zone was—Hajo Agha's incursion being just one example of a Kurdish leader passing beyond French control. The limits of state authority were set, unsurprisingly, by the resources available: whereas Shaykh Sa^{c}id's brother ^{c}Abd al-Rahim, upon arriving in Syria in December 1927, was placed in obligatory residence well away from the border at Dayr al-Zur and his followers dispersed in the Syrian interior[44], another prominent Kurdish notable—Hajo Agha's brother Emin Agha, returning to Syria around the same time after an illegal trip into Turkey—was permitted to stay much closer to the border, at Hassaka. As the High Commissioner pointed out in a letter to the Quai d'Orsay, not only was Hassaka still outside the (then) 30km exclusion zone, settling him there meant that

> it is easier for him to find the means of existence through agricultural cooperation with families long since settled in the country, whereas the Budget of the State of Syria would have had to subsidize his needs had he been obliged to settle in the capital of the Sanjak [of Dayr al-Zur].[45]

The letter also mentions that it would have been difficult for the French 'man on the spot', Captain Terrier, to prevent Emin Agha's illegal crossing of the border "since we did not yet occupy the region of Kubur-el-Bid where he had taken refuge".

Nonetheless, even while admitting the *weakness* of state authority this letter asserts it: Hassaka was considered a suitable place of residence for

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[44] AD-SL Box 1055, dossier *Question Kurde – Mouvement Kurde en Syrie. Années 1926 et 1927*. HC (though signed Maugras) to HC's acting delegate in Damascus (13/12/1927). Other documents refer to ^{c}Abd al-Rahim as Sa^{c}id's son.

[45] AD-SL Box 1055, same dossier. HC to MAE (14/12/1927).

Emin Agha because an SR officer and mobile garrison were stationed there, "permitting easy surveillance of the refugees, which must give every guarantee to our neighbours"—i.e. the Turks. Such surveillance could mean keeping a close count of how many refugees were in each place, and how many weapons they had surrendered: ᶜAbd al-Rahim, for instance, was reported to have entered Syria at Ra's al-ᶜAyn with a group of 195 refugees. The Turkish authorities were evidently particularly concerned about this group, and requested reassurances regarding them from the High Commission, which in turn asked its local representatives for information. His subordinate in Dayr al-Zur pointed out in reply that even before this request arrived from Beirut, 103 of them had been moved away from the border, to Hassaka, where the rest "should join them shortly". 24 members of another group that had crossed the border at around the same time were also in Hassaka; others had briefly been unaccounted for, but again, before the High Commission's telegram even arrived they "were sought out and redirected by a detachment of *gardes-mobiles*". Meanwhile, "the disarmament of these refugees was proceeding as normal; more than 70 combat rifles were already in the hands of the Hassetché [Hassaka] SR officer". This figure had risen to 124 by the time of writing, albeit "against the will of certain refugees, who sought to conceal their weapons or make them disappear".[46]

[46] AD-SL Box 1055, dossier *Question Kurde – Mouvement Kurde en Syrie. Années 1926 et 1927*. Ripert to HC (9/12/1927).

Again, whether the French were always able to be so precise in their control of these regions is doubtful: we have already encountered several open or tacit admissions of the limits of their authority. When responding to Turkish complaints, the mandatory power had numerous reasons to overstate its authority's effectiveness, starting with the desire to hush those complaints. But this is beside the point: *no* state maintains 100% effective surveillance and control of its territory and population. What is important is not that in this period the state's authority over peripheral areas of the territory was complete (it never would be), but that it increased significantly. The border played a complex role in this process as both a causative factor and a consequence.

- *Monitor and repress.*

Keeping track of the number and movements of refugees was only one aspect of the surveillance effort: their activities were also closely monitored, especially for any political content. And again, while the French no doubt had their own reasons for monitoring political activity of whatever sort in Syria, their surveillance of Kurdish refugees *and* Syrian Kurds was given a particular edge by the need to avoid trouble with neighbouring states, above all Turkey. In that sense, wherever the refugees went in Syria, they were never far from the border.

Turkey had two great worries about Kurds in Syria in the 1920s and 30s. The first of these was that the Kurdish refugees, in coordination with Syrian

Kurds or other groups (including Armenian refugees, but also anti-Kemalist Turkish exiles[47]) might organize support for insurrectional activity in the republic—either through supplying money and weapons, or through direct military activity. This, as we shall see, was a realistic fear. The second was that the French authorities might grant Kurds within Syria some kind of formal territorial autonomy that would at the very least set an uncomfortable precedent, if not create a direct threat, for Turkey.[48] This was less likely, precisely because of Turkish fears: when the question of territorial autonomy for the Kurds arose, it was usually dismissed by the French for this reason.[49] They were well aware of the problems that it would raise, and not just with Turkey:

> It seems very difficult for France to launch herself on a Kurdish adventure that would encounter the hostility of England [mandatory power in Iraq] and Turkey at the same time.[50]

(Once Britain's formal mandate in Iraq came to an end, the independent Iraqi government also worried about possible Kurdish autonomy in Syria: in

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[47] One such was Jalal Qadri (who usually figures in French sources as Djélal Kadri, and would be Celal Kadri in modern Turkish), *mutasarrif* of ᶜAyn Tab during the French occupation of Cilicia, who settled in Aleppo, took Syrian nationality, and co-published a Turkish-language (and anti-Kemalist) newspaper there, *Doghru-Yol*. He figured on a list of 150 'undesirables' passed to the French authorities by Turkey, though later it was reported that he had been removed from this list and was working as a Turkish propagandist and intelligence agent, receiving substantial monthly payments from Ankara. AD-SL Box 1055, dossier *Mouvement Kurde (1928)*, subdossier *Réclamations turques a/s des chefs Kurdes de H^te Djézireh – Hadjo, Emin Agha, Edem Tcherkesse, Mudir d'Amouda, Fils d'Ibrahim Pacha*. Telegram, HC to 'Ambafrance Constantinople' (13/8/1925), and *Message Téléphone*, Délégué Adjoint for Vilayet of Aleppo to HC (11/8/1925). As 'Turkish agent': AD-SL Box 1055, dossier *Question Kurde – Mouvement Kurde en Syrie. Années 1926 et 1927*. Extract from *Bulletin de renseignements d'Alep N° 274* (27/12/1927).

[48] Similar concerns still animate Turkey's policy towards its neighbours today.

[49] See chapter 2 for other reasons relating to imperial calculations *within* the territories under French mandate.

[50] AD-SL Box 1054, dossier *Kurdes 1919-1922 – 1923*, untitled subdossier. *NOTE au sujet des propositions de R. Bey concernant le Kurdistan* (3/1/1923).

1934 the Iraqi Consul-General in Beirut expressed to the High Commission his government's suspicion that "the French mandatory authorities may be envisaging the constitution of a sort of Kurdish State in the Haute-Djézireh".[51])

This concern was one reason why Turkey's interest in Kurds in Syria was not restricted to those who had fled from Turkey; and the interest of neighbouring states explains why the French records on the Kurds in Syria focus chiefly on events in Syria that might have repercussions across the border (such as refugee Kurds organizing themselves politically) or on events across the border involving the Kurds that might have repercussions within Syria (such as renewed violence creating more refugees). Far more rarely do they consider the Kurds as a *Syrian* community in relation to other Syrian communities and the Syrian state. French officials constantly had the wider region in mind when considering the Kurdish populations: it was quite normal for French intelligence reports coming from peripheral, sparsely populated bits of Syria to cite a "serious source" in support of a claim like the following:

> the "Khoybon" committee would be working actively to bring about a new Kurdish insurrection. It is confirmed, moreover [*d'autre part*], that all the Kurds of Turkey, Iraq, Persia, and even Syria would be in agreement to unleash this movement as of next autumn.[52]

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[51] AD-SL Box 572, untitled dossier (material released under 60 year rule), subdossier *Les Kurdes en Syrie – Informations. Demandes de renseignements du Gouvernement irakien au sujet de la politique française en Haute-Djézireh* (18/8/1934).

[52] AD-SL Box 572, untitled dossier (material released under 60 year rule), subdossier *Les Kurdes en Syrie – Informations. Information N° 4196* (14/9/1932). This is a good example of the mixture of plausible reporting (the committee was working towards a new ubprising) and implausible hearsay ("all" the Kurds in four neighbouring states were prepared to join

Within a developing framework of diplomatic relations with France (both the French government and the High Commission in Syria), Turkey sought reassurance regarding its concerns about hostile populations and the frontier. For example, the idea that Kurds or Armenians might be recruited into the French security services deployed on the frontier posed evident problems. The French themselves were aware of this: during the Shaykh Sa^{c}id revolt the High Commissioner's delegate in Damascus launched an enquiry to find out what proportion of gendarmes on the border were Kurds, and planned to transfer them away if necessary.[53] The following year, after a violent incident involving Kurdish tribes and Turkish soldiers at Darbisiyya, a meeting of senior French and Turkish officials took place 'on site'. The compte-rendu of this meeting is useful for showing how regular diplomatic procedures were set up to manage the border, such procedures themselves being a part of the border's hardening. As well as setting up regular liaisons between local officials on both sides, the French were ready to meet Turkish concerns over border security by announcing their plan to establish three new gendarme posts along the border (Darbisiyya, ^{c}Amuda, Nusaybin). However, while this pleased the Turkish officials, they immediately raised concerns about "the employment of Armenians or Kurdish rebels" in these

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in) that characterizes such reports. NB—The 'would be' here translates a particular and untranslatable French use of the conditional: to report alleged or unconfirmed facts.

[53] AD-SL Box 1054, dossier *Kurdes 1925*, subdossier *Pièces au sujet du passage en Syrie de populations Kurdes ou chrétiennes ou de déserteurs turcs*. Letter to Commander-in-Chief of Armée du Levant [i.e. HC], 18/3/1925.

posts.[54] A later expression of Turkish worry on this subject led to the somewhat impatient reply that the republic could

> be assured that the recruitment of auxiliary forces and police is carried out in the States under French Mandate with sufficient discernment to avert any possibility of "ex-convicts" or unvouched-for individuals enrolling in these troops.[55]

Turkish complaints that Kurds in Syria were preparing military action against Turkey, and accusations that the mandatory power was assisting such action, are a common feature of the High Commission's records on the Kurds for these years. For example, while the senior Ankara diplomat who attended the Darbisiyya meeting seemed fairly content with its outcome, a few days later the Turkish Embassy in Paris nonetheless claimed that the cross-border skirmish there was "the prelude to a large-scale action directed against Turkish territory". It accused the local French SR officers of supporting Kurdish requests to the High Commission for arms and ammunition, and claimed there was "no doubt about the preparation on Syrian territory of a vast Kurdish insurrectional movement".[56] Despite endless French rebuttals, patient or impatient, similar complaints persisted through the interwar years: Ankara suspected, for example, that the Dersim

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[54] AD-SL Box 1055, dossier *Mouvement Kurde (1928)*, subdossier *Incidents de Derbissié – mai 26. Compte-rendu sommaire de l'entrevue franco-turque, du 7 Mai 1926 à Derbessié* (different spellings of the same place name are entirely normal.) This document also outlines the conflicting accounts of what actually happened during the incident. The Turks claimed it began when rebel Kurds had crossed the border to attack Turkish soldiers guarding a train; French enquiries suggested that the attack was provoked by Turkish soldiers trying to steal sheep from Kurds south of the border (not, in fact, unlikely). It notes that "[f]aced with the contradiction existing between these two theses, it is very difficult to conclude".

[55] AD-SL Box 1055, dossier *Mouvement Kurde (1928)*, subdossier *Question Kurde – ~~Immigrants~~ – Réfugiés Kurdes. Note*, MAE to Turkish Embassy (13/4/1927).

[56] AD-SL Box 1055, dossier *Mouvement Kurde (1928)*, subdossier *Incidents de Derbissié – mai 26.* Letter from MAE, unaddressed but presumably to HC, regarding *Note de l'Ambassade de Turquie* (12/5/1926).

uprising of 1937-38, the final major outbreak of anti-state violence in Turkish Kurdistan in this period, "could be linked to groups in Syria, such as the Armenians".[57] These suspicions were not necessarily unfounded: there certainly was Kurdish-Armenian cooperation in Syria in the mandate period, albeit uneasy; we have already seen that some insurgents who had taken refuge in Syria *did* return to fight in Turkey, despite French surveillance.

Likewise, Kurdish political organisation within Syria did increasingly take place, notably with the Khoybun ("Independence") committee founded in 1927[58]—this did espouse a common Kurdish cause for the region, though it was also closely monitored by the French, and claimed to that its activities were restricted to 'non-political' activities such as raising money to support the refugees. The French, worried "that the Turks might take umbrage" at the committee's existence, always took its claim to be non-political with a pinch of salt—the committee's stated aim of "saving and protecting Kurds abroad" was a "euphemism [which] permits a Kurdish nationalist committee to be called 'philanthropic'".[59] At the same time, to the Turks they frequently argued that French surveillance was tight enough to restrict the committee's activities in this way—which became harder after it coordinated a major uprising in southeastern Turkey.[60] From 1928—the year

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[57] Cagaptay 2006: 112.

[58] McDowall 2004: 202-207. A French *Sûreté Générale* document outlining the origins of the Khoybun and its relations with the Dashnak is in AD-SL Box 572, dossier *Demande d'installation de chefs Kurdes en Syrie*, subdossier *Installation de Tribus Kurdes en Hte. Djézireh. Note sur le mouvement Kurde* (4/1/1931).

[59] AD-SL Box 1054, dossier *Kurdes 1927*, subdossier *III l 01. NOTE pour le Lieutenant Colonel ARNAUD* (19/11/1927).

[60] McDowall 2004: 202-207; Gunter 2004: 'Khoybun'.

in which it was prohibited in Aleppo, "following strong protests from Ankara"[61]—the committee was also an instrument of Kurdish-Armenian cooperation, apparently channelling funds from the internationally-active Armenian Dashnak party to support Kurdish anti-Turkish activism: it was through monitoring this cooperation that the French were able to report, for example, that the Armenian company Matossian was employing Kurdish notables as "money-collectors and salesmen" in the border zone, allowing them to carry out political activities also.[62] One of these Kurds, Kamran ᶜAli Badr Khan, later complained to the Turkish Consul in Beirut, in a surprisingly cordial meeting, that he had lost this job because the French had forbidden him from travelling near the border. (He also mentioned that the French had expelled one of his brothers from Syria, and responded favorably to "all the demands presented by your Government concerning measures to be taken with regard to the Kurds".)[63]

The Turkish authorities, indeed, expected the worst of any prominent Kurd who frequented the border zone. For example, in the aftermath of the Shaykh Saᶜid rebellion, they again went 'over the head' of the High Commission with a direct complaint to the Ministry of Foreign Affairs in Paris about Mustafa Shahin Bek, his presence in Jarablus, and his supposed

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[61] McDowall 2004: 203.

[62] AD-SL Box 572, dossier *Demande d'installation de chefs Kurdes en Syrie*, subdossier *Installation de Tribus Kurdes en Hte. Djézireh. Note sur le mouvement Kurde* (4/1/1931).

[63] AD-SL Box 1055, dossier *Kurdes – 1932*, subdossier *Entrevue du chef kurde KAMERAN BEDER KHAN avec le Consul de TURQUIE à Beyrouth. Information Nº 77* (8/12/1932)—the long account here is evidently based on Badr Khan's own description of the meeting.

efforts to send Circassian fighters over the border.[64] This prompted the then High Commissioner Sarrail to reply that Shahin's frequent presence there were only natural, as he was the deputy in the Syrian parliament for the caza of Jarablus—though this rather glosses over the fact that Shahin *was* a Kurdish nationalist, having lobbied the French authorities for a Kurdish autonomous zone in northern Syria even before the Shaykh Sa^{c}id revolt. In early 1932 the Sûreté Générale would investigate claims that he was buying arms to supply a spring resumption of violence over the border—they could not confirm the allegation, but considered it plausible.[65] Turkish complaints prompting a French response were not just about potential military threats or political activism, but also included those against Kurdish propaganda activities (such as those of one Hilmi Yildirim, in Beirut[66]) or protests about the circulation on record of music sung in Kurdish (see below). These show Turkey's concern about a whole range of potentially Kurdish nationalist endeavour, from military to cultural affairs. Partly because of these complaints, and partly because of their own desire to limit any Kurdish activism that might provoke Turkish intervention (or itself threaten French authority), the French closely monitored Kurdish activists in

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[64] AD-SL Box 1055, dossier *Mouvement Kurde (1928)*, subdossier *Réclamations turques a/s des chefs Kurdes de H^{te} Djézireh – Hadjo, Emin Agha, Edem Tcherkesse, Mudir d'Amouda, Fils d'Ibrahim Pacha*. Telegram, Mougin (Ambassador to Turkey) to HC (25/3/1925).

[65] Lobbying for an autonomous Kurdish region: AD-SL Box 1054, dossier *Kurdes 1925*, subdossier *III l 01*. Chahine [Shahin] to Billotte (3/2/1924), included in original and translation. Buying arms: AD-SL Box 572, untitled dossier (material released under 60 year rule), subdossier *Les Kurdes en Syrie – Informations. Information N^{o} 987* (DSG 24/2/1932).

[66] AD-SL Box 572, dossier *Requête du Consul général de Turquie a/s des brochures de propagande prokurde publiées par le nommé Hilmi YILDIRIM*. Turkish Consul General in Beirut to Meyrier (Délégué Général), 24/9/1936. An unattributed French intelligence document headed *Hilmi Yeldurum* (27/10/1936) suggested that he was, rather, a Turkish agent.

Syria. They kept particularly detailed notes on members of the Khoybun and their activities—at one point, for example, collecting information sheets (*fiches de renseignements*) on 38 of them from intelligence officers all over Syria.[67]

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Turkish pressure on the French authorities to monitor and repress Kurdish activities was a diplomatic constant of these years. In Damascus, Aleppo, or other cities, it was no doubt a very minor factor in stimulating the development of state authority: here, the French had plenty of reasons of their own for monitoring the population, Kurdish or otherwise—a permanent state presence was hardly a novelty (in the shape of military, bureaucratic, judicial, and representative institutions), and an exiled Kurdish insurgent was just one more person for an overstretched intelligence service to monitor. But I would argue that its importance was considerably greater in the remote regions on and behind the border where most of the Kurdish refugees settled. If the proximate cause of this 'thickening' of the state presence on and behind the Syrian frontier was the arrival of the Kurdish (and other) refugees, it should be remembered that their emigration from Turkey was *itself* provoked by the intensification of Ankara's control over the Turkish territory. In other words, the development of state authority on *one* side of the border stimulated the same process on the other.

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[67] AD-SL Box 571, dossier *[Relations extérieures] en Syrie*, subdossier *Fiches sur les membres du Comité Kurde* – [+ illegible].

The French authorities were, of course, not passive in this: they had their own reasons for watching the border. Some of these had to do with the Kurdish question specifically: while the French were not unhappy to accept Kurdish immigration, they were worried that "the ever more powerful pressure that the Turks are striving to apply to the Kurds of their country" might transfer "the whole Kurdish question" onto Syria and thus France.[68] The problem of the region's 'non-national' groups more generally created risks as well as opportunities for the French in Syria. And other reasons related simply to the modern state apparatus the French authorities were trying to create (after a fashion), which needed secure borders for its own smooth running—though this could not, in the end, be separated from the issue of the 'non-nationals'. This is demonstrated by a report written in 1928 by a priest named Father Poidebard, a valuable source of information on the far north-east of the mandate territories for the French in the mid-1920s. He stated that

> the regroupment of the populations of upper Mesopotamia (the Syrian Haute Djézireh and northern Iraq) that is in course will necessarily be to the profit of the territory [that is] most quickly delimited and reorganized.[69]

The opportune moment of flux would not last long, however. The High Commission should therefore seek to "keep, attract, and use for the best

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[68] AD-SL Box 572, dossier *Immigration éventuelle de Kurdes en Syrie – exonération[s] taxe douanière pour les [troupeaux].* HC's delegate to Syria to delegate-general (relations extérieures), (25/8/1932).

[69] This and following quotes from AD-SL Box 1055, dossier *Mouvement Kurde (1928)*, subdossier *Mouvement kurde*. Report: *Situation des réfugiés en Haute-Djezireh. Octobre 1927* (actually dated 6/1/1928). Poidebard's name is misspelled ('Poidebar') on the front page. More information from this very well-informed source can be found in SHAT Box 4 H 168, unenclosed subdossier *Notes sur la Haute Djezireh par le P*[*ère*] *Poidebard 1924-1930 – Haute Djezireh, note du SR 1924.*

this population of agriculturalists (Kurds and Christian hillsmen), pastoralists (the great nomads), tradesmen and artisans (Christian refugees from Mardin)". By being settled these groups would become a productive population that would also act as a pillar of state authority: settling them would be a "stabilization measure". For Poidebard, the stabilization of the population and the stabilization of state authority are virtually synonymous, and a secure border was crucial to both:

> this establishment of Kurdish and Christian refugees requires the rapid solution of the delimitation of frontiers with Iraq and Turkey—the indispensable condition for the installation of good administration, closely controlled by the Mandatory Power.

The unstated subtext to Poidebard's argument was that such populations would also be loyal to France and offset the dominance of an Arab majority hostile to the mandatory power. This *was* stated explicitly by others: in one of many documents weighing up the pros and cons of creating an autonomous Kurdish zone, the senior French army officer in northern Syria, General Billotte, came down against such a measure. He cited "the dangers that could result"—the first, predictably, being "possible complications with Turkey", but the second being "the predominance without counterweight of the Arab element in the rest of the State".[70] This consideration explains the French willingness to allow Kurdish and other refugees into Syria; it also indicates an important difference between the way in which 'non-national' populations were managed in Turkey and Syria. The republican regime in Turkey, with its centralizing state-building project, was more vulnerable to

[70] AD-SL Box 1054, dossier *Kurdes 1925*, subdossier *III l 01*. Billotte to acting HC (26/5/1924).

disruption caused by non-national groups—foremost among them the Kurds—and hence more hostile to letting them cross its borders.[71] The mandatory regime in Syria, however, was not constrained by attachment to a nationalist ideology (or at least, not with respect to *Syria*). The French were more concerned with *limiting* the impact of Syrian Arab nationalism, and were relatively happy to accept 'non-national' populations from across the border, within reason (or perhaps one should say: "within *raison d'état*")—i.e. provided they did not challenge French rule, either directly (by rebellion against French rule) or indirectly (by provoking either an uncontrollable Arab nationalist backlash or an invasion by a neighbouring state). This, perhaps, explains why so much of the pressure to harden the frontier came from the Turkish side.

Some of that pressure, though, *did* come from the French/Syrian side. It was quite common, when French officers were rebutting Turkish claims of French negligence (willful or otherwise) in securing the border or repressing 'anti-Turkish' activities, for them to make nearly identical counter-claims. This was the case when High Commissioner Maurice Sarrail responded to Turkish complaints about 'undesirables' and added that he "could protest, notably, against the presence of the Syrian undesirables who, at Adana, make up the so-called 'Antioch' committee".[72] It was a Turkish diplomat, meanwhile, who noted that if the Turkish-Syrian border to the east of the

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[71] Cf. Cagaptay's characterization of the Kurds as "the biggest challenge to Kemalism" (2006: 102).

[72] AD-SL Box 1055, dossier *Mouvement Kurde (1928)*, subdossier *Réclamations turques a/s des chefs Kurdes de H^te^ Djézireh – Hadjo, Emin Agha, Edem Tcherkesse, Mudir d'Amouda, Fils d'Ibrahim Pacha*. Telegram, HC to 'Ambafrance Constantinople' (13/8/1925).

Euphrates was "sensitive" for Turkey in the mid-1920s (because of Kurdish insurgents), then to the *west* of the Euphrates it was sensitive for the French (because of armed bands in the Killis region).[73] And at moments when French officials feared that refugees arriving in Syria *would* cause unrest among the existing population, they too were prepared to use the border as a barrier, as in 1929 when a new wave of several thousand Armenian refugees fled persecution in Turkey. Those who made their way (on foot) into the sparsely-populated north-east of Syria at this time were permitted to enter, as the mandatory authorities increasingly saw how useful Christian refugees could be to the region's *mise en valeur*.[74] But many went by rail to Aleppo, where their arrival provoked a hostile reaction. The local French authorities therefore decided that trains from Turkey should stop for longer at the station on the border so they could be searched for refugees, who would be turned back.[75]

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[73] AD-SL Box 1055, dossier *Mouvement Kurde (1928)*, subdossier *Incidents de Derbissié – mai 26. Compte-rendu sommaire de l'entrevue franco-turque, du 7 Mai 1926 à Derbessié*. He argued that while France enjoyed Turkish cooperation in the western zone, in the the east, "the French aren't there".

[74] Tachjian 2004: 287-288. These Armenians had escaped the massacres and deportations of recent years because they lived under the protection of Kurdish aghas in zones where the latter did *not* cooperate with the Ottoman campaigns of extermination. But as the spread of Republican authority reduced the autonomy of these Kurdish areas, their remaining Armenian residents were exposed to a systematic policy of dispossession and expulsion (Tachjian 2004: 274-288). The great majority of them spoke Kurdish, not Armenian, and it was their religion that 'made' them Armenian—or, as Tachjian puts it (275), "[t]hese Armenians' most important link with their national origins remained [their] religion." Tachjian seems a little surprised that "their external appearance was even similar to that of the Kurds of these regions".

[75] Tachjian 2004: 284. Coincidentally, it was earlier that year—1929—that Pierre Rondot arrived in Damascus as a young SR officer. His memories of his first days at work, noted down more than sixty years later (but drawing on the diary he kept at the time), include a reference to borders: "I was given a lot of papers to read: documents on the problems, at that time acute, of the borders with Turkey, Iraq and Transjordan, periodical syntheses of political evolutions in Syria, bulletins, local notices" (Rondot 1993: 98). The border's unusual prominence in his memory is a gauge of its importance in French minds at the time.

It was thus in the French interest to secure the border, as part of the process of increasing state control over both territory and population. The modern state demanded it—as it did of Turkey, and as it would have done of an independent Syria. This is why, despite the presence of an imperial government rather than a national one, the mere fact of the border's existence as one aspect of the developing nation-state form helped to constitute 'minorities' as such. Kurdish insurgents in Syria may have come from Turkey, and their political aspirations may have transcended the new border that both shielded and trapped them, but they were none the less *subject* to the border and the other structures of *Syrian* state authority that went with it. Although the French sought to control Syrian society by constituting that society as a mosaic[76] of distinct communities, each linked in a bilateral relationship to the colonial power (with links to other Syrian communities being correspondingly downplayed)[77], their administration nonetheless put in place 'national' state structures—whether the border, the bureaucracy, the capital (Damascus[78]) or a common tax regime. This was the process that turned Kurds within Syria, whether they lived in the far north-east or the urban centres, into a 'minority' within a nation-state.

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[76] The much-criticized mosaic metaphor is applicable here because of its accuracy not in describing *actual* social relations but in describing the model the French had in mind and attempted to create in Syria.

[77] The current Syrian regime interacts with Syrian society in a surprisingly similar way.

[78] The fallout from the Shaykh Saᶜid revolt inadvertently strengthened the administrative subordination of Aleppo to Damascus, within the *French* bureaucratic structure: after the High Commissioner's Delegate to the State of Syria (in Damascus) complained that the Assistant Delegate in Aleppo was reporting on events across the border to the High Commission directly rather than via Damascus, the High Commissioner reasserted the bureaucratic chain of command in which Aleppo reported to Damascus and *Damascus* reported to Beirut. AD-SL Box 1054, dossier *Kurdes 1925*, subdossier *Pièces au sujet du passage en Syrie de populations Kurdes ou chrétiennes ou de déserteurs turcs*. Delegate to Damascus & Jabal Druze to C-in-C Armée du Levant (i.e. HC; 4/3/1925).

The next part of the chapter examines that process by looking at the Kurdish community of Damascus, especially in the 1930s—a time and a place where permanent state authority was much more highly developed than it had been in the Jazira a decade earlier. That state authority was much more Syrian, too. In the borderlands, in the 1920s, the French military authorities stood as proxy for the Syrian state[79]; Kurds there negotiated their relationship with the French and with Turkey. In Damascus in the 1930s, politically-active Kurds also had to take into account the *Syrian* state, not to mention the Syrian Arab nationalist movement that sought to control that state—and, for part of the decade, did. While assessing the growing politicization of 'Kurdishness', I neither take it for granted nor assume that it was an independent variable in defining individuals' political choices. It might be better understood as an outcome than as a determinant of those choices.

* * *

The border and the 'minoritization' of the Kurds of Damascus

The Kurds resident in Hayy al-Akrad, the 'Kurdish quarter' of Damascus—a settlement established since the Middle Ages—were far more integrated into the settled and citied population of the Syrian interior than the Kurdish population of the northern borderlands. Although this integration should not be overstated—continuing immigration of Kurds from other areas, the

[79] This explains why documents cited so far, whether they originate from representatives of the Turkish state, the mandatory authorities, or the Kurds, make little reference to the Syrian bureaucracy proper or to Syrian Arab nationalism.

Ottoman tradition of recruiting gendarmes and soldiers from the quarter to police the city and the surrounding countryside, and the semi-detached geographical situation of the quarter all contributed to a continued sense of a distinct 'Kurdish' identity there[80]—it should not be *under*stated, either. Many of the quarter's inhabitants were entirely arabized in language.[81] They were also integrated into local political and social structures, and not only through the gendarmerie: many notables of the quarter, like others in Damascus, took advantage of Ottoman reforms in the Tanzimat period to acquire landed estates and positions in the local administration: indeed, the quarter's two leading families, the al-Yusufs and Shamdins, moved to more comfortable accommodation in Suq Saruja, like many notable families from the Old City in the nineteenth century—while, again like other notable families, maintaining their patronage networks in their quarter of origin.[82] From 1908 Damascus's first tramway linked the settlements at the foot of Mount Qasyun with the centre of the 'new' city; the quarter's physical integration increased in the mandate period with the construction of a

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[80] This and other factual information on Hayy al-Akrad in this paragraph is drawn from McDowall 2004: 466-468 and Tejel Gorgas n.d. [2003]: 112. McDowall, incidentally, reproduces the 'majority/minority' analysis of French policy in Syria (468). On the quarters of Damascus see P. Khoury 1993a [1984]. A very relevant article is Fuccaro 2003, which I read too late on to make full use of here.

[81] McDowall (2004: 467) estimates that some 40% of its inhabitants were "entirely Arabicized" by 1920. Tejel Gorgas (n.d. [2003]: 112), citing (but not referencing) a British diplomatic source, states that the quarter was divided into three sections, one largely kurdophone, one largely arabophone, and one where neither language predominated.

[82] Tejel Gorgas n.d. [2003]: 112; Moaz 1998; P. Khoury 1983: 40; 1993 [1984]: 437. Khoury (1983: 39-40) gives details of the rise to prominence of these two families through Ottoman political structures and local landowning in the nineteenth century, and of relations between them. The first floor of the Yusuf house had a surface area of 2,070m^2 (Moaz 1998: 169). These Kurdish families also dominated the office of commander of the pilgrimage to Mecca in late Ottoman times (Fuccaro 2003: 216).

boulevard between it to the city proper.[83] The continued existence (and politicization) in the post-Ottoman period of a distinct sense of Kurdish identity among the quarter's residents should thus not be taken for granted—any more than the continued existence of, say, a sense of Gaelic identity (and Gaelic language) among migrants from the Scottish highlands and islands in 19th or early 20th-century Glasgow.

The French sources seem certain enough that such a sense existed. In February 1939, "certain Kurdish notables of Damascus" were circulating a petition, written in French in the name of the "young people, tradesmen, and notables of the Kurdish quarter", stating that "the current [Bloc] government does not **assure** our rights, which are **cast underfoot**, and pays no heed to our demands". The petition called for a new government under a continuing French mandate.[84] Again, in March, "The Kurds of Damascus" were "unhappy with the government, which is not according them the posts [*les fonctions*] to which they claim they have a right"—they were cooperating with Kurds elsewhere in Syria (from the Jazira to Hama and Aleppo), and in Damascus had made their discontent visible by raising a Kurdish flag alongside the French and Syrian flags on a monument in the quarter.[85] In June a "Kurdish delegation" that seems to have been made up of figures active in the Jazira raised demands with the French authorities

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[83] Sack 1998: 192; Tejel Gorgas n.d. [2003]: 112.

[84] AD-SL Box 572, untitled dossier (material released under 60-year rule), subdossier *Les Kurdes en Syrie – Informations*. Information N°1156 (15/2/1939). NB—The French intelligence services described this petition, and others, as being circulated by Kurdish leaders "amongst their coreligionists" (meaning "among other Kurds")—a lapse indicative of the primary importance given to religion in the French vision of Syrian society.

[85] AD-SL Box 572, same dossier and subdossier. Information N° 110/S (6/3/1939).

for Kurdish participation in the Syrian government, the establishment of an autonomous Kurdish zone, and official-language status for Kurdish.[86] At around the same time, plans were secretly made "in the Kurdish circles of Damascus" to circulate petitions in support of Kurds in the Jazira and their demand for "a special regime placing them under French authority"[87], while the city's "Kurdish notables" elected ᶜUmar Agha Shamdin "leader of the Damascene Kurds" [88]. Later in the summer Shamdin hosted a meeting at which the "Kurds of the Akrad quarter" requested that he insist on getting a response to such demands from the High Commissioner.[89] For the French, at least, the link between Damascene 'Kurds', the 'Kurdish quarter', and what might be called 'Kurdist'[90] political mobilizations not just at the level of the city, but across Syria, seems to have been virtually self-evident.

How, then, are we to account for such political mobilizations? Why did a notable like Shamdin, whose family had earlier left Hayy al-Akrad for a quarter popular with other (non-Kurdish) notable families, now act as leader of a Kurdist movement in Damascus—and not only that, but one which supported Kurdist aims hundreds of miles away—in the face of both growing Arab nationalist sentiment in the city and, at this point, an Arab nationalist

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[86] AD-SL Box 572, same dossier and subdossier. Unsigned *Note pour M. le Chef du Cabinet Politique* ([?]/6/1939). Three of the five delegates were certainly from the border zone or Anatolia: Jaladat Badr Khan, Kamran Badr Khan, and Hajo Agha. I lack information on the other two.

[87] AD-SL Box 572, same dossier and subdossier. Information N° 5057 (15/6/1939).

[88] AD-SL Box 572, same dossier and subdossier. Information N° 5185 (21/6/1939).

[89] AD-SL Box 572, same dossier and subdossier. Information N° 6062 (5/8/1939).

[90] I am using this term to denote political mobilizations around the sense of Kurdish cultural identity, without accepting the nationalist claim that all such mobilizations are Kurdish nationalist. Future instances will be without inverted commas.

government? A simple sense of Kurdish identity may have played a part, and—as we have seen—the French sources are happy to make such a simple link between 'Kurdishness' and Kurdist politics; but other evidence hints at a somewhat more complex explanation.

The date of this flurry of reports is significant. The *Informations* referred to here—almost the only material on *Damascene* Kurds that I have found in several voluminous boxes of documents relating specifically to the Kurds in Syria in the archives of the High Commission—all date from the period of National Bloc government in 1936-39. There may have been similar mobilizations in Hayy al-Akrad at other points during the mandate, but the French intelligence services seem—understandably—to have paid particular attention to them at just the moment when an anti-nationalist movement in Damascus itself would be most useful to the French. For lack of evidence, however, this can be no more than speculation. But a little *more* evidence is available on the relationship between the Kurdish notables of Damascus (and the inhabitants of Hayy al-Akrad more generally) and the National Bloc—in government or out.

That relationship had been rather tense in the late 1930s. A long-running feud between inhabitants of the Kurdish quarter and the ᶜAkkash family of the village of Dummar, near Damascus, had flared up again—to the point of gunfire—in the summer of both 1937 and 1938.[91] The origin of the feud was

[91] AD-SL Box 572, same folder and subdossier. *Informations Nº 4779* (11/9/1937) and *4884* (16/9/1937); *Information Nº 281/S* (12/8/1938). These terms—the ᶜAkkash family on one side, 'the Kurds' or 'the inhabitants of the Kurdish quarter' on the other—are those used in this documentation: see e.g. *Information Nº 4779*.

the murder by members of the ᶜAkkash of several Kurds during the 1925-27 revolt. Whether those killings were linked to 'ethnic' ill feeling between Arabs and Kurds is unclear in the documentation examined here; what is more important is that the ᶜAkkash family was linked to the National Bloc, and in 1936-39 the Bloc was in government. Therefore, when fighting broke out between the two parties, the apparatus of the state moved to protect the ᶜAkkash brothers. This is how the French intelligence services described the events following one incident in August 1938:

> The ᶜAkkash being partisans of the government, the latter had numerous arrests made [*fit procéder à de nombreuses arrestations*] in the Kurdish quarter.
>
> The souk of this quarter began by closing as a sign of protest.
>
> But the abuses committed by the police upon the inhabitants of this quarter and several arrests, judged unjustified and vexatory, of *qabadays* [local toughs], have incited the indignation of the Kurds.

The instruments of the state itself thus became a target for discontent resulting from what had originally been a local feud. On the evening of 11 August a group of inhabitants of the quarter assembled to attack the local police post: its personnel were put to flight, a van bringing reinforcements was stoned "and its occupants mistreated".[92] Gunshots were also fired by the protesters, who "demand the liberation of their friends and the recovery of the weapons provided to the ᶜAkkash by the Government". Despite the attempted mediation of Nasib al-Bakri, vice-president of the

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[92] This and following from AD-SL Box 572, same folder and subdossier, *Information Nº 281/S* (12/8/1938). In a different incident the previous winter, the local police abandoned a planned operation in the quarter in the face of "the threatening attitude of the Kurds [*sic*]", who informed the government that "they were ready to trouble security across a fairly large sector if it did not put a stop to the activity of the Police and Gendarmerie". *Information Nº 6609* (3/12/1937).

Bloc, tempers in the quarter remained high and in September French sources reported that money was being collected to place a bounty on Sa^{c}id ^{c}Akkash's head.[93]

If the notables of the Hayy al-Akrad had had good relations with the Bloc—as a number of Kurds did (see below)—then the ^{c}Akkash feud, and the question of access to government jobs, might have been settled somewhat differently. The point is not to deny that there might have been an 'ethnic' element to this feud, but rather to question whether patterns in local micropolitics (and the state's intrusion on them) *resulted from* identitarian feeling, or whether the causative connection might run at least partly in the other direction, with local micropolitics giving *some* inhabitants of the Kurdish quarter reasons to make cultural identity an aspect of their political identity. There were certainly plenty of such reasons. One of them was the French presence; others were to be found in Hayy al-Akrad itself.

To start with the latter, the mandate period—especially its second decade—saw the development of new forms of political engagement in Syria. If the adept factional politicians of the National Bloc with their old style of notable politics managed, just about, to stay at the helm of the nationalist movement into the independence period, a more ideological politics no longer based on patronage was already developing (indeed, willy-nilly the Bloc contributed to this by attempting to channel popular sentiment).[94] For

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[93] AD-SL Box 572, same dossier and subdossier. *Informations N^{o}s 4620* (24/8/1938) for government mediation, *4765* (31/8/1938) and *4900* (7/9/1938) for bounty.

[94] P. Khoury 1987: 22-23.

example, the Communist Party of Syria and Lebanon was founded in 1924; it became more prominent under the leadership of Khalid Bakdash, a Kurd, in the 1930s. The communists were hostile to French imperialism and its divisive strategies, and suspicious of local notables—a mutual suspicion. Thus, a French intelligence report noting the development of "propaganda in favour of a Kurdish autonomy" at a club in the Kurdish quarter added that

> [t]he communist members inhabiting this quarter, for their part, are leading active measures to check the development of this idea, saying that the movement's promoters are in the pay of the French.[95]

Likewise, when Bakdash attempted to set up a "so-called Boxing Club [*Club sportif de Boxe*]" he ran into bitter opposition from a Kurdish nationalist—I use the term advisedly here—from the Jazira, ᶜUthman Sabri, founder of a Kurdish-language school. The latter, "in agreement with certain notables of this quarter", sought to persuade the French authorities to prevent the Interior Ministry from authorizing Bakdash's request. Sabri and Bakdash were already in conflict, since Sabri's anti-communist, and anti-Syrian nationalist, propaganda among young Kurds had led many to abandon the Communist Party and the League of National Action. "He is thus very violently attacked by Bakdash and his friends who openly accuse him of being a spy in the pay of the «French»."[96]

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[95] This and the preceding quote from AD-SL Box 572, same folder and subdossier. *Information Nº 5411* (3/7/1939).

[96] This and preceding quotations from AD-SL Box 572, same folder and subdossier, *Information Nº 404/S* (23/6/1939). NB—The quotation marks around the word «French» are pencilled in on this document.

This is hardly surprising; and neither is the fact that "certain notables" in the quarter much preferred a developing Kurdist movement over either the Arab nationalism that increasingly dominated the city[97] *or* Bakdash's communism (the latter being fairly supportive to Syrian nationalism both as a force opposing imperialism and as an historical necessity[98]). If, as the French claimed, the "Kurdish notables of Damascus" unanimously considered ᶜUmar Agha Shamdin as their leader, we should not assume that all residents of Hayy al-Akrad automatically followed their lead. Kurdism offered a means for notables to maintain their own dominance over inhabitants of the quarter—some of whom were evidently tempted by these other possibilities.

Even for the notables, the 'ethnic' element may have been determined by, rather than determining, other factors. Like other prominent notables in the city—including the leaders of the Nationalist Bloc—the leading families of Hayy al-Akrad were seeking to secure their own position in society and politics, relative to other prominent figures, other social groups, the Syrian state, and the French High Commission. The Kurdism of an ᶜUmar Agha was likely as much the product of other political factors than the result of any essentialized sense of Kurdish identity.

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[97] It bears repeating here that the Arab nationalism of the National Bloc was not a racist, exclusionary nationalism: in its conception, 'Arabness' was the product of history, not of biology, and there was no reason why Arabized Kurds should not subscribe to it. For example, one of the most prominent Syrian Arab nationalist intellectuals of the period, Muhammad Kurd ᶜAli, was the son of a Kurd and a Circassian.

[98] Indeed, Bakdash had accompanied the Bloc's delegation to Paris as an advisor. P. Khoury 1987: 464.

The presence of the French is particularly relevant here. As I argue throughout this thesis, Syrian society was not neatly divided into taxonomized ethnolinguistic and ethnoreligious groups waiting to be picked up and set spinning against each other by the French authorities. On the other hand, the French in Syria *were* keen to see such cultural divisions wherever they could find them. The ability to call upon some cultural factor setting one apart from either Sunni Muslim or Arab identity was thus a useful way of gaining access to French patronage, as the example of Christian churchmen shows—a point that is particularly pertinent for the period 1936-39, with the National Bloc in power and the French authorities doing their best to undermine it. Most of the documents cited in this section come from a single folder in the French archives, and indeed form a cluster within it. This is because amongst the thousands of documents in the boxes devoted to Syria's Kurds, Damascene Kurds figure rarely—most attention goes to events and actors on or across the border. The fact that the scant imprint they made on the French archives *as Kurds* came at precisely this point is, I suspect, not coincidental. And, just as the French archives systematically minimize anti-French, pro-nationalist voices among the Christian communities (because those were not the voices the French wanted to hear)[99], only considering pro-French voices to be 'Christian', so they systematically maximize Kurdist mobilizations (described simply as *Kurdish* mobilizations) among Syria's Kurds. Communist organization among

[99] cf. Firro 2003: 30 on the French authorities in Lebanon excluding from the "established Lebanese political strata" any Christians who "situated themselves within either" secular Arabism or Syrianism.

Kurds, for example, only comes into these (bulky) files when it comes into conflict with the Kurdist movement. Without claiming statistical significance, it is worth noting—as I somewhat heavy-handedly tried to do above—that the reports quoted here very largely attribute any kind of Kurdist political mobilization to 'Kurdish circles', 'the inhabitants of the Kurdish quarter', 'Kurdish notables' or just 'the Kurds' (with no further distinction made within these categories), while communist mobilizations are attributed to Bakdash by name or to "communist members resident in [the] quarter"—*not* to 'Kurds'. In the French archives, Kurdish political activities that are not Kurdist are not *Kurdish* either—and one can understand why not.

This helps us understand why certain Kurdish notables in Damascus might have adopted a politics emphasising their Kurdish identity as something distinct from Arab identity, without making the assumption—which even the 'loaded' records of the French administration implicitly disprove—that only Kurdist politics appealed to Damascene Kurds. It also roots that understanding in local political concerns and the active choices of individuals, avoiding both an essentialized conception of the link between identity and politics and a vision of Kurds (and other groups) being used as a passive tool by the French authorities to hack away at the tree of Arab nationalism. So far, though, it does not explain why some Damascene Kurds began to adopt and defend the idea of a Kurdish autonomy in the Jazira—a rather more distant aspiration than getting access to state jobs in the capital. In this case too, however, explanations exist, and they also bring us back to the question of the border.

Earlier, I discussed the French policy of distancing certain groups and individuals from the Syrian-Turkish frontier. In some cases, Kurdish activists were moved not only outside the 'exclusion zone', but to Beirut or Damascus. ᶜUthman Sabri, whose encounter with Khalid Bakdash has already been mentioned, was one of these[100]; at one time or another, so were most of the prominent leaders of the Kurdish movement in the Jazira—the Badr Khan brothers, Hajo Agha, and so on. Others settled in Syrian cities voluntarily. The example of Sabri shows how active such figures were, not only in the field of high politics with frequent petitions to the French authorities, but also in the field of cultural production. Thus Sabri ran a Kurdish-language school, while Jaladat Bey Badr Khan developed the Latin script for writing Kurdish and published a review in the Kirmanji dialect of the language while resident in Damascus.[101] His brother Kamran ᶜAli Badr Khan also published a review, and in the 1940s would broadcast in Kurdish on Radio Levant and successfully lobby the High Commission for funding to send Kurdish students to study in France.[102] Earlier, in 1924, a Kurdish writer from Iraq resident in Aleppo had requested a French subsidy towards publishing a history of the Kurds, written in Kurdish (in Arabic script).[103] These activities targeted the Kurdish population not (or not only) of the border zone, but of Damascus and other cities: Sabri's school was in Hayy

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[100] AD-SL Box 572, same dossier and subdossier. *Information N° 404/S* (23/6/1939).

[101] McDowall 2004: 468.

[102] AD-SL (Series B) Box 33, dossier 1053: *Docteur Kameran Bey BEDER KHAN. Note: Docteur Kamouran Béder KHAN* (27/4/1944). It seems likely that the review in question was the same as that published by Jaladat Bey. However, this source gives its place of publication as Beirut, while McDowall gives Damascus for Jaladat Bey's.

[103] AD-SL Box 1054, dossier *Kurdes 1924. Compte-Rendu*, Aleppo SR (24/9/1924).

al-Akrad, and Kamran ᶜAli Badr Khan was active in Beirut. As mentioned above, Turkey surveyed such activities closely: the border was not just on the border, as it were. In 1936 the High Commissioner banned the entry, sale, circulation, usage or publication in Syria "of the Kurdish phonographic disks no. 507/11 and 508/11 put on sale by the 'Société Orientale Sodwa' of Aleppo and sung in Kurdish by Said Agha Jisraoui" at the request of the Turkish Consul General.[104]

There is thus some evidence to suggest that the activities of Kurdish nationalists from elsewhere in residence (often obligatory) in Damascus contributed to a greater sense of Kurdish identity—and a more politicized understanding of that identity—among Kurds there. Certainly this was the intention of Jaladat Bey Badr Khan when in late 1931 the intelligence services reported that he was in Damascus, "where he is canvassing [*travaille*, lit. 'working'] Kurdish circles, in favour of cooperation with the fatherland".[105] In that sense the border directly influenced events in Damascus, whether because Kurdish activists had been sent there to distance them from it, or because the new state form of Syria made Damascus and other Syrian cities into important centres within a single field of political action with the north-east while cutting the region off from

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[104] AD-SL Box 571, dossier *Requête du Consul Général de Turquie a/s disques de propagande prokurde mis en circulation à Alep. Décision du Haut-Commissaire Nº 343*. The Consul-General's request is also included in this dossier (in fact just a slender paper folder).

[105] AD-SL Box 572, dossier *Menées Arméno-Kurdes. Information Nº 4401* (24/11/1931). The phrase in French is actually "*la mère patrie*", the "mother fatherland" (*patrie* being feminine). That Kurdistan was the 'fatherland' of the residents of Hayy al-Akrad in this romantic nationalist sense is itself a nationalist assumption.

centres that were closer—certainly geographically, perhaps culturally, and in the past *politically*—such as Mosul or Diyarbakir. This was the case as soon as the border was drawn, in fact: hence two leaders of the Shaykh Sa^{c}id Revolt, in exile in the Jazira in the 1920s, receiving permission to visit Damascus "to collect the subsidies of the local Kurdish community there".[106]

There is also plenty of evidence of cooperation between nationalist activists from the Jazira and Kurdish notables in the city, in both cultural and political domains. Indeed, as the French intelligence officer's reference to Khalid Bakdash's "so-called Boxing Club" indicates, the two are hard to separate. In 1937 Kurdish notables from both Damascus and the Jazira planned to found an association whose aim, according to French reports, was "to preserve Kurdish language and traditions in order to avoid the absorption of the race by the Arabs or Turks".[107] Such an association would naturally have been viewed as politically suspicious by the Arab nationalist movement in Syria (or the nationalist government in Turkey), especially when its leaders included noted insurgents like Hajo Agha.

It is worth noting that at the outset activists from the Jazira—whose origins, property, and ultimate political aspirations mostly lay across the border in Turkey—were much less integrated into Syrian political structures (whether those of the mandate, or older ones dating from the Ottoman era) than the

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[106] AD-SL Box 1055, dossier *Mouvement Kurde (1928)*, subdossier *Question Kurde – ~~Immigrants~~ – Réfugiés Kurdes*. Delegate to State of Syria to HC (27/3/1928). The subsidies were to support destitute refugees (though the Turks suspected, probably not without reason, that they were used to fund military activities too).

[107] AD-SL Box 572, untitled dossier (material released under 60-year rule), subdossier *Les Kurdes en Syrie – Informations. Information N° 3164* (21/6/1937).

Kurdish notables of Damascus. The political reality of the border, however, meant that in order to advance their political claims they were drawn towards Damascus and Beirut, regardless of whether they were in obligatory residence there or not. This was the case when Kurds who had left Turkey sought to be integrated in the Syrian security forces: to do so they requested the help of the Kurdish deputy to the *Syrian* parliament, Mustafa Shahin Bey.[108] For all Shahin Bey's own Kurdish nationalism, they thus became implicated (like him) in *Syrian* political structures centred on Damascus—not just in *French* political structures, though at the level of the 'État de Syrie' these too were centred on Damascus.

The simple fact of being under the authority of the Syrian government and the French mandate therefore created a powerful potential link between Kurds in all areas of Syria—as it created potential links between all those living under that authority. And in this context, one potential field for political cooperation was provided by cultural identity (religious, linguistic, or other). In the case of Kurds from the Jazira and Damascus, I would argue that that cooperation is what gave rise to the adoption by some Kurds in Damascus of Kurdist aspirations to autonomy focused on the north-east of Syria.

The not entirely voluntary way in which Kurds across Syria were brought together by the unpredictable dynamics of state construction is revealed by an example from 1930, when a group of Kurdish notables sent a petition to

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[108] AD-SL Box 572, same dossier and subdossier. *Information N° 2273* (11/5/1932).

the High Commission requesting that the Syrian state bureaucracy in the Jazira employ more Kurds. Although this request was intended to offset the centralizing power of the state[109], and although the French were sympathetic to this desire inasmuch as it permitted them to treat the Kurds as a distinct population, their response shows how the options open to both Kurds *and* French were governed by *Syrian* state structures. The French Assistant Delegate for the Sanjak of Dayr al-Zur, to which the Jazira belonged, noted that seven of the nineteen signatories were refugees who had "not yet lost Turkish nationality"—Kurds had to be *Syrian* nationals to be considered for employment in the Syrian administration. The means contrived to accommodate the petition's wishes, meanwhile, show how the Syrian state form itself created links between all Kurds within Syria: the official agreed with his superior's suggestion that in the absence of suitably qualified candidates (i.e. sufficiently educated *and* Syrian nationals) in the region itself, a *Damascene* Kurd should be appointed to head the still rudimentary local bureaucracy.

> …[A]nd when the administration is definitively established, we might investigate if among the Kurdish population of Syrian nationality in the Haute-Djézireh there are a few individuals apt to be admitted to subaltern positions.[110]

This new dynamic, in which the Jazira had become a peripheral zone of a Syrian nation-state political centred on Damascus, also shows in the case of one Younès Agha, "Kurdish notable of the Haute-Djézireh", who at the start

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[109] Like other examples in chapter 3.

[110] This and preceding quotes from AD-SL Box 572, dossier *Passage en Syrie de populations Kurdes ou chrétiennes ou de déserteurs Turcs*. Assistant delegate for Sanjak of Dayr al-Zur to delegate for State of Syria (5/8/1930). He also suggested that the whole petition had been inspired by the Badr Khans in order to "give cohesion to their Kurdish brothers".

of September 1937 was in Damascus, where he "has come to make contact with the notables of the Kurdish quarter".

> Younès Agha would like to obtain a post as Muhafiz in the Kurdish regions. His intervention with his compatriots in Damascus has no other aim than to solicit their support.[111]

Younès Agha's aim was to secure a post, on the periphery, as an official of a *central* state based in Damascus. Kurdish identity provided him with a means of achieving this aim by creating a potential link between him and figures at the centre who had some leverage there as influential actors in the city or (particularly) as favoured interlocutors of the French. But it was the new state form of Syria, not a sense of shared identity, that gave him a reason to seek those figures out by bringing him to Damascus in the first place.

* * *

Conclusion

In the context of a state structure centred on Damascus, cultural identity was not the only foundation on which political alliances could be built between actors from different parts of the territory: a politicized 'Kurdishness' was the choice of some, but not all Kurds. Khalid Bakdash, as a communist, based his political action on a rather different conception of Syrian society; while in this same period, Kurdish leaders in the highlands of the Kurd Dagh, near the western end of the Syrian-Turkish frontier, were

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[111] This and preceding quotes from AD-SL Box 572, same folder, same subdossier. *Information N° 4532* (2/9/1937).

claiming a *Turkish* identity and requesting their region's incorporation into Turkey[112]—the French Sûreté Générale reported that some of them, "pushed by the Turkish government have armed themselves and are ready for revolt".[113] Among the population more generally, meanwhile, political interaction between the centre and the periphery might be based on many other things: kinship; shared geographical origin (an actor from the periphery seeking support in the capital among migrants from the same region); clientelism (an urban-dwelling absentee landlord arranging for a client to be appointed to a state post in the region of his land holdings); or even democratic representation. Such ordinary forms of interaction are, evidently, not unique to Syria.

What marks out alliances based on a supposedly shared cultural identity as particularly significant is not that they express, in themselves, a more 'authentic' underlying political reality, but their political implications in a nation-state context where cultural identity is already politicized. Actors who have little in common in social or economic terms, but who have a political interest in forming an alliance, can express their cooperation in cultural terms. If this is true for minority groups it is true *a fortiori* for the 'majority': an equivalent of the Younès Agha case involving the mainstream nationalist movement would be the cooperation between the National Bloc's leaders at the centre and the chiefs of Arab Bedouin tribes, notably in the

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[112] During the Alexandretta crisis, for example (see documents in AD-SL Box 571, dossier *La question des Kurdes en Syrie. Correspondance. Les Comités Kurds*).

[113] AD-SL Box 572, untitled dossier (material released under 60 year rule), subdossier *Les Kurdes en Syrie – Informations. Information N° 543* (2/2/1938).

very Jazira that was the object of Kurdist aspirations. That cooperation, expressed in the idiom of nationalism, permitted urban Arab nationalists to buttress their claim that the Jazira was 'Arab' (and not Kurdish, Armenian, or Turkish). Consider the language in which the nationalist newspaper *al-Ayyâm* asserted just this in the face of Kurdist claims earlier in the 1930s: while proclaiming his support for the aims of Kurdish nationalism, the author wrote that

> we want them to build their independence in their homeland [*diyârihim*] 'Kurdistan', not in the Arab Jazira, the birthplace [*mawtin*] of Shammar, ᶜAnaza, Tayy, al-Jabbûr, and other great Arab tribes. The Jazira was the cradle of Arabness [*mahd al-ᶜurûba*] before the Islamic conquest […]
>
> That a people should work to amputate an essentially Arab part [*juz' ᶜarabî samîm*] from their fatherland for the sake of a hundred Kurdish villages in the north of the Jazira that were and remain grazing lands for the flocks and horses of the Arabs—this is a grave matter, that all the Arab lands will shake over [*hâdhâ amr jalal tahtazz lahu al-aqtâr al-ᶜarabiyya jamᶜâ'a*].[114]

Here, a nationalist uses cultural identity to establish a link between centre and periphery, thus asserting a territorial claim to that periphery on behalf of the state. Although the residence there of members of a 'non-national' group is recognized, their rights to the territory are explicitly denied. The article demonstrates why, when such political mobilization occurs in a nation-state on the basis of a cultural identity *other* than that of the 'nation'(-state), tension is created; the state and 'its' nationalists are more likely to see the mobilization as a threat in itself—as automatically tending towards the creation of *another* nation-state. (The article has the headline and subheading, "The Kurdish movement in Syria. Kurdish refugees are

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[114] *Al-Ayyâm*, 11/07/1932. *al-haraka al-kurdiyya fi Sûriyya. lâji'û al-kurd yasᶜûn li-ta'sîs watan kurdî.* This article does not refer to Damascene Kurds, however, and nor do others I found regarding the 'Kurdish question'.

working to create a Kurdish homeland.") To reiterate a point I made in my discussion of 'separatism', warning of such a threat enabled nationalists to spread the idea that there was a distinct national territory belonging to a distinct nation, and thereby to *constitute* that territory and that nation.

To understand what had changed, we can compare this period with its recent past. When Anatolian Kurdish emirs in the years around 1900 sought to boost their own local authority in a peripheral region of the empire through interaction with the centre of power, the idiom of that interaction was monarchism: the idea of direct loyalty to the Ottoman Sultan, Abdülhamid II. The result was the creation of the Hamidiye cavalry, named for the monarch, which was at one and the same time an instrument of the Ottoman state and a vehicle for the semi-autonomous power of its Kurdish leaders, who had successfully boosted their position locally by asserting their nominal loyalty to the centre and presenting themselves as the centre's agents in the periphery. A little later, when the CUP government adopted centralizing policies that undermined their autonomy (and closed down the Hamidiye cavalry), the same Kurds expressed their opposition in 'Kurdist' language—but could still do so without that Kurdism implying the *nationalist* position of a desire for a separate nation-state.[115] Similar language had very different implications, however, when used by political exiles from a Turkish nationalist nation-state resident in a Syria that was, French mandate notwithstanding, an *Arab* nation-state. The political stakes

[115] Klein 2007a, 2007b. Klein argues persuasively for the development of a more nuanced scholarly language to describe and analyse such movements, which cannot simply be understood as 'nationalist'.

had been raised. The fact that many of Syria's Kurds were resident on the border, that there were more Kurds on the other side of it, and that the aspirations of certain Kurdish activists were located there too meant that any Kurdish mobilizations as Kurds would automatically create suspicions of a threat to Syria's territorial integrity, however far from the border it took place.

It is worth underlining, here, that events involving the Kurds in any one state were automatically seen as being linked to Kurds in neighbouring states precisely because of the lines followed by the region's emerging frontiers. But of course, even if they had followed *different* lines they would have created a similar set of questions, albeit perhaps for different groups. Indeed, different groups *did* face similar questions: Turks in northern Syria or Arabs in southern Turkey, for example, and dozens more groups in Europe and elsewhere in this period. It would be wrong to think of the Kurds as an exceptional case. The existence of such cross-border groups could and did cause, in some cases, the embryonic borders of the interwar world's new nation-states to be re-drawn; but paradoxically, it also stimulated the development of those borders, as nervous states perceived such groups as a threat, and sought to manage them. It was not the only factor in the firming-up of frontiers, but it was important, and as the borders hardened they in turn acted to constitute such populations as 'minorities' within each state. Those minorities did not already exist *as such*. The process whereby they were constituted as the development of the modern nation-state. By not taking the border for granted we can

understand this, and gain insights into the relationship between borders and state authority that remain valid today.

Chapter 5 – The Franco-Syrian treaty and the definition of 'minorities'

Introduction

After the establishment of the League of Nations, the nation-state became the only internationally legitimate state form. The League itself was the guarantor of this legitimacy: at international level, only the League—as the representative of the international community—could recognize a state as independent. But this recognition was granted in different degrees: the independence of states was measured by their relationship to the League. If this was the gauge of a state's independence, the legal protection accorded to 'minorities' might be seen as the needle. In this chapter I place the emergence of 'minorities' in Syria in this wider context, looking in particular at the role played by the Franco-Syrian treaty—or more precisely, the *prospect* of a Franco-Syrian treaty—that was supposed to make Syria independent.

The first part of the chapter explains how the legal status accorded to minorities indicated the degree of real independence of states in the interwar period. The second part shows how the developing international context framed French perceptions of Syria, and also *changed* them. At the outset of the mandate, Syria did not have 'minorities' in French eyes; by the 1930s, as French observers seriously entertained the possibility of Syrian 'independence', it did. The next part examines the abundant documentation produced by Syrians as they argued over the shape of that independence, concentrating on Syrians from 'minorities', whether

nationalist or anti-nationalist. It shows how, in the debate about a treaty, the term 'minority' became a vehicle for different actors' political claims; it argues that the question of minorities was part of a wider contest over the institutional relationship between the population and the state, which was being redefined by Syria's transformation from province of a non-national empire to nation-state.

* * *

The legal status of minorities as a measure of states' independence

During the interwar period different states accorded different measures of legal protection to defined minorities, in a system regulated by the newly-established League of Nations. The most independent and least independent states, imperial powers and their colonies, had no 'minorities' as such: that is, no legally-recognized minority communities whose rights they were obliged to protect or on whose behalf the League was competent to intervene. The 'old' nation-states without imperial possessions also had no minorities in this sense. The independence of countries such as Sweden or Argentina was not dependent on the League for its recognition, and their membership of the League was not dependent on their offering guaranteed protection to 'minorities'.

This was not the case for the wholly new nation-states of post-WWI Europe, or the nation-states (such as the Balkan states) which had been established before the war but, during it, had expanded their boundaries and acquired substantial 'non-national' populations. Without using the term 'minority',

since the 19th century and especially since the Congress of Berlin in 1878 the international treaties by which the Great Powers recognized new states—notably the Balkan states that seceded from the Ottoman empire—*had* included guarantees of the rights of subordinate religious groups. The Supreme Allied Council meeting in Paris in 1919 adopted the term 'minority', sought to include in that category not just religious but also 'racial' and linguistic groups, and attempted to regularize the protection of minorities in such states. A Minority Committee set up this wider definition of the term and a system of supervision based on minorities treaties with standard articles, to be overseen by the League of Nations and the International Court of Justice—with a policing role for the victorious Allied powers.[1] The new and newly-expanded nation-states were obliged to sign up to these treaties to obtain the recognition of the League, and therefore of the international community. The new states (and their new majorities) accepted these obligations grudgingly, since they limited the authority and formal independence of the state. They also saw the treaties as an encouragement to 'separatist' or irredentist groups, and as an invitation to other states—either the imperial powers, or neighbouring states with links to one of the 'minorities' so defined—to interfere in their internal affairs.

Next came the states under mandate, like Syria, whose independence the League had provisionally recognized but which were obliged to accept mandatory tutelage. Like the 'ordinary' protectorates and colonies, they

[1] The information in the paragraph comes from Owen 2005. I would like to thank Professor Owen for sending me a copy of this unpublished paper.

had no minorities treaties and no legally-constituted minorities: the protection of various religious and other groups which enabled France to justify its presence in Syria was not expressed in these terms. The mandate charter obliged the mandatory to favour local autonomies (article 1), to guarantee the personal status and religious interests of diverse populations (art. 6), to prevent unequal treatment of the inhabitants on the grounds of 'race', religion, or language and to protect the right of each community to keep its own schools (art. 8)—though the latter article does not define 'community', and mentions only the right to instruction in each community's own *language* (not religion). All of these articles, and certain others, provided legal justifications for France to impose or encourage divisions within Syrian society; but none of them refer to 'minorities'.[2] This highlights the fact that at the outset of the mandate the *French* were not necessarily thinking of Syrian society in terms of a majority and minorities.[3] After all, the charter had been composed with French interests in mind and by a partly French commission. Yet in the early 1920s, even though minorities treaties had already become an established part of League-related international law, this commission saw no 'minorities' in Syria.

[2] References to the Charter come from Méouchy 2002: Annexe. The English text is available in Hourani 1946: Appendix A, no. 1.

[3] This is not to say the terms were never used: Gérard Khoury (2006: 248-270) reproduces a long document from 1920 in which Robert de Caix uses them, for example. I would argue, though, that this offers rather more proof of how firmly the nation-state's categories were implanted in *French* minds than it does of the actual existence of minorities/a majority in Syria.

Thus, mandates, like colonies, had no legally-constituted minorities.[4] They did, however, have recognition from the League (and therefore its members, including the mandatory powers) that they would sooner or later accede to the status of independent nation-states—through, in the first instance, a treaty of independence signed with the mandatory, which the League would then recognize. Through the treaty negotiations of the 1930s, the Syrian nationalists wanted to raise Syria to the rank of the new states that had avoided the indignity of the mandate. But the fact of passing to formal independence and membership of the League of Nations would also place Syria under the developing body of international law that had arisen to regulate the accession to membership of new states—which included the minorities treaties. This opened the possibility to France of granting Syria 'independence' while reserving the right to intervene on behalf of the minorities (above all the Christians). For certain political actors belonging to these communities, meanwhile, it offered the possibility of appealing to a higher authority than the Syrian government, be it the League, France, or another power. Both these possibilities were unwelcome to nationalists, who opposed any external limit on the authority of the state within its own borders.

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[4] The closest to such a thing in Syria was the Turcophone community in the sanjak of Alexandretta, which after the 1921 Ankara agreement had *specific* guaranteed rights. These included official language status within the sanjak for Turkish, which—article 8 notwithstanding—no other 'minority' language in Syria had. Unlike the rights assigned to unspecified 'communities' in the mandate charter, Alexandretta Turks' rights were not guaranteed by the mandatory's obligation to the League—which had no real autonomous power of its own—but by a bilateral treaty with a neighbouring power, which *did* have autonomous power that could be brought to bear to ensure those rights were respected. It is no coincidence that the Alexandretta Turks were the only 'minority' community whose existence led to a major alteration in the shape of the Syrian nation-state constituted by the mandate.

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This was the international context—of minorities treaties and the League of Nations—in which the negotiations for a Franco-Syrian treaty took place in the 1930s, and in which a treaty was eventually signed (in 1936) and then revised, without ever being fully ratified. I have discussed that context here to avoid an error easily made in studies in imperial history, especially those focusing on a single colony or a single empire: the assumption that the only international relationship that mattered for the colonial state and its inhabitants was that with metropole.

Previous accounts of the Franco-Syrian treaty negotiations, the treaty itself, and its gradual failure, have rightly highlighted the role in the question of minorities clauses; but they have tended to consider the treaty largely as a bilateral affair, with France on one side and Syria (its nationalists *and* its 'minoritarians') on the other.[5] Taken at face value, the title of the treaty suggests this reading. But the treaty was *not* simply a bilateral affair. It was meant to take effect at the end of a transition period marked by Syria's admission to the League[6], and therefore of the 'international community' of nation-states; it built on established precedents which included treaties recognizing states' independence signed directly between the 'new' nation-states and the League or between mandate states and mandatory powers. Existing accounts have not been wholly unaware of this: they recognize the

[5] See, for example, Commins 1996: 'Franco-Syrian Treaty of 1936'; P. Khoury 1987: 464-468, 479, and chapters 18 and 20; Longrigg 1958: ch6 section 2, ch7; Shambrook 1998: 205-228.

[6] Hourani 1946: 203.

relevance of the Iraqi precedent, for example, or note (however passingly) the link between the treaty and Syria's admission to the League.[7] But minorities clauses only acquired such importance in the treaty negotiations *because* of this wider context provided by the League of Nations, the global order it represented, and the international public discourse that developed around them—not because Syrian society was already divided into a 'majority' demanding independence and numerous 'minorities' that needed protecting (or not). It was the debate about the treaty that gave meaning to the terms 'minority' and 'majority' in Syria, as actors on all sides referred to the wider context and invoked its precedents and principles to argue their case. There was nothing self-evident about the adoption of this language. The terms became meaningful *because* of the new international order to which the Syrian nation-state already belonged as a provisional member (under mandate) and hoped to accede as a full member. It was through the debate over the terms of that accession that certain groups in Syrian society came to be constituted, by themselves or others, as 'minorities' and a 'majority'—a re-constitution that was of more than merely terminological significance.

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From Syrian mandate to Syrian independence: L'Asie française*'s discovery of 'minorities' in Syria*

[7] Shambrook 1998: 247-248; P. Khoury 1987: 467.

French officials had been aware from the outset of the mandate that Syrians would judge them partly according to how *Britain* governed neighbouring countries. For example, in 1921 High Commissioner Gouraud wrote to Aristide Briand that "if the countries of the neighbouring English [*sic*] zones have native governments, subject to a single and relative control by the Mandatory Power, the more evolved Syrian elements will demand an analogous regime at the least".[8] As Gouraud predicted, the British mandates became a reference point for Syrians protesting against the divisions France had imposed on the territories under its control. Britain granted a nominal 'independence' to Transjordan in 1928 and terminated its mandate for Iraq in 1930; under the provisions of the 1930 Anglo-Iraqi treaty, Iraq joined the League in 1932. This put pressure on France to follow a similar policy in Syria, and against this pressure for a treaty 'minorities' became one of the principal means by which the French planned to maintain their influence in the country.

As I have argued above, this was not because 'minorities' simply *existed* in Syria, although the conditions for their emergence were much more developed by the early 1930s then they had been a decade earlier. Rather, it was because the category had become important within the developing body of international public law that informed the debate about a Franco-Syrian treaty, and later the treaty itself. This section shows how the

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[8] Briand was both foreign minister and *président du conseil* (i.e. prime minister) at the time. Extract from *Note N° 138*, HC to Briand (27/3/1921), included in AD-SL Box 412, dossier containing material on the question of Syrian unity/the Syrian federation. Document (dated only 1924) from the Service des Renseignements, service central, section d'études.

international legal context influenced French thinking about a treaty and the place in it of 'minorities'—a process which encouraged French officers and officials to apply the term to certain groups within Syrian society, where previously they would have used other concepts. It does so through a reading of the coverage given to these topics by *L'Asie française*, the bulletin of the Comité de l'Asie française—one of four related committees set up between 1890 and 1910 to lobby for French colonial expansion.[9] Closely connected with the most influential figures in the large, cross-party colonial lobby in parliament, these committees were the heart of the *parti colonial* in France. They drew in diplomats, colonial officials, and military officers serving in the colonies, and received support from a much larger 'interested public' in the metropole, but their officers, financing, and policies came largely from French business circles with interests in the colonies.

The Comité de l'Asie française had originally been founded to press for French expansion in south-east Asia, but moved towards a preference for establishing French 'spheres of influence' and indirect rule across the continent, including the Ottoman Empire and Persia[10]—a policy well suited for adaptation to the strictures of the mandatory role. The committee's bulletin was edited until 1919 by Robert de Caix, and thereafter by Henri

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[9] The Comité de l'Afrique française was founded in 1890, the Comité de l'Asie française in 1901. The Comité du Maroc followed in 1904, and the Comité France-Amérique in 1910. They shared one address and formed "a single colonial-imperial pressure group" (Abrams and Miller 1976: 687). Changing understandings of empire, and the Monroe Doctrine, meant that the fourth was more concerned with economic than territorial expansion.

[10] Abrams and Miller 1976: 687. This article contains much useful background information on the colonialist committees and their place in the wider milieu of French politics.

Froidevaux, a specialist in colonial geography and history and indefatigable publicist for French colonialism.[11] It was read—and frequently written—by colonial officials; in addition, it often reported on the activities of colonial officials and concerned politicians in France, sometimes quoting them at length. The bulletin can therefore be taken as broadly representative of currents of opinion within French colonialist circles more widely; it also offers the historian a continuity of coverage across the whole period that can be hard to assemble from archival data or from one-off publications such as books. Within the limits of the bulletin's editorial policy, it thus gives an insight into the colonial debate as it developed over time. The direct links between the *L'Asie française* and the French mandate are, in any case, many. Robert de Caix, who in 1919 went from being its editor to being Secretary-General of the High Commision in Beirut, and from there became France's (and Syria's) representative to the League's Permanent Mandates Commission, is only the most noteworthy.[12]

L'Asie française's interest in the Levant pre-dated the mandate. During the First World War, the bulletin published many articles on the region and France's interests—even 'rights'—there.[13] It paid special attention to the wartime Ottoman government's mistreatment of its own population, particularly Christian groups within it. The term 'minority' was not applied

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[11] An idea of his activities can be gained from his author details in the catalogue of the Bibliothèque nationalé de France, and the ninety-nine items (albeit with much repetition) listed under his name there.

[12] For more on de Caix see G. Khoury 2006.

[13] Such as "L'Opinion française et les intérêts nationaux dans le Levant", *L'Asie française* (henceforward *AF*) 162 (Apr-Jul 1915), 42-45. NB—Please see note in bibliography on authorship of articles in the bulletin.

to Ottoman Armenians, Greeks, and others, however: rather than persecuting 'minorities', the Young Turk government was perceived to "have decided to settle the questions posed by the existence in the Ottoman empire of allogenous populations by the suppression, pure and simple, of the latter"[14]; or, again, to be planning "the destruction of the Christian nationalities which, in the minds of the Young Turks and their German advisors were to be suppressed as posing an obstacle to the turkification of the Ottoman empire".[15] On the one hand, this makes sense: even at this late stage the empire was not a nation-state and had no 'majority'; 'minority' in the modern meaning was only just coming into use in *any* context. On the other hand, it is hard to see how Ottoman Armenians or Greeks were allogenous[16], or 'non-native', to the empire, and whether these and other Ottoman Christian communities constituted "nationalities" is at the least debatable.

At the end of the war, the notion of legally protecting (national) minorities in the states created or expanded by the peace settlement, and making international recognition of those states dependent on that protection, became widespread. As it appears in *L'Asie française*, this development is

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[14] "La politique turque de suppression des allogènes", *AF* 162 (Apr-Jul 1915), 57-60.

[15] "L'extermination des Nestorians", *AF* 167 (Oct-Dec 1916), 174.

[16] The word is slightly less obscure in French than in English, and has a slightly different meaning. The OED, under the variant spelling *allogeneous*, gives "Of different nature, diverse in kind"; for *allogène*, the *Trésor de la langue française* first gives it as an anthropological term ("Said of an ethnic group installed since a relatively short time ago on a territory and still presenting racial or ethnic characteristics distinguishing it from the autochthonous population"—hardly the case here) then in other senses as non-native. Definitions from http://www.oed.com and http://atilf.atilf.fr; both accessed 15 April 2008.

clearly linked to the establishment of the League of Nations—even before the League itself was founded: the Ottoman regime could not be preserved in Anatolia, wrote the bulletin in its first issue after the armistice, because

> it has shown itself to be incompatible with the improvement of the lot of the Turkish peasants themselves, and would be even more so with the loyal play [*jeu loyal*] of the guarantees that the group of Allies, embryo of the future League of Nations, wishes to ensure for the national minorities, Hellenic and others.[17]

This is the first mention of 'minorities' I encountered in my survey of articles about the Ottoman and post-Ottoman Levant in *L'Asie française*, and it refers not to the former Arab provinces of the empire, but to the contest of nationalisms in Anatolia. It is worth repeating here that the postwar minorities treaties that created the legal category from which the wider (and more indiscriminate) modern usage of the term derives restricted themselves to *national* minorities, most often understood as groups identified with one nation-state but resident in another. In the Anatolian case this applied to the Greeks, identified here as a national minority, because there was an independent Greek state—which, as it happened, was one of the Allies.[18] But Syria was different: "There, in the Arabic-speaking countries, it is not nationalities but religious groups that a traditional opposition divides in almost as serious a way."[19] More pertinently, there was no internationally-recognized independent Arab nation-state; the point of this article was to press France's claim for "our

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[17] "La question de Syrie et la paix", *AF* 174 (Oct 1918-Jan 1919), 121-129; quote at 121. The slightly obscure phrase *jeu loyal* implies "playing-out according to the set rules".

[18] Once again I am glossing over the complexities of Greek identity as 'national' identity, such as the fact that many Anatolian 'Greeks' spoke Turkish as their language of ordinary use. Needless to say, similar complexities apply to other 'national' identities also.

[19] "La question de Syrie et la paix", *AF* 174 (Oct 1918-Jan 1919), 121-129; quote at 121.

fair share of the mandates that will be conferred on Western tutors".[20] The bulletin *did* justify the French claim to Syria by reference to the League—but at this point protecting 'minorities', recognized as an important function of the League *elsewhere*, was not presented as part of the task of the mandate in Syria. There was no nation in Syria, said the bulletin: Syria

> has neither the civic education nor above all the unity required to constitute, in the aftermath of Turkish oppression, a nation governing itself in full independence; there, as elsewhere in the Orient, before calling peoples to exercise the right to self-determination, they must be *constituted*.[21]

Unsurprisingly, therefore, there were no national *minorities* either.

In the early years of the mandate, the bulletin's articles about Syria continued in this vein: the League context was explicitly taken to enframe the French mission in Syria, but without reference to minorities. Since Syria was, as yet, neither a 'nation' nor independent, the newly-established legal category of 'minority' did not apply there. The keynote was rather the *dividedness* of Syrian society as a justification for the French *mandate*; the divisions could be religious, ethnic, 'racial', regional, or any combination of these, but articles usually followed the 1920 assessment of the editor, Henri Froidevaux: while noting "the multitude and […] the diversity of the races of Syria", and without forgetting that "languages as well as races must be taken into account", "how little importance these factors present next to

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[20] "La question de Syrie et la paix", *AF* 174 (Oct 1918-Jan 1919), 121-129; quote at 122.

[21] "La question de Syrie et la paix", *AF* 174 (Oct 1918-Jan 1919), 121-129; quote at 129. Emphasis added, although only to render an emphatic tone in the original.

the religious factor!"[22] This was why the "heavy task of presiding over the raising-up of Syria" was a delicate one.

I emphasize the term *mandate* because against this picture of division, the French presence—"a gentle, benevolent, and educative tutelage […] leading the country gradually to prosperity, to liberty while waiting for independence"[23]—was usually justified by reference to the League and the "heavy task" that France had accepted from it: it added an appealing new dimension to the older notion of an imperial *mission civilisatrice*. It should be emphasised, though, that invoking the League was not just a rhetorical strategy: the mandate was what made the French occupation of Syria legal under international (and internationally-recognized) law. It also provided an external guarantee of Syria's existence as a state. In this context it is significant that these frequent references to the League rarely include mention of 'minorities', despite the new body of international law that the League was supervising on the protection of minorities in newly-independent states. To labour the point, this was because Syria was not independent. The Minorities Commission was concerned with overseeing the application of the minorities treaties; all Syrian questions at the League were dealt with by the Permanent Mandates Commission.

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[22] This and following quotes from Henri Froidevaux, "Les difficultés de la France en Syrie – leurs causes", *AF* 179 (Feb 1920), 43-47; quotes at 43. For the bulletin, if not in reality, the "religious factor" if anything *gained* in importance at the end of 1924, when Aleppo and Damascus were reunited in one State of Syria: from then on *only* religious divisions affected the territorial division of the mandate territories, so—for example—highlighting the regional rivalry between the two main cities became redundant.

[23] "Ce que les Syriens attendent de la France", *AF* 178 (Jan 1920), 13-16; quote at 16.

The French depiction of Syrian society as hopelessly divided would remain constant in *L'Asie française* throughout this period; but it was not until the aftermath of the 1925-1927 revolt that the bulletin began more systematically to attach the concept of minority to those perceived divisions. Both those divisions *and* the League could be used to justify French policy. The territorial division of Syria, in particular, was often legitimated in this way:

> pretending to impose another method [i.e. creating a unitary state], wishing to drown the voice of the minorities in an electoral consultation common to the entire territory of the Mandate, is to support a policy that is not in harmony with the obligations that [both] the facts and the terms of the Mandate make for the Mandatory Power.[24]

However, although the bulletin's references to Syrian 'minorities' became more frequent in the years after the revolt—usually but not exclusively referring to religious communities[25]—the term by no means displaced other categories ('religious community', 'nationality', 'race'). Rather, it slotted into the existing discourse to complement them. Its application only became systematic—if not overnight, then from one year to the next—in 1933: thereafter, minorities were arguably the most important focus of *L'Asie française*'s interest in the Levant. To give a rough, but not entirely unscientific, estimate of the scale of the change: I surveyed twenty-five

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[24] "Le programme politique déclaré par le Haut Commissaire en Syrie et au Liban", *AF* 253 (Sept-Oct 1927), 283-289; quote at 287.

[25] The long article "Nationalités et Nationalisme arabe dans le Proche Orient", signed F.T. (*AF* 277, Feb 1930, 52-65), is typical in this regard. Although it does recognize ethnolinguistic communities such as Turks or Kurds, it only applies the terms 'minority' and 'majority' to religious groups, whether in Syria, Lebanon, or Iraq. In the latter two cases it uses the term 'Arab' more or less explicitly, though unreflectingly, as a synonym for arabophone Sunni Muslim: e.g. in Iraq, "the majority […] is Shi^{c}ite and there are barely 900,000 Arabs out of a total of over two million arabophones" (56).

years' worth of the bulletin's articles on the Levant, from 1915 to the end of 1939[26], looking for material relevant to the question of minorities—that is, including articles about communities that would today be called 'minorities' but were not necessarily described as such at the time. My notes on the period 1915-1932 run to seventy pages, and the term itself appears infrequently. For the years 1933-1939—a period barely more than a third as long—they run to just *over* seventy pages, and the term is extremely common.[27] What had changed?

The difference can be explained quite simply. Once Iraq had been admitted to the League of Nations in autumn 1932, French intentions in Syria came under greater scrutiny in Geneva.[28] In Syria, too, Iraq's admission to the League focused attention on France's plans. Before 1933, the French preference was for its mandate over Syria to continue indefinitely. After 1933, this gave way to a grudging acknowledgment that to ensure the continued stability of French control, France would have to follow—or at least, seem *willing* to follow—the example of Britain in Iraq by putting an end to the mandate, granting Syria independence, and backing Syrian membership of the League of Nations.[29] The text of a treaty had been drafted in Paris in 1931; in early 1933 the High Commissioner Ponsot sought

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[26] I ended my survey in 1939 because the outbreak of the Second World War marks the end of the period covered in this thesis. The bulletin ceased publication in May 1940, for obvious reasons.

[27] This does not mean that it is ever examined or defined by those who use it, however.

[28] Shambrook 1998: 247.

[29] Both in France and among the personnel of the High Commission there were many who did not even grudgingly accept this necessity, and sought to torpedo any plan for Syrian independence: "To the missionaries, Jesuits, and military caste the Treaty was anathema". Longrigg 1958: 224.

to resurrect it, unsuccessfully, but a little later his successor, de Martel, managed to get it signed by the Syrian government—not without heavy pressure, even though that government was a 'moderate' one.[30] Although the 1933 treaty was blocked by the Nationalist Bloc in the Syrian parliament (which de Martel duly suspended), for the rest of the 1930s the question regarding a treaty leading to Syrian independence was when rather than if.[31]

This meant that the entire body of League-derived law regarding the independence of new nation-states, including the law on 'minorities', *did* now apply to Syria—or would soon. It would replace the mandate law, under which, as *L'Asie française* had pointed out,

> [t]he rights and duties that result for the Mandatory from the Declaration of the Mandate, instrument of application of article 22 of the Charter, are the common affair of it [i.e. the Mandatory] and the League of Nations alone [*ne sont affaire qu'entre lui et la Société des Nations*] and do not depend on the consent of the countries which are entrusted to the Mandate.[32]

France's 'rights' in Syria would be more limited as a friend and ally than as a mandatory power, but the new body of law provided possibilites for asserting them nonetheless. Particularly as it applied, in theory and in

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[30] Shambrook 1998: 248.

[31] Regarding the year 1933, it should be noted that in this year Syria experienced its worst drought since WWI, if not in living memory, with a sharp rise in famine proportionate to a steep decline in wheat production. Major social consequences included banditry in the countryside, an influx of peasants to the cities, and the temporary emigration of as many as 30,000 people from the hardest-hit region, the Hawran. (P. Khoury 1997: 278.) If it seems odd to relegate this catastrophic social backdrop to a footnote, it is because it is *nowhere* mentioned in any of the Syrian or French sources I have read on the minorities question—any more than French sources on the treaty negotiations of 1933 and 1936 make any references to the effects of the great depression in France, late to bite but long-lasting. These telling lacunae should be borne in mind.

[32] "Le programme politique déclaré par le Haut Commissaire en Syrie et au Liban", *AF* 253 (Sept-Oct 1927), 283-289; quote at 288.

practice, to Iraq, this body of law now formed the framework for the writers of *L'Asie française* to construct their vision of the future French role in Syria. It is important to understand that this framework was more than a handy rhetorical vehicle for French imperialism (though it was certainly used as one): it also gave juridical form to the new categories of the modern period—among them the nation-state, national independence, and 'minorities'.

The implications of this were clear to the writers of *L'Asie française*, and at least *implicit* in their treatment of this newly-topical question. Over the next years the bulletin sought to keep its readers informed of "the precarious situation" of certain "groups in which France has the duty not to lose interest [*dont la France a le devoir de ne pas se désintéresser*]"[33]. That is to say, it lobbied for legal guarantees subject to a higher authority than the Syrian government to be applied to these groups, on the grounds that they were 'minorities'. This could involve extending the understanding of the term: arguing for communal electoral representation for Circassians, for example, who had not previously been considered a minority:

> Syrian nationalist circles have not been minded to recognize rights particular to the Tcherkess minority, under the pretext that they are Sunni Muslims like the Muslim majority.[34]

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[33] '***', "La situation actuelle des Tcherkesses en Syrie", *AF* 308 (Mar 1933), 94-95. This quote is from an editor's note at the head of the article.

[34] '***', "La situation actuelle des Tcherkesses en Syrie", *AF* 308 (Mar 1933), 94-95, quote at 94. Note the common confusion between religious and ethnolinguistic factors: if the Circassians were demanding communal recognition as a minority it was not by distinction from a *Muslim* but from an *Arab* 'majority'.

The anonymous writer of these lines, described by the journal as an "eminent personality", did not mention that a few years earlier the mandatory authorities had used precisely the same "pretext" to avoid granting the recognition here requested.[35] At that time the disadvantages of doing so evidently outweighed the benefits; but the new context of anticipated Syrian independence made it worthwhile to revisit the issue at least. Interest in the Circassians soon waned, however: while this article lamented that Syria's 1930 organic statute "only recognize[d] the right of representation of confessional minorities"[36], *L'Asie française*'s own coverage of 'minorities' remained heavily weighted towards religious groups.

In this question, Iraq during and after the British mandate was important not simply as a point of comparison but because Iraq's independence set a legal precedent on which the French in Syria were expected to draw. In the mid-1930s *L'Asie française* returned frequently to the situation in Iraq, particularly the situation of its 'minorities'. It usually did so to draw unsubtle implications for Syria. Whether discussing Iraq directly or referring to it in articles on Syria, *L'Asie française*'s assessment of that precedent was that it had been created too hastily and was therefore lacking. Its readers, the bulletin asserted in June 1933, would remember

> the fine promises made to the national minorities of Iraq, at the time of that kingdom's admission to the League of Nations, and the haste with which, to give

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[35] See chapter two.

[36] '***', "La situation actuelle des Tcherkesses en Syrie", *AF* 308 (Mar 1933), 94-95, quote at 94.

> satisfaction to England, the [League] assembly declared that admission, without taking account of the wise recommendations of the Mandates Commission.[37]

Despite those fine promises, the Iraqi military was currently "in the process, with the collaboration of the British air force, of exterminating the Kurds subjected to their domination", because they had asserted "the safeguarding of rights and the respect of liberties which have been solemnly guaranteed them by international pacts".[38] The following issue returned to Iraq's 'national minorities', but this time talking about a group who would interest the bulletin more than the Kurds over the coming years, because Christian: the Assyrians.[39] For *L'Asie française,* their mistreatment by the Baghdad government, and the applause this had drawn from the Muslim population, posed the question: "is Iraq truly capable of governing itself, and would it not be more suitable to place it back among the A-mandate countries?"[40]

The point being drawn for the Syrian treaty was obvious, and explicitly argued:

> It is not fitting […] at the moment when the well-known events have just taken place in Iraq, to deliver Syria's national minorities to the mercy of the Arab majority; instructed by experience, the League of Nations will surely not permit it,

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[37] "Le sort des minorités nationales en Irak", *AF* 311 (Jun 1933), 210. A few months later *L'Asie française* reproduced these "wise recommendations", the Commission's 1931 report of its 21st session. *AF* 313 (Sept-Oct 1933), 268-271.

[38] "Le sort des minorités nationales en Irak", *AF* 311 (Jun 1933), 210.

[39] See Husry 1974a and 1974b; Zubaida 2000.

[40] "Les minorités nationales en Irak", *AF* 312 (Jul-Aug 1933), 257. It is worth noting here that *national* minorities had hitherto been rare in *L'Asie française*'s coverage of Syria and the wider Arab world—more common were arguments that the 'nationality principle' simply did not apply in the Arab countries. What made Iraq's minorities into *national* minorites was not that they (or for that matter Iraq) had developed an advanced nationalist movement but that Iraq had become an independent state.

> and such an action would be contrary to all of our country's traditions.[41]

Between the failure of the 1933 treaty and the initially successful signature of a treaty in 1936—this time negotiated on the Syrian side by a nationalist delegation rather than a 'moderate' government—*L'Asie française* returned frequently to the Iraqi case. In December 1933 it described the conflict between the Assyrians and Iraqi government forces, "whose origin is difficult to unravel, but which certainly seems, in one region, to have turned into systematic massacre"; it then reproduced the ten-article declaration on the protection of minorities made by Iraq to the League of Nations on the termination of the mandate in 1932, but not subject to external guarantee.[42] More articles on the Assyrians, in both Iraq and in Syria, followed.[43] They were joined in November 1935 by the Yazidis:

> The conflict with the Assyrians of Iraq [having] hardly eased, another minority of Mesopotamia in its turn becomes the victim of the haste with which the English had the independence of Iraq proclaimed by the L.O.N., without worrying themselves about the fate of the populations living on the ground and practicing another religion than that of Mahomet.[44]

Conflict had broken out between the Iraqi state and the Yazidis of the Jabal Sinjar region on the Syrian frontier over the latter's refusal "to have themselves enrolled on the army register, as the law on military service recently voted by the Baghdad Parliament order[ed]"; martial law had been

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[41] "Le traité franco-syrien", *AF* 314 (Nov 1933), 328.

[42] "L'Irak et la question assyrienne", *AF* 315 (Dec 1933), 338-348; quote at 338.

[43] E.g. on Iraq "La question des Assyro-Chaldéens", *AF* 327 (Feb 1935), 27; "La question chaldéo-assyrienne", *AF 328* (Mar 1935), 97; on Syria see below.

[44] This and following quotes from "Les Yézidis du Djebel Sindjar", *AF* 334 (Nov 1935), 307.

proclaimed and a punitive column sent to crush resistance. The subtext of the article is so clear it is virtually a headline:

> One cannot […] not notice that under the British mandate the Yazidis lived very peacefully, and have only become agitated under the Iraqi regime. One thus finds oneself led to wonder if they have enjoyed the same religious tolerance under the Arab kings as under the regime of the mandate.

The next month the point was repeated after a number of Yazidis—and two Assyrians—had received harsh sentences from a military court in Mosul, with the bulletin quoting the French-language newspaper *La Syrie* to ask "if minorities are really defended in Iraq and if the guarantees of the League are anything other than scraps of paper"[45].

These articles are supporting evidence in *L'Asie française*'s campaign either to dispense with the idea of signing a treaty with Syria, or to ensure that such a treaty contained the minorities clauses—permitting continued outside involvement—that the British-Iraqi treaty had lacked. When the decision came, in 1936, to negotiate a treaty with a delegation dominated by the Nationalist Bloc, *L'Asie française* stated its position clearly:

> The Iraqi precedent can provide a good basis for examination and we accept it as such; but it must not be forgotten that it consists not only in a text but also in its application, which has rendered certain precautions necessary and legitimate, as much in the eyes of the League of Nations as of France [*aussi bien aux yeux de la*

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[45] "Répression de la révolte des Yézidis", *AF* 335 (Dec 1935), 341. The quote comes from *La Syrie*, 27/11/1935. The reference to international agreements being mere "scraps of paper [*chiffons de papier*]" is used elsewhere in *L'Asie française* (e.g. "La situation des Arméniens en Turquie et les déportations récentes", *AF* 278 (Mar 1930), 90-97). This usage still crops up in political and journalistic writing; it dates to a discussion between the German Chancellor von Bethmann and the British ambassador to Berlin in August 1914, when the latter warned that Britain had a treaty obligation to defend Belgian neutrality. In this case, replied von Bethmann, Britain would be going to war for "nothing but a scrap of paper". (I would like to thank 'Hohenstauffen', a contributor to the English-French vocabulary discussion forum on www.wordreference.com, for detailing the phrase's origins in response to a question I posed.)

> *France qu'à ceux de la Société des Nations*].[46]

This quote comes from an article published in March 1936; its coverage of the French decision to negotiate reads like (and probably *is*) a hastily-added afterword to an article originally about the widespread unrest in Syria—the "nouvelle crise" of the title—that led to that decision. In the following month, two more articles on Syria reinforced the point. If the negotiations had now begun, both sides had already recognized

> the necessity of a comprehensive treaty between France and Syria, [and] also how the principles set out by the L.O.N. must be applied to the minorities of the country.[47]

The bulletin also observed that "as of now, certain apprehensions are manifesting themselves among the minority groups".[48]

Despite this seeming clarity, many aspects of the 'minorities question' remained confused in the bulletin's coverage of the treaty negotiations, its signature, and its slow demise over the three years to 1939.[49] These points of confusion are echoed in other primary sources for the period, on both French and Syrian sides, and in some cases in the historiography of the mandate as well. Earlier, *L'Asie française* had at least sometimes discussed Syrian ethnolinguistic communities as 'minorities'; but by the later 1930s, in

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[46] "Une nouvelle crise syrienne", *AF* 338 (Mar 1936), 74-78; quote at 78. The French construction stresses the second element; I have reversed the order because the English equivalent stresses the first.

[47] "A la suite de l'accord du 1er mars", *AF* 339 (Apr 1936), 129-130; quote at 130.

[48] "La question des minorités", *AF* 339 (Apr 1936), 130.

[49] The situation of Iraq's minorities continued to earn coverage, both in its own right (e.g. "Causes des révoltes des minorités nationales en Irak", *AF* 340 (May 1936), 163-164) and as a point of comparison (e.g. "Le traité Franco-Syrien", *AF* 344 (Nov 1936), 281-292).

its discussions of the actual Franco-Syrian treaty, it only mentioned religious minorities. When the issue of modifying the 1936 treaty came up, as it did recurrently[50], the question of minorities was always cited as the major sticking point, but the groups concerned were always religious groups. When the bulletin explained the need for added guarantees for minorities it always did so with reference to *Christians* first.[51] More, the frequent references to Christians in its coverage of the situation in Syria in 1936-39 are to the Christians of the Jazira—mostly recent immigrants or refugees from Turkey and Iraq—rather than the various arabophone Christian communities dispersed through the 'Arab' cities and agricultural areas of western Syria, nor to the Armenians who were also mostly settled in the cities (principally Aleppo).[52] The precise place of the ᶜAlawis and the Druzes in the minorities question, meanwhile, was never quite clear.

Nevertheless, the example of *L'Asie française* demonstrates the development of the language of 'minorities' in French discourse about Syria, showing the links between its development and Syria's status in international law. This language was well-established by the time of the 1936 treaty. It was not without its inconsistencies and blind spots, but there is nothing troubling to the historian in these: they are inherent to the

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[50] For example, in three articles all entitled "Le traité franco-syrien sera-t-il modifié?": *AF* 354 (Nov 1937), 289; *AF* 355 (Dec 1937), 320-321; *AF* 356 (Jan 1938), 31. Incidentally, throughout this period and up until January 1939, shortly before his resignation, *L'Asie française* consistently misspelt the name of Syria's prime minister Jamil Mardam as 'Mardan'.

[51] This is a marked trait from the start of the 1936 negotiations: "La question des minorités", *AF* 339 (Apr 1936), 130.

[52] See, for example, "Le traité franco-syrien et les minorités chrétiennes de Syrie", *AF* 359 (Mar 1938), 94-95.

category of 'minority' itself, as a subjective rather than an objective category. It would be a great deal more surprising to encounter consistency.

The process outlined above explains why the term was adopted in Syria (and elsewhere). As a body of international public law relating to the independence of new nation-states emerged, a subset of it—the minorities treaties—emerged to address one of the problems posed by the establishment of nation-states. Since nation-states were developing in other parts of the world too, and posing the same problems, groups not touched by the central and eastern European minorities treaties began to demand similar protections. Syria was one such place—especially as the question of its 'independence' arose. This explains how Syrians too came to use the term, but it does not explain for what specific reasons they did so. In the next part of the chapter I outline some of the ways in which members of such groups, both 'minoritarianist'[53] and nationalist, chose to use the term—*not* exclusively—in the debate about a Franco-Syrian treaty, and what motivated them to do so.

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Syrian uses of the language of 'minorities'

[53] I use this barbarous neologism to distinguish a person seeking to enframe and mobilize a political constituency as a 'minority' (a 'minoritarianist') from a member of a minority (a minoritarian). French officials in Syria used *minoritaire* in the latter sense, though usually when talking about people who might be described as the former.

Texts produced by Syrians contributing to the debate about minorities clauses offer rich material for analysis on a number of levels. First, implicitly or explicitly they seek to define who is a minority, either saying "community X is a minority" or "a minority is community X". Second, and more interestingly, they argue for communities defined as minorities to be treated in a certain way—defining what the category of minority should mean, in their view. By applying that category to the communities they claimed to speak for they sought to *redefine* those communities, notably in relation to the state: this was part of a wider debate in Syria over the institutional form that should be given to the relationship between state and population. Third, they put forward a vision of legitimate authority within their own communities. With a little digging, this rich content can be excavated quite easily; but to understand this, it is first necessary to understand that the category of 'minority' was not a neutral, descriptive label.

In this section I consider several examples in detail to show how they work on these different levels. Illustrating each analytical point with a different example would have been quite possible, but I have chosen to return to the *same* examples to show the many meanings contained in any given mobilization on the part of one particular group or individual: using different examples for every point might not get across the 'thickness' of the debate. I concentrate on materials produced by members of communities that were being redefined as minorities, crossing a number of 'minoritarianist' viewpoints with the nationalist counterarguments made by Edmond Rabbath—one of the most prominent nationalist Christians.

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In chapter 2, I quoted from a letter sent to High Commissioner Damien de Martel by the Syrian-Catholic clergyman Ignace Nouri: writing during the 1936 negotiations, Nouri expressed his confidence that it would result in a treaty containing "certain clauses and bonds for the protection of the minorities, that is to say the Christians and Jews".[54] A group of Catholic bishops, writing to de Martel just before the negotiations began, approached the issue the other way round: whereas Nouri started with the concept of minority and then explicitly took it to mean non-Muslim religious communities, these clerics introduced themselves as "leaders and representatives of the Christian communities"[55] and then used 'minorities' as an *implicit* synonym for 'Christian communities'. While they expressed the desire "of each of us to see his country evolve towards independence and acquire a place in the concert of nations equal to that of other countries", and stated that "the patriotism of the minorities cannot be doubted", they also asserted that that patriotism must "square with the measures of protection indispensable so that harmony may always exist between all nationals without distinction of religion". The purely religious

[54] The Arabic phrase, containing a grammatical error, is "*maᶜa baᶜd al-bunûd wal-rawâbit lil-muhâfadhat al-aqalliyyât ayy al-masîhiyyîn wal-yahûd*". AD-SL Box 493, dossier *Traité Franco-Syrien. Minorités. Sous-dossiers.* Nouri to HC (07/08/1936). A French translation is included.

[55] This and following quotes from AD-SL Box 493, dossier *Traité Franco-Syrien. Minorités. Sous-dossiers*. Letter from six Catholic archbishops to HC, 18/03/1936, forwarded under covering letter from Meyrier to MAE, 27/03/1936. (It is not clear whether this is a translation or if the original document was in French.)

understanding of the term is evident.[56] The nationalist delegation in Paris, they said, could not claim to represent minorities.

Other Christian figures had earlier pushed the definition of the term a little beyond the circle of Christian communities. In late 1932, receiving a courtesy visit from a French official, the papal delegate to Syria and Lebanon, Mgr. Giannini, "addressed spontaneously and in the most precise terms the question of the Christian minorities in Syria".[57] At issue was the place of minorities in the treaty which was then thought to be forthcoming: Giannini insisted that the Christians should be protected by (French) external guarantee. But "Lastly, this time in terms lacking in precision, Mgr Giannini indicated that he would wish this guarantee to be extended also to the 'other minorities'."

Whether the papal delegate meant non-Christian religious minorities, ethnolinguistic minorities, or both, is not stated. A little earlier, however, another Syrian Christian had been more specific as he sought to widen the application of the term. In October 1932, the French intelligence services reported that

> Latif Ghanimé, Syrian-Catholic deputy for Aleppo, deeming that the principal task of the next government—of which he expects to be a part—will be the conclusion of

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[56] This insistence on religion alone is interesting, in a letter from leaders of Catholic denominations using Greek, Syriac, and Armenian as their church languages (some of them—especially the Armenians—likely using languages other than Arabic at home).

[57] This and the following quote from AD-SL Box 620, dossier *Mouvement minoritaire Chrétien*, subdossier *La question des minorités en Syrie et en Irak (Généralités – correspondances, informations). Information N° 103* (21/12/1932). Giannini might be considered both an internal *and* external actor in Syrian politics: the representative of the Holy See, he could also claim with some authority to speak on behalf of the Catholic churches of Syria and Lebanon.

a treaty, emphasises the importance of the question of minorities.[58]

For Ghanimé as for Giannini, it was the prospect of a Franco-Syrian treaty and Syrian independence that had given the question of minorities its importance. With an eye on the future discussion of minorities clauses in the Syrian parliament, he proposed a broader legal application of the term.

> Latif Ghanimé also fears that the numerical weakness of Christian representation in the Syrian Chamber—aggravated by the fact that the Orthodox deputies for Damascus and Hama cannot be counted on in practice [*pratiquement*] may render very precarious the parliamentary base necessary for the discussion of the problem. He is therefore dispose to understand "minorities" in the broad sense, ethic [*sic—éthique*] rather than religious, and range among the minoritarians the Kurdish deputies of the North and the Djézireh, the Tcherkess deputy of Kuneitra, even Soubhi bey Barakat and the deputies of the Sanjak of Alexandretta as representatives of the 'Turks'. Here again, he does not seem to be quite in line with [*il ne semble pas rejoindre entièrement*] the views of his Patriarchate.

Unlike the Christian clergymen mentioned above, then, Ghanimé stretched the term to cover ethnolinguistic as well as religious minorities.[59]

Ethnolinguistic communities were, of course, quite capable of seeing for themselves the advantages that a treaty might bring them if they had official 'minority' status. A few months after Ghanimé made his suggestions, with French policy still focused—unsuccessfully, at this point—on getting a treaty signed, Circassian notables in the predominantly Circassian muhafaza of Qunaytra forwarded a petition to their fellows in Homs. It was addressed to the High Commissioner; the French Sûreté générale reported that it "demands that the future Treaty guarantee the

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[58] This and following quotes from AD-SL Box 572, untitled dossier (material released under sixty year rule), subdossier *Les Kurdes en Syrie – Informations*. Unnumbered *Information* "a/s Latif Ghanimé et la question des minorités" (17/10/1932).

[59] Pierre Rondot (1993: 100) reproduces his diary entry of an encounter with Ghanimé, whose forceful personality was evidently quite 'marking'.

rights of minorities" and listed what the Circassians considered those rights to be.[60] Although the Sûreté claimed that Circassian notables in Homs "hesitate to sign this mazbata which they find useless and untimely", it was almost certainly the same petition that was sent to the High Commissioner less than two weeks later with signatures from Qunaytra and the region of Hama as well as Homs.[61] I cited this in chapter 3, and mentioned in passing that it came in the context of a treaty. In fact the petition's wording is very clear:

> We the undersigned, Tcherkess notables, religious leaders, and electors of the second degree who represent the Tcherkess population of Syria, have the honour of affirming to you, on the occasion of the forthcoming replacement of the Syrian mandate by a treaty to be concluded between the French and Syrian Republics, that the Tcherkess of Syria have always claimed their ethnic minority rights as a community having its own race, language and traditions different from those of the Syrian majority. While recognizing this majority's legitimate right to exchange the current mandate regime for a treaty regime, we cannot, on this occasion, not renew the demand for our minority rights and raise high our voices, in order to safeguard our ethnic individuality […][62]

We have, therefore, a range of definitions of the term 'minority': a purely religious meaning attached to Christians and Jews; an emphasis on Christian communities but a willingness to apply it to unspecified "other" minorities; a definition that starts with religious communities but specifically stretches

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[60] This and following quote from AD-SL Box 620, dossier *Mouvement minoritaire Chrétien*, subdossier *La question des minorités en Syrie et en Irak (Généralités – correspondances – informations). Information N° 1203*, 18/03/1933.

[61] The petition described by the Sûreté gives the same demands as that received by the High Commission, in the same order. It lists nine rather than ten demands because two items regarding education are conflated.

[62] AD-SL Box 568, dossier *Tcherkess*, petition from Circassians in Qunaytra, Homs, Hama, and Marj Sultan to High Commission for forwarding to League of Nations (1/4/1933). NB—Although the original Arabic text *is* present here, it is difficult to read; my translation is based on the French. Checking it, where possible, against the original reveals small but perhaps significant differences—the original, for example, mentions not "the Circassian population of Syria" but "the Syrian Circassian people [*al-shaᶜb al-sharkasî al-sûrî*]", a rather warmer assertion of Syrian identity. The references to minorities, majorities, and the Treaty, however, are still clear.

to include "ethnic" minorities; and a definition that comes from (and only covers) an ethnolinguistic minority. I cite these different uses here simply to hint at the range of groups to which it could be applied. Other religiously- and linguistically-defined groups, such as Isma^{c}ilis or Kurds, made similar claims.[63] It is unsurprising that there were different and inconsistent applications of the term: consistency, in fact, would be more surprising. As I observed in chapter 1, my concern in this thesis is not with whether 'minority' is an objectively valid category of analysis nor with defining particular Syrian groups as 'minorities' myself. Rather, I am interested in how and why particular actors used it at the time—as they would *not* have done only a few years earlier—and what specific historical conditions made the term meaningful for them. Syria's legal redefinition as a nation-state, first under mandate and then (putatively) independent, was partly responsible for creating those conditions, as the term's sudden importance in the debate about the treaty shows.

But for what reasons did Syrians choose to use it? Having stated that such-and-such a community was a 'minority', what *meaning* did they seek to give

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[63] The Kurds are discussed in chapter 4. For the Isma^{c}ilis, see for example contents of AD-SL Box 410, untitled dossier, subdossier *Requête de la communauté Ismailieh a/s sauvegardee* [*sic*] *de leurs droits*. Most of these documents are in French translation only; the Arabic originals that are present use the term *tâ'ifa* to describe the community but do refer to 'minority rights [*huqûq al-aqalliyyât*]'.

It is not clear to what extent the two largest Arabic-speaking Muslim non-Sunni groups (the ^{c}Alawis and the Druzes) used the term. The stream of petitions sent by individuals among them to the League of Nations both for and against unity with Syria seems to have reached its fullest flow in 1933 and 1936, like the documentation about 'minorities' examined in this chapter; there is little doubt that it too was motivated by a desire to fix the status of these communities and their regions relative to an independent Syria. As I argued in chapter 2, however, pro-unitarians saw themselves as part of a Syrian Arab majority while anti-unitarians saw themselves as majorities within their own statelets—hence my neglect of them here.

to the term? We have already seen that they thought it should imply a community having certain externally-guaranteed rights, and at need, protection. The rights different groups sought to guarantee for their communities, as minorities, involved a redefinition of those communities' relationship to the state.

Latif Ghanimé, for example, wanted the minorities to have "not only a [defined legal] status, but guarantees coming from the exterior, and in their absence would prefer an indefinite continuation of the mandate".[64] To this end he requested that the text of any treaty drawn up by France be communicated unofficially to the Christian deputies in the Syrian parliament *before* it was communicated to the parliament as a whole, so that they could "make their observations heard, and refine [*perfectionner*] the guarantees offered". If the text were discussed from the outset by the parliament in plenary session, Ghanimé feared that any minority clauses would be "taken […] by the extremists as a maximum to be beaten down"[65], making it difficult for he and his Christian colleagues to request *stronger* protection. If passing the text directly to the Christian deputies were impossible, Ghanimé suggested that it could be communicated to them via the Patriarchs—though his own, Mgr. Tappouni, was apparently unenthusiastic.

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[64] This and following quotes from AD-SL Box 572, untitled dossier (material released under sixty year rule), subdossier *Les Kurdes en Syrie – Informations*. Unnumbered *Information* "a/s Latif Ghanimé et la question des minorités" (Beirut, 17/10/1932).

[65] This document being a French report on Ghanimé's views—though clearly one based on discussions with him—the term "extremist" may not be Ghanimé's own.

As should be clear from the earlier quote about minorities in parliament, meanwhile, Ghanimé was afraid that if only Christians were covered by the proposed minority clauses, the 'minorities' might be in too *much* of a minority to make their voices heard. Better, therefore, to widen the definition of 'minority' to ensure that a sufficient number of deputies would feel they had an interest in defending minority clauses.[66] But this implied redefining a number of communities—Kurds, Circassians, even Turks—as minorities: a redefinition that would change their formal relationship to the state, and by extension to the 'majority'.

The example of the Circassian notables shows that some members of such communities were making such claims for themselves. The reason why they "raised high [their] voices in order to safeguard [their] ethnic individuality" was "to demand the following articles in the forthcoming Treaty": a list of ten, which I outlined in the earlier chapter.[67] The rights they requested related to guaranteed representation "for the Circassian minority" in parliament and in state jobs, access to and control over (Circassian-medium) education, participation in the state Waqf administration, and various other cultural freedoms.

More such Circassian mobilizations as a minority occurred in the period 1936-39. A petition from March 1936, just after the French had put an end

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[66] This explains the aberrant presence of this document in a box otherwise dedicated to the Kurds, in which they are rarely referred to as a 'minority': Ghanimé's proposal, although it mentions them only in passing, would recast them as such.

[67] AD-SL Box 568, dossier *Tcherkess*, petition from Circassians in Qunaytra, Homs, Hama, and Marj Sultan to High Commission (1/4/1933).

to serious unrest in Syria by agreeing to negotiate a treaty with a nationalist delegation, asserts the Circassians' loyalty to France and alludes to the risks that this has entailed. It does not list specific rights they should be guaranteed in the treaty, but it *is* specific about both the diplomatic context and its desire for explicit French protection:

> We know very well, Your Excellence, that noble France will never abandon us; but we come, by this request [*bi-ᶜarîdatinâ hâdhihi*], following recent events and the likelihood of the signing of a treaty between your state and Syria, to request that Your Excellence work effectively to protect the rights of minorities including our Circassian race [*wa minhâ ᶜunsurunâ al-sharkasî*] in the treaty […] and to take them under French protection.[68]

Another petition comes from 1938, by which time the National Bloc government elected under the treaty regime was floundering—in large part because of French obstructiveness. The Bloc was under constant French pressure to revise the 1936 treaty by, amongst other things, adding greater minority protection. In this context, a group of Circassian notables from Homs[69] sent a long statement to the High Commission, to be communicated to the Quai d'Orsay and to the League of Nations. It started, as such statements commonly did, with a history lesson, stating that the Circassians

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[68] AD-SL Box 494, dossier *Traité Franco-Syrien – Application – Question des minorités*. Petition from Circassian village chiefs and members of "councils of elders" addressed to HC via assistant delegate for muhafazas of Homs and Hama, 11/3/1936. A French translation is also enclosed.

[69] Not, as far as I can tell, the same ones—though two Daghestanis head the list of signatures, and the earlier mazbata was supposed to be 'sponsored' in Homs by another. However, Daghestani is not a rare name among Circassians in Syria, many of whose families originated in Daghestan. (The novelist Ulfat al-Idilbi's grandfather was one of them.)

had maintained their sense of communal cohesion in exile, "despite [their] forced exodus, and after long years".[70]

> The Tcherkesses still conserve their national customs, their language, their habits, their civilisation; and this thanks to their own schools, their writings, their associations, which prove their attachment to their social existence.

The statement explained the previous attempts made by the community to have its communal existence formally recognized under the mandate, notably in 1925, 1934, and prior to the signature of the 1936 treaty.

> Despite all these petitions, the Tchekesses noted with regret and emotion that the Treaty included no articles safeguarding their rights and recognizing them as those of a national minority in Syria.

As Syria was supposedly in a transitional period to full independence under the terms of the treaty, they were now lobbying for it to be revised in their favour: the Circassians

> do not want to run the risk of being aggressed by the 'Majority' of their compatriots, which will surely happen since Tcherkess youth has spilled its blood to show its attachment to its national principles and its sympapthies towards the mandatory power.

They adduced a number of incidents of tension between "the Tcherkess minority and the 'Majority'" in the Faysali and mandate periods, as well as citing the case of the Assyrians in Iraq, to support their claim for the Circassians to be recognized as an "ethnic minority" by the treaty and afforded protection accordingly. That protection should take the form of eleven explicitly stated rights: the first ten were more or less the same as

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[70] This and following quotes from AD-SL Box 494, dossier *Traité Franco-Syrien – Application – Question des minorités*. Statement to the League of Nations by Khaled Daghestani et al., Homs, March 1938, included with letter to assistant delegate for Homs and Hama muhafazas. Forwarded by HC to MAE (22/3/1938).

those outlined five years earlier; the eleventh was French oversight ensuring that the others were acted upon.

Whether they were arguing for or against them, when political actors debated the granting of defined minority rights of the kind outined here they were taking part in a wider debate about the relationship of state and population. The discussion over the distribution of seats on representative bodies is only the most obvious example: Circassians requesting a particular kind of relationship between state authority and the Circassian 'minority', in which Circassians were represented *as such*—and not as Syrian Muslims, for example, or even simply *Syrians*—in the Syrian parliament; Latif Ghanimé seeking to define and represent any number of religious and ethnic minorities in the same way. Such a measure would fix the boundaries of these communities: a person allotted to the Circassian electoral college would 'be' a Circassian in the state's eyes, regardless of—for example—his or her language of ordinary use, habitual manner of dressing, or place of residence. Likewise, a member of the Syrian-Catholic college would 'be' a Syrian-Catholic regardless of whether or not he or she was religiously observant or even a believer. Without this state 'fixing', the boundaries between communities would be rather more fluid; communities themselves would not have *external* coherence.

These communal identities would be non-territorial: a Circassian would be a Circassian wherever he or she voted. Other means of adjudicating the question of representation *were* territorial, but they would also concern themselves with defining the relationship between population and state.

Latif Ghanimé sought to widen the definition of 'minority' so that ethnic minorities would be guaranteed representation in parliament as such; *L'Asie française*, on the other hand, argued for allocating seats to distinct territories, at least in the case of the Jabal Druze and the Alaouites. The aim of guaranteeing representation to particular communities was the same—the justification was that any "electoral consultation common to the entire territory" would be a deliberate attempt to "drown the voice of the minorities".[71] But the effect on the institutional relationship of population to state would be different: under this arrangement, ᶜAlawi voters might be put at an advantage within the circonscription of the Alaouites, but that advantage would not stretch to an ᶜAlawi peasant living just beyond the internal frontier in the muhafaza of Homs. Nationalists, meanwhile, thought that any of these positions meant allowing the amplified voice of the minorities to drown out the majority.

At the end of 1932, when Edmond Rabbath set out to draw up a policy on minorities clauses to guide the National Bloc leadership in treaty negotiations, he avoided this issue completely.[72] If there are obvious reasons for this, fear of a hot topic was not among them: among the equally controversial questions he *did* address was whether the presidency of the

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[71] "Le programme politique déclaré par le Haut Commissaire en Syrie et au Liban", *AF* 253 (Sept-Oct 1927), 283-289; quote at 287.

[72] I do not know if his study became the Bloc's official policy, but it was at least carried out "at the demand of Djémil Mardam Bey and with [Ibrahim] Hanano's knowledge". My knowledge of it is from a High Commission document evidently drawn up after an interview with Rabbath himself: AD-SL Box 620, dossier *Mouvement minoritaire Chrétien*, subdossier *La question des minorités en Syrie et en Irak (Généralités – correspondances, informations). Information Nº 101* (21/12/1932).

Syrian Republic would be open to any citizen, or restricted to members of one community. His answer, no doubt controversial, was that as part of the process of guaranteeing the rights of minorities in the treaty of Syrian independence, the article of the constitution stipulating that the president be a Muslim should be abrogated. Again, the relevance of this point to the institutional relationship between population and state is obvious.

Rabbath addressed another question which we have already encountered, and frequently: access to state jobs. Whereas the 'minoritarianist' Circassians mentioned above—and other groups discussed in this and earlier chapters—wanted proportionate access for their communities to state jobs, especially as regards the functionaries who were meant to administer, educate, or police their communities, Rabbath argued that recruitment should be "carried out by means of competitive examination [*par voie de concours*] and with no confessional distinction[s]".[73] If such French-style exams were marked anonymously one might consider this a laudable aim; but a non-nationalist might point out that Rabbath does not specify what language the exams would be written in (perhaps taking for granted that it would be Arabic). A Muslim, meanwhile, might point out that such a 'blind' competition would give a distinct advantage to Christians, who were more likely to be educated and particularly to have received a 'modern' education of the sort that such exams would favour—Rabbath himself, a Paris-educated lawyer, being an example. This is not to accuse Rabbath of

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[73] AD-SL Box 620, dossier *Mouvement minoritaire Chrétien*, subdossier *La question des minorités en Syrie et en Irak (Généralités – correspondances, informations). Information Nº 101* (21/12/1932).

acting in bad faith, or slyly seeking advantages for Christians under the cover of nationalism: it is simply to point out that a nationalist position on these issues, too, is an attempt to define the relationship between people and state, and one which would offer advantages and disadvantages to individual citizens.

These are not the artificial quibbles of an overly picky historian. It was because the debate over different communities' access to state jobs was so hot that Rabbath addressed it.[74] Different means of defining communities had different implications. As we have seen, some Circassians wanted the right to Circassian-medium education, which would require qualified teachers literate in Circassian rather than Arabic. This would imply official status for the language—and a multilingual state, in turn, would by implication be a different animal than the 'Arab' nation-state proposed by the Syrian nationalists. From their point of view, a pressing illustration of the dangers of a liberal language policy was Alexandretta, where Turkish had official status. This had contributed to a steady strengthening of 'Turkish' identity, a growing identification with the Turkish nation-state over the border among Turkish speakers, and, in the period under discussion, the Sanjak's gradual removal from Syria.[75]

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[74] I have already pointed out in chapter 3 that individuals could also use regionalism as a means of demanding—and indeed gaining—guaranteed access to state jobs.

[75] This was not 'because' of those linguistic rights themselves but because of the use to which nationalist Turks had successfully put them. The nationalist assumption that this was a natural expression of Turkish national feeling, whether stated overtly in nationalist historiography or implicitly reproduced by historians who do not question the categories of nationalism, elides the actual history of the process—notably the generational change in the 1930s—as well as the alternative outcomes that not only could have existed but *did*

Another aspect of this question, raised by the debate over minorities clauses, was the competence of state courts over the entire population. It might seem obvious to us today that states should have exclusive jurisdiction over their territory and any person upon it, but this is—once again—a view conditioned by the age of the nation-state. In Syria's recent Ottoman past many local inhabitants had been able to abstract themselves from the Ottoman judicial system by becoming the protégés of foreign consuls and placing themselves under the jurisdiction of the mixed courts set up to try cases involving foreign subjects. A version of these still existed in the mandate period. Rabbath, studying the question of minorities, noted that "certain bishops in Aleppo [had] expressed the desire to see the minorities accorded the right to request to be subject to the tribunals competent in foreign law [*la faculté de demander à être justiciables des tribunaux statuant en matière étrangère*]". Rabbath believed that "this demand [was] incompatible with the quality of Syrian citizens and that it would not be in the interest of the minorities [*minoritaires*] themselves to raise it".[76] The first part of this opinion shows that for Rabbath full citizenship meant full participation in—and 'subjection' to—uniform state institutions: a modern understanding of what it means to belong to a state. The mixed courts had been a serious obstacle to Ottoman attempts to

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exist. Many 'Turks' in northern Syria became 'Arabs'. Subhi Bey Barakat, with his poor Arabic and strong Turkish accent, might not have been an Arab nationalist but he seems to have been content to be a Syrian politician rather than a Turkish one. Sati[c] al-Husri, one of the most influential ideologues of Arab nationalism, also spoke Arabic with a Turkish accent.

[76] AD-SL Box 620, dossier *Mouvement minoritaire Chrétien*, subdossier *La question des minorités en Syrie et en Irak (Généralités – correspondances, informations). Information N° 101* (21/12/1932). These words are presented as direct quotes from Rabbath.

establish a common Ottoman citizenship. The second part, meanwhile, suggests that he understood how unpopular Syrian Christians would make themselves if they sought to place themselves under extraterritorial jurisdiction—a major source of tension in the Ottoman period.

This question leads to another: what external authorities had a right to intervene in the relationship between population and state, and which parts of the population had the right to invoke that intervention? For the Catholic bishops of Damascus cited above, "The question of minorities goes beyond the framework of an internal settlement [*règlement interne*] and appertains to international law".[77] But the notion that certain citizens of a state could, under international law, be guaranteed access to an external power has profound implications for the authority of the state. For nationalists everywhere in this period, limiting the state's authority in this way was deplorable—not a rare opinion today. When the question is phrased in this way—limiting the authority of the state—it might sound like a good thing, given all that states are capable of inflicting on their populations. But as Edmond Rabbath pointed out, the legal protection of minorities would tend to disadvantage the establishment of legal equality for all *individual* citizens.[78]

Thus, the debate over minorities clauses was also a debate about the limits of the authority of the state. In different forms the same debate is a

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[77] AD-SL Box 493, dossier *Traité Franco-Syrien. Minorités. Sous-dossiers.* Letter from six Catholic archbishops to HC (18/3/1936), forwarded under covering letter from Meyrier to MAE (27/3/1936).

[78] See following footnote.

constant of state politics. That it was particularly intense in this period, when state authority was expanding and intensifying rapidly in Syria, is unsurprising. In the face of this expansion it is understandable that some Syrians looked beyond the country's borders for guarantees, both to international law and to particular powers. But in doing so they ran a risk, emphasised by Rabbath when he stated that such guarantees

> will be more useful to the Powers than to the minorities. The latter will find their real guarantee not on paper but in the creation of an atmosphere of reciprocal comprehension and sympathy.[79]

It is important to understand that such a debate is not mere sectarian or ethnic bickering. Modern states, which claim to represent their populations, must somehow decide how the population is to be represented; likewise they must decide on what grounds the population is to be incorporated into the much-expanded structures of the nation-state. These questions are at the heart of the modern nation-state: they give rise to permanent contestation—which is not the same as saying that they make *conflict* inevitable. What we see in the debate over minorities clauses in the treaty that would grant Syria independence is political figures who identified themselves with various groups advancing answers to that question in line with their own political interests and the interests of those groups as they defined them. (The 'majority' is one of those groups, of course.) The questions are so contested because Syrian independence was only a prospect, *raised* by the treaty negotiations but not—in this period—

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[79] AD-SL Box 494, dossier *Traité Franco-Syrien – Application – Question des minorités*. Press-clippings from *Le Jour* (Beirut): series of articles by Rabbath entitled "Les problèmes du Traité Franco-Syrien: Les minorités", 6-10/3/1936.

fully achieved and not fully defined. The institutional relationship of population and state in post-mandate Syria therefore also remained to be defined.

Finally, the debate over minority guarantees also reveals struggles over leadership, legitimate authority, and representation *within* the communities being (re)defined as 'minorities'. When certain Circassian notables demanded guaranteed seats in the Syrian parliament for "two Tcherkess members proposed by the Tcherkesses"[80], for example, what did they mean by "proposed by the Tcherkesses"? Or rather, *who* did they mean? One can assume that pro-nationalist Circassians put forward in elections by the National Bloc would not count—that if the community were redefined in this way only 'minoritarianist' Circassians like these notables would be electable to the 'Circassian' seats. But these notables did not represent the only current of opinion among Syria's Circassians: during the 1936 Treaty negotiations, for example, 150 Circassians from Manbij—one of the largest Circassian settlements in northern Syria, some fifty miles to the east of Aleppo—drove to the city to display their adhesion to the nationalist cause. One of their vehicles carried a banner with the slogan "The struggle for the Fatherland, and obedience to the Bloc".[81]

This issue is even more explicitly present in the letter that the six Catholic bishops wrote to de Martel. When they stated that "minorities are not

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[80] As cited above.

[81] AD-SL Box 568, untitled dossier (material declassified 1998), *Information No. 2092* (15/6/1936). Such a display of loyalty should not, of course, be taken *simply* at face value.

represented" in the nationalist delegation in Paris, this was not on the grounds that nationalists were Muslims and minorities were Christians, but because "the members composing it, Christians included, [were] linked by engagements, the first towards the Nationalist Bloc to which he belongs, and the second towards the government of which he is a part".[82] The two Christians referred to are Faris al-Khoury and Edmond Homsi, respectively. The implication is that a nationalist Christian like al-Khoury could represent nationalists but not Christians. Homsi, meanwhile, was not even a member of the Bloc: they disqualify *him* from representing simply because he was a minister in the existing caretaker government. Who, then, *did* have the legitimate authority to represent Christians? The answer is categorical:

> It is only fair [*de toute justice*] that these minorities should be represented within the delegation by independent persons duly authorized by the supreme heads of the communities […]

At issue, then, is not only the place of 'minorities' in an independent Syria but also the source of legitimate authority within the Christian communities of Syria. These Catholic archbishops saw themselves as the source of that authority: no-one might represent their communities without their blessing. (We have already seen that at the start of their letter they call *themselves* the "representatives" of Christian communities.) They are seeking to constitute Syria's Christians as legally-defined 'minorities', within which authority will reside with the church leaders. As I noted in chapter 2, this

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[82] This and following from AD-SL Box 493, dossier *Traité Franco-Syrien. Minorités. Sous-dossiers*. Letter from six Catholic archbishops to HC (18/3/1936), forwarded under covering letter from Meyrier to MAE (27/3/1936). As noted above, it is not clear whether this is a copy of a French original or a translation from Arabic—the latter might explain the odd grammar of the sentence.

was a vision—rooted in the Ottoman *millet* past—that the French were generally keen to accommodate, but it posed greater problems in the context of a (secular) nation-state form than in a religiously-legitimated empire. Many Christians, meanwhile, particularly younger ones, were comfortable with and supportive of Syrian nationalism. But even a nationalist might envisage a political role for the Patriarchs. Edmond Rabbath, outlining the guarantees that a treaty might propose for minorities, suggested that these guarantees be placed under the jurisdiction of the League of Nations and the International Court in the Hague. "The right to petition these bodies would be recognized to the Patriarchs—and to them alone—each for his own community."[83]

* * *

Conclusion

In the interwar years, as Syria went from being part of the Ottoman empire to being a separate nation-state, the institutional relationship between population and state in Syria was substantially re-formed. 'Nationalizing' reforms in the late Ottoman period had begun this process, but the elaboration of nation-state institutions—and the scale and intensity of their impact on population and territory—was much greater in the post-Ottoman period. The institutional form and legitimacy of the state was put on quite new bases, not only internally but also externally: the Ottoman empire was

[83] AD-SL Box 620, dossier *Mouvement minoritaire Chrétien*, subdossier *La question des minorités en Syrie et en Irak (Généralités – correspondances, informations). Information N° 101* (21/12/1932).

a dynastic empire whose existence required no external institutional sanction other than God's, whereas Syria under the mandate was a nation-state-in-waiting, provisionally recognized as such by the League of Nations. To become a fully independent nation-state it would also require the League's external sanction.

For newly-independent states that sanction depended partly on the legal protection they gave to 'minorities' within their populations. Therefore, the question of minorities was a point of articulation between the external institutional form of the state (a nation-state recognized by other nation-states) and its internal structure (how the state related to its population). The importance of this question was only heightened by the fact that Syria was passing to independence from the position of being a mandate under French imperial control: an external power was present on the ground, and already had well-established links with groups within the population—and reasons to support their claims to minority status.

Within the debate about a Franco-Syrian treaty, therefore, the legally-defined category of 'minority' became a vehicle for the political claims of competing groups and individuals within Syrian society. Different political actors could advance their particular claims by harnessing them to the concept. Syrians could use it, for example, to demand special support from the imperial power (because France, faced with the necessity of a treaty, had adopted the language of minorities to justify its *own* political claims in Syria) and to attract attention and perhaps political support from other international actors (since the international community and notably the

League now expressly concerned themselves with protecting 'minorities', as defined in international law).

At the same time, the concept also became the terrain on which their competition played out. The debate over how 'minorities' were to be defined and what distinct legal status was to be granted to them, if any—in other words, the debate about the *meaning* of the term—was itself an arena in which different groups and individuals could advance their political claims. This was part of the contest over the institutional form of the population's relationship to the state, including the degree of control *over* the state exerted by groups within the population: a contest which naturally involved the 'majority' just as deeply as it did 'minorities'. In that wider contest, meanwhile, the debate over minority guarantees also reveals struggles over leadership, legitimate authority, and representation *within* the communities being (re)defined as 'minorities'. It would be a serious oversimplification to assume that the debate over minorities was about no more than how to balance correctly the interests of discrete groups—a majority and some minorities—whose own internal coherence and structure was already defined. The suggestions put forward by participants in the debate as to how minorities should be defined and protected were intended to shape the groups they claimed to represent. In a sense, the debate itself was one means by which the work of redefinition was carried out.

Writers claiming to speak for particular communities rarely raise the question of how their communities are to be defined: instead, rather like nationalists, they take it for granted that these groups exist and that their

members both know who they are and accept the speaker's right to speak for them. But, just as a nationalist's claims about a 'nation' should be understood more as an attempt to persuade such an entity into being, as it were, than as evidence for the existence of a 'nation'[84], so the claims of a 'minoritarianist' should not be taken as simply reflecting the existence of a coherent and self-conscious 'minority'—still less as reflecting the uniform political opinion of such a group. For both, taking the group's existence as such for granted is probably a necessary part of their political action. If this means that the question of how to define the membership of the group must go unasked, directly, *indirectly* we can see the question of definition emerging through controversies over such issues as personal status law, religious conversion, or language education. Take the issue of conversion: actors claiming to speak on behalf of religious communities also sought the creation of state structures and institutions that would 'fix' those communities, make them coherent. Conversion transgressed—and thus blurred—the boundaries of the communities so defined: little wonder that patriarchs and imams were hostile to it, all the more so when state institutions seems to sanction such transgressions—as they seemed to do for conversion *to* Islam, and as Muslim leaders feared they would do for conversion *from* Islam at the time of the personal status law reform. Conversion also challenged the authority of power-holders within a community *over* that community.[85]

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[84] I made this argument with reference to a 'national territory' in chapter 3.

[85] On personal status law reform, see chapter 6.

If it is hard for nationalists to define the 'nation' in any precise and meaningful way, it is much easier to define who belongs to a state (i.e., whoever the state chooses to grant citizenship to). This is why nationalism always concerns itself with the state.[86] Similarly, it is easier to define a given 'minority' if its social existence is enshrined in state structures. This is what the 'minoritarianists' discussed here hoped to achieve, as should be clear. The legal measures they sought to 'protect' their communities would also define them in certain concrete ways, notably relative to the state. Granting a distinct legal status to 'minorities'—a status embodied in various political rights with concrete implications for the population, enshrined in law and subject to external guarantee—would not just attach neutral legal categories to existing defined communities: it would in itself redefine those communities as political and social entities.

It is easy to see how the the treaty diplomacy of the 1930s—itself influenced by a constellation of other factors—defined the territory of the Syrian state: the Alaouites, the Jabal Druze, and the Jazira were included; most of the Sanjak of Alexandretta was in the end *ex*cluded. Along with the internal development of the state apparatus, treaty diplomacy was part of the process that defined this territory as Syria (or not). It would take an anachronistic, nationalist view of the state to argue that prior to this period the Jazira simply *was* Syria, or for that matter that Alexandretta simply *was* Turkey. It is a little harder, though—because the results cannot be traced on a map—to see the ways in which this diplomacy and the debate about it

[86] This argument is well made by Breuilly 1993.

also shaped both the Syrian nation and the communities redefined as 'minorities' within the Syrian nation-state. But shape them it surely did. And just as the effect of the treaty diplomacy on territory went beyond the mere definition of territory to the development of a notion of 'national' territory in the minds of Syrians, so the debate about minorities clauses shaped 'minorities'—and the 'majority'—in ways that went beyond the mere definition of legal status.

Chapter 6 – Personal status law reform

Introduction

In February 1939, a French attempt to reform personal status law in Syria provided an opportunity for Jamil Mardam Bek's discredited National Bloc government to leave office honourably after a succession of failures. A High Commissioner's decree[1] on the issue dated back to March 1936, but had not been enacted. When a new decree, modifying but also resurrecting the original, was promulgated in November 1938, it provoked widespread opposition because it "treated the Moslems as one sect among many, and thus struck at the root of the traditional Moslem conception of the State".[2] As this grew over the next months, the Mardam Bek government was able to make the issue a point of honour: instructing the Syrian courts not to apply the new law; asserting the Syrian parliament's authority as sole legitimate source of legislation in Syria, and thereby denying the authority of the High Commission; and, when ordered to back down, resigning instead. This allowed Mardam Bek to regain some of the political legitimacy lost during the Bloc's years in government because of its failure—to name only the gravest issues—to get the treaty ratified by France, to prevent the gradual loss of the Sanjak of Alexandretta, and to impose its own authority on the newly-incorporated regions of the Jabal Druze, the Alaouites, and the Jazira. With little left to lose, Mardam Bek used the personal status reform

[1] The term 'decree' here translates the French term *arrêté*, not *décret*—though this also existed, as in the Lebanese government's decree-law (*décret-loi*) mentioned below.

[2] Hourani 1946: 225-226. These words are also quoted by P. Khoury 1987: 567.

issue to regain some of his political standing and resigned "on a large wave of public enthusiasm".[3]

This, roughly, is the account of personal status law reform given in existing political histories of the mandate. The issue is mentioned briefly insofar as it affects the historian's account of nationalist politics, but it is not discussed in or for itself.[4] More than one account, following the trail of senior Syrian politicians in and out of office at this turbulent time, does not mention that having precipitated the fall of the Mardam government *and* its short-lived successor over the issue, the French were eventually forced to suspend *both* the reform decrees—at least for 'Muslims'.[5] Where this suspension is mentioned, its implications are not.[6] The relative lack of interest in the question of personal status law reform is perhaps understandable in the context of political and diplomatic histories. But the issue deserves more attention than it has been given[7]: its implications are far-reaching and profound.

The first part of the chapter explains the function of personal status law in general terms and shows how it raised questions going far beyond the merely 'personal'. To demonstrate what the reform reveals about much

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[3] P. Khoury 1987: 577.

[4] This applies more or less equally to Hourani 1946, Longrigg 1958, P. Khoury 1987. Shambrook 1998 mentions personal status only with reference to the fall of the Haffar government (257).

[5] This goes for Khoury 1987 and Shambrook 1998.

[6] This is the case with Hourani 1946.

[7] The subject is also absent from two wide-ranging recent edited volumes on the mandates, Méouchy 2002 and Méouchy and Sluglett 2004.

larger issues of state transformation, in the rest of the chapter I approach the issue from three different angles—French, 'minorities', 'majority'. Thus, the second part looks at French attempts to reform personal status law in Syria during the mandate—attempts which failed in the mid-1920s and the later 1930s, in each case leading the High Commission to decide (for the time being) that the question should be left to the legislation of local governments. It also identifies the moment at which the question of personal status began to be understood as part of the question of *minorities*. In the third section I look at the Syrian communities affected by the reform, whether because they were defined as 'personal status communities' or because they were *not*, and place those effects in the wider context of the development the nation-state. Rather than involving 'minorities' from the outset, this was one of the areas where the changing nature of the state (and of its relationship with the population) made the category of 'minority' meaningful. The fourth part focuses on opposition to the reform among Sunni Muslim ᶜulama', and shows how the paired category of 'majority' fitted into that opposition. In the conclusion I show that if this issue illustrates the process by which these categories became meaningful, at the same time it highlights the dangers—for scholars—of taking them as objective categories for analysis.

* * *

Questions of personal status

The mandatory authorities had inherited from the Ottoman Empire what they considered to be a confusing mixture of legal jurisdictions, despite the

considerable reforms of the late Ottoman era (reforms for which French writers gave the Ottomans little credit).[8] The first confusion was the unclear distinction between the jurisdiction of common law—exercised by civil courts, although derived from Islamic legal principles—and the religious jurisdiction of the shariah courts which had the force of state law in matters of personal status. The second confusion derived from the state's official recognition of multiple non-Muslim communities: these had their own communal authorities which, for their own members, also had jurisdiction in personal status matters.[9]

The relationship between these different jurisdictions was not clear. Religious authorities responsible for personal status carried out all sorts of acts relevant to civil law, such as recording births on the civil register. When personal status cases involved members of different communities there was competition—sometimes bitter—over which legal authority was competent to try them; Christian leaders felt that they were at a permanent disadvantage to Muslims in this respect, since the general rule

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[8] The general information on personal status law in this and the following paragraphs is drawn from documents in AD-SL Boxes 591, 592, and 593. Particularly useful are two substantial High Commission documents on the topic: a fifty-page study produced by the High Commissioner's delegate to the Contrôle Générale des Wakfs in 1928 (AD-SL Box 591, dossier *Statut personnel. Documentation*. Document entitled *Réforme du statut personnel*, dated February 1928), and a 14-page note produced by the same department—renamed the Contrôle des Wakfs et de l'Immatriculation foncière—in 1934 (AD-SL Box 592, dossier *Statut personnel. Dossier général. Note sur les questions relatives au Statut Personnel*, stamped Gennardi and dated 24/5/1934). NB—Since I cite these long, page-numbered documents frequently, I have included page references.

[9] One jurisdictional confusion that evidently did *not* trouble the French was that arising from the existence of the 'mixed courts' set up in the Ottoman Empire to try cases involving foreigners (including, as time went by, Ottomans who had taken foreign citizenship) and still in existence under the mandate. This issue, which had proved a tremendous obstacle to Ottoman legal reform, is almost never mentioned in the French documents I have read on personal status law reform, even though the mixed courts were presumably also affected.

was that if a Muslim was involved then the case was heard by the shariah courts, while cases tried under common law were *de facto* under Muslim law. Even more galling to non-Muslim religious authorities was when members of their own communities preferred to use the shariah or civil courts in matters the communal authorities were competent to try. Frequently, it was not so much that non-Sunni communal authorities wanted their own courts in order to apply different laws and reach different verdicts than the shariah or civil courts, as that they wanted the right to run communal courts that could reach the same verdicts for *themselves*.[10] I say 'communal authorities' rather than 'communities' because there is no reason to assume that ordinary members of these communities shared the religious authorities' enthusiasm for new legislation that would increase the power of the religious authorities over ordinary members of each community. At one point in the reform debate, for example, a French official noted that while Jewish rabbis were keen to expand the authority of rabbinical courts over the Jewish community and limit as far as possible the

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[10] A French official noted that

> Christian and Israelite plaintiffs used their right [*faculté*] of submitting cases to the Muslim tribunals so widely that the competence of the religious jurisdictions (patriarchates and rabbinates) was soon restricted to cases relative to the matrimonial regime; the canonical law of the community fell into desuetude, and Muslim law—now applied to the generality of cases beween non-Muslims—was by this means introduced into custom. It is precisely these customary dispositions that the patriarchates or confessional tribunals apply today in settlement of cases their members may submit to them may submit to them [*au règlement des litiges dont ils peuvent être saisis par leurs ressortissants*].

(AD-SL Box 591, dossier *Statut personnel. Documentation.* Document entitled *Réforme du statut personnel*, dated February 1928; quote at pp3-4.) That is, in order to reduce the 'loss-by-attrition' of their legal authority to the Muslim courts, the non-Muslim communities had gradually adopted Muslim legal norms. The extremely widespread phenomenon of Christians and Jews preferring to have cases heard before the cadi had been irritating communal leaders ever since the Islamic conquest.

range of cases that Jews could bring under other jurisdictions (shariah or civil courts), ordinary Jews were little keener on being subjected to rabbinical jurisdiction than to the jurisdiction of the shariah courts. General feeling in the community favoured a 'maximal' *civil* law.[11]

Legal recognition from the state as a 'personal status community', meanwhile, was not uniform; some had greater privileges than others. Another issue was that the Ottoman state had not recognized divisions within Islam, so what the French called "dissident" and "heretical" Muslim communities did not have communal autonomy in the matter of personal status. Such, at least, was the theory; in fact, one such community, the Druzes, *did* (exceptionally) have a degree of official recognition of this kind, while in practice unofficial recognition was extended to communities such as ᶜAlawis, Ismaᶜilis, Yazidis.[12]

Underlying these 'confusions' was a greater confusion: what exactly was *personal*? Ostensibly, personal status law is just that: law affecting the personal status of the individual—the law of marriage and divorce, testament and inheritance, guardianship, etc. In recognized personal status communities—in French, *communautés à statut personnel*—the community's own religious authorities had jurisdiction over their own members in these

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[11] AD-SL Box 591, dossier *Statut personnel. Documentation*. Document entitled *Réforme du statut personnel*, dated February 1928; pp9-10.

[12] In the Druze case this derived, like that of the other personal status communities, from Ottoman *berats* and *firmans* granting specific privileges to the community (there was some argument over whether these applied to Druzes living outside Mount Lebanon, however). Information on the law's application in practice to other Muslim non-Sunni communities can be found, notably, in AD-SL Box 593, dossier *Statut personnel. Dossiers particuliers*, subdossier *Statut personnel des sectes dissidentes de l'islam*. I discuss all of these communities in more detail below.

matters. Within that jurisdiction, the communal authorities had certain legal powers devolved from the state: a marriage celebrated by a Greek Orthodox priest would be recognized by the state as legitimate; a child's birth to Jewish parents could be recorded on the civil register by a Jewish rabbi. And where communal law differed from shariah law or civil law, it could be applied to members of the community with the force of state law. Thus, one effect of the official recognition granted to the Druzes was that a Druze couple could bequeath most of their estate to one son rather than distributing it among all their inheritors in the proportion that common law, following the shariah, defined (though, as we shall see, the lucky son's sisters might contest the will—and the principle).[13]

Personal status communities were differentiated from other communities which were *not* recognized as having their own personal status, despite distinct religious beliefs. Where communities of the latter sort had a sufficiently coherent communal existence, the French referred to them as common-law communities (*communautés de droit commun*), but they lacked the privileges of personal status communities: this applied mostly to Muslim communities other than Sunnis, but not exclusively to them. Among Christian communities during the mandate era, Protestants at one point found themselves reduced (as they argued) to this status, which also applied to a schismatic church founded by the Greek Orthodox Bishop of Lattakia,

[13] The case, involving the Kanafani family, is detailed below.

Epiphanios, over a disciplinary dispute with the Patriarch.[14] I will discuss the disadvantages faced by common-law communities relative to personal status communities in more detail below; to understand the difference between them it might be useful to consider the advantages accorded by states to official marriages (whether civil or religious) in comparison with the status of common-law unions. Sunni Muslims, meanwhile, were not constituted as a personal status community because Syrian common law was based on Sunni interpretations of the shariah—Sunnis did not *need* a distinct personal status regime. This situation was viewed as increasingly anomalous by the High Commission, however:

> the Muslim community in general complains of having lost, since the occupation, and without compensation, the major part of its privileges. Above all it complains of being subjected to a regime of exception, which places it in a state of manifest inferiority vis-à-vis the other communities.
>
> […S]ince the laicisation of the States, and the transformation of the principle of sovereignty, [only the Muslim community] no longer has either a [legal] personality or proper organization.[15]

Because personal status was governed by religious law, the religion to which the individual belonged was also considered a matter for personal status law: conversion was one of the most controversial aspects of the topic. Personal status law also covered the possessions of the personal status communities—not the private possessions of their members (whose sale and

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[14] On the Protestants, see AD-SL Box 593, dossier *Le Statut personnel et la Communauté Protestante*, notably the letter signed by four senior members (Arab and Armenian) of the "Synode protestant libano-syrien" to HC (27/5/1936) listing the various acts of the Ottoman government granting recognition to Protestants as a personal status community. For the 'Epiphanios dispute' and its implications see AD-SL Box 593, dossier *Le Statut personnel des communautés religieuses et la question de l'Eglise orientale orthodoxe de Mgr Epiphanios*.

[15] AD-SL Box 591, dossier *Statut personnel. Documentation*. Document entitled *Réforme du statut personnel*, dated February 1928; quote at pp12-13.

purchase, if not inheritance, would be regulated by common law), but the possessions of the religious community itself. In the case of a Christian church this might include church buildings and cemeteries, but also communal schools or other real estate, not to mention their contents.[16] In this and other areas, personal status usually also defined certain privileges for members of those hierarchies: patriarchs might not pay customs duties on luxuries imported for church use, for example; but also, senior clerics might have the right *not* to appear personally in court.[17] This was an important and controversial point of variance *between* the different personal status communities, since the privileges accorded to each by precedent differed—one of the many areas where the French hoped to bring a new uniformity to the law. Lastly, personal status law was also meant to decide where any legal disputes involving such matters would be heard—an important point, especially when the dispute involved members of more

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[16] Under existing law, in fact, such property was technically registered as belong to the head of the community (at least for the Christian churches). This posed the problem, if the head of the community died intestate, that his inheritors could make claims on communal property. Faced with this situation on the death of Syrian Catholic Patriarch Ephrem II Rahmani in 1929, the High Commissioner invoked the Ottoman precedent whereby authority in the matter was devolved to the Apostolic Delegate and the burden of proof was placed on the inheritors to demonstrate that goods had been purchased by the deceased since his enthronement for personal use only. However, this authority devolved to the Apostolic Delegate accredited by the Ottoman Sultan; the then High Commissioner, Ponsot, had to issue a decree granting this accreditation, in his position as the Sultan's recognized successor under international law. AD-SL Series B, Box 16 dossier 317: *Cardinal Tappouni*. HC's Delegate to Contrôle Général des Wakfs, *Note pour le Secrétaire Général* (17/5/1925).

[17] AD-SL Box 592, dossier *A/s. du Statut Personnel* [handwritten]. On customs privileges: *Information N°10* (5/1/1933) . On special privileges of senior Greek Orthodox clergy, including the right to be judged "before special jurisdictions composed partly of laymen and partly of ecclesiastics, meeting at the Seat of the Patriarchate" in civil matters and "by their peers the Orthodox prelates meeting under the presidency of the Patriarch" in criminal matters": Zacharie (Greek Orthodox Metropolitan, Beirut) to HC (1/12/1932).

than one community, since it decided what might be called a 'hierarchy' of jurisdictions.

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Two things should be apparent from this brief discussion. First, the area of personal status law constituted a virtually unbounded field for legal (and political) argument, especially as the limits of what constituted 'personal' status were—like any such legal constructs—debatable. One French official felt that a draft communal statute for the Catholic communities, presented by the Apostolic Delegate in Syria and Lebanon, set the bounds of Catholic personal status so far to the advantage of the Church, and correspondingly to the *dis*advantage of the state, that the latter would be transformed—at least as regards Syria's Catholics—into the "secular arm [*bras séculier*]"of the Church.[18] If such substantial concerns as education or (much of) property law were placed under the purview of personal status law, and therefore of the communal authorities, the state would be little more than the guarantor of those authorities: its own direct interaction with the population would be much reduced. This leads on to the second point: that in Syria, personal status law was an important structuring element of the institutional relationship between population and state. The French attempt to reform the law wholesale therefore implied major changes to that relationship.

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[18] AD-SL Box 592, dossier *Statut personnel. Dossier Général*, subdossier *Le statut personnel catholique*. Lagarde to de Martel, 2/11/1938. Lagarde was junior minister at the MAE, and had until recently served as a senior official in Syria. A longer commentary on the Apostolic Delegate's proposals can be found in a 10-page *Note* by the Contrôle des Wakfs et de l'immatriculation foncière (10/10/1938)—same box, not filed in a dossier.

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French attempts to reform personal status law: aims, stakes, results

On 1 April 1939, the High Commissioner Gabriel Puaux wearily informed a colleague in Iraq that the question of personal status law reform in Syria "[had] been under study at the High Commission for long years".[19] The previous day he had definitively abandoned the most recent attempt in the face of violent unrest and governmental crisis in Damascus. In this section I give a chronological overview of French reform efforts, while also considering French motivations in trying to reform the law in the light of the broader development of the nation-state form in Syria. A detailed discussion of what the question meant to *Syrians* is left to the following sections.

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- *First attempts (1920-1926)*

Puaux's predecessors had indeed been studying the question for years. Requests for legal reform in this area had been coming from religious leaders themselves "since the military occupation".[20] The early High Commissioners took the view that

> One of the missions anticipated by the mandate that has been confided to FRANCE concerns the reorganisation of [the system of] justice. […]

[19] AD-SL Box 592, dossier *Statut personnel. Dossier Général*. Enclosure, *Note sur le statut personnel*, with letter to French Minister in Iraq (1/4/1939).

[20] These words are used by both documents cited in footnote 8, above.

> The absence of unity in the administration of justice and the unfortunately rather arbitrary character of that justice had already, long before the war, been the object of complaints from all fractions of the population, Muslims as much as Christians.[21]

They considered it necessary to overcome the confusions and inconsistencies outlined above. In the Turkish Republic the distinction between shariah courts and civil courts had been overcome by the simple abolition of the former[22]; the French in Syria also sought a solution to this perceived problem, though perhaps a less radical one. In Syria, the French certainly did want to limit the jurisdiction of the religious courts—especially the *shariah* courts: the High Commission's early studies of the question resulted in the conclusion that

> it was necessary to reduce the jurisdiction of the Cadi [i.e. *al-qâdî*, the shariah court judge] to just proportions—which is to say, to leave to him only certain matters closely pertaining to religious law [*tenant de très près au droit religieux*], like marriage, other matters that were formerly part of Personal Status being confided to the jurisdiction of the common law courts […].

Limiting the authority of the shariah courts, one of the most powerful *social* institutions in Syria—a vast tree rooted in the Sunni Muslim population but either sheltering or (depending on one's point of view) overshadowing the whole of society—would have obvious political benefits for France, especially as the civil courts would "also receive the guarantee of the presence of one or two French magistrates". But abolishing them

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[21] This and following quotes from AD-SL Box 593, dossier *Juridictions religieuses. Statut personnel. Privilèges patriarcaux*, subdossier *Statut personnel. Juridictions religieuses [1927-28]. Note concernant l'arrêté sur les juridictions religieuses* (unattributed; Paris, 12/10/1926—stamped 16/11/1926 on first page).

[22] The current document referred to this as "one of the most striking acts of the Ottoman [*sic*] Republic". Berkes calls it "the decisive moment in favour of secularism" (1964: 467-473, quote at 467).

completely, feasible for an indigenous nationalist government in Turkey that had just fought a successful war for independence (and whose secularizing aims were not yet widely understood), was much more problematic for France in Syria, a foreign occupier viewed as illegitimate by much of the population.

The situation was also different in Turkey in that the near-elimination of the Christian population of Anatolia in the decade 1914-24 meant that the existence of multiple personal status jurisdictions posed little practical obstacle to a secularizing nationalist government intent on imposing uniform state authority on the population. In Syria, by contrast, the Christian population remained proportionately much larger than Turkey's and its diverse communal authorities were determined to maintain their legal privileges—partly, no doubt, because events in Anatolia had convinced them more than ever of the need for solid legal defences against the 'Muslim' state. Also, under French rule there was more scope—and more incentive—for Muslim but non-Sunni groups to mobilize as distinct political communities then was the case in Turkey. The French preference for standardization and desacralization of the legal system was thus offset by a tacit understanding that maintaining and in some senses extending the legal autonomy of religious communities might have useful political effects. Two related points deserve particular mention. First, it would at least partially satisfy the lobbying of the church hierarchies—a key political client—which tended towards the maximum possible extension of that autonomy (though different patriarchs had different conceptions of what was possible). Second, it would reinforce the authority of the church hierarchies relative

to both the Syrian state and the Christian population. A similar effect would be created in the "dissident" and "heretical" Muslim communities, though here the margin for action was reduced by the absence of legal precedents justifying communal autonomy.

Such were the concerns of the mandatory authorities in the early 1920s. But although the question was studied, new legislation was slow to emerge. A High Commissioner's decree was prepared under General Weygand, which

> brought about jurisdictional equality by reducing the competence of the confessional tribunals, including the Shariah tribunals, to cases relative to the matrimonial statute while still leaving them a right of voluntary jurisdiction [*droit de juridiction gracieuse*] in matters of succession and testament.[23]

Since the shariah courts had a wider range of competence than other religious jurisdictions, this measure would have involved a proportionally greater reduction of their authority. But the project "satisfied no-one [and] was rejected unanimously by the representants of the communities"; when Weygand was replaced at the end of 1924 it was shelved. His successor General Sarrail revisited the question but was also recalled before a decree could be promulgated. The first actual legislation came in 1926, with the civilian High Commissioner Henry de Jouvenel. He promulgated a decree—number 261/LR of 28 April 1926, to come into effect on 1 June—giving the civil courts competence over all personal status matters previously heard by communal courts except a very limited range pertaining directly to marriage

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[23] This and following quote from AD-SL Box 592, dossier *Statut personnel. Dossier général. Note sur les questions relatives au Statut Personnel*, stamped Gennardi and dated 24/5/1934; quotes at p7. NB—Other factual information in this paragraph derives from the cited documents.

and divorce. It was to be supplemented by the codification of the existing canon laws (the civil court officials having pointed out "the difficulty in the presence of which the judges would find themselves in applying laws and usages which where nowhere codified"[24] in the matters newly transferred to civil jurisdiction) and the institution of a civil personal status legislation, including a civil marriage regime.[25]

However, this decree fell victim to the combination of local opposition and the rapid turnover of High Commissioners in the early years of the mandate. Everywhere outside the Alaouites the decree provoked such protests that the High Commission decided to "leave to the States [i.e. the local governments] the care of assessing whether the new legislation should be put into effect immediately or, on the contrary, deferred".[26] The political vocabulary of a later era would describe this solution as a 'fudge'. De Jouvenel having returned to France to seek election to the Senate, the decree was simply suspended—initially until the end of October 1926, but then, it seems, indefinitely. A document written in Paris in the middle of that month ringingly asserted that "no important reason can now prevent the reform from being executed" and argued that "this initiative indisputably falls to the High Commission"—that is, *not* to the local

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[24] AD-SL Box 593, dossier *Juridictions religieuses. Statut personnel. Privilèges patriarcaux*, subdossier *Statut personnel. Juridictions religieuses [1927-28]. Note concernant l'arrêté sur les juridictions religieuses* (unattributed; Paris, 12/10/1926—stamped 16/11/1926 on first page).

[25] AD-SL Box 592, dossier *Statut personnel. Dossier général. Note sur les questions relatives au Statut Personnel*, stamped Gennardi and dated 24/5/1934; pp7-8.

[26] AD-SL Box 592, dossier *Statut personnel. Dossier général. Note sur les questions relatives au Statut Personnel*, stamped Gennardi and dated 24/5/1934; p8.

governments—since it affected *all* the states under French mandate. But de Jouvenel's successor Henri Ponsot evidently took a different view.[27] Ponsot stayed in Beirut for seven years, as long as his four predecessors combined; although the High Commission continued to study the subject, no further action was taken.[28] "Having considered until 1926 that the accomplishment of this reform was a mandat task [*œuvre de mandat*]," another official wrote later of this period, "we seem to have decided since this time to leave to the States the care of legislating in this matter."[29]

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- *Another try (1933-39)*

It was not until after the arrival as High Commissioner of Count Damien de Martel, in 1933, that the earlier line reappeared: he took the view that "[t]he settlement of this important question is a mandate obligation."[30]

> This reform having a general character must be applied to all the confessional minorities, including the Shi^{c}ites, the Druzes, the ^{c}Alawis and the Isma^{c}ilis. Moreover, it must permit every community to obtain its legal recognition, under

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[27] These quotes and information in the rest of the paragraph from AD-SL Box 593, dossier *Juridictions religieuses. Statut personnel. Privilèges patriarcaux*, subdossier *Statut personnel. Juridictions religieuses [1927-28]. Note concernant l'arrêté sur les juridictions religieuses* (unattributed; Paris, 12/10/1926—stamped 16/11/1926 on first page).

[28] The long document on *Réforme du statut personnel* cited above was produced by the High Commissioner's delegate for the Contrôle Général des Wakfs in February 1928, i.e. under Ponsot. The Lebanese government took up the issue for itself in 1930 with a presidential decree-law (N°6, of 3/2/1930—text available in AD-SL Box 592, dossier *A/s. du Statut Personnel*). This too provoked opposition: see for example same location, Ponsot to MAE (10/3/1933), and the enclosed translation of article from *Osservatore Romano* and statement to Lebanese President of Christian patriarchs meeting at Bkerké.

[29] AD-SL Box 592, dossier *Statut personnel. Dossier général. Note sur les questions relatives au Statut Personnel*, stamped Gennardi and dated 24/5/1934; quote at p13.

[30] This and following quote from AD-SL Box 592, dossier *Statut personnel. Dossier général. Note exposant le point de vue de Monsieur le Haut-Commissaire au sujet du règlement des questions relatives au Statut Personnel* (7/6/1934).

> conditions to be determined, and every individual to withdraw from confessional law in matters relative to his Personal Status.

Two points in particular deserve to be drawn out here, because they illustrate two important aspects of the argument of this thesis. First is the introduction into this debate of the language of minorities, hitherto absent. Documents on the subject from the later 1920s in the High Commission archives much prefer the term 'communities'. It was only in the 1930s that the term 'minority' was also attached to existing or prospective personal status communities, whether by the French or by Syrians claiming to speak for those communities. This emphasizes the point I made in the previous chapter, that it was only as the prospect of a Franco-Syrian treaty and Syrian indepence arose that the term really took root in Syria. Indeed, in the debate on personal status law, 'minority' crops up most in documents that address the vexed question of whether that law should be the object of an externally-guaranteed treaty obligation.[31] But in general, 'community' remained by far the preferred term in this context, perhaps partly because the set expression 'personal status community' was so well established. (I have nowhere encountered the term 'personal status minority'.) If it was hard for the French to discuss a treaty without talking about minorities, the same was not true of personal status law. This highlights the dangers of assuming that personal status law was a 'minority' issue—that is, that

[31] One striking example is the report commissionned in September 1933 from the Lebanese judge and legal scholar Choucri Cardahi by Paul Boncour, the French Minister for Foreign Affairs, and entitled *En marge de la protection des minorités. La question du statut personnel; son évolution dans les pays du Proche Orient* (AD-SL Box 591, dossier *Statut personnel. Documentation*). This report was later published in *L'Asie française* (325, Dec 1934, pp317-327), which did not mention that it had been commisioned by the MAE.

personal status communities can unproblematically be described as 'minorities'.

The second point to underline is the forthright restatement of a *secularizing* intent: while the legal competence of religious communities in personal status matters was to be set out in any reform, so too was the right of any individual to have his (or her) personal status dealt with in the civil courts rather than the personal status courts of the community to which he or she 'belonged'. However useful the legal segregation of Syrians by religion might have been to French imperialism, a more fundamental aim was to assert the place of the state as the arbiter of religious authority rather than religion as the arbiter of state authority—the state in question being the *Syrian* state, not the mandatory authorities that oversaw it.[32] Although the document concluded that a Turkish-style secularization of the law—outright abolition of religious courts, and the establishment of an exclusively civil law of personal status—was impracticable in the mandate territories, it set out a crucial principle for the alternative ("amelioration, consolidation and reglementation of the existing system"[33]):

> in the last instance, in the fixing of relations between the States and the Churches, the supremacy of the civil powers must be admitted as a fundamental rule; in this aim, any provisions of the communal laws liable to harm it [i.e. that supremacy] must be prohibited [*on devra admettre comme règle fondamentale, la suprématie du pouvoir civil et dans ce but, interdire toutes dispositions des règlements communaux de nature à y porter atteinte*].

[32] Also the Lebanese state, since the decree applied to the mandate territories as a whole.

[33] This and following quote from AD-SL Box 592, dossier *Statut personnel. Dossier général. Note exposant le point de vue de Monsieur le Haut-Commissaire au sujet du règlement des questions relatives au Statut Personnel* (7/6/1934).

As we shall see, Christian patriarchs would prove willing to accept this bargain as being *less* disadvantageous to them than that offered by a 'Muslim' state, especially as it would reinforce their own political authority. Muslim ᶜulama', however, would reject it.

This concern to establish state authority over religion echoes the Turkish case, but is a phenomenon observable in modern states at large. Two examples might be Tunisia or Italy. In Tunisia, under French protectorate, religious marriage had been brought within the ambit of the state by granting religious ministers the status of officers of the civil register—nonetheless asserting that even religious marriage ceremonies were the state's business. In Italy, a law on this subject was passed in 1929: it did not grant civil powers to religious ministers, but rather insisted that religious marriages submit to state authority. Amongst its provisions were that "the nomination of ministers of religion must be submitted to the Ministry of Justice for approval", or that ministers officiating at a marriage must read articles 130, 131 and 132 of the Italian civil code to the bride and groom and receive their "express declaration […] that they intend to take each other respectively for husband and wife, observing the dispositions of article 95 of the civil code". These two examples are not chosen at random: the French Ministry of Foreign Affairs, discussing de Martel's proposals for reform, cited them as possible examples for similar legislation in Syria.[34] For modern states the world over, 'husband and wife in the eyes

[34] AD-SL Box 592, dossier *Statut personnel. Dossier général*. Letter, MAE to de Martel (1/5/1935). The quotes come from the Italian legislation, a decree of 29/5/1929, directly cited in translation over two pages of this letter (articles 3 and 9 respectively).

of God' is all very well—*provided* that God duly genuflects to the state. If French officials wanted to introduce legislation to this effect in Syria it may have been less out of a specific desire to reduce Islam to the status of "one sect among many" than because this was simply how they felt a modern state should act—which is not to say that any consequent reduction of the institutional power of Muslim religious authorities would have been unwelcome to them.

Tunisia and Italy were not the only countries to which the mandatory authorities turned to gather documentation on existing legislation (and legal practice), looking for background information but also for guidance on specific issues. They sought information from the neighbouring states under British mandate, other countries in the region, and further afield. I encountered references to more than a dozen countries, from neighbouring Palestine to the Dutch East Indies, Egypt to France,[35] not to mention the single most important reference point: the Ottoman Empire. Such references were sometimes brief, as in the claim that a draft reform had borrowed from earlier legislation (much of it specified by title or name of drafter) in the Ottoman Empire, Egypt, France, the Dutch East Indies,

[35] Some representative examples can be found in AD-SL Box 591, dossier *Statut personnel. Documentation*, including subdossiers on Egypt and Iraq. The latter contains issues of the *Iraq Government Gazette* forwarded to Beirut by the French Legation to Iraq, with relevant items in the list of contents on the front page marked in blue pencil: for *IGG* no. 9 (28/02/1932) it is *Regulations of the Jewish Community—No. 36 of 1931*; a less directly relevant example is *IGG* no. 32 (02/08/1931), where *Official Holidays Law—No. 72 of 1931* is marked. The latter example illustrates just how wide the scope of personal status law could be.

Algeria, "the Indies", and Russian Turkestan.[36] Just as often, though, they were rather detailed. The Contrôle des Wakfs reached the conclusion that outright secularization would not succeed in Syria and Lebanon after a comparison of reforms in Turkey, Palestine, Iraq, Egypt, and Persia.[37] In specific cases foreign legislation could be cited at length (as with Italy, above), or the legal practice of other countries studied in detail. French officials used the example of Palestine to decide how Russian refugees in Syria—some stateless since the 1917 revolution, some still holding Russian nationality—should fit into Syrian personal status law.[38] They also took note of British practices relating to the election of Christian patriarchs.[39]

With these concerns in mind the High Commission under de Martel patiently prepared new legislation, discussed over months and years with local religious authorities—the Christian patriarchs figure most prominently in the archives, but not to the exclusion of all others—the Syrian government, and the Ministry in Paris. Given the extreme care that the French took in drawing up the reform legislation, it might seem surprising that it failed so completely.

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[36] AD-SL Box 591, dossier *Statut personnel. Documentation.* Document entitled *Réforme du statut personnel* (February 1928), p19.

[37] AD-SL Box 592, dossier *Statut personnel. Dossier général. Note sur les questions relatives au Statut Personnel*, stamped Gennardi and dated 24/5/1934, pp9-13.

[38] AD-SL Box 593, dossier *Statut personnel des communautés. Cas des réfugiés russes.* See especially note by Mazas, legislative counsellor (1/5/1936) and letter, d'Aumale (French Consul General in Palestine) to HC's delegate-general (16/6/1936).

[39] See below.

De Martel's first decree on the subject was decree 60/LR of 13 March 1936, "fixing the status of the religious communities".[40] The timing was important: the decree, in preparation for well over a year, was finally issued in the brief period between France agreeing (reluctantly) to negotiate a treaty with a nationalist delegation at the start of that month and the delegation's departure for Paris. This reflects a concern of the High Commission that went back to Ponsot's attempts to negotiate a treaty in 1933:

> if the Syrian constitution clearly states the [*comporte bien l'exposé des*] permanent guarantees of public law conferred on individuals and communities, the status of the communities itself and the personal status of minoritarians belonging to the different confessions is not defined by any organic text. These texts, of secondary interest for as long as the mandate lasts, would become crucially important under the Treaty regime. They must necessarily be drawn up before the Treaty comes into effect.[41]

If the treaty were to include guarantees for 'minorities', the High Commision felt, there had to be legislation in place for France to guarantee: considering the *communautés à statut personnel* as 'minorities' would allow personal status law, once it was settled, to fill that role. Ponsot had believed that because of "the difficulty of complexity of the definitions to come [*à intervenir*] in these matters" it was unrealistic to make France's signing a treaty conditional on the establishment of such legislation: that is, he was guided by his sense that personal status reform was, for political reasons, best left to the local governments. He therefore proposed that the

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[40] The text of the decree can be found in AD-SL Box 592, dossier *Statut personnel. Dossier Général*, subdossier *Statut dex* [*sic*] *communautés religieuses. Textes*. Another decree of the same day (61/LR) annulled all personal status legislation prior to decree 60/LR once this and its related texts had come into effect.

[41] This and following quotes from AD-SL Box 592, dossier *A/s. du Statut Personnel*. Ponsot to MAE (21/4/1933).

treaty include an annexe making it incumbent on the *Syrian* government to draw up and enact its own personal status legislation in the four-year transitional period between the treaty's signature and Syrian independence. As we have seen, however, his successor de Martel believed the reform was a task for the mandatory. Motivated by the same concern to get personal status legislation onto the statute books before a treaty came into effect, he decided to do it by High Commissioner's decree before the treaty was even negotiated, let alone signed.

Decree 60/LR set out to *fix* the status of the religious communities, and the choice of verb is important.[42] The decree certainly *did*—for what it is worth—consider Sunni Muslims as one religious community among others.[43] But here it is more important to note the 'regularizing' intent of this decree, and its assertion of the state's authority over religion. By the terms of this decree, the state sought to fix religious communities in several ways: first of all, in a regular relationship to the state, as either personal status or common-law communities[44]—all communities within each of these categories having the same status as the others vis-à-vis the state. But the decree also fixed the internal structure of each recognized community: although each community was to produce its own statute (communal organisation, codified personal status), the state would approve it (article 4); once approved, it would have the force of law for members of that

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[42] The text can be found in AD-SL Box 592, dossier *Statut personnel. Dossier Général*, subdossier *Statut dex* [*sic*] *communautés religieuses. Textes*.

[43] See annexe I of the decree, listing "communities enjoying *de jure* or *de facto* recognition".

[44] Titles I and II of the decree respectively.

community and be "under the protection of the law and the control of the public powers" (2): it could only be changed by a legislative act of the state (6). Communities could no longer evolve according to their own internal dynamics, but must do so by reference to—and permission of—the state. The same would go for individuals, who would be permitted to change community but must declare this to the state (11). Authority within the communities was also established relative to (and by devolution from) the state: the decree stipulated that communities and autonomous groupings within them would be represented by their religious leader in financial and legal matters, for example (8), and "in their relations with the public powers by their highest religious leader" (9). Bearing that developments internal to the Ottoman *millets* had increasingly secularized authority within them since mid-19th century[45], this reassertion of clerical authority is striking—and it came from the *state*. Even common-law communities, with their much more limited rights and privileges, would be subject to many of the same obligations towards the state: a communal statute must be approved by government authority, and then it too could only be changed by legislative act of the state (16); the state must be notified of the nomination of ministers of religion wishing to celebrate marriage (18); since the ministers of common-law communities were not themselves empowered to record marriages officially, the marriages they celebrate must be

[45] Berkes 1964: 158. One could argue that for Christians in Aleppo (and perhaps elsewhere) this continued the process begun much earlier when local communities established *local* control over church hierarchies against the wishes of the Patriarch in Istanbul, notably through 'defections' to Uniate Catholicism. Masters 2001: chs3-4.

authorized and recorded by an "agent of the civil register" (19-21).[46] And the status granted to a community by the state, whether that of personal status community or common-law community, could be *revoked* by the state (23). All in all, the text of this decree represented a vast extension of the state's formal authority over religion—and through it over whole sectors of Syrian social life. This was especially the case because Sunni Islam was treated as one such community, to be defined according to norms set by the state, rather than as the true religion that setting the norms the state must implement.

It was not only the opposition of Sunni Muslim clerics that made a dead letter of decree 60 when it was first promulgated, however. Religious figures from other communities also found much to object to, and the Syrian government privately warned the High Commission that it would be unable to put the decree into effect.[47] There was also disagreement over how, exactly, each communal statute was to be drawn up: who were the legitimate authorities, and on what would they base their text? The High Commission received no less than *three* competing draft statutes produced by different groups within the Lebanese Druze community alone.[48] The

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[46] Within Lebanon only, the decree also gives a special matrimonial regime to Protestants, not recognized as a personal status community (article 22).

[47] AD-SL Box 593, dossier *Application du Statut Personnel des Communautés religieuses* [*et la communauté musulmane* –] *Changement de religion et divorce*. Copy of letter from Ata Bey Ayoubi, Syrian PM, to HC's delegate in Damascus (20/5/1936), included with letter from HC's delegate to HC's delegate-general (22/5/1936).

[48] One was from the 'traditional' religious authorities, the *shuyûkh ᶜaql* of Baakline, another from a group calling itself the Druze Reform Club (*al-Nâdî al-islâhî al-darzî*). A third, although present in the French archives, bears no attribution. Copies of all three can be found in AD-SL Box 593, dossier *Statut personnel. Dossiers particuliers*, subdossier

church hierarchies seem to have maintained a monopoly over the drafting of statutes for the different Christian communities, but it is safer to take this as evidence that the High Commission accepted their authority than as proof that all Christians did.

These are some of the reasons why decree 60 remained unimplemented. When de Martel invited the religious communities to comment on the text of the decree, and set up a Franco-Syrian commission to study their remarks[49], it seems to have been taken as a virtual abrogation by religious leaders. None held back from suggesting revisions to the decree. One Christian clergyman's comments referred to it as a "draft [*avant-projet*]", as though the text of a formally-issued decree were merely a planning document—a clear enough reminder that when the state sets out to impose its authority over other institutions within society, they can offer effective resistance.[50]

In the meantime, the political situation in Syria changed dramatically with the signature of the treaty and the election of a nationalist government. This, and the succession of crises that swiftly soured the elation of late 1936, meant that the question of personal status reform was eclipsed for a while. But the commission continued its work, and in secret negotiations with the High Commissioner in February 1938 the nationalist prime minister

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Statut personnel des sectes dissidentes de l'islam, as enclosures with a letter from Schoeffler to Puaux (27/8/1940).

[49] AD-SL Box 592, dossier *Statut personnel. Dossier Général*. Puaux to French Minister in Iraq (1/4/1939), enclosure *Note sur le statut personnel*.

[50] AD-SL Box 593, dossier *Le Statut personnel et la Communauté Arménienne orthodoxe*. Papken I (Catholicos coadjuteur de Cilicie), to Meyrier, acting HC (12/5/1936), enclosure *Observations sur l'Avant-Projet*.

Jamil Mardam Bek agreed to the text of a new decree; his justice minister ᶜAbd al-Rahman al-Kayyali also accepted its terms.[51] The decree was not issued until the following November, however, after further guarantees of 'minority rights' had been extracted in Paris from a now virtually supine Mardam Bek. This is the point at which we join the political narrative of the end of the National Bloc government: with the issuing of decree N°146/LR of 18/11/1938, "modifying and completing decree N°60/LR".[52]

The first four of decree 146's six articles each abrogated and replaced individual articles of the earlier decree. These modifications introduced the possibility of a Syrian or Lebanese national *not* belonging to any recognized community for personal status matters, in which case civil law would apply (article 1, revising decree 60's article 10); ensured that in case of death or separation ending a marriage the children would always follow the father's community, even if the *mother* had care of the children (2, revising 12); and stipulated that in case of collective secession from a community, the seceding group could take its property with it *except* "biens dédiés", i.e. waqf properties (3, revising 13). Since these would include much of a community's immovable property, this small qualification would make it considerably harder for any group secession to take place—thus 'fixing' the community even more. The new decree also abrogated the earlier article granting a 'halfway' status of Protestants in Lebanon (4, revising 22).

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[51] AD-SL Box 592, dossier *Statut personnel. Dossier général.* De Martel to MAE (2/2/1938); Puaux to French Minister in Iraq (1/4/1939), enclosure *Note sur le statut personnel.*

[52] The text can be found in AD-SL Box 592, dossier *Statut personnel. Dossier Général*, subdossier *Statut dex* [*sic*] *communautés religieuses. Textes.*

Article 5, meanwhile, replaced—and much augmented—the entire third section of the original decree, with three articles of "general provisions [*dispositions générales*]" being replaced by eight.[53] It included an article adding the Protestant community of the mandate territories as a *whole* to the list of fully recognized communities (new article 28). It also removed the state's right to revoke a community's recognition as a personal status community, as included in the original article 23—the biggest single surrender of state authority in the modifications, though since it was still up to the state to *grant* recognition one wonders how much of a real surrender it was.

The other revisions mostly applied to marriage and conversion; for our purposes, the most important are the new articles 25 and 27. The former recognized marriages contracted abroad by Syrian and Lebanese nationals, whether with another Syrian or Lebanese national or with a foreigner, provided that such a marriage followed the legal forms in the country where it took place. It also stated that if those forms were contrary to the provisions of either spouse's personal status regime in the mandate territories, then in those territories the marriage would be considered subject to *civil* personal status law. This is significant, as it raised the possibility of Syrians and Lebanese of different communities going abroad to contract a marriage then returning—thereby 'escaping' religious jurisdiction. As the ᶜulama' would forcefully observe, the marriage of a

[53] Article 6 simply tasked the High Commissioner's secretary-general with executing the decree.

Muslim woman to a non-Muslim man could thereby become legitimate under Syrian state law. The new article 27, meanwhile, set up a higher jurisdiction to rule in cases of conflict between personal status jurisdictions or between them and the civil courts. It would also decide if the judgments of personal status jurisdictions passed over to the state for execution had "been rendered competently and must be executed"; rule on contraventions and infractions of personal status law; and give an authoritative opinion on the interpretation and application of decrees 60 and 146 to the Syrian and Lebanese governments and to community leaders. Notwithstanding a paragraph stipulating that in cases regarding conflict or competence, the jurisdiction would include "alongside the President and members composing it" a representative named by the head of each community concerned, this article maintained the ultimate authority of the state over religious jurisdictions—as the ᶜulama' would also point out.

Signing decree 146 was one of de Martel's last acts before retiring as High Commissioner. He was replaced by Gabriel Puaux, who arrived in Syria at the beginning of January 1939. According to Puaux, opposition to decree 146 was muted until February:

> It was only of the beginning of that month that the Nationalist Bloc, desirous of creating difficulties for the mandatory power, and of setting its agitation on a religious base in the Muslim world, provoked a petition from a group of Uléma.[54]

The "petition" in question was actually a letter, sent to the Syrian interior ministry by the president of the recently-founded Damascus Association of

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[54] AD-SL Box 592, dossier *Statut personnel. Dossier général.* Puaux to French Minister in Iraq (1/4/1939), enclosure *Note sur le statut personnel.*

ᶜUlama' (*jamᶜiyyat al-ᶜulamâ' bi-Dimashq*), Shaykh Kamil al-Qassab. Reserving judgment for a moment on Puaux's assessment of its origins[55], it is enough to note here that the opposition triggered by this letter quickly spiralled beyond the French capacity to control it—certainly beyond the capacity of the Syrian government to control it. Hence Mardam Bek's decision to *ride* the opposition instead, making a stand against a legal text he had himself agreed to. The Bloc government responded to al-Qassab's letter by circulating a memo instructing the courts not to apply the revised decree since it was "not drawn up by the Syrian parliament, unique source of legislation in the country".[56] This qualification should be noted, for two reasons. First, it raised the stakes by directly challenging French authority in the country. And second, even if the Bloc was running to keep up with the religious opposition by this stage, by extension it nonetheless attempted to assert parliament's authority over the ᶜulama'. While this may have been an empty gesture at the time (on both counts) it is worth noting that the attempt to assert the civil state's authority over religion did not only come from the French: nationalist politicians could try to do the same even while trying to capitalize on, and channel, religious opposition to a French reform. On the same day—13 February 1939—the Syrian Ministry of Justice also set up a commission to study the reform decrees, consisting of Mustafa Barmada

[55] These are discussed in more detail below.

[56] AD-SL Box 592, dossier *Statut personnel. Dossier général. Information N°69/S* (13/2/1939).

and Yusuf al-Hakim from the High Court of Cassation (president and counsellor, respectively) and the acting Mufti-General Shukri al-Ustuwani.[57]

Contrary to Puaux's claim that the Bloc had stirred up religious feeling to its own ends, the *Jamᶜiyyat al-ᶜulama'* had issued its declaration not only in opposition to the French for having issued the text, but to the Bloc for having agreed to it. Ordering the courts not to apply the decree, and setting up a commission to study it, allowed the Bloc to regain the political initiative. The measures temporarily succeeded in this aim—a delegation of Damascene nationalist merchants came to thank Mardam Bek the next day, when the press published the news[58]—but exacerbated the situation beyond the Bloc's ability to control it; which may have been the intention. Puaux, faced with an unacceptable challenge to French authority, responded by ordering his delegate in Damascus to demand the withdrawal of the Syrian government's memo to the courts. He also published a communiqué in the Syrian press which noted that decree 146 had been drawn up

> in agreement with the Syrian government and taking into account the observations presented by the religious communities, and notably the Uléma, following the promulgation of decree 60.[59]

The communiqué emphasized that "only a decree of the High Commissioner can annul or suspend the execution of a decree emanating from that same

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[57] AD-SL Box 592, dossier *Statut personnel. Dossier général. Information N°66/S* (13/2/1939); al-Hakim 1983: 287.

[58] AD-SL Box 592, dossier *Statut personnel. Dossier général. Information N°66/S* (13/2/1939). However, another delegation—this one including ᶜulama'—visited Mardam Bek the same day to demand not just the suspension but the abrogation of the reform.

[59] This and following from AD-SL Box 592, dossier *Statut personnel. Dossier général.* Puaux to French Minister in Iraq (1/4/1939), enclosure *Note sur le statut personnel.*

authority". Alongside this robust-sounding assertion of French authority, however, Puaux also invited the religious communities to present "the new objections they believed they should formulate". Over the next weeks, as Mardam Bek's government fell, its short-lived successor came and went, and unrest spread across Syria, Puaux set up a commission of his own to study Syrian objections[60]; "[w]hile waiting for this commission to finish its work, the decree would not in practice be applied to the Sunni community".[61] He also brought his oratorial skills to a calming radio broadcast to the Syrian people.[62] But in the meantime, angry demonstrations continued on the streets of towns and villages across Syria: in Damascus they exceeded the abilities of the police or gendarmes to maintain order, and French troops were called out on 20 March. With no government able to replace the Bloc, the French delegate in Damascus implemented direct rule. In the meantime, the Syrian government's commission on the question had undergone a change in personnel: Shukri al-Ustuwani had been replaced, due to ill health, by ᶜAbd al-Muhsin al-Ustuwani—and Kamil al-Qassab had been appointed as a fourth member. By a majority of three to one it issued a statement comprehensively rejecting decrees 146 and 60 on religious grounds; Yusuf al-Hakim was left to write a minority report arguing for them

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[60] *Décision N° 69* of 11/3/1939, "instituting a commission charged with the study of certain questions relative to personal status". Its members were Meyrier, the secretary-general, Mazas, the legislative advisor, and Gennardi, the inspector-general of the Contrôle des wakfs. Text available in AD-SL Box 592, dossier *Statut personnel. Dossier Général*, subdossier *Statut dex* [*sic*] *communautés religieuses. Textes*.

[61] AD-SL Box 592, dossier *Statut personnel. Dossier général*. Puaux to French Minister in Iraq (1/4/1939), enclosure *Note sur le statut personnel*.

[62] AD-SL Box 592, dossier *Statut personnel. Dossier général*. Puaux to French Minister in Iraq (1/4/1939), enclosure *Note sur le statut personnel*. According to Yusuf al-Hakim (1983: 286), Puaux's exalted rhetorical style led some Syrians to compare him to an evangelical pastor.

to be accepted.[63] Faced with a legal opinion so evidently in line with popular feeling against the reform, the French commission in its turn,

> while reserving its opinion on the general principles [of "Muslim claims"], observed that the objections made in the name of Islamic law bore on such a large number of article [*sic*] that, to take them into account, a general rewriting of the legislation would be necessary. Moreover, these objections could not be taken into account as they are presented without leading to solutions unreconcilable with the rights and interests of the other communities.[64]

Puaux therefore decided to solve the problem by maintaining the decrees, but not for everyone: on 30 March a new decree was issued stating that decrees 60 and 146 "are and remain without application as regards the Muslims".[65] When he notified the Quai d'Orsay of his intentions, his superiors asked if this measure could not be "put off until later".[66] Puaux replied, *after* he had issued the decree, that his staff had judged it

> impossible to defer any longer an impatiently-awaited measure. The adjournment would have been exploited against us, and the repression of a movement of a religious character would have been perillous.[67]

The Ministry evidently did not realize quite how serious the situation in Syria had become, nor the extent to which—in Puaux's opinion—the French had brought it on themselves:

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[63] Al-Hakim 1983: 287-290. I discuss the rejection of the reform in more detail below.

[64] AD-SL Box 592, dossier *Statut personnel. Dossier général.* Puaux to French Minister in Iraq (1/4/1939), enclosure *Note sur le statut personnel.*

[65] Decree N°53/LR of 30/3/1939. Text available in AD-SL Box 592, dossier *Statut personnel. Dossier Général*, subdossier *Statut dex* [*sic*] *communautés religieuses. Textes.* Note that the temporary suspension of the decree had specified only *Sunnis*, as mentioned above. The implications of the use of this vaguer term in the legal text permanently suspending it were important (see below).

[66] AD-SL Box 592, dossier *Statut personnel. Dossier général.* Telegram, MAE to HC (30/3/1939).

[67] AD-SL Box 592, dossier *Statut personnel. Dossier général.* Telegram, Puaux to MAE (31/3/1939).

> I remind you that already, in 1926, a decree on personal status could not be implemented [*n'avait pu être appliqué*]. The new experiment that has just been tried [*La nouvelle expérience qui vient d'être faite*] demonstrates the impossibility for the mandatory power of legislating in matters that directly touch on a religious legislation—which she is, besides, bound to respect by the very terms of the mandate. The only way to assure freedom of conscience in practice would be the institution of a civil status by the Syrian state.[68]

In other words, Puaux was renouncing the task of reforming personal status law in Syria: once again, an attempt to make it a "mandate task" had failed; once again, a new High Commissioner adopted the opinion that this was a job for the local states.

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At the end of the period covered by this thesis, that was where the matter stood. Although they remained operative (on paper at least) for non-Muslims, the reforms had been thwarted. But their story—both the attempt to enact them, and the opposition they provoked—illustrates the development of the nation-state form in Syria, which made the categories of 'minority' and 'majority' increasingly meaningful. The next section looks at the reform from the angle of minorities.

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Personal status law reform and the 'minorities'

Legislation in a newly-defined nation-state is affected by the new border, most obviously because it is now *limited* by the border. Communities redefined by personal status legislation were thus cut off from their

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[68] AD-SL Box 592, dossier *Statut personnel. Dossier général.* Telegram, Puaux to MAE (31/3/1939).

members outside the new borders; they had to relate to the local state as a community limited by the state's own borders. Within those borders, personal status legislation imposed a new uniformity on the relationship all members of any given community had with the state—part of the expansion and intensification of the state's intervention in the lives of the population, as the preparation and enactment of this reform demonstrate. Both these processes (limitation of the community to the territory of the state; legal redefinition of its relationship to the state) contributed to making the category of 'minority' meaningful.

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- *Borders (again) and the 'nationalization' of religious life*

In chapter 4, I showed how the establishment of fixed borders, of the sort that define modern nation-states, has the effect of fixing certain communities into a nation-state structure where they are a minority. Since the nation-states that replaced the Ottoman Empire, like those that replaced the other European dynastic empires, were each dominated by one particular 'national' community, this effect was even felt by communities that were wholly or mostly concentrated within one new state—communities that had previously been one community among many others, large and small, in a polity that was not dominated by any single 'national' group. The question of personal status law reform offers more examples of the same phenomenon at work, because the legal institutions involved were now *national* institutions: they stopped at the newly-defined borders, and

they were increasingly defined by norms set by the largest community, on the grounds that it *was* the largest community.

So for example, while nation-states may recognize the spiritual authority of an external figure over a part of their own population, they explicitly deny the *temporal* authority of such figures. This applies to the religion of both 'majority' and 'minorities': the national church must be national *first*, and even other churches must be 'national'. This was the model that the mandatory powers sought to apply in the post-Ottoman Levant. In Palestine, as French officials in Syria noted, Britain asserted new 'national' rules for the selection of a new Armenian Orthodox Patriarch of Jerusalem. Previously, this patriarch had been nominated by the Ottoman Sultan from a list drawn up by a gathering of senior clerics from "all the territories […] belonging to the Ottoman Empire". But during the mandate, the British authorities insisted that the patriarch must be nominated (by King George V of England, *in loco sultani*) from a list drawn up by senior Armenian Orthodox clerics from within the borders of mandate Palestine only. Moreover, he must himself belong to the Armenian Orthodox community of Palestine—that is, he must be a Palestinian 'national'.[69]

A similar concern to 'nationalize' religious authority is evident in French mandate Syria. Article 9 of decree 60, which appointed each community's

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[69] This information, and the quotation, are from AD-SL Box 592, dossier *A/s. du Statut Personnel* [handwritten], subdossier *Congrès des patriarches pour l'étude des questions de statut personnel*. Letter, d'Aumale to MAE; undated, but this copy is marked "Communiqué Beyrouth, le 11 Mars 1931". The Armenian Orthodox had been in negotiations with the British for more than a year over this dispute. Like the case of Ephrem II Rahmani's succession mentioned in footnote 16 above, this is another example of the mandatory authorities acting *in loco sultani*.

"highest religious chief" as its representative "in their relations with the public powers", also stipulated that in any community where the relevant spiritual authority resided outside the French mandate territories, in this quasi-temporal dimension of his authority he *must* "delegate his powers to a local representative".[70] In this case, the careful wording—resident outside the French mandate territories (*hors des territoires des Etats du Levant sous mandat français*)—allowed the Christians of *Syria* to be represented by a patriarch resident in *Lebanon*: the patriarchs could thus serve as a channel for political authority between the High Commission and Christian Syrians, bypassing the intermediary of the Syrian government. Once again, we see here the tension between French attempts to 'nationalize' religion in Syria (as part of the mandatory's state-building project) and the French efforts to undermine the development of national, and especially *nationalist*, politics in the country. This arrangement was to the mutual advantage of the High Commission and the patriarchs. How well it served ordinary Christian Syrians is another question—but borders were nonetheless imposed around the mandate territories.

The above examples relate to cases where the mandatory powers imposed 'national' stipulations on the nation-states that they were supposedly building. But the point holds for national governments as well as imperial ones. Earlier, I mentioned that the Druzes, uniquely among the "dissident" or "heretical" Muslim communities of the Levant, had enjoyed a degree of formal recognition in the late Ottoman Empire that allowed them to

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[70] Reference given above.

maintain a distinct personal status regime, notably with regard to inheritance and succession: Druze parents could leave most of their estate to one child rather than following the strict proportions set down in both Islamic law and Syrian civil law. One such case was that of Husayn and Asma Kanafani, of the village of Jaramana outside Damascus, who left all their immovable property to their son Fakhri—half directly, half in the form of an endowment to the benefit of him and his descendants. Fakhri's sisters received only "a few gold pounds". In 1933 Fakhri had the property entered on the land register (*livre foncier*) in conformance with the will. Perhaps understandably, his sisters—ᶜAtiyya and Fawziyya—were unhappy with this arrangement, and by 1935 the family was engaged in two internecine legal actions.[71]

The first was launched by Fakhri to justify and affirm his inheritance. It passed to the Druze qadi of Hasbaya-Rashaya ("sitting, as we know, in Lebanese territory"), who in successive judgments of 10 February and 6 April 1935 affirmed his own competence, *ratione loci*, to hear the case, and found in Fakhri's favour. The judgment was confirmed on appeal (17 May 1936) by the Druze shaykhs of Baakline, the highest Druze religious authorities. In the meantime, however, ᶜAtiyya and Fawziyya had contested the will in the *civil* courts in *Syria*—whose inheritance law would guarantee them a fixed proportion of their parents' entire estate. The Syrian courts

[71] The account of this case is based on AD-SL Box 593, dossier *Statut personnel. Dossiers particuliers*, subdossier *Statut personnel des sectes dissidentes de l'islam. Note pour Monsieur le Secrétaire général* (30/4/1937), from the legislative counsellor, Mazas. All quotes are taken from this document. Mazas gives AH dates for the deaths of Husayn and Asma, 1330 and 1349 respectively; the CE dates are 1912 and 1930-31.

duly found, and confirmed on appeal, that the parents' wills were invalid, and ordered "that the properties [*immeubles*] be registered in the names of all the living children of the late Hussein Kanafani, according to the rules of devolution *ab intestat* applicable to alienable state land [*terres amirié*]". The tribunal of first instance had argued its competence on the grounds that "the disputed land, being in Syrian territory, could not come under a judge sitting outwith this territory"; the court of appeal added that in Syria, Druzes were subject in personal status matters "not to jurisdictions proper to the Druze community, but, like all Muslims, to the shariah tribunals".[72] In the face of these conflicting judgments, by the end of 1936 the case—now 'combined' into one—had passed to the *tribunal des conflits*: a body created by the High Commission in 1924 to rule in such matters.[73]

The jurisdictional dispute at issue here is complex. The Syrian courts were asserting the 'nationalization' of justice: the competence of the Druze legal authorities was initially dismissed because they were not *Syrian*: they lay

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[72] The French official reporting this judgment adds the qualifier that the court affirmed this "if not in quite the terms employed here, at least very clearly".

[73] This tribunal had been set up by decree 2978 of 5/12/1924; it was only competent to judge on personal status cases emanating from ecclesiastical courts *other* than the shariah courts. Note the difference, then, between this and the "higher jurisdiction" envisaged by decree 146 in 1938, whose competence did extend over the shariah courts—hence the fierce opposition to it. Decree 146, meanwhile, made no reference to the existing *tribunal des conflits*—so in their attempt to reduce areas of potential conflict and overlapping competence between jurisdictions, the French had introduced a new one! A French official had to write to the High Commission to ask what would be the relationship between the new body and the old: AD-SL Box 592, dossier *Statut personnel. Dossier général. Note pour Monsieur le Conseiller législatif* from Meyrier (?—hard to read), 16/1/1939; enclosed letter, Fournier (Judicial counsellor of Syrian Republic, Inspector-General of Justice) to HC's delegate in Damascus (22/12/1938). The sheepish response was that decree 146 "contented itself with envisaging the <u>future</u> institution" of a higher jurisdiction: same location, *Note* by Mazas, legislative counsellor (25/1/1939). This gives the impession that nobody had even *thought* of this problem and no-one knew what to do about it, so best to pretend it wasn't there. Which, because of the opposition to the decree—and notably to this measure—it soon wasn't.

over the new border in Lebanon.[74] This meant, too, that the Syrian courts were recognizing the border as the limit of their *own* jurisdiction: such institutional recognition is one of the ways in which borders become more than mere lines on maps, as various diplomatic examples showed in chapter 4. By extension, though, the case also provided an opportunity for the Syrian civil courts to challenge the existence of multiple personal status regimes within Syria—but not, as it turned out, to the benefit of the civil courts themselves. The court of appeal, as well as accepting the 'national' argument, made its own argument against the very right of the Druzes to exist as a community separate from the Sunni Muslims. They countered the late-Ottoman legal precedents cited by the High Commission that seemed to enshrine a separate status for the Druzes with a more recent one, a letter from the Ottoman *shaykh al-islâm* from shortly before World War One stating that Druzes, Nusayris (i.e. ᶜAlawis) and Ismaᶜilis were to be considered as Muslims, recorded as such on the civil register, and governed by the shariah courts.[75] The general principles of this argument had already been put to the French by the Syrian interior and justice ministries,

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[74] In a later case relating to the Druzes the High Commission also accepted this principle of territoriality: see AD-SL Box 593, dossier *Statut personnel. Dossiers particuliers*, subdossier *Statut personnel des sectes dissidentes de l'islam*. Documents contained in *bordereau d'envoi*, HC to Inspecteur Général des Wakfs (29/7/1940); *Note pour Monsieur le Chef du Cabinet Politique* (7/8/1940); letter, HC to HC's assistant delegate for autonomous territory of Jabal Druze (9/8/1940).

[75] French translations of various Ottoman legal texts cited in favour of a separate Druze status were forwarded to the French delegation in Damascus by Fakhri Kanafani in 1934, evidently with the backing of a number of Druze notables and religious leaders; carbon copies of his letter (dated 10/1/1934) and the texts were forwarded to de Martel by the delegate as enclosures with a long letter (6/2/1934) discussing the general principles, and their implications for *other* communities, but not the specifics of the Kanafani case. The conflicting precedents are also outlined in AD-SL Box 593, dossier *Statut personnel. Dossiers particuliers*, subdossier *Statut personnel des sectes dissidentes de l'islam*. HC's delegate to Syrian Republic to de Martel (6/3/1936). The delegate requests instructions on the matter.

probably as a result of the Kanafani case, in 1934—at which point the Syrian government was not exactly nationalist in complexion.[76] This suggests that legal institutions which the French had hoped would permit *them* to institutionalize divisions within Syrian society buckled under pressure from the community with the greatest weight—of numbers, of existing influence—in Syrian society: the Sunni Muslims. (It was the new borders that had given Sunni Muslims that numerical advantage, of course: in the mandate territories as a whole they were a rather less overwhelming majority.) The state would be made in *their* image, and they did not accept the separate communal existence of the Druzes. The opinion of the Druzes in the matter became irrelevant, and the French were in the end forced to go along with political realities in Syria.

One might see this as a 'majority' imposing its will within the nation-state form, against the wishes of the imperial power and the 'minorities' alike. Several other points need to be made to nuance this argument, however. It should be recalled that this judgment of the Syrian courts was solicited by members of the Druze community, ᶜAtiyya and Fawziyya Kanafani. It was in the Kanafani sisters' interest for the Druzes to be governed (whether through the civil or the shariah courts) by Islamic personal status law. The pro-'Druze' argument was made by their brother Fakhri; his cause was backed by other influential Druzes who had an interest in Druze communal

[76] AD-SL Box 593, dossier *Statut personnel. Dossiers particuliers*, subdossier *Statut personnel des sectes dissidentes de l'islam*. Undated (1934) copy of letter, Syrian Minister of the Interior to French counsellor for the interior, enclosed with letter, HC's delegate to Syrian Republic to de Martel (13/7/1934).

separateness. Simply seeing the Druzes as a coherent 'minority' uniformly disadvantaged in this question would be risky. Neither they, nor by extension any other community, were monolithic and univocal in their relations with the state and wider society in the mandate territories: as we have already seen, when decree 60 called for the existing authorities within each personal status community to produce a communal statute, at least three different Druze groups produced competing versions for their community. This illustrates two further points. First, Syrians who sought a degree of cooperation with the High Commission were by no means passive tools of the French; and second, within each community, different groups and individuals sought to use legislative reform in this area in order to redefine that community to their *own* advantage—as was also evident in the debate about treaty guarantees.

These points also hold, *a fortiori*, for the Sunni Muslims: whether a coherent 'majority' rather than a coalition of socially and politically influential Muslim actors mobilized around this issue is doubtful. But although this term, like 'minority', should always be used with due caution, the conditions were developing in which both were becoming increasingly meaningful; the increasing 'hardness' of Syria's state borders was a part of that development. In the Kanafani case, no-one seems to have defended the 'Sunni' point of view on the grounds that Sunnis were the 'majority'. By the time of the protests over decree 146 just a couple of years later, they would.

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- *The expansion of the state, and a new rigidity of state practice*

At the end of 1935, the French delegation in Damascus sent a letter to its senior regional officials across Syria requesting information on the "personal status of sects dissident from Islam: Yazidis, ᶜAlawis, Ismaᶜilis and Shiᶜites"[77] in their region. The High Commission was minded to grant recognition to at least some of these communities under the personal status law reform, and wished to inform itself of current legal practices.[78]

As a model to guide their answers, the officials were sent a copy of an earlier letter from the assistant delegate in the autonomous sanjak of Alexandretta:

> [I]f, theoretically, in conformance with the Family Law of 25 October 1917 the (Sunni) Cadi alone is qualified to celebrate the marriage of all Muslims, it is normal practice [*il est d'usage courant*] for him in fact to delegate all his powers to the imams of the different sects to proceed to nuptial ceremonies. This delegation, as well as dispensing him from a personal inconvenience, [has] the aim of respecting the liturgical precepts of certain sects deriving from Islam. (The ᶜAlawis, notably, only consider valid marriages celebrated by their own religious leaders.)
>
> The marriage authorization is delivered by the Cadi and entrusted to the officiating Imam. The latter draws up a marriage certificate which is returned to the Cadi for registration, then transmission to the civil register.[79]

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[77] AD-SL Box 593, dossier *Statut personnel. Dossiers particuliers*, subdossier *Statut personnel des sectes dissidentes de l'islam*. Fain to HC's assistant delegates in Aleppo, Homs, Dayr al-Zur, and inspector of special services (*Inspecteur des S.S.*) for Damascus and Hawran sanjaks (20/12/1935) enclosing copy of letter, assistant counsellor of HCt/HC's assistant delegate for autonomous Sanjak of Alexandretta (10/2/1934). NB—this and all the replies on the subject cited below are archive copies rather than originals.

[78] The ᶜAlawi community already had such recognition in the Alaouites, but evidently not in the rest of Syria. The governor of the Alaouites was not among the addressees.

[79] This and following from AD-SL Box 593, dossier *Statut personnel. Dossiers particuliers*, subdossier *Statut personnel des sectes dissidentes de l'islam*. Fain to HC's assistant delegates in Aleppo etc. (20/12/1935). Enclosed copy of letter, assistant counsellor of HCt/HC's assistant delegate for autonomous Sanjak of Alexandretta (10/2/1934).

The Cadi apparently always acted as notary of succession for all communities, Christians included; but "[h]e writes out the acts of devolution upon sight of documents addressed by the mukhtars in conformance with the customs of each sect". Certain other privileges had been accorded, officially or unofficially, to different communities within the sanjak. The ᶜAlawis, by French decree, had a commission overseeing their own pious endowments; they were also recorded as ᶜAlawis on the civil register. The handful of Ismaᶜilis in the sanjak—seventy, resident in the village of Djandalié—seem also to have managed their own waqfs; however, they were listed on the civil register

> under the generic heading of "Muslims". It seems that, in a sentiment of fear, they have not up to the present time demanded a more previse [*sic*] appellation. However, in statistics and on the electoral roll, the Sanjak authorities never fail to mention them under the name of their sect.

When the French regional officials replied to this request for information, many similar examples of tacit understandings and rulebending emerged. In the governorate of Homs,

> the principle is the following: the Cadi alone is competent for all acts of the Civil Register, settles all trials concerning waqfs, and deals with successions. [But] In practice, the Imams by tacit delegation from the Cadi take responsibility for [*se chargent de*] all operations, regularized thereafter by the Cadi.[80]

Each ᶜAlawi village had such an imam. In the caza of Salamiyya, ᶜAlawis were listed as such on the civil register; in Homs itself, the formula "ᶜAlawi Muslims" had replaced "Muslims" to describe them. The Ismaᶜilis, meanwhile—more numerous here than in Alexandretta—had since 1920 also

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[80] This and following from AD-SL Box 593, dossier *Statut personnel. Dossiers particuliers*, subdossier *Statut personnel des sectes dissidentes de l'islam*. HC's assistant delegate for sanjaks of Homs and Hama to HC's delegate to Syrian Republic (21/1/1936).

been listed specifically on the civil register; they possessed waqfs, and, again by delegation from the Cadi, their imams could officiate at weddings. In matters of succession, "everything is settled by mutual consent [*réglé à l'amiable*] before the shaykhs. In case of litigation, the affair is brought before the Cadi who judges according to the Mufti's opinion."

The assistant delegate in Aleppo forwarded reports from sub-officers in the countryside to the north and south of the city. In the cazas of A^{c}zaz and the Kurd Dagh the only relevant community was the Yazidis; the French intelligence officer responsible wrote that they

> have no specific status and follow in all circumstances the general rule imposed on Muslims by the existing laws.
>
> However, there is reason to consider that in matters of marriage and succession, the decisions taken by the Cadi and local shariah tribunals are always ratified unofficially by the head of the Yazidi community representing the high religious leader of the Djebel Sindjar.[81]

He thought, though, that this was a mere "formality" whose main purpose was to "swell the coffers" of these local religious leaders. Perhaps more significantly, the local civil registry had started to mention Yazidis' communal belonging, unofficial though it was, "in all acts concerning the members of this sect".

South of Aleppo, meanwhile, Shi^{c}is in the caza of Idlib had a greater degree of practical autonomy in personal status matters. For marriages,

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[81] This and following from AD-SL Box 593, dossier *Statut personnel. Dossiers particuliers*, subdossier *Statut personnel des sectes dissidentes de l'islam*. Trojani, special services officer/chief of A^{c}zaz post to HC's assistant delegate for vilayet of Aleppo (26/1/1936).

> The Sunni Cadi delegates his powers to the Shi^{c}i Sheikh designated by the contracting parties. The latter proceeds to the nuptial ceremonies. However, if this procedure is strictly observed among the Shi^{c}is of the villages Faoua and Kéféria (Idlib caza) it is rarely so among those of Maaret Mesrine (same caza) who tolerate the celebration of marriage by a Sunni Sheikh.[82]

Divorce "is pronounced by the Sunni Cadi but only takes effect, from the religious point of view, when the Shi^{c}i Imam has proceeded to the separation of the bodies". The Sunni Cadi notarized succession for "all Muslims", but Shi^{c}i wakfs were overseen "by a Shi^{c}i commission officially designated by the government". Shi^{c}is in the caza were also entered as such in the civil register.

Thus, across much of northern and central Syria, French officials in the mid-1930s turned up much evidence that the communities they considered as "dissident" or "heretical" Muslim communities lived with a degree of tacit recognition on the part of local state officials, civil and religious. Closer to the centre of gravity of 'mainstream' Sunni Islam in Syria, and of Syrian Arab nationalism, however, things were somewhat different. The small Shi^{c}i and ^{c}Alawi communities in the Damascus and Hawran regions, each numbering around 1,650, lived less autonomously.

> These elements, disseminated among the Sunni population that forms the great majority of the sanjaks of Damascus and the Hawran, possess no special personal status; Shi^{c}is and ^{c}Alawis depend directly from the Cadi of their caza, for questions of marriage as much as for questions of succession. The Cadi only delegates his powers to the Imams to proceed to the nuptial ceremonies.[83]

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[82] This and following from AD-SL Box 593, dossier *Statut personnel. Dossiers particuliers*, subdossier *Statut personnel des sectes dissidentes de l'islam*. Tuillier, special services officer/chief of Idlib post to HC's assistant delegate for vilayet of Aleppo (10/1/1936).

[83] AD-SL Box 593, dossier *Statut personnel. Dossiers particuliers*, subdossier *Statut personnel des sectes dissidentes de l'islam*. Grall, inspector of special services for sanjaks of Damascus and Hawran to HC's delegate to the Syrian Republic (16/1/1936).

Some 1,200 of the Shi^{c}is were listed as Sunnis on the civil register.

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This difference in practices from region to region, caza to caza, village to village, is significant. Divergent local practices existed, many of them involving greater or lesser degrees of recognition—especially unofficial recognition—of different religious communities that *lacked* that recognition at the higher levels of the state. This demonstrates the relative weakness of the state's interventions in the social life of the population, as well as the relative freedom of action afforded to the state's local officials (in the cases described here, the Cadis) to bend the rules in the interests of communal harmony—or even an easy life ("a personal inconvenience"). But the High Commission was collecting this information for a reason. Informed by a knowledge of current practices as well as current legal 'theory', the mandatory authorities were planning a legal reform that was intended to bring standardization and 'officialization' in both theory and practice. By standardization I mean that the relationship between state and religious jurisdictions was to be legally defined by the state, with all religious communities being recognized as either personal status communities or common law communities; all communities within each of these categories would be accorded the same rights and privileges, uniformly across the territory. By 'officialization', I mean that communities derived from Islam that had previously been recognized only unofficially, and patchily across the territory, by local state functionaries or the *French*, would now be officially recognized by the Syrian state.

To an extent, both standardization and officialization served French aims. The former, because it would extend to Sunni Islam on the same basis as any other community, would circumscribe the social and political power of the shariah courts in particular and the Sunni Muslim community in general. The latter, by granting a state-guaranteed institutional existence to communities once legally subsumed within the Sunni Muslim community and politically and socially subordinate to it, would have a similar effect, and—it was hoped—gain France the loyalty and goodwill of these communities. However, while the importance of these political considerations should (obviously) not be discounted, it would be a mistake to think that they were the only motivation for reform. If the French were lukewarm, to say the least, in their enthusiasm for building a *nation* in Syria, they were nonetheless committed to the task of building a *state*: colonial rule no less than national(ist) rule requires a state apparatus. Reform of the legal system would bring about a new uniformity in the state's relationship to religion that was in line with modern conceptions of the state—a uniformity given order from above, rather than a flexible modus operandi established at the level of society by local authority figures and local state officials. Uniformity is particularly prized in the modern *French* conception of the state[84], though the diversity and number of precedents sought by the High Commission show that this *breed* of reform is characteristic of modern states more generally.

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[84] Even in the French case there are many major exceptions to the prized republican uniformity—notably but not exclusively those created by the possession of Algeria. But the importance of this uniformity is less as a real practice than as a theoretical norm towards which practice, at least to *some* extent, strives.

In other words, personal status law reform should not be seen merely as an imperialist design, but also as part of the modern expansion of the state: in this case, through its greater regulation of and implication in religious affairs at both macro and micro levels. Once again, it is from this expansion and intensification of state activity that 'minorities' emerge. The creation of a codified legal status, applied uniformly across the territory to govern all members of a given community in their relationship to the state, on the one hand; on the other, a centrally-propelled tendency towards greater uniformity of legal *practice* in their relationship to the state at local and national levels, including the creation of state-ordered, state-*wide* communal institutions: both of these developments, I would argue, would act to increase the feeling within that community of being a coherent group within the state as a whole.[85] The scope for divergent practices and unofficial rulebending of the sort described above would be reduced. This process, naturally, should not be separated from those described in earlier chapters: the state's increased authority across the whole territory, outlined in the chapters on 'separatism' and borders; the different possible models for the political institutionalization of the communities that were discussed in the chapter on the treaty negotiations. Other examples could be suggested, too: for example, that of language, as certain languages were formally made official state languages—and others became *un*official. The expansion of an education system teaching, and a bureaucracy, using the

[85] It should be noted that the synagogues of Damascus, Aleppo, and Beirut were considered as three *separate* communities under decree 60 (annexe I). This perhaps reflects the absence of a 'church' hierarchy among the Jewish community.

official language puts speakers of non-official languages at an increasing disadvantage relative to speakers of the official languages; at the same time it increases their sense of being a coherent linguistic community. Where the state opposes or even represses the use of non-official languages, that sense is only increased.[86]

However, although it surely produced communities with a greater sense of coherence than the Ottoman millets, with all their local variations in status, had known, this 'uniformization' within the religious communities is not enough to produce the sense of being a *minority*. In the Syrian case, at least, two further elements were required. The first of these has already been mentioned: the application to the personal status and common-law communities of the *term* 'minority' as it spread in Syria in the 1930s with all its legal and political implications. But the other necessary element was even more important: the existence of another community which, while the state was imposing itself more forcefully on the population, was able through weight of numbers—by mobilizing itself as a numerical majority within the nation-state—to impose *itself* as the definer of the state 'norms' from which other communities were seen to diverge, even where that divergence was legally accepted. This was *not* part of French plans: the French preference was clearly for a religiously 'neutral' state and a civil law (albeit both serving as tools of French imperial policy), to which all religious communities would be equally subordinated. The religious community

[86] Eriksen 1992 discusses many of these issues.

which imposed itself, against French wishes, as the 'majority' in this controversy was the Sunni Muslim community.

* * *

How the reform was blocked: the 'majority' view?

High Commissioner Puaux's reference, cited above, to a "petition" against decrees 60 and 146, sent in February 1936 by a group of ᶜulama', is misleading. The document in question is not a text signed or stamped by a number of individuals, like countless petitions contained in the French archives, but a letter signed by one individual—Kamil al-Qassab—in his capacity as president of the Damascus Association of ᶜUlama', on behalf of the association. Sent to the Syrian interior ministry on 8 February 1939, it sets out the association's objections to the decrees and "the provisions they contain that contradict the book of God most high to which all Muslims adhere".

> The Association considers it a religious duty to set out what is contrary to the provisions of Islamic legislation in these two decrees, and the dissolution of the ties of harmony and brotherhood between the Muslims and the other communities [*tawâ'if*] that is intended by them.[87]

The association identified seven problems with decree 60, as amended by decree 146. First, article one "considered Muslims in their abode [*fi*

[87] These and following quotes from MWT, *wathâ'iq al-dawla*, sijill 2, *wizârat al-dâkhiliyya*, 74: al-Qassab to Syrian minister of interior (8/2/1939).

dârihim][88] to be a religious community like the other communities in the Syrian land".

> But this is contrary to the reality, and to the verified, official records of the census, that the Syrian land is an Islamic land inhabited by a Muslim majority [*bilâd islâmiyya yaqtunuhâ akthariyya muslima*], though Islam has guaranteed the preservation of the rights of minorities and defended them from everything incompatible with their religious and social freedom since its very beginning and until the world stops turning [*mundhu bazagh fajrihi* (lit. "since its dawn broke") *wa ila an tantahî al-dawarân*].

Second, articles 8 and 9 granted authority to the highest religious chief of each community to carry out various acts on the community's behalf and to represent it to the public powers. "Such representation is not in accordance with shariah provisions: Islam does not give this authority or these rights of disposal [*hâdhihi al-sulta wal-tasarrufât*] to anyone, however senior." Third, article 11 permitted anyone of sound mind having attained the age of reason to leave or embrace any recognized personal status community—Muslims included. "This is something that the true Islamic religion does not permit in any way; [Islam] punishes the apostate by death in this world and eternal flame in the hereafter." The Syrian constitution's guarantee of absolute freedom of conscience implied freedom for members of all communities to practice their religion unmolested—*not* to change religion.

Fourth, the amended article 12 stated that in the case of a marriage ending, for whatever reason, children would follow the father's religion; but Islam

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[88] This phrasing went down particularly badly with Syrian Christian leaders, who pointed out that Christians and Jews were just as much "chez eux" in Syria as Muslims—though they ignored its clear reference to the division in Islamic law between *dâr al-islâm* and *dâr al-harb*.

stated that children must follow the *Muslim* parent, so if a mother converted to Islam—either after her husband's death, or during the marriage[89]—the children must follow her. Fifth, the amended article 23 stated that if one spouse (rather than both) changed his or her religion, the marriage would remain valid and subject to the personal status regime under which it had been contracted, and any children would remain legitimate. But Islam could not permit a Muslim woman (i.e. a convert) to remain under the custody of a non-Muslim husband, nor allow non-Muslim children to inherit legitimately from a Muslim parent. Sixth, the new article 25 allowed marriages contracted abroad by Syrians and Lebanese to be considered legitimate in Syria, under civil law if they contravened the personal status of either contracting party; "it thereby permitted the marriage of a Muslim woman to a stranger to her religion, even though the shariah does not consent to it". Seventh, the new article 27 established a higher jurisdiction to judge on conflicts between different personal status jurisdictions or between them and the civil courts, and to decide the validity of judgments issued by the personal status jurisdictions.

> This means the creation of a new legislation for Muslims' personal status, changing their laws which they have adhered to since the dawn of Islam until now; the granting to the higher jurisdiction of competence to execute, replace, or abolish [those laws]; and rule by [something] other than what God most high sent down in

[89] The latter would under Islamic law imply the annulment of the marriage—indeed, a fair proportion of conversions involved Christian women using this means to obtain a divorce. One such case was that of Wadiah bent Abdallah Loutfi, a Greek Catholic who converted to Islam and thereby obtained a divorce from her husband. Documents from the period December 1935-May 1936 detailing the case were filed under 'minorities' *and* under personal status, so to speak: in AD-SL Box 494, dossier *Traité Franco-Syrie – Application – Question des minorités*, and in AS-SL Box 593, dossier *Application du Statut Personnel des Communautés religieuses* [hw: *et la communauté musulmane* –] *Changement de religion et divorce*.

> his noble book […]

Such a thing could not be countenanced; indeed, it had already—continued the letter—provoked the opposition of Muslims in the rest of the Islamic world. In sum, "the personal status decree cannot be applied in this country". It was contrary to the shariah, which "guarantees the rights of minorities and others, and the ensuring of their personal status"; indeed, as it stood the decree would "cause division between the majority and the minority".

> Because of all this, the Damascus Association of ᶜUlama' and the Muslims as a whole protest against this decree which is contrary to the laws of their true religion and in violation of articles six and nine of the Mandate charter, to which the French Republic adheres in claiming its mandate over this Syrian land.

The association rejected its promulgation and application, and demanded that the Syrian government send it back to the High Commission, ordering the courts not to consider it as law, until such time as the High Commission abrogated it.

The religious grounds on which the decrees were rejected are clear enough, though it is interesting to note—with Puaux—the long delay between its promulgation and the onset of protests against it. To understand this document's wider significance to the argument of this thesis, however, it is useful to compare it with another document received by the Syrian interior ministry a couple of days after Kamil al-Qassab sent his letter. This second document *is* a petition, written by hand in Homs's Nuri mosque, signed by over two hundred people, and presented to the governor by "a large

delegation of the city's senior ᶜulama' and the cream of its notables".[90] They voiced similar objections, though with a less clear grasp of the text of the decrees than al-Qassab displayed. First, that "article one" permitted individuals to leave Islam (in fact article 11 of decree 60, as al-Qassab correctly stated).[91] "This is evidently contrary to the text of the venerated Qur'an. Anyone who dared to do such a thing would be sentenced to death, as is well known and established." Second, they objected to "amending article 2"—that is, article 2 of decree 146, replacing decree 60's article 12—but for a slightly different reason to the Damascus association. This article stipulated that in case of a marriage ending, the children should follow the father's religion. Al-Qassab had noted that according to Islamic law the children must follow the *Muslim* parent, so if a Christian mother converted to Islam, either after her husband's death or during the marriage (thereby annulling it), her children must convert too. For the Homs petitioners, the problem was that if a Muslim apostatized from his religion ("God forbid"), his children would follow him into apostasy.

The petition's third and fourth objections also related to marriage, and were also made by al-Qassab. The amended article 23, stating that if only one spouse changed religion the marriage remained valid and subject to the personal status regime it had been contracted under, would mean that if a married non-Muslim woman converted to Islam she would remain under the

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[90] MWT, *wathâ'iq al-dawla*, sijill 2; *wizârat al-dâkhiliyya*. 16/5381: governor of Homs to Syrian interior ministry (11/2/1939).

[91] This and following quotes from petition enclosed with MWT, *wathâ'iq al-dawla*, sijill 2; *wizârat al-dâkhiliyya*. 16/5381: governor of Homs to Syrian interior ministry (11/2/1939).

authority of—indeed, married to—a non-Muslim husband. And the article recognizing marriages contracted by Syrians and Lebanese abroad could also permit a Muslim woman to be married to a non-Muslim man, "even if she returned to her Islamic fatherland [*wa-in ᶜâdat ilâ watanihâ al-islâmî*]".

> [T]he true religion warns the Muslim woman against marrying anyone who differs from her in her religion, obliges their immediate separation, and does not permit her to remain with him if she returns to her country.

Finally, the petition also claimed that the decree would permit a non-Muslim woman whose husband had converted to Islam, and any non-Muslim children[92], to inherit from him. However, it did not cite a specific article of either decree, and neither decree explicitly stipulates this. Presumably it was seen as a logical result of the amended article 23, mentioned also by al-Qassab.

In their religious argumentation, then, the two documents are rather similar. However, in the justifications that they invoke to support their arguments, and in their form, they are very different. The relationship between form and content is instructive, and illuminates the wider historical context within which these documents were produced.

The first is a letter typed on several pages of standard-sized paper carrying the letterhead of the Damascus Association of ᶜUlama', signed on that organization's behalf by its president. It presented itself as expressing the association's authoritative opinion, with no reference to how that opinion

[92] This refers to children who were majors at the time of his conversion, since children who were minors would have followed him.

was reached—that is, to its own creation. The second is a petition handwritten—though in a clear, scribal hand—on a single large sheet of paper. It too was a collective opinion, but not an 'anonymous' one expressed through the intermediary of a bureaucratic organization and its president: it was signed by some two hundred individuals. Moreover, the Homs petition described its own production: surprised by the promulgation by "the responsible authorities in this country"[93] of legislation that contravened Islamic law,

> [t]he Muslims held a meeting in the great Nuri mosque and studied the provisions of decree 60 and its amendments relating to the fixing of the status of the religious communities [*al-tawâ'if al-dîniyya*] in the light of the provisions of the respected Islamic shariah. They found it to be a mortal blow [*darba*^{tan} *qâdiya*^{tan}] to Islam and their shariah […]

This difference is also visible in the reference points each document took in support of its arguments. The shariah, the Qur'an, and existing precedents in Islamic law were collectively the key reference point for both. But for the Homs petition they were virtually the *sole* reference point—the only justification external to Islamic law that they proffered was a single reference to international law, when they asserted that the decree's content was "contrary to the religion and the shariah, and contrary to what international laws including the charter of the League of Nations have decreed". Importantly, there was no reference to the state in the Homs petition—it referred only to the "responsible authorities in this country [*al-sulta al-qâ'ima fî hâdhihi al-bilâd*]"; it was addressed to the minister with

[93] This and following quotes from petition enclosed with MWT, *wathâ'iq al-dawla*, sijill 2; *wizârat al-dâkhiliyya*. 16/5381: governor of Homs to Syrian interior ministry (11/2/1939).

the request that he "forward it to the relevant authorities [*al-marâji*ᶜ *al-mukhtassa*]" so the decree could be abrogated.

Al-Qassab's letter, by contrast, reached for any number of justifications external to Islamic law. Although it argued on the basis of the truth of Islam as a revealed religion, it argued for that religion's unique and dominant position in Syria on the grounds that the country was, as the "verified, official records of the census [*quyûd al-ihsâ' al-rasmiyya al-muthbata*]" show, "inhabited by a Muslim majority"—a majority, moreover, which protected "minorities". (The Homs petition mentioned neither a majority nor minorities.) As we saw above, the letter also made a much more specific reference to the League of Nations Charter, which—it noted—was the justification for the French presence in Syria. Where the Homs petition was addressed to the "relevant authorities", the Association made demands of the *Syrian government*—specific demands, moreover, relating to state activities (particularly the functioning of the courts). In this respect it is notable that the Homs petition did not mention the revised article 27 instituting a higher jurisdiction in personal status matters—which, as I observed above, would assert the secular state's authority over all religious jurisdictions. The Association of ᶜUlama', by contrast, strongly objected to this article, for precisely this reason. A concern with the state is thus not just implicit but explicit in their letter. While the Homs petition contented itself with protesting against articles of the decree that challenged the dominance of Islamic norms in social life, the Association of ᶜUlama' far more actively asserted Islam's role as the 'defining authority' of the state.

Indeed, it justified itself by using arguments that can only make sense—can only exist—in the context of a nation-state.

The Homs petition, in its form and reference points if not in its specific subject, could have been written a century or two earlier: a petition to authority from the city's local ᶜulama' and notables, assuming the right to speak on behalf of the local society in which they were rooted on the basis as their own *personal* authority. Its religious argumentation assumes Islam's position as the 'norm-definer' in Syria because Islam is the true religion and Muslims are, by extension, the dominant community—*not* because Muslims form the numerical majority. The form and reference points of the Association's letter, however, are unimaginable outside the modern context of the nation-state. The Association was self-consciously operating in that context, as a modern bureaucratic institution addressing, and seeking to influence, another—the Syrian state. It did so in the 'official' form used by the state: a typed letter on headed paper, from one bureaucratic official (the Association's president) to another (the Syrian interior minister). Moreover, the Association was addressing the Syrian state partly on the *latter's* terms. The Syrian state's legal existence derived from the League of Nations; the Association invoked the League charter. The Wilsonian ideal of the self-determination of peoples meant that nation-states had to represent their populations; the Association claimed to speak for a majority of the Syrian population, as measured by official statistics. Independent nation-states had to offer protection to their 'minorities'; if Syria were run as the Association desired, it would do so. It was this nation-state context

that had created the conditions for the emergence of a self-defined 'majority'.[94]

Opposition to the personal status reform decrees spread far more widely than the ᶜulama' circles that drafted these two documents, of course: the French sent in the troops to put down mass unrest on the streets, not to interrupt the meetings of the Damascus Association of ᶜUlama'. Nonetheless, comparing them opens a useful insight into whether that opposition should be considered as a 'majority' mobilization—starting with the fact that the drafters of the Homs position felt no need to refer to themselves as representing any such thing, instead asserting their position as legitimate interpreters of the true religion. So where, in all this, does the 'majority' lie—and when the reform was hobbled, what was the effect on the communities that were increasingly defined as minorities?

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If there is a 'majority' in the opposition to decrees 60 and 146, it is surely a Muslim majority: the most strident protests related to the effect the legislation would have on the status of the Muslim community (it is noteworthy that the ᶜulama' made no protests about its effect on Christian or Jewish communities), and the High Commission eventually defused the

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[94] The transformation leading to this point had begun before the mandate, however. Compare Gelvin's point (2005: 137-8) about *al-Haqa'iq,* a periodical published by Damascus ᶜulama' just before WWI that called for the creation of "an Islamic political party to compete in the arena of mass politics":

> That the ulama associated with *al-Haqa'iq* would even think of founding an Islamic political party to guarantee the "progress" of the "nation" demonstrates the extent to which the nineteenth-century cultural, social and political transformation had influenced religious doctrines and institutions in the Ottoman Empire.

situation by issuing a decree suspending the decrees' application to "Muslims". Puaux received many messages from Muslim groups expressing satisfaction and gratitude for this.[95]

Syrian Christians certainly felt that Sunni Islam had successfully imposed itself on the Syrian state. When the Syrian government's commission on the question issued its conclusion that the reform was contrary to Islamic law[96], the Beirut newspaper *al-Bashir* published a heartfelt editorial under the headline "Should we despair? [*Faut-il désespérer?*]".[97] Arguing *for* the institution of a secular civil law that would "permit a common national life based on the essential **equality** of **personal rights**", the newspaper wrote that

> For too long, **Muslim law** was arbitrarily **imposed** on **non-Muslims**; this is what created the profound cleavage [*le fossé profond*] that divided the nation, and what constitutes the whole historic problem of **minorities**.
>
> Today, the Syrian Commission, with a brutal audacity, **calls this problem into question** and with a word cancels out the progress made [*le chemin parcouru*] in the last twenty years towards fraternal rapprochement: "**The Muslims alone form the Nation… The others are communities**".

The implications of this position were so grave for non-Muslims, and Muslim non-Sunnis, that the newspaper asked "if we should despair of the idea of the Syrian nation".

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[95] Representative samples can be found in AD-SL Box 592, dossier *Suspension statut personnel*.

[96] Yusuf al-Hakim, a member of the commission, lists (accurately) the Association of ʿUlama's seven theses in his memoirs (1983: 289) and states that the majority of the commission agreed with them—unsurprisingly, since Kamal al-Qassab now sat on it.

[97] This and following from AD-SL Box 592, dossier *Statut personnel. Dossier général*. Cutting from *Al-Bashir*, 24/3/[1939]. All emphases in bold in original. NB—*Al-Bashîr* was a bilingual publication, and this editorial was in French, but Arabic predominated.

As it became clear that the High Commission would, however grudgingly, accept the Syrian commission's conclusions, the Catholic patriarchs of the French mandate territories sent a letter to the High Commissioner that was later also published in *al-Bashir*. They too argued strongly—and perhaps a touch disingenuously—for a 'neutral', secular state with a civil law. Unsurprisingly, they particularly emphasised the concepts of liberty, equality, and fraternity. Liberty in the sense, particularly, of freedom of conscience—notably the freedom to *change* religion. Equality both for individuals and communities:

> Equality, which has been included in the treaty projects and the protocols that have followed them, to the point that the words 'majority' and 'minority' were systematically deleted—[words] resuscitated today to justify dictatorial and exclusivist claims…[98]

And fraternity to argue that opponents of the reforms were wrong to claim that they would break the links of fraternity in Syria, dividing the majority from the majority. Rather, true fraternity *depended* on the reform:

> *only* a supraconfessional legislation, balancing and fixing the personal statuses of the diverse religious communities of our countries can make it easier for these communities to live each alongside the others [*les unes à côté des autres*] and meld them, with order, in a mutual sympathy and in national unity.[99]

The Christian clergy, at least, felt that the suspension for Muslims of decrees 60 and 146 would reassert the Christian communities' position as permanently disadvantaged minorities subordinated to a *state* dominated by a Muslim majority: "We cannot accept", they said, "that in Syria the Sunni

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[98] AD-SL Box 592, dossier *Suspension statut personnel*. Letter to HC (29/3/1939); copy of *al-Bashir* (4/4/1939). The letter is an unsigned copy; an editor's note in the issue of *al-Bashir* says it was presented by a conference grouping all Catholic patriarchs and bishops of Syria and Lebanon "without exception".

[99] Emphasis added, to render an emphasis implied by punctuation in the original.

majority should impose the legal prescriptions of the Qur'an on the Christian minorities". And again, in defence of the (civil) higher jurisdiction which al-Qassab had particularly condemned, they ask: "Would it be normal, in all frankness, that in case of conflict—always possible—a majority community should impose its law and its solution on a minority community?" This concern with the ability to define and control state practices, and the use of the terms 'minority' and 'majority' to understand the contest for control, emerges from the expansion and intensification of the state. By 1939, it is clear, the Christian patriarchs *did* perceive the question in these terms.

But the dissenting member of the Syrian government's commission on the question, the legal scholar and ('non-political') politician Yusuf al-Hakim, perceived the matter slightly differently. In his memoirs he reiterated the view he had stated at the time, which was that a civil law presented sufficient benefits to Syria's status as a state worthy of independence that *all* religious groups should accept the limitations on their particular privileges—as Christians were willing to do—for the greater good. Syria should join those states "that separate religion and politics, and render unto Caesar what is Caesar's, and unto God what it God's".[100] (He also invoked the nationalist slogan "Religion is for God and the nation is for all".) But he did *not* see the successful blocking of the reform as a majority imposing its will on the state, and the minorities. Indeed, he wrote of the support that his dissenting opinion had received from "those who love renewal and

[100] This and following from al-Hakim 1983: 290.

progress" belonging to *all* communities. They included "a great number of senior ᶜulama' and highly-educated persons both Muslim and Christian". Such people had, like al-Hakim, held off from "coming between the two factions competing for rule among the many political parties". For al-Hakim, the "religious demonstrations" against the reform decrees were a mobilization that *one* of those sides (the nationalist opposition, allied with certain ᶜulama') had called out in order to embarrass the other (the Bloc government). In other words, it was not the mobilization of a coherent 'majority' but a piece of factional politics that successfully drew out mass support by somewhat underhand methods—as befitted parties which were "all alike in believing that [']the end justifies the means'".

Amongst other reasons, this view is worth taking seriously because it does *not* assume that all communities acted as monolithic blocs in political affairs. It has been a constant concern of this thesis to avoid such reductive assumptions, and to *understand* them when they are made—for example in the sources, where French officials endlessly apply such thinking to Syrians. This was certainly the case in the personal status controversy, especially as regards Muslims: Muslim opposition to the reform was usually attributed to *all* Muslims. Gabriel Puaux went so far as to speak of the "totalitarian pretensions of Sunnism".[101]

Puaux's depiction of the opposition, in fact, was at best a persistent mischaracterization. As we saw above, he claimed that the Bloc summoned

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[101] AD-SL Box 592, dossier *Statut personnel. Dossier général.* Puaux to MAE (22/3/1939).

up opposition from the ᶜulama' more or less on a whim, whereas in fact the ᶜulama' who opposed the reform opposed the Bloc for (amongst other things) agreeing to it. Puaux's interpretation underestimates the capacity for independent action of the ᶜulama' and overestimates the Bloc's ability, by this stage, to manipulate them. Just as likely is that 'activist' ᶜulama' like al-Qassab chose to use this issue—one where they had a natural political advantage—to put pressure on a discredited government that had proven unable to defend Syrian interests. Seeing the ᶜulama' as a tool wielded by the Bloc in order to stir up the masses, however, had certain advantages for the High Commission. It allowed Muslims as a whole to be presented as a basically passive, monolithic group beholden to the whims of a few politicking nationalists—and as basically fanatical, easily whipped up into a fury over religious questions. It also covered over the fact that the mandatory authorities, in all their careful preparations for the reform decrees, never seem to have asked Sunni *religious* leaders for their opinion: whereas the opinions of Christian patriarchs, and to a lesser extent Druze, ᶜAlawi, or Ismaᶜili religious authorities, were canvassed and taken seriously, the voices of Sunni religious figures are almost absent from the High Commission records on the subject right up until the moment when their opposition suddenly scotched the reform. There is no equivalent to Cardinal Tappouni, the Syrian Catholic patriarch who alone seems to have played a more important role in French considerations—and left a deeper personal trace on the archives relating to the reform—than all Sunni ᶜulama'.[102] Just

[102] Tappouni, who was made a cardinal around this time, also featured especially often in

as the High Commission treated the Christian clergy as the *political* leaders of their community, for reasons I have explored elsewhere, the French seem to have assumed that the *Syrian government in place* (whether before or after the arrival in power of the National Bloc in 1936) spoke, by default, for the 'Muslims'—on more strictly religious as on political matters. This was an error whose magnitude became apparent as the ᶜulama' made the running in the opposition to the reform, leaving the Bloc government no alternative but to ostentatiously repudiate a text it had previously, albeit secretly, accepted. Of course, the Syrian government, especially in the period of nationalist rule, may itself have hoped that the ᶜulama' would follow wherever *it* led. We have already seen that the Bloc's stand over personal status law reform, while seeking to channel religious opposition to the French, also sought (however lamely) to assert the position of *parliament*—that is, an institution of the secular state—as the sole legitimate source of law in Syria rather than the "true religion" and its interpreters.

This unwillingness to acknowledge the actual political dynamic between the Syrian government and the ᶜulama' highlights another noticeable aspect of

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the archives relating to the treaty negotiations. His weight in French considerations was disproportionate given the modest size of his flock relative to several other Christian communities. For example, noting the patriarchs' continuing pressure for a reform law in a letter to the Ministry in late 1934, de Martel only mentions one, Tappouni, by name; Tappouni had been advising the High Commision on how to prepare a draft acceptable to the other patriarchs, and offered his 'diplomatic' help in handling them. An astute politician, also prominent in discussions of the Franco-Syrian treaty, Tappouni was clearly also able to influence the French—one document of 1938 speaks of secret negotiations between the High Commission and Jamil Mardam Bek leading to agreement on a decree "whose stipulations should be able to satisfy Cardinal Tappouni's demands". AD-SL Box 592, dossier *Statut personnel. Dossier général.* De Martel to MAE (21/12/1934); same location, de Martel to MAE, (2/2/1938).

Puaux's characterization of the opposition: namely, its determination to abstract the issue of personal status reform from any consideration of its political context. Puaux claimed that the Bloc itself incited opposition out of some impish desire to "creat[e] difficulties for the mandatory power", without explaining why the Bloc might wish to do so.[103] In fact, by 1939 the public mood in much of Syria was extremely hostile to the mandatory power for a number of rather good reasons. If members of the Bloc government shared this popular anger—over the French refusal to ratify the treaty, the cession of Alexandretta, or French encouragement of challenges to government authority in 'separatist' regions—the party could not, having staked everything on (and attained power by) signing a treaty with France, simply come out in opposition to the mandatory power. The Bloc's chief political rivals in this period, the nationalists loosely grouped around ᶜAbd al-Rahman al-Shahbandar who *opposed* accommodation with France, benefitted mightily from not being subject to the same constraint. But that popular anger caused by *French* actions gradually made the position of the Bloc untenable, hence Mardam Bek's decision to use the issue of personal status reform as a way to recover some of his lost political credit. By considering the opposition to the reform in isolation, and by attributing it to 'Muslims' in general, Puaux avoided the question of French responsibility for the reform's failure. That responsibility was both direct and indirect. Direct, in that the High Commission had seemingly made no effort to canvass the views of an extremely influential group that had an obvious

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[103] AD-SL Box 592, dossier *Statut personnel. Dossier général.* Puaux to French Minister in Iraq (1/4/1939), enclosure *Note sur le statut personnel.*

interest in any change to legislation in this area, and duly led the opposition to it. And indirect, in that French obstructiveness had undermined the Bloc on so many issues that popular anger against both the imperial power and the supine nationalist government had reached a pitch where any *one* issue could have blown up into unrest.

But for the historian, opposition to the reform evidently cannot be understood separately from its context. In February and March of 1939 the Syrian interior ministry received reports of protests from all over the country, often relating to the "*nidhâm al-tawâ'if*". But when people demonstrated their anger over the reform, they protested also about a range of other issues. If the ᶜulama' of Aleppo or students of Islamic law in Homs protested about personal status in particular, the staff and students of civil secondary schools in Homs were more concerned about challenges to (Syrian) state authority in peripheral areas: they sent telegrams demanding action over an attack on the principal of the *Tajhîz* school in Lattakia and the burning of the Syrian flag in the Jazira.[104] Notables and students in Darᶜa on the Jordanian border wrote "to disapprove of the communities law [i.e. decree 60], to support the unity of the country, and to demand the ratification of the 1936 treaty".[105] In Homs again, a demonstration of school

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[104] MWT, *wathâ'iq al-dawla*, sijill 2; *wizârat al-dâkhiliyya*. 76: letter from governor of Aleppo to Ministry of Interior (18/3/1939), forwarded to Prime Minister's office (21/3/1939); 19/5384: petition forwarded to Interior Ministry by governor of Homs (14/2/1939); 27/5392: telegrams from Homs forwarded to Interior Ministry by governor of Homs (27/2/1939). The *Tajhîz* schools were civil secondary schools, whose pupils would have been predominantly Muslim. Other instances of this word will not be italicized.

[105] MWT, *wathâ'iq al-dawla*, sijill 2; *wizârat al-dâkhiliyya*. 29/5394: letter from governor of Hawran to Interior Ministry (14/3/1939) covering two letters of protest (not present).

students began at the Tajhiz but proceeded to the Orthodox and Jesuit secondary schools and also drew some participation from the general population; they made their way to the Government House, "calling for the downfall of colonialism, criticizing the communities law [*nidhâm al-tawâ'if*]".[106] Although this last document does not specifically confirm that students from the other schools actually joined the demonstration, it is likely that they did. Souheil Chebat, who grew up in Damascus in this period, described joining a demonstration that had come to his (Orthodox) school from the Damascus Tajhiz and proceeded to other communal schools; being a small child he was carried on the shoulders of an older boy, and joined in the shouting. In this case too, the demonstrators' chanting addressed more than one issue:

> *Tahyâ al-wataniyya – Islâm wa masîhiyya*
> *Skandarûn ᶜarabiyya – tasqut al-suhyûniyya*
>
> Long live nationalism – Muslims and Christians
> Alexandretta is Arab – down with Zionism

(At the time, he did not know what 'Zionism' was.) That particular demonstration was a little earlier than the protests over the personal status controversy, but it followed the same pattern as some of them, and illustrates both the range of targets for nationalist protests and the diverse communal backgrounds of the people who joined them.[107]

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[106] MWT, *wathâ'iq al-dawla*, sijill 2; *wizârat al-dâkhiliyya*. 30/5395: letter from governor of Homs to Interior Ministry (18/3/1939).

[107] Personal communication from Souheil Chebat. This demonstration took place in the winter of 1937 or 1938, when he was eight or nine years old.

There is no way of knowing whether in other circumstances the Bloc might have successfully been able to convince, coopt, or coerce the ᶜulama' into accepting a reformed personal status law. But it *is* possible to argue that the 'Muslim' majority that mobilized against personal status reform only exists clearly if that opposition is examined in isolation from its context: once we place it *back* in its context the 'majority' is suddenly much less distinct. On any of the other burning issues of the day the 'majority' might well have constituted itself somewhat differently. It is almost certainly true, for example, that by 1939 a majority of Syrians would have agreed with the sentiment, 'Down with colonialism', and would have had a clear idea of how that majority sentiment should lead to a redefinition of the state (i.e. as an independent nation-state, no longer under French mandate). That numerical majority was not, however, restricted to a single culturally-defined group. Likewise, Yusuf al-Hakim approved of the personal status reform—presumably at some risk to himself—but was nonetheless a Syrian nationalist, albeit a non-partisan one. Apportioning the blame for the failure of nationalist rule in his memoirs, he identified many weaknesses on the Syrian side but nonetheless saw France's failure to ratify the treaty, and adoption of many policies seen as harmful to the nationalist cause (including the "*nidhâm al-tawâ'if*" that he had defended), as the chief cause.[108] Al-Hakim did not belong to the 'majority' invoked by al-Qassab in his letter to the Syrian government—but he did belong to that other majority, of Syrians who wanted Syria to be independent.

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[108] Al-Hakim 1983: 299-301.

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Conclusion

Rather than taking the 'majority' in this affair as a real sociological grouping, it may be more analytically useful to understand it as an effective ideological fiction used by a coalition of influential actors for their own political ends. The different parts of this coalition sought and achieved different things: for anti-Bloc nationalist politicians like ᶜAbd al-Rahman al-Shahbandar, a transient political aim (forcing the compromised Bloc out of government); for Muslim ᶜulama' such as Kamil al-Qassab, a longer-term strategic goal (imposing *their* political ideology as the 'state norm'). It is not hard to see how in a different political conjuncture this coalition could have broken down—and with it the idea of a permanent 'majority'. Nonetheless, the personal status debacle proved the fiction's power. The French backed down over the reform, but only as it touched 'Muslims'—the 'majority'—leaving the other religious communities held in the legal relationship to the state that it had created. Christian patriarchs certainly had the sense that Sunni Muslims had imposed themselves as the dominant community within the state, and that their own communities' subordinate status had been reasserted:

> we cannot accept that […] a state be created where minorities are fixed [*établies*] in civic inferiority, where the Christian minorities are placed in tutelage under a theocratic Muslim regime [*sous un pouvoir théocratique musulman*].[109]

[109] AD-SL Box 592, dossier *Suspension statut personnel*. Letter to HC (29/3/1939); copy of *al-Bashir* (4/4/1939).

They now understood their status to be that of 'minorities'. But the power of the concept of 'majority' went even further. Whereas Puaux's temporary suspension of decree 60 applied specifically to Sunni Muslims, the new decree *permanently* suspending it applied to "the Muslims". All *other* Muslim communities were thereby collapsed into the Sunni ᶜulama's definition of Islam. So, while the maintenance of decree 60's provisions for Christian and Jewish communities fixed them in a legally subordinate position, their suspension for "Muslims" stripped Muslim communities *other* than the Sunnis of their legal existence as a distinct community.[110] They were thus legally incorporated into a religiously-defined majority many of them had spent much of the mandate period trying to escape from. It is ironic that this measure, taken by the French in order to resolve an acute but temporary crisis, effaced the institutional distinctions within the 'Muslim' community that it had been French policy since the occupation to reinforce.

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By the later 1930s the nation-state structure in Syria was sufficiently well-established for the concept of 'majority' to become meaningful for Syrians themselves—hence its being invoked by opponents of the personal status law reform. We can see how the same structural developments had also (and probably a little earlier) made the category of 'minority' meaningful; we can see, too, how until those changes had taken place the two terms were

[110] Al-Hakim 1983: 290 n1.

not meaningful, were not used by any actors involved, and are of questionable analytical value for scholars. This does not mean, however, that when studying the period in which the concepts of 'majority' and 'minority' *had* become meaningful scholars can deploy them without caution. Rather, once those concepts have become meaningful, scholars must seek to understand who used them and why—not simply reproduce them. Over the question of personal status law reform, as over the question of 'minority guarantees' in the treaty, political actors who sought to redefine the communities they belonged to as 'minorites' also sought to restructure them politically—in their internal structure, in their relationship to the wider society, in their relationship to the state. The same goes for those claimed to speak for a 'majority', but the stakes were arguably higher, since the claim to speak for a 'majority' involves a claim to define the state in its relationship with the *whole* population, majority and minorities alike.

CONCLUSION

Conclusion - Minorities, majorities, and the writing of history

This thesis has sought to demonstrate that 'minorities' emerged in Syria during the mandate period, as a result of the development of the nation-state form. As state authority spread across the territory it bound the population more closely together as a single unit under a single set of institutions within fixed borders. For some groups within the population this fixed them in a state structure where they were a minority; it gave others a sense of belonging to—and the scope for acting as—a 'majority' within the state. As the presence of the state in the everyday life of the population intensified, the institutional relationship between population and state was redefined; because the state now claimed to *represent* the population, whichever group could constitute itself as the majority could claim the right to define that relationship. Others, with more limited rights or none, were constituted as minorities. It was only *with* this transformation of the state that Syrians began to understand their society as being made up of minorities and a majority—though precisely how they chose to define those groups, and what political implications they drew from their definition, was an open question. The nation-state created the objective conditions that made the terms 'minority' and 'majority' meaningful; they remain, however, subjective categories.

As I have argued, this makes it unwise to understand French policy simply in terms of minorities and majorities. The French, who so actively sought to institutionalize divisions within Syrian society, did not initially do so on the grounds that certain communities were minorities. However, when the

state structures that they put in place—and Syrians sought to control—made that category meaningful, the French sought to harness it.[1] In ways that would serve their own ends, they tried to limit its application to certain groups and to define its legal content. The logic of the nation-state form, however, meant that the category escaped simple definition by the imperial power. On one level, it was defined by a body of international law over which France had very limited influence. On another, there was nothing to stop Syrians using or rejecting it on their own terms. Members of groups the French did not want to consider as minorities adopted the term to describe themselves; others whom the French sought to define as minorities proclaimed themselves part of the majority.

If we look at the emergence of minorities from the other direction, we also see that they are not exceptional groups within modern nation-states: if they are marginal, it is only in the sense that a margin defines a page. The existence of separatist movements shows us state authority in the act of spreading; when such movements based their claims on a cultural identity different to that of the state, they highlighted the cultural identity that the state itself now adopted—or at least, had attributed to it. As the definition of borders turned some communities into minorities, it also permitted the definition of the majority. The application to Syria of the international law on minorities marked Syria's status in the internationally-recognized order as a nation-state becoming independent, at least nominally; within Syria,

[1] Whether those structures can only be identified with French imperialism, or whether something similar would have emerged in Syria under the pressure of local developments and international norms, is a debatable point; I would argue for the latter.

the definition of legally-protected 'minorities' served to define the majority, and its relationship to the state that now claimed to represent it. In many ways, the history of minorities—that is, the history of the processes that lead certain groups to be *defined* as 'minorities'—*is* the history of the nation-state.

Other, equally valid subjects suggest themselves for case studies like the ones I have presented here: language is an obvious one, touched on tangentially throughout this thesis. All of the examples I have presented are Syrian; the phenomena I elucidate, however, can easily be identified elsewhere. This thesis has sought to offer a specific case study, while also providing an analytical framework that can be applied to other cases in order to understand the changes that affect the "architecture of community"[2] under the multiple pressures of modern state development. By doing so, it has also shown how historicizing the category of 'minority' itself (and with it its twin, 'majority') opens new perspectives on that development—perspectives that are concealed when minorities are simply assumed to *exist*, as such.

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If minorities are not marginal to the history of modern states, how has their history been marginalized? First of all, one can identify a 'majority' viewpoint—one where the writing of history contributes, knowingly or not, to the same process of defining a *majority* that has run through this thesis

[2] This phrase is Keith Watenpaugh's (2006).

as the corollary to the definition of minorities. Those who claim to speak for a majority—not a claim I accept uncritically, as will be clear to the reader by now—are most concerned with that majority's history, understood as a nation's history. By writing 'national' history they affirm the majority's existence in the present and project it back into the past; in doing so, they also assimilate the history of the state to that of the nation. Of course, this is not only true of professional historians. Politicians, journalists, novelists, television producers, teachers, and many others, not all of them directly part of the state, all make more or less elaborate references to a national past: this is part of the everyday maintenance that nations require. Present-day minorities enter the picture only to the extent that their history touches that of the majority—to return to our Syrian example, consider the Armenian immigrant who threatens the fatherland, or indeed who demonstrates the moral qualities (tolerance, hospitality) of a Syrian nation to which he remains fundamentally foreign. Both can be found in the works of the great Syrian historian Muhammad Kurd ᶜAli.[3] The Armenian refugee as a Syrian is a rare bird.[4] Foreigners may adopt this majority viewpoint by default, either because they too focus on the history of the 'nation' (even when approaching it more critically as the history of the majority *nationalism*) or because they apply unquestioningly the categories transferred from their own historical context.

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[3] Kurd ᶜAli 1983 [1928], 163-165; 1949: 685-686.

[4] This refugee origin has marked the Armenians out (not only from the 'outside') as a non-Syrian group—further removed from the 'majority' than members of many other Syrian minorities—long after most of them become Syrian citizens speaking Arabic as a, or even *the*, language of ordinary use (Migliorino 2006).

The 'minority viewpoint' is the flip side of the majority viewpoint, and constitutes a self-marginalization. Members of these communities who want to rehabilitate a history effaced from national histories; foreigners who see, *a priori*, 'minorities' in the society they study: they take for granted that their community has always been a minority, relative to a dominant community always constituted as a majority. The majority and the state which is assumed to represent it enter their narrative only to the extent that their history touches that of the minority under study. In other words, by depicting the history of the minority they seek to define it in the present and project it back into the past: national history writ small, as it were, in which on may detect a concern to justify a claim to a *future* state. By seeing the minority history as separate from the majority history, such accounts may reinforce rather than overcome its marginalization. Meanwhile, by associating domination with the 'majority' and subordination with the 'minority', even in order to make a (laudable) protest against subordination, they may also obscure the real forms of domination that are common to both.[5]

In this analysis both 'majority' and 'minority' histories impose present categories and preconceptions on the past in ways that pose serious obstacles to our understanding. It would be futile, not to mention impossible, to try and eliminate our consciousness of the present from our understanding of the past: history is, precisely, applying a present consciousness to the past. We see the past through the prism of the

[5] Both may be deliberate as well as unwitting, of course.

present, in the hope that this will also help us understand the present through the prism of the past. Nonetheless, it *is* possible to maintain a critical awareness of our own position, and the categories and preconceptions it brings with it. I have tried to suggest one way of doing this here, by historicizing a concept that historians and others routinely use to describe past and present societies.[6] Such a critical awareness can help us avoid taking for granted, wrongly, that conditions obtaining in contemporary states and societies obtained in earlier ones. At the same time, it can help us reach a fuller understanding of how the contemporary world was formed. And it can offer a means of defence when history is abused, as it always will be, for divisive political ends.

[6] Mark Mazower's *Salonica* (2005) suggests another, writing the history of a city in a way that extracts that history from the nationalist accounts that have claimed it while examining the effects of those competing nationalisms *on* the city and its people.

APPENDICES

(i) Outline chronology, 1919-1939

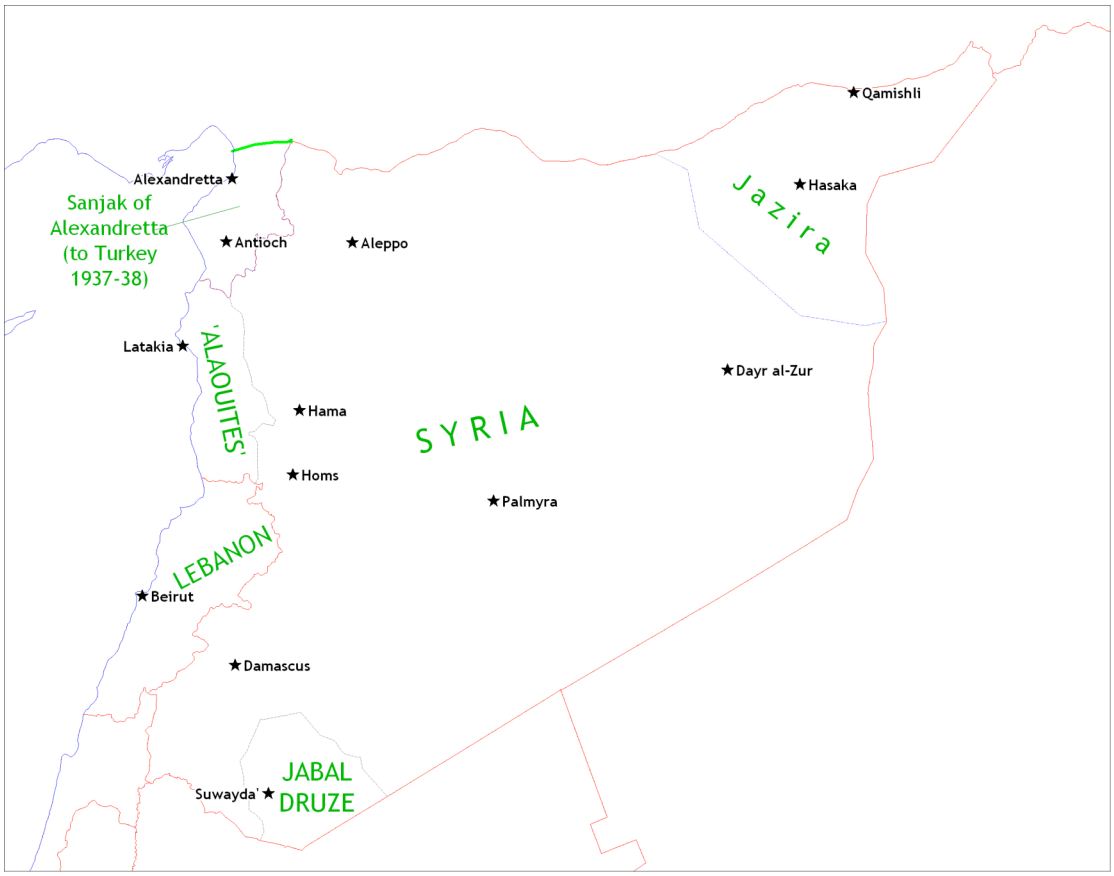
Year	*Events*	*High Commissioners (start dates[1])*
1917-19	Allied occupation of Arab provinces – end of WWI – end of Ottoman rule in Arab provinces – Faysali rule in Damascus	*Georges-Picot (9/4/1917)* *Gouraud (8/10/1919)*
1920	July: Battle of Maysalun, French occupation of Damascus, flight of Faysal. August-September: formation of Greater Lebanon, State of Aleppo, Territory of the ᶜAlawis, State of Damascus. *To 1921: armed opposition to French rule continues in Alaouites and region of Aleppo. French authority spreads slowly across the mandate territories over the course of the decade*	
1922	March: autonomy of Jabal Druze. June: 'Syrian Federation' links States of Aleppo and Damascus, State of the ᶜAlawis (an accidental change of name—and status—for the Territory[2]). July: Mandate over Syria and Lebanon granted to France by League of Nations.	
1923		*Weygand (19/4/1923)*
1924	Syrian Federation replaced by State of Syria (unifying States of Aleppo and Damascus); ᶜAlawi State autonomous.	
1925	July: 'Druze Revolt' begins; quickly spreads across southern and central Syria and into Lebanon. October: bombardment of Damascus.	*Sarrail (2/1/1925)* *de Jouvenel (10/11/1925)*
1926	*To spring 1927: armed insurgency continues; put down by massive reinforcement of French military presence, with much loss of life.*	*Ponsot (3/9/1926)*
1928	April: elections to Constituent Assembly in Syria Summer: Constituent Assembly meets, draws up Constitution that does not acknowledge French presence, is suspended by High Commissioner for six months then *sine die*.	
1930	May: Ponsot permanently dissolves Assembly, promulgates a Constitution more acceptable to French.	
1931-32	Parliamentary elections (December-January); negotiations between High Commission and Syrian	

[1] NB—Date of appointment does not necessarily reflect date of arrival in Beirut.

[2] See introduction, n49.

	government for Franco-Syrian Treaty begin under Ponsot, but unsuccessfully.	
1933	Negotiations continue under de Martel. November: draft treaty agreed by Syrian government, text blocked in Parliament. Parliament suspended.	*de Martel (16/7/1933)*
1934	November: Parliament suspended *sine die*.	
1936	Serious unrest in Damascus and other cities in late winter/spring. France agrees to negotiate treaty with Syrian nationalist delegation, which leaves for Paris in March. May: Popular Front government in France—a real outcome to negotiations suddenly becomes possible. September: treaty signed. Return of delegation. November: legislative elections. December: Druze and ᶜAlawi statelets placed under authority of Damascus by decree of High Commission; National Bloc government of Jamil Mardam Bek takes office; Syrian parliament ratifies Franco-Syrian treaty.	
1937	July: Franco-Turkish agreement on Sanjaq of Alexandretta. November: Sanjaq of Alexandretta becomes independent from Syria as Republic of Hatay. Still under French mandate, its administration begins to adopt Turkish republican norms (law, currency).	
1938	December: French government refuses to ratify Franco-Syrian treaty.	*Puaux (27/10/1938)*
1939	February: fall of Mardam Bek government, triggered by controversy over personal status law reform. Syrian politics at crisis point. June: formal end of French mandate in Hatay, which becomes a province of Turkish Republic. July: Druze and ᶜAlawi regions return to direct French rule; so does the Jazira. Constitution suspended, parliament dissolved. September: outbreak of WWII; state of emergency declared in Syria.	

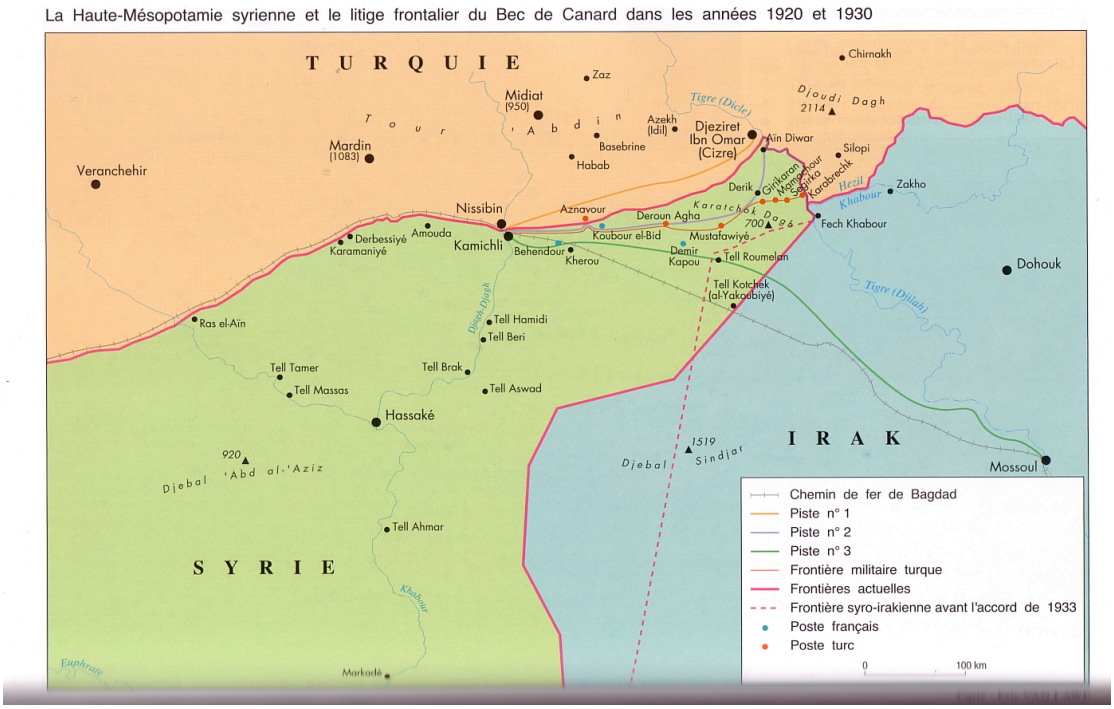
(ii) Map 1 – Syria, c.1936
Showing main internal divisions



after P. Khoury 1987

'Alaouites' and Jabal Druze were autonomous statelets; Jazira and Sanjak of Alexandretta were subdivisions of 'state of Syria'.

(iii) Map 2 – North-eastern Syria in the mandate period



source: Tachjian 2004

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Reference in text as AD-SL Box 123, dossier *title*, subdossier *title*. Document (date). Thus:

> AD-SL Box 568, dossier *Tcherkess*, subdossier *Armement des villages tcherkess de Boueidan, Blei, Bourak*. HC's delegate to State of Syria (Veber) to HC's delegate to Contrôle Général des Wakfs (23/02/1928).

Not all dossiers are properly inventorized and not all documents are in dossiers. Sometimes, therefore, the folder information is sketchy. To save space, where a document such as a *Note* or an intelligence service *Information* has a number, I identify it by that number and the date only, without stating which branch of the bureacracy issued it. Since not all—not many!—signatures are legible, names are often not given.

All cited documents are from the *1er versement* unless stated. The rare exceptions are from Série B, the 'nominative dossiers' on individuals—these are identified in the reference.

*

(ii) Service Historique de l'Armée du Terre (Vincennes), sub-series 4 H (Levant, 1917-1946).

Reference in text as SHAT 4 H Box 123, dossier 1: *title*, subdossier *title*. Document (date). Thus:

> SHAT 4 H Box 168, dossier 1: *Opérations des troupes du territoire de l'Euphrate dans la Haute-Djézireh (occupation du Bec de Canard) 1927-1930*, subdossier *Organisation des Postes du Bec de Canard et occupation de [ces postes]. Note sur l'action politique menée dans la Région Nord de Djézireh* […] (1/12/1926)

The same points apply here as above, although in general the organisation of documents within the box is clearer. Notably, as a rule each dossier within a box is numbered.

*

(iii) Markaz al-wathâ'iq al-târikhiyya (Damascus), state documents collection.

Reference in text as MWT, *wathâ'iq al-dawla*, sijill [inventory] number; *section – subsections*. Document number (description and date where necessary). Thus:

MWT *wathâi'q al-dawla*, sijill 2; *wizârat al-dâkhiliyya – al-amn al-ᶜâm – taqârîr*. 1: letter from Khayrî Ridâ, qâ'immaqâm of Kurd Dagh, to minister of interior (25/4/1934).

In the Syrian archives, the same call number may group several related documents (e.g. correspondence on a specific topic). In this case I have given the range of dates and a general description where citing the whole group, the individual date where citing a single document. Sometimes there are two overlapping sequences of numerotation—in some cases I have given both numbers for ease of triangulation.

*

(iv) Private papers of Albert Zurayq, kindly made available to me by Souheil Chebat, Damascus.

* * *

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(i) In Arabic.

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Alif Bâ', Damascus.

al-Muqtabas, Damascus.

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al-Yawm, Damascus. NB—*al-Yawm* was published during *al-Ayyâm*'s periods of suspension in order to bypass the suspension order; issues of *al-Yawm* carried two numbers, one for the title's own sequential numerotation and one for that issue's place in the numerotation of *al-Ayyâm*.

*

(ii) In French.

Journal officiel de la République française – Débats parlementaires – Débats de l'Assemblée Nationale, Paris.

L'Asie française, Paris. NB—(1) *L'Asie française* published longer articles with and without individual bylines, and shorter uncredited 'Chroniques' (news articles). Unless an author is cited in my footnotes, articles are uncredited. Credited articles are not cited individually in the bibliography. (2) The bulletin was usually published monthly (every two

months between July and October), but during World War One it appeared more irregularly: three issues in 1915, four in 1916, etc.

* * *

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