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THE LEBANESE ARMY CODE

A Translation and Comparison  
With Similar Regulations of the United States Army  
and a Brief Historical Background

by

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ABSTRACT

**THE LEBANESE ARMY CODE**

by

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**BEIRUT**

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The thesis is divided into two parts the first of which is an introduction giving the historical background and the second part is the translation and annotation of the Lebanese Army Code.

### Introduction

The Lebanese have always played a part in the military organization of the area even under the domination of Lebanon's conquerors and occupiers. From 1516 until 1918 Syria, including Lebanon, was part of the Ottoman Empire whose rule did not seriously affect the country racially or linguistically. The area was divided into the pashaliks of Damascus, Aleppo, Tripoli, and Sidon, customary laws remained in effect, and the social power was in the hands of the feudal lords upon whom the Ottoman rulers relied for maintenance of local law and order and the collection of taxes. The basis of Ottoman administration was moderation and all branches and departments of the government were ordered to maintain the 'Status quo' in the provinces. But Ottoman maladministration was prevalent and there was no manifestation of patriotism or initiative on the part of the local governors.

During the first years of the nineteenth century a new power arose in Egypt in the person of Muhammad 'Ali Pasha, a Moslem from Albania. He first came to Egypt as an officer in a volunteer Albanian regiment in the service of the sultan to help drive out the remnants of the French Army and through intrigue and force he became the virtual ruler of Egypt and was finally recognized as the wali or governor of the province of Egypt by the Porte.

Like all Egyptian powers, Muhammad 'Ali looked towards Syria for its manpower and wood resources and found an excuse to wage war with the Turks for the control of Syria with the possible intention of eventually conquering the Ottoman Empire.

Muhammad 'Ali's son, Ibrahim Pasha, commanded the expedition to Syria which began in November 1831. By the beginning of the year 1833, Ibrahim had conquered all of Syria including Palestine and the Lebanon and had stopped at Koniah, the main city of southern Asia Minor. The Turks were decisively beaten and so by the Treaty of Kutahya on 14 May 1833, Muhammad 'Ali was recognized by the porte as the ruler of Syria and Ibrahim Pasha was appointed the governor of Syria and the collector of the revenues of Adana.

The Egyptians were greeted in Syria with open arms and almost as emancipators. The Syrians had been burdened by Ottoman maladministration and political corruption. Under Ibrahim Pasha, Syria was opened up to the west from which it received a cultural and economic impact as foreign merchants and missionaries entered the area. A new system of administration was set up which was an improvement in the fields of taxation, justice, education, law, and security.

Great friendship and cooperation existed between the Egyptians and the Christian Syrians, especially the Lebanese who extended the greatest amount of aid in making the campaigns of Ibrahim Pasha successful. Under the Amir Bashir Chehab, the leader of the Lebanon, the Lebanese were a great help in aiding Ibrahim subdue the area and maintaining security in the conquered territories for the Egyptians. The Christians of the Lebanon were the only loyal friends upon whom Ibrahim Pasha could rely and therefore he charged them with this task of maintaining security.

However, the Moslem Syrians and Palestinians hated Ibrahim Pasha and had accepted his rule unwillingly and under duress. Trouble brewed for the Egyptians in the mountainous areas of Lebanon as it did in Tripoli and Acre. One of the causes for the disturbances and uprisings on the part of the natives

of Syria and Palestine was the program of conscription and disarmament inaugurated by Muhammad 'Ali. Disarmament was a grave mistake since it was as natural for the Syrians to carry arms as it was for them to wear clothing. By 1836 all of Syria was disarmed and more than 80,000 muskets and pistols were carried away to Acre where they were made into horseshoes. As for conscription, Muhammad 'Ali realized that an attack by the sultan would be forthcoming and thus he wished to enlarge his army in Syria. Syrians were indiscriminately seized in the streets and taken away to army depots to become unwilling soldiers.

In 1834, rebellions had broken out in Palestine and Muhammad 'Ali had to proceed there from Egypt with reinforcements to help his son put down these revolts. Other revolts occurred and Ibrahim Pasha was able to quell these with the help of the Amir Bashir and Lebanese soldiers.

It was clear to the sultan of Turkey that if he was to regain Syria from Muhammad 'Ali he would have to reorganize his army. This was done with the help of Prussian Army officers and in 1839 the Turks prepared for war with the Egyptians in Syria. The Turks had some successes at first but the experience of the Egyptians prevailed and the Ottoman Army was crushed.

At this time the European Powers intervened since their sympathies were with the Ottoman Empire which they did not want to see disintegrated. England and Austria sent armed forces to Syria where they eventually defeated the Egyptians. The Egyptian Army was completely demoralized but Ibrahim Pasha reorganized his forces in Damascus and Zahleh. In the meantime, Muhammad 'Ali had agreed to negotiations which resulted in his receiving the possession of Egypt provided he evacuated Syria. Thus hostilities ceased and the Egyptians returned to Egypt. Syria was once again under Ottoman domination.

In 1863, the French intervened in the Lebanon after the massacre of hundreds of Christians by the Druses. A Lebanese militia was established in 1864 to provide for internal and external security and to protect the Lebanese frontiers. This lasted until 1918 when the French soldiers arrived during the First World War and they took over the policing of Lebanon.

After the First World War, France received the mandate for Syria and Lebanon and this situation remained in effect until the Second World War. In 1943 Lebanon received its independence but all authority was not transferred to the new Lebanese Republic at that time. It was not until 1 August 1945 that the Lebanese units of the French Special Armies in the Orient were transferred to the control of the Lebanese Government. Then the process of reorganization, appointment of high ranking Lebanese officers to positions of command, the organization of the Ministry of Defense, and the creation of the army headquarters were begun. Later, a military court and a military institute were established. The Military Institute was composed of various military schools including an Officers' School, the Academy for cadets, an Enlisted Mens' School, a Skiing and Mountain Warfare School, a Physical Training School, and a Combat School. Arabic became the official language of the Army and a new Lebanese uniform was adopted.

The Code

The main part of the thesis is the translation and annotation of the Lebanese Army Code promulgated by the President of the Republic on 2 October 1950. The regulations are divided into three parts. The first part concerns the ground forces and consists of nine chapters dealing with definitions; enlistment and appointment; promotion; rewards and punishment; categories and termination of service; medical provisions; salaries, compensations, and allow-

ances; retirement pay; and miscellaneous provisions (such as the wearing of the uniform and prohibition of soldiers in political demonstrations). The second part concerns the air force and the third part has one chapter dealing with interim and abrogated provisions peculiar to members of the Army having previous service in the Ottoman Regular Army, the Gendarmerie, the Arab Forces, the French Special Armies in the Orient, and Regular Allied Armies during the Second World War.

These regulations were based entirely on the "Statutes des Troupes du Levant" written by the French Government for the French Special Armies in the Orient. In many cases articles were taken almost word for word. And even today when the Lebanese Army comes upon a situation for the first time and the regulations are not clear, recourse is still made to the "Bulletins Officiels" which were also issued by the French during their stay in the Lebanon.

The regulations are not very extensive but are certainly adequate for the needs of a small army such as that belonging to the Republic of Lebanon. The Lebanese Army is no greater threat to anyone today but if it were able to expand its armed forces and procure more and better equipment it would be able to hold its own in the face of invasion. The main defense of Lebanon lies in the mountains which would be difficult for any power to conquer.



INTRODUCTIONHISTORICAL BACKGROUNDPART I

It is quite difficult to write about the military history of a country which has been occupied by other powers for hundreds of years. In the first place, the area and the terms must be defined in order to maintain the continuity of the story. Such is the case with Lebanon, one of the smallest countries of the world today but possessing a heritage dating back to the Phoenicians and other Semites who inhabited the area two thousand years B.C.

Until 1943, Lebanon has always been associated with and has been a part of Syria which term can be correctly used in three different senses. First, it referred to the whole geographical area extending from the Taurus Mountains in the north to the Sinai Peninsula in the south, and from the Mediterranean Sea in the west to the Syrian Desert in the east. The various peoples of this area have been called a single people linguistically since the majority speak a single language, Arabic. Secondly, this area was divided into two parts after the First World War. The northern part consisted of what is known today as the republics of Syria and Lebanon and the southern part comprised Palestine and Transjordan. The whole northern region of Syria was placed under a French mandate while the southern region was under a British mandate. Thirdly, the French divided their northern area into four sections known as the "Levant States." These consisted of the States of Syria and Greater Lebanon, and the Governments of Latakia, Jebel Druze, Alexandretta, and Antioch. In 1936, Latakia and Jebel Druze were formally annexed to Syria and became provinces. After the Second World War, both Syria and Lebanon received their independence, Lebanon becoming independent in 1943.

The people of Mount Lebanon have always remained more or less autonomous

since it was very difficult for any occupying power to completely control them if they decided to fortify themselves in the mountains. Therefore, Lebanon has always had a special position in the organization introduced by its conquerors.

In order to understand the make-up of the people and their martial tendencies, we must delve into history somewhat to obtain the background leading up to the present time if we are to understand the military organizations of the area today.

From 1516 until 1918, Syria, including Lebanon, was part of the Ottoman Empire which included at its height the Balkans, much of Central Europe, Asia Minor, Mesopotamia, part of the Arabian Peninsula, and North Africa. Ottoman rule did not seriously affect the Syrians or Lebanese racially, linguistically, or in their way of life. Few Turks settled in the area and there was a continuous influx of Arabians from the desert (especially into Syria.) Also, the political structure was not seriously affected. The area was divided into the pashaliks of Damascus, Aleppo, Tripoli, and Sidon. The Turkish sultan usurped the title of "Caliph" or leader of the Islamic community and received allegiance of the people but only in and around the large cities where garrisons were stationed. Customary laws remained in effect and the social power was in the hands of the feudal lords upon whom the Ottoman rulers relied for maintenance of local law and order and the collection of taxes.

As a result of this structure, it was possible for local princes to extend their domains and become virtually independent. Such was the Druze Amir, Fakhr-al-Din II al-Ma'ni who governed Lebanon from <sup>1592</sup>1586 to 1635. In 1613 he was forced to flee to Italy but returned a few years later to Syria and Lebanon where he dominated a great part of the country until he was captured and killed by the Turks.

In the eighteenth century, the Bosnian Jazzar, pasha of Acre took over a great part of Syria and ruled it ruthlessly and cruelly from 1775 until 1804.

The first three centuries of Ottoman rule were a period of stagnation and economic decline. Population continued to decrease and the harsh system of taxation had its effect on agriculture. Although Syria was no longer situated on the main trade route from Europe to Asia, commerce still flourished as trade with surrounding countries was facilitated with Syria's incorporation into the Ottoman Empire. Aleppo was a great center of internal trade where there grew up communities of French, Italian, and other European merchants. Beginning with the seventeenth century Catholic missionaries were active among the Christian communities. They gradually built up churches in communion with Rome but eastern in rite. Schools and colleges were founded and a Maronite College was established in Rome to educate Maronite clergy and to draw their bonds tighter with western Catholicism.

At the beginning of the nineteenth century Syria was a decaying and half-deserted country. Ottoman administration was effective only in the large towns where the Janissaries, the Turkish troops, were stationed. Local chieftains ruled large parts of the rural areas on the condition that they collect taxes for the sultan. The Bedouins were uncontrolled and made frequent raids on sedentary areas.

From the eighteenth century it was clear to Europe that the Ottoman Empire had started to decline. Therefore, the problem of the Great Powers of Europe was either to hasten or retard the final collapse of the Empire. The Great Powers interested in the area were Great Britain, France, and Russia; and all three tried to secure paramount influence over the government of Constantinople as well as its provinces including Syria and Lebanon. The French had connections with the Maronites and other Catholic Christians; Russia began to claim

protective rights over the Greek Orthodox Christians; and Great Britain tried to cultivate friendship with the Druzes.

Toward the end of the eighteenth century Napoleon, from his base in Egypt marched to the north and was resisted by Jazzār as the sultan's representative. This resistance caused Napoleon to abandon the campaign in 1799.

### The Egyptians in Syria

During the first years of the nineteenth century a new power arose in Egypt in the person of Muhammad 'Ali, a Moslem from Albania. He first came to Egypt as an officer in a volunteer Albanian regiment in the service of the sultan to help chase out the remainder of the French soldiers and through intrigue and force he became the virtual ruler of Egypt and was finally recognized as the governor by the Porte. But Muhammad 'Ali was not content to stop with Egypt. He dreamt of an empire with himself as the founder of a ruling dynasty and so looked with eager eyes to Syria with the possible eventual domination of the whole Ottoman Empire. The Ottoman government had promised him the government of Syria for his aid in the Greek war, but it did not keep its promise. Muhammad 'Ali was still determined to secure it for himself and so looked for an excuse to war with the Porte over Syria. Besides, all Egyptian powers have had to look toward Syria. With the control of Syria, Muhammad 'Ali would have ample wood resources which he needed badly, and also much needed manpower for his armies. Not daring to declare war openly, Muhammad 'Ali looked for a pretext. He accused 'Abdullah Pasha of Acre of favoring the export of the products from Upper Egypt by way of the Syrian Desert instead of through Alexandria. This in itself was unsound economical policy and the Ottoman government indicated that the ruler of one province could not dictate to the governor of another province. Also, another reason was that many peasants of Egypt had migrated into Syria because of Muhammad 'Ali's

agrarian policies. He could not admit that Ottoman subjects had freedom of movement in the empire and so he decided upon the Syrian expedition which was to be commanded by his son, Ibrāhīm Pasha.

The Egyptian artillery, ammunition, and supplies were transported by sea while the infantry and cavalry started for El Arish in November, 1831, crossed the desert and took Gaza and Jaffa without meeting resistance. Ibrāhīm Pasha disembarked at Jaffa and headed for Acre where 'Abdullah Pasha had concentrated all of his forces hoping to turn Ibrāhīm back. After a naval bombardment and by the use of regular siege equipment, Acre was forced to surrender on 27 May 1832.<sup>1</sup> From Acre Ibrāhīm Pasha proceeded to Damascus which surrendered without resistance and so he continued on to Homs where he met with the Ottoman Army on 8 July 1832. The Egyptian infantry was placed in the center, flanked by the cavalry and artillery. As soon as the Turks were within range, the Egyptians opened up with musket fire and grape shot and this confused the Turks. The Egyptian infantry charged the Ottomans with bayonets and the cavalry went into action on the flanks. The Turkish army was completely routed by this means of western warfare of which the Ottomans had not the slightest conception.

Leaving the Taurus Mountains behind, the Egyptians approached Koniah, the main city of southern Asia Minor and which fell without a battle. Thirty thousand Egyptians drove sixty thousand Turks before them and threatened the sultan in his capital.<sup>2</sup> Thus Ibrāhīm Pasha had Asia Minor at his disposal.

It was then that Muhammad 'Ali communicated with the Porte and demanded the government of Syria for himself as well as Adana, the coastal province of southeastern Asia Minor. He threatened to order Ibrāhīm Pasha to march on Constantinople if these demands were not granted.

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<sup>1</sup>A.A. Paton, A History of the Egyptian Revolution, Vol. II, (London 1870), p. 96.

<sup>2</sup>Ibid., p. 99

At this time Russia was not prepared to see Turkey on her knees and so sent an envoy to Alexandria to request Muhammad 'Ali to stop Ibrāhīm Pasha. Russia also sent a military force which camped on the Bosphorus to resist Ibrāhīm Pasha in case he advanced toward Constantinople. The other Great Powers of Europe sent no troops but were insistent that Muhammad 'Ali cease his advance on the Turkish capital. After lengthy negotiations Muhammad 'Ali was confirmed and recognized by the Porte as the ruler of Syria and Ibrāhīm Pasha was appointed the governor of the holy cities and the collector of the revenues of Adana. This happened on 14 May 1833 by the treaty of Kotahya.

#### Egyptian Administration of Syria

The Egyptian troops were greeted in Syria with open arms and almost as emancipators. The Syrians had been burdened by Ottoman maladministration and political corruption. Under Ibrāhīm Pasha, Syria was opened up to the west from which it received a cultural and economic impact as foreign merchants and missionaries entered the area. The Ottoman government had, before the Egyptian occupation as well as after it, tried to prevent western penetration. Graft and personal financial gain for local administrators were stopped (but the Syrians lost personal liberty). Ibrāhīm Pasha set up a new system of administration which was a great improvement on the old system in the fields of taxation, justice, education, law, and security. He established a new order based on religious and civil equality and on the protection of life and property not known in Syria since the days of the Umayyads. He followed out his father's schemes for Syria by encouraging education, placing emphasis on military and technical aspects. Foreign missions were encouraged (and as a result of this, the seeds were sown for the later birth of Arab nationalism).

At this time it appeared that there existed great friendship and cooperation between the Egyptians and the Christian Syrians, especially the Lebanese,

and these people extended the greatest amount of aid in making the campaigns of Ibrāhīm Pasha in Syria successful. They provided him with soldiers, supplies, collected taxes, maintained law and order in conquered territories, and put down all insurrections which arose against his authority. Muhammad 'Alī acquired the sympathy and respect of the western powers and the love of the Christians because of his principles of justice, order, and freedom. He granted the Christians religious liberty and equality in civil rights with his other subjects. The Christians served him loyally and diligently, and helped him in his political and economical schemes.

Returning to the period before the Syrian expedition, we learn that in 1816, Muhammad 'Alī Pasha had summoned about thirty Christian Maronite families from the Lebanon to work for him in breeding silkworms and had settled them in Shubra and Bahtim in Egypt. In 1824, a secret alliance had been concluded between Muhammad 'Alī and the Amīr Bashīr, the leader of the Lebanon, during the latter's visit to Egypt at that time. Bashīr remained faithful to the alliance and when the Egyptian expedition to Syria arrived at the walls of Acre,<sup>3</sup> Bashīr also arrived in person with Lebanese units to support the siege. This had constituted open sedition against 'Abdullah Pasha, the ruler of Acre and governor of Lebanon and Palestine. On 20 March 1832, the sirdar of the Ottoman Army in Aleppo had sent 6,000 soldiers to recapture Acre. Mustāfa Barbar, the Egyptian military governor, had only 400 soldiers in his command at Acre and so sought help from the Lebanese who hastened to aid their allies, the Egyptians. Under the command of the Amīrs Khalīl and 'Abdullah, the sons of Bashīr, the Lebanese armies met the Ottoman Army near al-Bārīd River and

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See supra, p. v.

completely routed it. When this news had reached Ibrāhīm Pasha he gave the command of the army at Acre to the Amīr Bashīr and proceeded to Tripoli with 10,000 men and upon his arrival there he found that the Ottoman Army had already been defeated. With the Lebanese Army he pursued the Ottomans and defeated them again at the battle of Homs and then occupied Hama and Aleppo. When he returned to Acre, he asked his friends, the Lebanese, to form another army. In a very short time the Maronites assembled 9,000 men under the leadership of their own chiefs.<sup>4</sup>

One of the reasons for the rapid successes of the Egyptian forces was the excellent organization of their supply lines. Bashīr had designated the town of Zahleh as the supply center and provisions were transported from Egypt by sea, unloaded at Sidon from where they were carried by Lebanese soldiers to Zahleh. Thus the Egyptian forces were in the advantageous position of having a supply center in the heart of their arena of operations.

Probably the greatest service rendered by Bashīr and the Lebanese was their maintaining security in the conquered territories for the Egyptians. They collected the taxes and quelled insurrections. The Christians of the Lebanon were the only loyal friends upon whom Ibrāhīm Pasha could rely and therefore he charged them with this task of maintaining security.

Damascus was the Egyptian capital for Syria and it was nicely situated, approximately half-way between the north and the south of the new Egyptian province. Most of the Egyptian troops were quartered in the north of Syria and Antioch was the favorite residence of Ibrāhīm Pasha who built a palace and a large barracks there.

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<sup>4</sup>Manuscript by an anonymous author, Hurūb Ibrāhīm Bāsha al-Misri fi Suriya wa al-Anādūl, annotated by Asad J. Rustum, (Heliopolis, 1927), p.6.



Rebellion

It appears that Ibrāhīm Pasha was hated by the Moslem Syrians and Palestinians and in one of his letters to his father, Muhammad 'Ali Pasha, he complained that the Moslem inhabitants of Syria, Palestine, and Adana had accepted his rule unwillingly and under duress. Even before the conquest of Palestine, Ibrāhīm Pasha complained of the insincerity of the natives of Nablus and Jerusalem and of the residents of Damascus and Aleppo. It was only the Christians and certain Druzes of Mount Lebanon who gained the confidence of Ibrāhīm Pasha.<sup>5</sup>

The administration of Damascus and Aleppo offered no great problem but trouble brewed in Tripoli and Acre as it did in the mountainous regions of the Lebanon. Rebellions broke out because of annoying acts committed by Egyptian soldiers. The first rebellions were at Salt and Karak and extended to Jerusalem where Ibrāhīm Pasha took shelter. The rebels had ambushed the Egyptian Army in the mountains of Jerusalem and had annihilated half of it.

Muhammad 'Ali Pasha arrived at Jaffa with 15,000 reinforcements and supplies to help put down the insurrections.<sup>6</sup> At Jaffa, by means of gifts of money, he won over to his side several influential chieftains. Military operations were begun and on 15 July 1834 Muhammad 'Ali entered Nablus in triumph. All arms were surrendered and Salt and Karak were partially destroyed. During this rebellion, no one remained loyal to the Egyptians except the Amīr Bashīr and his Lebanese followers. Muhammad 'Ali wrote to Bashīr and appointed him governor of all the ports of Syria from Latakia to Haifa including Safad, Tiberias,

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<sup>5</sup> Asad J. Rustum, The Royal Archives of Egypt and the Disturbances in Palestine, (Beirut, 1938), pp. 13-14.

<sup>6</sup> Rustum, Hurūb Ibrāhīm Pasha, p. 7.

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Nazareth, and the satellite communities and asked him to mobilize 15,000 Lebanese for the army.<sup>7</sup> Bashir rushed to Safad and sent his son, Khalil to Akkar to subjugate the people there and in the mountains of Latakia. The Lebanese spent many months in restoring order in these areas.

Other revolutionary movements started in the Nusayriyah Mountains. The Egyptians sent a division of 7,000 regulars under General Selim Bey and he was assisted by 8,000 Druzes and Maronites under the Amir Khalil.<sup>8</sup> The Nusayris were beaten everywhere and offered to capitulate. But Selim Bey offered too severe conditions and nothing happened. Khalil left the mountains and returned to the Lebanon but the Nusayris, nevertheless, still continued to negotiate with Selim Bey and at the same time followed the Druzes to Lebanon and inflicted some severe blows on Khalil and his men. Then they voluntarily surrendered to Selim Bey, gave up their arms, and sent 4,000 men for the ranks of the Egyptian Army. Ibrahim Pasha distributed these among his guards and left a garrison of 800 men in the mountains. Damascus and Aleppo were then disarmed and thus all Syria was subdued except for the mountain stronghold of the Lebanon.<sup>9</sup>

One of the causes for the disturbances and uprisings on the part of the natives of Syria and Palestine had been conscription and disarmament. Disarmament was a grave mistake since it was as natural for the Syrians to carry weapons as it was for them to wear clothing. Why did Muhammad 'Ali adopt this measure? One of the reasons was that he feared that some day the sultan would try to oust him from Egypt. The Treaty of Kotahya in 1833 which ended

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<sup>7</sup> *Ibid.*, p. 8

<sup>8</sup> Paton, *op. cit.*, p. 117.

<sup>9</sup> *Ibid.*, pp. 117-9.

the Egyptian conquest of Syria was never binding. And besides, the sultan had never wanted Muhammad 'Ali in Syria in the first place. Therefore, Muhammad 'Ali wished to safeguard and protect his interests in Syria and his aim was to always be prepared for war. To maintain and administer his new province, Muhammad 'Ali decided to benefit from the manpower there. He had been shown the bravery and courage of the Lebanese on the fields of battle and even during combat in 1832, he had requested Ibrāhīm Pasha to investigate the possibilities of drafting local Syrians and Lebanese into the Egyptian Army. However, Ibrāhīm Pasha and his ally in Lebanon, the Amīr Bashīr, were well acquainted with the real feelings of the Moslem natives towards the Egyptians and advised against the forced draft of Syrians and Lebanese at that time.

Ibrāhīm Pasha and Bashīr discovered themselves to be natural allies after the occupation of Syria. Bashīr had secretly become a Christian and was only too glad to ally himself with the Egyptians who would back him against the Druzes, while the Egyptians were delighted in having a powerful ally in the mountainous regions of Lebanon. Thus it developed that the Egyptians and Bashīr were on one side against the Porte and the Druzes on the other.

#### Disarmament Completed

On 25 September 1836, Amīr Bashīr issued the following decree:

"His Highness, Ibrāhīm Pasha, the Seraskier, having observed that many of the inhabitants of the mountains used their arms for criminal purposes, and as it is difficult to detect the malefactors, he has demanded the arms of the whole population; wherefore, the Amīrs will use all their exertions to get them and send them to our palace."<sup>10</sup>

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<sup>10</sup> Ibid., p. 120.

Ibrāhīm Pasha left Homs for Baalbek on 3 October 1836 and the next night surrounded Shūf, the main seat of the Druzes, with three regiments. A fourth regiment under Sulayman Pasha, the former Captain Seves, moved from Beirut to Beit al-Dīn. The Druzes were thus taken by surprise and delivered up their arms. On 9 October the disarmament of the Druzes was completed. The turn of the Christians came next and their arms were also taken up. Thus the entire population of Syria was disarmed. More than 80,000 muskets and large numbers of pistols, swords, and cutlasses were taken to Acre where they were made into horseshoes.<sup>11</sup>

### Conscription

As has been mentioned, Muhammad 'Ali wished to enlarge his army in Syria since he realized an attack by the sultan would eventually be forthcoming. Therefore, forced conscription was inaugurated after the general disarmament, and in this way Muhammad 'Ali received into his forces a type of soldier far superior to his native Egyptians but by this time the sympathies of the Syrians were not with him. Worse still was the manner in which the conscription was carried out. Syrians were indiscriminately seized in the streets and herded into public buildings. Those with money easily bribed the petty officials while the rest were taken away to recruiting depots and became unwilling soldiers.

### Second Egyptian-Syrian War

It was clear to the sultan of the Ottoman Empire that if he was to regain Syria from Muhammad 'Ali he would have to reorganize his armed forces in a much better fashion from what was done after the massacre of the Janissaries in 1826. In 1836, two Prussian army officers, von Berg and von Moltke, were passing through Istanbul and were presented to the sultan. They later accom-

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<sup>11</sup> Ibid., p. 120.

panied the sultan on an inspection trip and made certain recommendations for the improvement of the Turkish fortifications and the reorganization of the army. After von Moltke came other Prussian officers and through them the Ottoman Army was gradually improved.

Sultan Mahmud thought he was ready for war with Muhammad 'Ali and sought for an excuse. In 1838 a district near Mar'ash was occupied by Egyptian troops but the Porte claimed that it was Turkey's absolute possession. In April 1839 the Ottoman Army crossed the Taurus Mountains and as soon as they had crossed the Euphrates River the Syrians revolted against the Egyptians in favor of the Turks.<sup>12</sup>

Ibrāhīm Pasha received the go-ahead signal from his father to prepare for war which he knew how to do expertly. In Syria forced conscripts could be seen manacled and being led toward army depots between Damascus and Aleppo where stores were gathered and prepared. Ibrāhīm held councils of war until 1 June when he received word from Muhammad 'Ali to advance on the Turks.

Large Christian forces were assembled by the Amīr Bashīr in Damascus and Tripoli to quell any outbreak by the Moslem population. The position of Ibrāhīm Pasha was very precarious since he not only had to prepare his front for the Ottoman attacks, but he also had to watch his rear for fear of rebellions by the local population.

The Turkish troops numbered 80,000 men which far surpassed the Egyptian number but Ibrāhīm Pasha had the experience and could call for the expert advice of Sulayman Pasha.<sup>13</sup> At any event, the Ottomans opened fire upon the Egyptians on 23 June 1839. Four batteries of howitzers were brought forward

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<sup>12</sup> Carl Brockelmann, History of the Islamic Peoples, (London, 1950), pp. 358-9.

<sup>13</sup> Paton, op. cit., p. 132.

during the night to a short distance from the Egyptian camp and this caused disorder and confusion within the Egyptian ranks. But the tenacity of Ibrāhīm Pasha and Sulayman Pasha held most of the Egyptians together, although several hundred Syrians went over to the Ottoman lines. At daybreak, an Egyptian division went into action at the rear of the Ottoman camp. Sixty guns, twenty-four battalions of infantry and nine regiments of cavalry brought up the rear as the Egyptians advanced to Nezib where a sharp canonade took place. The Turks had the advantage but their leader, Hafiz Pasha, hesitated and under Sulayman Pasha the Egyptians reorganized and held. Ibrāhīm Pasha received fresh ammunition at this time and the Turks were routed shortly afterwards. The Ottomans suffered 4,000 casualties and the Egyptians, 3,000.<sup>14</sup> But the sultan's army existed no longer. Sultan Mahmud did not live to hear of this since he had died in Istanbul during the battle.

It is apparent that Muhammad 'Ali must have had some secret relations with the admiral of the Turkish fleet. It is still a mystery as to why the Capitan Pasha or the commanding admiral of the Ottoman Navy turned over this navy to Muhammad 'Ali. At any rate, this is exactly what he did. On 14 July 1839, the Ottoman fleet approached Alexandria and Muhammad 'Ali welcomed the Capitan Pasha who was given a warm reception. Captain Walker, a British naval officer serving with the Turkish fleet, declined to serve further with the Capitan Pasha since his government did not authorize him to serve under Muhammad 'Ali. The Capitan Pasha replied that it was still the sultan's fleet but united with Egypt for the good of the Ottoman Empire.

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<sup>14</sup> Ibid., p. 133.

The five Great European Powers were very surprised at these events and although they admired and respected Muhammad 'Ali, their sympathies were with the new sultan of Turkey since it was to their best interests to preserve the integrity of the Ottoman Empire at this time. They urged the Capitan Pasha to return to Istanbul which he refused to do, insisting that he had acted for the best interests of the Ottoman Empire.

In January 1840, Colonel Hodges from England told Muhammad 'Ali that Great Britain would maintain the integrity of the Ottoman Empire. He hinted that Muhammad 'Ali would be given the hereditary possession of Egypt if he would evacuate Syria and restore the Turkish fleet to the sultan. Muhammad 'Ali refused to do this and prepared for war again. At the Convention of London in 1840, Great Britain decided to blockade Syria and Egypt. The Ottoman sultan deposed Muhammad 'Ali.

During the summer of 1840 various uprisings had taken place in Mount Lebanon because the mountain people had been forced to work in the coal mines. The uprisings were prevented further when Muhammad 'Ali sent 10,000 men to Beirut and the mountaineers had to wait until a more favorable opportunity presented itself. The Syrians under the Egyptian yoke were encouraged by England, Austria, Russia, and Prussia siding with the Porte and in August the Nusayris of Mount Cassius, the Moslems of Nablus, and the Druzes of the Hauran, as well as the Lebanese mountaineers, arose again. The Syrian coast was sieged while the Egyptians tried to play the various sects off on one another and spread propaganda to the effect that the French were to aid Muhammad 'Ali.

On 8 September 1840 a British naval force was located off the coast of Beirut under the command of Commodore Napier, a naval officer of some reknown. To this force was added a small number of Austrian frigates and the remnants

of the Ottoman fleet under the command of Captain Walker. This entire group was commanded by the British Admiral Sir Robert Stopford.

It was decided not to land the troops on board at Beirut since they would immediately be surrounded by the larger Egyptian force. Therefore, Djouny Bay was the place designated to land the troops since it was also supposed that the Lebanese mountaineers would rush down to greet the troops and help them fight the Egyptians.

The appearance of the steamboat greatly helped the allies who rapidly made use of this type of vessel. On 9 September the Turkish troops were transferred into the new steamboats and proceeded off Beirut point in order to draw the Egyptian troops in that direction. Expecting an attack or landing from that direction, the Egyptians moved west to anticipate a landing but shells from the allied fleet stopped them. Commodore Napier and Captain Walker put to sea and moved across the bay to Djouny where they landed the Turkish troops north of the Dog River to block the advance of the Egyptian Army when they learned of the actual landing place. Commodore Napier made his headquarters in a convent overlooking the bay on the heights. Sulayman Pasha commanding the Beirut garrison was asked to surrender and when he refused, the allies shelled the castles to the right and left of Beirut.

A Mr. Richard Wood, an interpreter in the British Embassy in Istanbul was used during these operations to translate Arab versions of the Convention of London. Mr. Wood had been educated in Syria and was well acquainted with the area and the people. He made the local population realize that the Egyptians could not withstand the attacks by the allies and thus 8,000 joined the combined British, Austrian, and Turkish forces and eagerly received the arms brought for them.



On the hill of Ghazir was situated the palace of the Amir 'Abdullah Chehab, the son of Bashir. Mr. Wood with 200 Turks and 100 British marines went to Ghazir to liberate the natives from Bashir's troops. The locals received the British and Turks with cordiality and Bashir's troops offered no resistance. 'Abdullah submitted and after being presented to Admiral Stopford, he was confirmed as the governor of Kesrouan.

The Egyptian Army was harassed everywhere as the newly armed Lebanese picked at Ibrahim's forces from the flanks and the rear. The French had been supporting the Egyptians not with arms but morally. Efforts were made to prevent the Catholics of Mount Lebanon from joining the cause of the sultan but it was of no avail.

On 30 September 1840 Sir Charles Smith, a British artillery officer, was appointed as commanding officer of the Ottoman troops in Syria much to the disappointment and dissatisfaction of Izzet Muhammad Pasha, the nominal governor of Acre, and as such was supposed to be the representative of the Porte in these military operations.

Ibrahim Pasha still held the high road between Damascus and Beirut and also some of the highly populated centers in the mountains of Lebanon. As yet no definite engagement had taken place between the Ottomans and the Egyptians. Commodore Napier felt that something should be done and so on 23 October, leaving a strong guard at Djoury, the remainder of the forces including four battalions of Turkish infantry, one battalion of British marines, and two detachments of Austrian rocketeers was formed to attack Ibrahim Pasha at dawn in the mountains at Ardali. This attack took place and was successful for the allies as the Egyptians were routed and 400 were taken prisoner. Sidon was next decided upon and on 26 October, Commodore Napier joined Admiral

Stopford with 1,400 Turks and marines. The town was asked to surrender and refused. It was, therefore, bombarded and then landings were made by Captain Walker with the Turks, Commodore Napier and the English, and the Austrian archduke with his men. The Egyptians fought from the houses but the steamboats continued to harass the inhabitants of the city with shells and at last the city was compelled to surrender, and between 2,000 and 3,000 Egyptians were taken prisoner.

The taking of Sidon had a great effect on the Lebanese. Several amirs from the Chehab family came down from the mountains and submitted. The allies were informed that Ibrahim Pasha was in the hills at Dayr al-Qamr with 4,000 men and so it was hardly practical for the residents of that area to descend for weapons since if Ibrahim found out about this he would revenge himself upon the families.

Even the Amir Bashir was hesitant as to what to do. He had by now lost all confidence in the Egyptians and so was prepared to shift his allegiance to the allies. But, at the same time, he wished to preserve his power of Mount Lebanon. This was agreed to after some deliberation due to the pressing of time and events.

Ibrahim Pasha had continued to divide his forces in order to gain more ground, but this was a mistake in this war. On 8 October, General Jochmus occupied Ardali and on the 9th, Commodore Napier and Colonel Hodges proceeded there to drive the Egyptians from Kalat Maidin.

At this time we come upon another European fighting for the Turks. This was Omar Bey, a former Austrian soldier who became a Moslem in the service of the Porte. Through an expert maneuver, Omar Bey descended into the deep gorge of the Dog River with two battalions of Turks and crossed over to Bickfaya at the rear of the Egyptians to join with the Amir Bashir. If he

were discovered in this gorge he would have been massacred with his men. But he was fortunate, and on the next day he was at the rear of the Egyptians. Commodore Napier ordered the three remaining battalions from Djouny and two Turkish field pieces. Thus when Omar Bey was heard approaching, seven battalions were ready to attack Ibrāhīm Pasha in front. One battalion was detailed to cross the valley and to arrive at the Egyptian line of retreat at Broumana while four battalions were to storm the heights of Kalat Maidin. Two more were in reserve at Ardali. After two hours of fighting the tale was told. Ibrāhīm Pasha had to escape through the gorge and fled with great haste and difficulty. The allies took 800 prisoners besides all the Egyptian stores and ammunition. Nightfall ended the battle which started the collapse of the Egyptian Army in Syria. Sulayman Pasha in Beirut withdrew from the city and after Ibrāhīm's defeat, his troops were demoralized and panicked. They abandoned Sulayman and so he fled to Damascus. The next day, Sir Charles Smith and Captain Henderson landed at Beirut and a colonel of the Egyptian Army surrendered with 2,000 officers and men. Tripoli was also evacuated without a shot being fired. On 2 November, Acre was bombarded from the sea, Commodore Napier and Admiral Stopford having proceeded there. The fleet lay in close to the city's ramparts which the Egyptians had not counted on. So, the fleet could do as it pleased while the shells of the shore batteries flew over the ships. Between 1,200 to 2,000 persons were killed and the town was practically demolished.

After the fall of Acre, Muhammad 'Ali ordered Ibrāhīm Pasha to evacuate Syria. He also intimated to those in his confidence that he was about ready to give up the Turkish fleet provided he would be insured the possession of Egypt. At this time Ibrāhīm Pasha had concentrated his forces at Damascus and

Zahleh where his supplies were established and could have defeated any forces opposed to him. But negotiations had been going on in the meanwhile between Muhammad 'Ali and the British under Commodore Napier. After several days of discussion and negotiations, the British proposed to Muhammad 'Ali that if he evacuated Syria and gave up the Ottoman fleet, he would be given possession of Egypt for himself and his house. Finally, on 27 November 1840, he agreed to all this. He was to evacuate Syria, give up the Turkish fleet, and suspension of hostilities would take place. Also, the Egyptian Army was to be allowed to withdraw from Syria unmolested with all its equipment, arms, and stores.

Meanwhile, Ibrāhīm Pasha was preparing to return to Egypt from Damascus. It was admirable how he maintained the discipline of his men. The Turkish cavalry annoyed the Egyptians on the march but when word was finally received that Muhammad 'Ali had agreed to the cessation of hostilities, all this stopped and the Egyptian soldiers suffered only from deprivations of the march to Gaza. When Ibrāhīm left Damascus he had 62,499 persons, including women and children. When he arrived at Gaza he had no more than 30,000 persons plus 9,000 or 10,000 from the columns of Sulayman Pasha. There were deserters but many perished through hunger, disease, and the inclement weather. From Gaza the army was transported in ships to Damietta. It was winter and since there were no docks, the Egyptians had to wade out to the boats with all their equipment on their heads. Ibrāhīm Pasha was the last to embark on 18 February 1841, and at the same time the last cavalry unit left by land for El Arish.<sup>15</sup> Thus Syria was again in Ottoman hands.

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<sup>15</sup> Ibid., p. 199.

### Druze Massacres

When the Egyptians evacuated Syria in 1840, the Lebanese Christians suffered considerably for their help rendered to the Egyptians. The Druzes started to give vent to their pent-up feelings and slaughtered the Christians by the hundreds in 1845. In 1860 there was another period of massacres and one-third of the Maronites were killed and a great part of the country was demolished. Historians have always suspected that the Ottomans secretly encouraged the Druzes in these massacres.<sup>16</sup>

### The Lebanese Militia

These Druze massacres aroused the feelings of Europe, especially France which had secular ties in the Levant. In 1863, the French sent an expeditionary force to Beirut to put an end to the disturbances and to protect the Christians. The force remained in Lebanon for about a year and one result of this French intervention was the setting up of an international commission charged with establishing the political by-laws of Lebanon under the Ottoman Empire. Lebanon was made an autonomous sanjaq ruled directly from the Porte. The governor had to be a Christian nominated by the Empire with the approval of the Great Powers of Europe, France having more power than the others. Ottoman troops were not allowed in the Lebanon except under exceptional circumstances. The governor was charged with the security and for this a militia was organized and formed into a regiment of "gendarmes soldats". The number was not to exceed 5/1000 of the total population of the Lebanon.

Officers were recruited directly from among the sons of notable families.

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Their number was not fixed but there had to be a certain proportion from each of the different religious communities. Later, these officers were replaced by non-commissioned officers who had acquired some education and experience.

There were no qualifications for the "gendarmes soldats", the only requirement being Lebanese origin. Many were illiterate and some had been former convicts.

The regiment was composed of about 1,800 men comprising a general staff and services and two battalions. The two battalions were not exactly identical but they were made up of four or five companies of foot soldiers or gendarmes and one squadron of horse. The first battalion was located at Baabda and its duties were to secure the lines of communications, and to protect the coast and frontiers. The second battalion was scattered throughout the territory and its detachments were under administrative authority.

Following a mutiny in 1912, a French officer was appointed to reorganize the militia in 1914. He had to return to France because of the outbreak of the First World War and had not even started the task of reorganization.

The Turks took over the militia and it rapidly deteriorated into a worthless organization. When the French troops entered Lebanon in 1918, they cleared up the situation and under French direction the militia became the nucleus for the future Lebanese Army.<sup>17</sup>

#### Legion d'Orient

In 1918 the French organized the "Legion d'Orient" and recruited Lebanese,

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Syrian, and Armenian emigrants from the Levant in Marseilles and other parts of France. This unit served in the Middle East during the war.

#### Under the Mandate

In 1926, under the mandate, the French called for local volunteers to serve the French in the Middle East. Later, the Special French Army in the Orient was formed.

PART II

THE LEBANESE ARMY DURING THE PERIOD OF THE FORMING OF INDEPENDENCE

The Taking Over of the Lebanese Units Belonging to the Special

French Armies

June 1943 - August 1945

When Lebanon was declared independent in 1943, the new Lebanese government adopted measures to take over the command and control of the Lebanese units which had formed part of the Special French Armies in the Orient.

On 1 June 1943 the French authorities formed a Special Lebanese Brigade and called it the Fifth Mountain Brigade under the command of a high ranking French officer (Colonel Alessandrie). A general staff was formed consisting of four French officers and one Lebanese lieutenant (Joseph Breidi). The brigade was composed of three battalions of chasseurs (these were the Lebanese mountain warfare troops which later became the infantry), one artillery battalion, one reconnaissance battalion, one armored company, two transportation companies (one motor vehicle and one animal transport), one company of engineers, one communications platoon, one medical detachment, and one quartermaster detachment. Major Jamil Lahhoud took command of the First Battalion, Major Tufic Salim, the Second, and Major Jamil Chehab, the Third. The Artillery and Reconnaissance Battalions and the Armored Company were under the command of the French. Captain Fouad Lahhoud took command of the Motor Vehicle Transport Company, Captain Yusuf El-Khoury of the Animal Transport Company, Captain George Nofal of the Engineer Company, Lieutenant Jean Nujeim of the Communications Platoon, and First Lieutenant Habib Sam'an of the First Troop of the Squadron of Light Cavalry.



Upon its formation the brigade was stationed at Dahr al-Baidar. In October 1943, the brigade proceeded to Palestine where it participated in maneuvers with British and Polish forces for approximately fifteen days. Upon its return to Lebanon, the Brigade Headquarters were stationed in Beirut along with the Artillery Battalion, the Armored Company, the Transport Companies, the Engineer Company, and the Communications Platoon. The First Infantry Battalion was stationed at Merjayoun, the Second at Ba'abda, and the Third at Dbai.

Colonel Alessandrie remained as the Commanding Officer of the Fifth Mountain Brigade until April 1944 when Colonel Fouad Chehab assumed command assisted by Lieutenant Colonel Tufic Salim as Chief of Staff and a complete Lebanese General Staff. On 15 June 1944, an agreement was signed by Riad Solh, head of the Lebanese government, and General Paul Beynet, the Commanding General of the French Forces in the Orient, whereby units from the Fifth Mountain Brigade, including an infantry battalion and an armored platoon were placed at the direct disposal of the Lebanese government provided that these units were rotated every four months at the request of the Lebanese Prime Minister to the Commanding Officer of the Brigade. These units were presented to the Lebanese government in a military ceremony at the municipal playground on 17 June 1944 attended by the President of the Lebanese Republic, the Prime Minister, Ministers and Deputies, General Beynet, and his staff. The Lebanese President presented the new Lebanese flag to Colonel Chehab.

At the beginning of the year 1945, the Lebanese government reiterated its desire to take over all the Lebanese units belonging to the Special French Armies. On 29 January, the Lebanese Minister of Foreign Affairs addressed a note to General Beynet making this request in the name of the Lebanese government. This request was based upon the Protocol of 16 June 1944 and sought

to arrive at a final settlement in the matter of the Army as well as in all matters of sovereignty.

In reply, the French referred to their cultural, economic, and strategic interests in the Middle East and asked for negotiations so that an agreement might be made whereby they would maintain these interests and also pave the way for delivering the Lebanese Army units to the Lebanese government "when circumstances allowed".

On 15 February 1945, the French dissolved the Fifth Mountain Brigade and placed its units in their former status. This brought about tension between the French and the Lebanese who still demanded complete sovereignty. The Lebanese insisted upon the evacuation of all French Forces from Lebanon and the delivery of the Lebanese units to the Lebanese government.

The French Deputy in Lebanon was also contacted and the same demands were made to him. Finally, on 8 July the French announced their readiness to deliver the Lebanese units to the Lebanese government and announced the following:

"The Provisional French Government of the French Republic, desiring to fulfill the demands of the governments of Syria and Lebanon in the matter of the delivery of the military units formed by the natives of both countries, and motivated by a desire to show to the governments of Syria and Lebanon, her intentions to agree completely, fulfill their demands concerning these units. And in view of the cessation of the war in Europe and no further obstacles existing to hinder the lawful desire of Syria and Lebanon to form two national armies, the French Provisional Government manifests her happiness to see Syria and Lebanon enjoy all the privileges of sovereignty so that they may be able to play their roles incumbent upon them among the United Nations. Therefore,

the French Provisional Government declares that these armies are transferred to the governments of Syria and Lebanon and will take place within the maximum period of forty-five days."<sup>1</sup>

Immediately after this statement was announced by the French Provisional Government on 8 July 1945, the acting Prime Minister and Minister of Foreign Affairs of Syria, and the Prime Minister and Minister of Foreign Affairs of Lebanon, held a meeting and finally issued a joint statement:

"The Syrian and Lebanese Governments have studied the statement issued by the French Provisional Government on 8 July 1945 concerning the announcement of the transfer of the locally recruited units to the two governments. The two governments express their satisfaction over the delivery of their units which rightfully belong to them. Each government will appoint a committee for this transaction."<sup>2</sup>

The committee was formed as follows:

For the Lebanese: Attorney General Yusuf Sharbat, Chairman; Colonels Fouad Chehab, Sulayman Nofal, and Nur-al-Din al-Rifa'i; and Captain Daoud Hammad, members.

For the Syrians: M. Ahmad al-Iahham, Chairman; Colonel 'Abdullah 'Atfah; Lieutenant Colonels Rif'at Khankan, Fawzi Silo; Major Fouad Murdum, Nicola Mansur; Captain Salah Bizri; First Lieutenant Adwan Malki, members.

The French also appointed a committee including the Secretary General of the French Commissariat, the Chief of Staff of the Special French Armies in the Orient, and the Director of the Special Section.

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<sup>1</sup> Source withheld.

<sup>2</sup> Source withheld.

The committee held meetings in Shtaurah from 12 July to 11 August 1945.

On 24 July the Lebanese Government had issued a statement:

"The Lebanese Government receives with great satisfaction her armies, locally recruited, which will become, from now on, the service of the homeland. It depends upon all members now to perform their sacred duty toward the nation and the government assures them that they will always be the object of utmost attention."<sup>3</sup>

On 26 July the Lebanese Government issued a decree appointing Colonel Fouad Chehab as Commander of the Lebanese Army and Colonel Sulayman Nofal as Chief of Staff in the Ministry of National Defense.

An agreement was concluded between the Lebanese and French Governments and on 1 August, General Beynet who was also the representative of the French Provisional Government announced:

"The military forces which had, before this time, formed the French Special Armies of the Orient, have today been delivered to the Government of the Lebanese Republic which assumes command and responsibility thereof. The Lebanese Government authorizes its committee to take delivery from the French military authorities of the men now in service with their equipment."<sup>4</sup>

On 1 August 1945 the President of the Lebanese Republic reviewed these units in front of the Ministry of National Defense. During this same month the transfer of the units with their arms and equipment was completed and the troops moved into barracks. The French barracks remained the property of the French Government until a financial settlement was reached between Lebanon and France and the currency agreement between the two countries was signed.

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<sup>3</sup> Source withheld

<sup>4</sup> Source withheld

SECRET

The Reorganization of the Lebanese Units and the Formation of the Army

August 1945 - February 1948

On 4 September 1945, a Presidential decree was issued defining the duties in the Ministry of Defense:

1. The duties of the Minister of National Defense are to utilize the armed forces for the protection of Lebanese Territory and the maintenance of security of the country against internal and external aggression. These duties are to be performed by a land army, air and sea units and by adopting effective means to prepare the public utilization of the country, the unification of its industry, in conforming with the needs for defense and the forming of the youth when necessary in their duties for the defense of the homeland.
2. All units and departments under the Ministry of National Defense are subject to the authority of the Minister of National Defense.
3. The Ministry of National Defense is composed of a Chief of Staff of National Defense, a Commander of the Army, and a Commander of the Gendarmerie.
4. The General Staff of the Ministry of Defense is subject to the authority of the Chief of Staff of National Defense who will be a high ranking officer appointed by decree passed by the Council of Ministers and based upon the recommendation of the Minister of Defense. This Chief of Staff shall act as military advisor to the government and will be responsible for all technical matters arising in the Ministry of National Defense.
5. The office of the Defense Staff shall be composed of the Minister, Chief of the General Staff, a directorate for technical matters, and a directorate for administrative matters.

6. The duties of the General Staff shall be confined to the execution of the programs of the Ministry, setting down the laws and regulations necessary for the armed forces, and the unification of technical training.

7. Army units will come under the command of a high ranking officer who will assume the title of "Commander of the Army" and will be appointed by decree passed by the Council of Ministers based upon the recommendation of the Minister of Defense. The duties of the Commander of the Army are to execute the orders from the Ministry of Defense and to supervise the military educational institutions. He is also the immediate chief of the military commanders of the districts and should be referred to in all matters relating to discipline and order.

8. The Gendarmerie will come under the command of a high ranking officer appointed by decree passed by the Council of Ministers and based upon the recommendation of the Minister of Defense.

9. A Supreme Military Council will be formed to include the Minister of Defense as chairman, the Chief of the General Staff, the Commander of the Army, and the Commander of the Gendarmerie.

The Command and Headquarters

Colonel Chehab took command of the Army on 1 August 1945 without staff, departments, military police, military courts or anything which constituted a general headquarters. He urged all members of the army establishment to maintain discipline and order and to refrain from acting in such a manner as would bring discredit upon the military service. He stated that he was confident that all officers and soldiers would strive to make the new Lebanese Army the pride of the fatherland.

He appointed Lieutenant Colonel Tufic Salim as his chief of staff; Major Emile Bustani as deputy chief of staff and chief of the second section (intelligence); Captain Daoud Hammad, chief of the first section (personnel and ad-

administration); First Lieutenant Joseph Bzeidi, chief of the third section (operations); First Lieutenant Muntaz Baidun, Chief of the fourth section (supply); Major Daoud 'Atallah, chief of the liaison and equipment sections; Major Habib Ghattas, chief of the accounting and auditing section (finance), with Captain Anwar Karam as his assistant.

The departments were formed as follows:

1. Medical - Chief, Colonel Yusuf Barakat; Assistant, First Lieutenant Hasib Yazbik
2. Depots - Major Michel Freifi
3. Post Exchanges - Captain George Durzi
4. Engineers - Captain George Nofal
5. Artillery and Ammunition - Captain Emile Dubin; Assistant, First Lieutenant Foued Majdalani
6. Transportation - Captain Yusuf 'Abboud; Assistant, First Lieutenant Becharah Khattar.

Major Jamil Labhoud was appointed as commander of the Beirut district.

A short while later the Military Police was formed under the command of Captain Joseph Rustum and the Republican Guards under First Lieutenant Sa'id Nassallah.

The Commander of the Army issued temporary memorandums defining the different sections and departments until such time as the permanent establishment could be effected. On 4 January 1947, he divided the headquarters into five main sections: Staff, Administration, Beirut District, Headquarters Section, and the Military Court.

Duties were defined: The Staff was composed of a Chief, Assistant, Chief of Finance, Directors of Sections, Chief of Liaison, Chief of Statistics, and

Chief of Communications. The Chief of Staff would act as the assistant to the Commander, prepare orders of the day and issue them. He may sign orders for the commander in his name regarding internal matters of the Army or he may delegate his assistant to sign for him. The Chief of Staff is the commandant of the headquarters.

The Chief of Finance is directly responsible to the Commander of the Army and the Chief of Staff. He supervises expenditures of the Army and settles claims and contracts made by the Army. His office is divided into two parts, one for the expenses of the units and the other for administration accounts.

The Director of Administration is directly responsible to the Commander of the Army and the Chief of Staff. He supervises the administration of the artillery units, ammunition, vehicles, engineer units, medical units, communications, veterinary units, and quartermaster units. He also exercises staff operational control over these units. He receives all communications directed to the Army and forwards them to the proper sections or departments.

The Assistant Chief of Staff assists the Chief and is responsible for the discipline of the Staff.

The first section deals with organization, changes of station and reorganization of units, appointments, pay, and leaves. The second section deals with information required by the command. It also supervises entertainment. The third section deals with Army activities and definitions and requirements for the different positions and military occupation specialties. The fourth section deals with food supplies, rations, and post exchanges.

The regulations for the Special French Armies in the Orient remained in effect until 1950 when the Lebanese Army Code was promulgated. Under the French the special units were made up of volunteers or enlistees who enlisted for



periods of one or two years. Lebanese had to be physically qualified, not have been convicted of a crime or misdemeanor, nor have been imprisoned for a period exceeding one month, and had to be between the ages of eighteen and twenty-five.<sup>5</sup>

Lebanese officers were appointed by decree issued by the French High Commissioner.

The Commander of the Army issued an order effective from 23 August 1945 to the effect that all Syrian Nationals in the Lebanese Army would have to be demobilized and be replaced by Lebanese Nationals. On 12 November 1945 recruiting was begun to enlist Lebanese Nationals in the Army. There were three more recruiting drives: On 29 July 1946, on 5 November 1946, and on 7 November 1947.

Lebanon was divided into five military districts: 1. Beirut under the commands of Major Jamil Lahhoud, Assistant, Major Wadi Nasif al-Tibsharan; 2. Mount Lebanon under the command of Major Jamil Chehab, Assistant, Captain Yusuf Hubeish, station at Fayyadiyah; 3. North Lebanon under the command of Major Ibrahim Samrani, Assistant, Captain 'Abib Hababi, station at Tripoli; 4. South Lebanon under the command of Major 'Adib Chehab, Assistant, Captain Sa'id Khoury, station at Merjayoun; 5. Bija' under the command of Major Joseph Sam'an, station at Baalbek.

Military Court

The Commander of the Army was very insistent upon the establishment of a military court and on 12 October 1945 a Presidential decree was issued establishing this court, defining its competence, procedure for investigations,

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<sup>5</sup> See p. 3 for qualifications for enlistment now.

trial procedures, and the execution of its decisions. It consisted of a president and two members plus a general prosecutor and an investigator. The court was to deal with crimes stipulated in the Ottoman Military Penal Code and with ordinary crimes committed by members of the Army or with civilians if the crime was concerned with Army interests. Lieutenant Colonel Jean 'Aziz Ghazi was appointed President; Major Joseph Sam'an and Captain Jamil al-Husami, members; Judge Nasir Ra'id, general prosecutor; and Judge Butrus Mujain, investigator. The court was to sit in Beirut but could sit outside Beirut when necessary as deemed by the Minister of Defense.

#### Education and Training

On 14 August 1945 the Commander of the Army attached all Lebanese military cadets who were at the Military School in Homs, Syria, to the Third Battalion and appointed Lieutenant Colonel 'Aziz Ghazi to take charge of their administration assisted by Captain Jean Mujain. Colonel Ghazi performed an admirable job in carrying out his mission and established the new Lebanese Military School at Ba'abda. Instruction was begun on 1 October 1945 and in May 1946 the Military Academy was moved to the Fayyadiyah barracks. On 15 July 1946 the Commander of the Army abrogated all instructions issued on 25 September 1942 by the Special French Armies in the Orient and officially opened the Military Institute commanded by a high ranking officer having the same right of command as the commanders of the districts. The Institute was composed of various military schools including an Officers' School; the Academy for cadets; an Enlisted Men's School; a Skiing and Mountain Warfare School; a Physical Training School; and a Combat School. Cadets were required to undergo special cultural and military courses including Arabic, French, English, History of Lebanon, Geography, Electricity, Radio, and Anatomy. The military courses

embraced tactics and branch of service specialization.

Through the efforts of Colonel Chehab, a military magazine was published beginning on 1 January 1947 and put in the hands of the soldiers. This magazine included military subjects and those relating to Army affairs, Gendarmerie, and general security. Some of the topics were: The Infantry of Today, Military Schools in America and Russia, The Papal Army, Paratroopers, Strength in Number is not Sufficient to Attain Victory, Arctic Warfare, and Flying Saucers. The magazine created a great demand and subscribers exceeded 800 in a very short time.

#### Language

Arabic became the official language of the Army. (It was the official language of the country only since 1943). On 1 August 1945 the Commander of the Army issued a memorandum providing for the use of Arabic throughout the Army. Lists were compiled translating the grades and ranks from the French to the Arabic.

On 7 February 1946 a committee was formed, headed by Lieutenant Colonel 'Azis Ghazi, to study military terminology with the view of forming Arabic military terms for Lebanon. The committee included members from the Ministry of Justice, Ministry of Education, and officers from the Army and Gendarmerie. As military technical experts the following officers were added: Captain Decud Hammad from the Staff; Major Joseph Sam<sup>n</sup> an from the Cavalry; First Lieutenant Henry Nasif from the Engineers; Lieutenant Joseph Ba'aqlini from Transportation; Captain Fouad Haddad and First Lieutenant Jalbut from the Artillery; Captain Joseph Khoury from the Infantry; and Captain Joseph Hakim and Captain Ramadan from the Medical Corps.

## Uniforms

At the beginning, both officers and enlisted men retained their French military uniforms with a small Lebanese flag on the left arm. Before 22 November 1945, the French headdress was exchanged for a cap similar to the Military cap with visor of the United States. The Lebanese cedar tree was placed in the front center of the cap.

The Commander of the Army refused to purchase ready made foreign uniforms and after some study a Lebanese uniform was designed. Orders were issued on 6 December 1946 defining these uniforms based on uniforms of western armies but conforming with the local climatic conditions. Officers were accorded six uniforms: Formal dress; ceremonial; administrative, office, and leave; fatigue and athletic; maneuvers; and one for Army ceremonies. Enlisted men were allowed five: Same as for officers except for the formal dress. The Republican Guards were given two uniforms: the service uniforms and one for passes and leave. The Military Police received only one for service wear and leave.

On 20 January 1947 a Presidential decree was issued defining the insignia. Officers' headdress insignia was a metal cedar surrounded by two palms curved to the inside. Non-commissioned officer headdress was a smaller cedar with a chain of mountains of five peaks. For corporals and privates it was a metal star of five points with a cedar in the center.

Insignia of grade and rank: Officers - First Colonel - Star with palm and crossed sword blades; Colonel - Star with palm and three plain stars; Lieutenant Colonel - Star with palm and two plain stars; Major - Star with palm and one plain star; Captain - Three plain stars for the first four years in grade and one star with palm after four years in grade; First Lieutenant - two stars with cedars; Lieutenant - One star with cedar.

Enlisted Men - Insignia is worn on the left sleeve - Adjutant first

class - Cedar with plain star underneath; Adjutant - Cedar; Sergeant first class - three stripes (inverted "V"); Sergeant - two stripes.

Colors of branches of service - Infantry - Navy blue; Cavalry - Sky blue; Artillery - Scarlet; Engineers - Black; Transportation - Grass green; Administration, supply, and finance - Black velvet; Medical - Maroon velvet; Veterinary - Dark green velvet. These colors are placed underneath the headdress insignia and on epaulets.

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Members of the Lebanese Ministry of National Defense and many Lebanese Army Officers were consulted for the information in Part II of the introduction and for assistance with the translation and explanation of the technical military terms used in the regulations.

The sources upon which the Lebanese based their Army Code are the "Statutes des Troupes du Levant" written by the French Government for the Special French Armies in the Orient. In many cases articles were taken almost word for word. And even today when the Lebanese Army comes upon a situation for the first time and the regulations are not clear, recourse is still made to the "Bulletins Officiels" which were also issued by the French during their stay in the Lebanon.

## EXPLANATORY NOTES AND ABBREVIATIONS

- AR - United States Army Regulations - Policies and rules for the governing of the Army. They are issued by the Department of the Army, usually as printed pamphlets, and have the force of law although they are not a part of the statute law.
- SR - United States Army Special Regulations
- AW - Articles of War - Code of laws governing the conduct of all persons in the Army or subject to military law. The Articles define military offenses, prescribe the composition and procedure of courts-martial, and fix the punishment for each crime.
- MCM - Manual for Courts-Martial United States Army

### United States Army and Army of the United States

AR 320-5, Paragraph 6, - "United States Army or Army of the United States.- These terms mean the Army or Armies referred to in the Constitution of the United States, less that part established by law as the United States Air Force. The term 'United States Army' will be used in preference to the term 'Army of the United States.' The United States Army includes the Regular Army, the National Guard of the United States, and the Organized Reserve Corps; all persons appointed, enlisted, or inducted in those components; all persons appointed, enlisted, or inducted in the Army without specification of component; and all persons serving in the Army under call or conscription under any provision of law, including members of the National Guard of the States, Territories, and the District of Columbia, when in the Service of the United States pursuant to call as provided by law. In certain instances, however, 'United States Army' has been used in statutes to mean the Regular Army. It will not be so used except with specific reference to such statutes."

ANNEX TO NUMBER 41 OF THE OFFICIAL GAZETTE

Issued 11 October 1950

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THE ARMY CODE

Published 2 October 1950

The Chamber of Deputies establishes and the President of the Republic  
Promulgates the law, the text of which follows:

Single Article - The Army Code, as issued under Decree Number 1853, as  
modified by the report dated 27 June 1950 of the Administrative and Jud-  
icial Committee, is hereby ratified.

Beirut, 2 October 1950

Signed: Bechara Khalil El-Khoury

The Minister of Finance

Signed: Hussein Ouani

Promulgated by the President  
of the Republic

The Prime Minister

Signed: Riad Solh

The Minister of National Defense

Signed: Majid Arslan

\*\*\*\*\*



THE ARMY CODE

FIRST PART

Ground Forces

FIRST CHAPTER

Definitions

Article 1 - "The Army is the group of military men composed of commissioned officers, noncommissioned officers, and individual soldiers of the various arms for National Defense."<sup>1</sup>

Article 2 - "An officer is one who bears the rank of lieutenant up to and including the rank of general."<sup>2</sup>

Article 3 - "A noncommissioned officer is one who bears the rank of raqib up to and including na'ib awal."<sup>3</sup>

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<sup>1</sup>The United States Army, or as it is more frequently called, the Army of the United States, is divided into various components such as the Regular Army, the National Guard of the United States, and the Organized Reserve Corps. These constitute the army establishment and basically its definition is the same as the Lebanese.

Paragraph 6, AR 320-5 - "The United States Army includes the Regular Army, the National Guard of the United States, and the Organized Reserve Corps; all persons appointed, enlisted, or inducted in those components; all persons appointed, enlisted, or inducted in the Army without specification of component; and all persons serving in the Army under call or conscription under any provisions of law, including members of the National Guard of the States, Territories, and the District of Columbia, when in the Service of the United States pursuant to call as provided by law."

<sup>2</sup>An officer in the United States Army is a person holding a commission in any of the armed services in the Army, beginning with the rank of second lieutenant.

<sup>3</sup>A noncommissioned officer in the United States Army is an enlisted man holding any grade from corporal to and including master sergeant.

Article 4 - "The individual soldiers are those privates and corporals in the army."<sup>4</sup>

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<sup>4</sup>In the United States Army all enlisted men who are not noncommissioned officers hold the ranks of private and private first class. Corporals are noncommissioned officers whereas we see that they are not in the Japanese Army.

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## SECOND CHAPTER

## Enlistment and Appointment

## 1 - Military personnel other than officers

Article 5 - "Military personnel other than officers will be recruited from among the Lebanese by means of voluntary enlistment.

- Applicants for enlistment must fulfill the following conditions:

a. Be between eighteen and twenty-five years of age for the combat units and between eighteen and thirty years of age for those arms and units which are defined by decree of the Minister of Defense.

b. Be in good health, strong in body, and in possession of all faculties.

c. Must not have been convicted of a criminal offense or moral misdemeanor or have been confined to prison for a period exceeding one month.

- Additional and specific conditions relating to physical qualifications may be imposed upon applicants for voluntary enlistment and these conditions shall be determined by the Supreme Military Authority.<sup>1</sup>

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<sup>1</sup>Applicants for enlistment in the United States Army must be between seventeen and thirty-four years of age inclusive except that age restrictions are relaxed for applicants who have had prior service. Applicants under twenty-one or who look like they are under twenty-one must produce verification of age such as birth certificates and those who are under eighteen must also have the written notarized consent of their parents. Applicants must be United States citizens or if they are alien they must show evidence of intention of becoming citizens and must also pass a mental test as an educational qualification. The physical examination is based on the physical profile serial system defined in paragraph 6, Ar 40-115:

"The physical profile serial system is based primarily upon the functional ability of an individual to perform military duties and, in relation to this performance, the functions of the various organs, systems, and integral parts of the body are considered."

Article 6 - "Voluntary enlistments shall be for periods of one, two, three, or four years subject to the approval of the Supreme Military Authority."<sup>2</sup>

2 - Officers

Article 7 - "Officers are appointed by decree issued after the proposal of the Minister of National Defense and based upon the recommendations of the Supreme Military Authority."<sup>3</sup>

There are certain instances when waivers are granted, such as when the applicant has had prior service in any of the services.

Paragraph 8, SR 615-105-1 - "Prior to enlistment of male individuals in the Regular Army or Air Force, except those who enlist in the Regular Army within 90 days or in the Air Force within 30 days from date of discharge from any of the Armed Forces, recruiting installations will communicate with the police in each town where the applicant has resided for a period of 6 months or more in the previous 3-year period. When reply from police is not received within 21 days, applicant may be enlisted provided he is the type desired by the Army or Air Force and every effort has been made to check his character through local sources."

<sup>2</sup> Paragraph 12, SR 615-105-1 - "(1) Enlistments in the Regular Army are authorized for 3, 4, 5, or 6 years at the option of the individual enlisting. In addition, male applicants who have completed a 1-year enlistment in the Army of the United States may enlist in the Regular Army for a 2-year period. \* \* \* \* \*

(2) Reenlistments in the Regular Army are authorized for 3, 4, 5, or 6 years at the option of the individual reenlisting.

(3) In addition to the options prescribed in (1) and (2) above, enlistments are authorized in the Regular Army for 21 months for male applicants who are between the ages of 19 and 26 and who have not heretofore served for more than 1 year in the Armed Forces prior to 24 June 1948, or more than 90 days between 7 December 1941 and 12 September 1945, or 3 years or more at any time."

<sup>3</sup> Paragraph 11, SR 605-25-1 - "Appointment - The Adjutant General, through commanders of major commands, will officially tender appointments to approved individuals, obtain acceptances, issue initial orders, and transmit such further instructions as may be necessary."

Article 8 - "The officer cadre is composed of two parts:

- The Basic Cadre

- The Additional Cadre

- The number of officers in the additional cadre cannot exceed ten percent of the total number of officers in both cadres.

- The number of additional officers may exceed this limit in time of war or during operations for maintaining security in time of peace."<sup>4</sup>

3 - The Basic Cadre

Article 9 - "Lieutenants are appointed in the basic cadre:

a. From among the students of the Officers' School who have obtained, as a result of final examinations, a certificate of fitness for the rank of lieutenant.

b. From among lieutenants and first lieutenants of the additional cadre who have served in an officer's rank at least one year and who have passed a general knowledge examination supervised by a board composed as follows:

- A high ranking officer	Chairman	} Appointed by the Supreme Military Authority
- Three officers	Members	

c. From among noncommissioned officers who have received instruction at the Military Academy and have obtained a certificate to command an infantry platoon or a mounted platoon or who have obtained any of the certificates which are given upon graduation from the Academy provided that they have at least six years' service and have passed a general and military knowledge examination supervised by the board designated in the preceding paragraph."<sup>5</sup>

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<sup>4</sup>The Basic Cadre corresponds to the Officer Corps of our Regular Army including graduates of the United States Military Academy, officers integrated into the Regular Army as a result of competitive examinations and successful completion of competitive tours of duty, and distinguished graduates of the Reserve Officers' Training Corps program. The Additional Cadre is made up of officers who have progressed through the enlisted ranks and have taken special examinations referred to in Article 10. Officers in this cadre can advance only to the grade of major.

5  
 Commissioned officers for the United States Regular Army are obtained from:

- a. Graduates of the United States Military Academy
- b. Enlisted Men and Warrant Officers of the Regular Army
- c. Distinguished military graduates, senior division, Reserve Officers' Training Corps
- d. Reserve officers on extended active duty undergoing a competitive tour.

Paragraph 4, AR 605-25 - "The following general eligibility requirements will govern appointments in the Regular Army: Applicant must -

a. Be a citizen of the United States. Applicants who are not citizens of the United States by birth must provide evidence of citizenship. This may be in the form of a sworn or attested certificate by an Army officer or a notary public, fully identifying the naturalization certificate by court, number, and date. Facsimiles or copies, photographic or otherwise, of naturalization certificates will not be made.

b. Have reached twenty-first birthday, but not have passed twenty-seventh birthday on date of appointment, except for appointment in corps as indicated in (1) through (8) below:

(1) Medical Corps - Applicant must have reached twenty-first birthday but not have passed thirty-second birthday on date of appointment as first lieutenant; thirty-seventh birthday on date of appointment as captain; forty-second birthday on date of appointment as major; and forty-eighth birthday on date of appointment as lieutenant colonel.

(2) Dental Corps - Applicants must have reached twenty-first birthday but not have passed thirty-second birthday on date of appointment as first lieutenant; thirty-seventh birthday on date of appointment as captain; forty-second birthday on date of appointment as major; and forty-eighth birthday on date of appointment as lieutenant colonel.

(3) Veterinary Corps - Applicant must have reached twenty-first birthday but not have passed thirty-second birthday on date of appointment. The maximum age may be increased by the number of years, months, and days of active Federal service performed after attaining the age of 21 years as a commissioned officer in the Army of the United States subsequent to 31 December 1947, but not to exceed a total of 5 years.

(4) Medical Service Corps - Applicant must have reached twenty-first birthday but not have passed thirtieth birthday on date of appointment. The maximum age may be increased by the number of years, months, and days of active Federal service performed after attaining the age of 21 years as a commissioned officer in the Army of the United States subsequent to 31 December 1947, but not to exceed a total of 5 years. \* \* \* \* \*

\* \* \* \* \*

c. Possess a baccalaureate degree from a recognized college or university (listed in part 3, Current Educational Directory, Higher Education, United States Office of Education), except as indicated in (1) and (2) below. A waiver will be considered for those individuals having 120 or more semester hours gained through attendance at a recognized college or university.

(1) Individuals possessing essential technological background must possess a master's or doctor's degree from a recognized college or university, or a bachelor's degree with at least 3 years of practical experience in the field for which applying.

(2) Enlisted personnel and warrant officers of the Regular Army, distinguished graduates of army officer candidate course, and distinguished graduates of Women's Army Corps officer candidate course provided they pass an officer's educational qualification test. However, a waiver may be granted to those persons who possess at least 50 percent of the academic credits required for a baccalaureate degree from a recognized college or university.

d. Be found to be qualified physically for active military service by meeting the physical standards prescribed for the Regular Army \* \* \* \* \* as determined by final type medical examination.

e. Be of good moral character.

f. Have a record free of conviction by any type of military or civil court for other than a minor traffic violation. Request for waiver may be made in the case of other minor violations which are nonrecurrent and which are not deemed prejudicial to performance of duty as an officer. Granting of a waiver will not be considered in the case of any individual who has been convicted of a crime involving moral turpitude.

g. Not be a conscientious objector. If applicant has been a conscientious objector, he will be required to furnish an affidavit which will express his abandonment of such beliefs and principles so far as they pertain to his unwillingness to bear arms and to give full and unqualified military service to the United States, and where appropriate he must have demonstrated that he has changed his views by subsequent appropriate military service. (So much of this paragraph as to bearing of arms is not applicable to officers of the Medical Department or Chaplains.

h. Not have been separated from any of the armed forces of the United States with other than honorable discharge.

i. Not be nor have been a member of any foreign or domestic organization, association, movement, group, or combination of persons advocating subversive policy or seeking to alter the form of government of the United States by unconstitutional means."

Paragraph 7 - a. "Each individual appointed in the Regular Army under the provisions of the Officer Personnel Act of 1947 shall at time of appointment be credited with an amount of service equivalent to the total period of active Federal service performed after attaining the age of 21 years as a commissioned officer in the Army of the United States subsequent to 31 December 1947, and prior to appointment in the Regular Army, but not to exceed 5 years. In addition to the foregoing, individuals appointed in the following corps, shall at time of appointment be credited with an amount of service indicated below:

Medical Corps-----	4 years
Dental Corps-----	3 years
Chaplains-----	3 years
Judge Advocate General's Corps-----	3 years
Veterinary Corps-----	2 years
Medical Service Corps-----	3 years, if at time of appointment, the individual holds a degree of doctor of philosophy or comparable degree recognized by the Surgeon General in a science allied to medicine.

b. Upon the basis of service credited in (a) above, individuals who have no service credit or less than three years shall be appointed in the grade of second lieutenant; three or more years but less than seven, shall be appointed in the grade of first lieutenant; seven or more years, shall be appointed in the grade of captain."

Paragraph 8 - "Grade determination - Medical Corps or Dental Corps -

a. Appointments in the Medical Corps or Dental Corps will be in grades determined by the applicant's age and active professional practice, excluding internships, but including residencies, and postgraduate training as follows:

<u>Grade</u>	<u>Medical professional practice</u>	<u>Dental professional practice</u>	<u>Maximum age</u>
First lieutenant-----	No years-----	No years-----	32 yrs.
Captain-----	3 years-----	4 years-----	37 yrs.
Major-----	10 years-----	11 years-----	42 yrs.
Lieutenant colonel-----	17 years-----	18 years-----	48 yrs.

b. Initial appointments in the Medical Corps or Dental Corps in the grade of colonel are authorized. Persons appointed in this grade will possess outstanding qualifications for special positions determined by the Surgeon General as requirements necessitate."

Paragraph 9 - Date of rank - a. "The date of rank of officers appointed under the provisions of the officer Personnel Act of 1947 is computed as follows:



(1) Subtract from the effective date of appointment the total of the amount of active Federal commissioned service in the Army of the United States performed by the candidate, after attaining the age of 21 years, subsequent to 31 December 1947, and any additional constructive credit allowed in certain professional services. (See paragraph 7 above).

(2) Advance the date arrived at in (1) above by the minimum number of years required for appointment in the grade in which the individual is commissioned.

b. The date of rank of officers appointed under the provisions of the Army-Navy Public Health Service Medical Officer Procurement Act of 1947 (captains or above in the Medical or Dental Corps except that appointees who have sufficient commissioned service in the Army of the United States shall be appointed captains under the provisions of the Officer Personnel Act of 1947) will be the effective date of appointment. Service credit for promotion list, in the grade in which the individual is appointed, except that, if appointed in the grade of captain, he shall not receive more than 7 years' service for promotion purposes; if in the grade of major, not more than 14 years; if in the grade of lieutenant colonel, not more than 21 years; and if in the grade of colonel not more than 28 years.

c. The date of rank of officers appointed under the provisions of the Army-Navy Nurses Act of 1947 will be the effective date of appointment.

Paragraph 10 - Temporary grades - "Acceptance of appointment as a commissioned officer in the Regular Army will not, of itself, affect a higher temporary grade which the officer holds in any component of the Army of the United States at that time. Regular Army appointees entitled to a higher temporary grade as outlined herein will serve in such grade in a co-existing Army of the United States status, without component; those not on extended active duty at time of acceptance will be ordered to duty in the higher grade. Higher temporary grades held in the Army of the United States without component will be continued, and those held in the Organized Reserve Corps and the National Guard of the United States will be converted to Army of the United States without component. Former officers not holding status in the civilian components at time of acceptance of Regular Army appointment will be appointed in the Army of the United States without component to the highest grade previously held. The term 'higher grade' as used herein is construed to denote not only the grade but a more senior date of rank as well when the temporary and permanent grades are the same."

## 4 - The Additional Cadre

Article 10 - "Lieutenants are appointed in the additional cadre:

- a. From among noncommissioned officers possessing a certificate to command an infantry platoon or mounted platoon and who have at least eight years and not more than twenty years service provided that they have passed the examination referred to in the third paragraph of the preceding article.
- b. From noncommissioned officers who have distinguished themselves by great deeds or outstanding courage regardless of their rank or length of service."<sup>6</sup>

## 5 - Officer Specialists

Article 11 - "Doctors, dentists, pharmacists, veterinarians, engineers, and chemists are appointed as officers in the Army by means of competition among Lebanese candidates possessing a university degree in their respective specialties and who are licensed by law to practice their profession in Lebanon."<sup>7</sup>

6

We have no parallel to the Additional Cadre in our army (See Article 8).

Officers in the Army of the United States belong to one of three components:

the Regular Army; the National Guard; or the Officers' Reserve Corps.

7

Paragraph 2, SR 605-25-10 - "The age requirements for appointment in the various corps of the Medical Department, Regular Army, as prescribed in AR 605-25 (See Article 9), is restated for information and guidance of all concerned, together with special eligibility requirements for each corps indicated. These special requirements are in addition to general eligibility requirements prescribed by AR 605-25 (See Article 9, above), for appointment in the Regular Army.

- a. Medical Corps - Applicant must have reached twenty-first birthday but not have passed thirty-second birthday on date of appointment as first lieutenant; thirty-seventh birthday on date of appointment as captain; forty-second birthday on date of appointment as major; and forty-eighth birthday on date of appointment as lieutenant colonel. He must be a graduate of a medical school, acceptable to the Surgeon General, conferring the degree of doctor of medicine, and have had, subsequent to graduation, internship acceptable to the Surgeon General, or its equivalent in practical or professional experience as determined by the Surgeon General in each case.
- b. Dental Corps - Applicant must have reached twenty-first birthday but not have passed thirty-second birthday on date of appointment as first lieutenant; thirty-seventh birthday on date of appointment as captain; forty-

second birthday on date of appointment as major; and forty-eighth birthday on date of appointment as lieutenant colonel. He must be a graduate of a dental school, acceptable to the Surgeon General, conferring the degree of doctor of dental surgery or doctor of dental medicine.

c. Veterinary Corps - (1) Applicant must have reached twenty-first birthday but not have passed thirty-second birthday on date of appointment. The maximum age may be increased by the number of years, months, and days of active Federal service performed after attaining the age of 21 years as a commissioned officer in the Army of the United States subsequent to 31 December 1947 but not to exceed a total of 5 years. He must be a graduate of a veterinary school, acceptable to the Surgeon General, conferring the degree of doctor of veterinary medicine. Each applicant for appointment in the Veterinary Corps must hold a commission in the Veterinary Corps Reserve, National Guard of the United States, or Army of the United States, and must have completed the Veterinary Corps qualification tour (See paragraph 3, below).

(2) Applicants who are selected for assignment to a commission in one of the components indicated in (1) above, may, unless qualified for a higher grade under \* \* \* \*, be appointed a second lieutenant in the Officers' Reserve Corps provided they will not have reached their thirty-second birthday prior to commencement of tour. This authorization is an exception to the maximum age factor contained in \* \* \* \* \*.

d. Medical Service Corps - Applicant must have reached twenty-first birthday but not have passed thirtieth birthday on date of appointment. The maximum age may be increased by the number of years, months, and days of active Federal service performed after attaining the age of 21 years as a commissioned officer in the Army of the United States subsequent to 31 December 1947 but not to exceed a total of 5 years. Each applicant for appointment in the Medical Service Corps must hold a commission in the Medical Service Corps Reserve, National Guard of the United States, or Army of the United States, and must have completed the Medical Service Corps qualification tour (See paragraph 3, below).

(2) Applicants who are selected for assignment to a Medical Service Corps qualification tour and who do not hold a commission in one of the components indicated in (1) above, may, unless qualified for a higher grade under \* \* \* \*, be appointed a second lieutenant in the Officers' Reserve Corps provided they will not have reached their thirty-second birthday prior to commencement of tour. This authorization is an exception to the maximum age factor contained in \* \* \* \* \*."

Paragraph 3 - Qualification Tour - "a. Each applicant for appointment in the Veterinary Corps or Medical Service Corps must perform assigned duties under close observation for a period of one year with selection, notification, and appointment being accomplished subsequent to and approximately three months after completion of the one-year period. This one-year period of extended active duty is known as a qualification tour.

Article 12 - "The following special instructions from the Minister of Defense are defined:

- a. The conditions which must be fulfilled by candidates for competition.
- b. Method of examination, type of competition, and duration.

- Candidates possessing certain scientific certificates in addition to those certificates which are required, and candidates who have previous service in the Army may be accorded additional credits defined by the above mentioned instructions."

Article 13 - "The successful candidate is appointed as an apprentice for a period of two years in the rank of first lieutenant but he is not given this rank permanently until he proves, by the end of this training period, his professional qualifications. In the event he is accorded permanent status, the above mentioned period of training is to be considered as actual service. Upon his eligibility for pension he shall be granted four additional years of service considered as compensation for preliminary studies. Specialist officers are required, immediately upon appointment, to pass a three-month period of training for military indoctrination purposes at the Officers' School. Those officers who have failed to attain the necessary qualifications shall be discharged from the service without compensation."<sup>8</sup>

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Qualification tours will be given every 6 months; on 15 January and 15 July.

b. Applicants who have had no active Federal commissioned service will be required to complete an orientation course prior to entering on the qualification tour. \* \* \* \* \*

Pharmacists are included in the Medical Service Corps in the United States Army. The Corps of Engineers is a branch of service in the Army, and officers for this corps are appointed directly in the corps on the basis of their class standing at the United States Military Academy or as a result of their attendance at the Engineer Officer Candidate School or the Engineer Reserve Officers' Training Corps. The Chemical Corps is a technical service in the Army, and officers for this corps are appointed directly in the corps on the basis of their standing at the United States Military Academy or as a result of their attendance at the Chemical Corps Officer Candidate School or the Chemical Corps Reserve Officers' Training Corps. General requirements are the same as for other officers (See Article 9.)

<sup>8</sup> Compare this with discussion of Article 11, above.

Article 14 - "If the successful candidate is a medical specialist and has spent six years in practice he can, as an exceptional case, be appointed to the rank of captain and the provisions of the preceding article will be applicable to him."<sup>9</sup>

Article 15 - "All the provisions of this law relating to officers shall be applicable to specialist officers."

#### 6 - Assistant Doctors

Article 16 - "The Supreme Military Authority may, in state of war and in accordance with Articles five and six, accept voluntary medical assistants from among medical students who have twelve credits for the doctor's degree and who pass the professional examination conducted by the Director of the Health Department in the Army."<sup>10</sup>

Article 17 - "In the chain of military rank the Assistant Doctor has a position similar to that of a noncommissioned officer in his platoon. In his platoon the Assistant Doctor enjoys command responsibility similar to that of a noncommissioned officer and receives the same pay."<sup>11</sup>

Article 18 - "The Assistant Doctor who has at least one year of service and has acquired sixteen credits for the doctor's degree may be nominated to the temporary rank of lieutenant and if he has not attained the degree of doctor of medicine within the period of three years from the date of his promotion, he will be discharged from the service. If he acquires the above mentioned degree he will be promoted to the permanent rank of first lieutenant without his having to complete further study."<sup>12</sup>

<sup>9</sup>See page 8, above.

<sup>10</sup>We have no such parallel in the United States Army. Medical students are usually allowed to finish their schooling and internship and then may be called to active duty in the Army during time of war. Doctors of medicine practicing their profession in the Army are commissioned officers. During World War II a great number of medical students completed their course of study at government expense.

<sup>11</sup>See Article 6 and comments above.

<sup>12</sup>Again we have no such parallel in the United States Army. All applicants for a commission in the Medical Corps as doctors or dentists must have their degrees and minimum experience to start with. See <sup>11</sup>Article 11 and discussion above.

7 - Officer Musicians

Article 19 - "Musicians are appointed as officers in the Army by means of competition:

a. From among candidates who have received high awards from one of the music conservatories or a diploma showing the completion of studies from these institutes or from the Fine Arts Academy. Those who are successful will be appointed to the rank of lieutenant and will be granted, in their pensions, compensation equivalent to two years of service for their preliminary studies.

b. From among musicians who will be able to complete their studies within two years at the Fine Arts Academy provided that they possess one of the following certificates:

- A certificate equivalent to that of the baccalaureate.
- A certificate showing the completion of secondary studies.
- A diploma in commerce.
- A diploma from the State Teachers' College.

Those who are successful will be admitted to the Military Institute under the same conditions as cadets of this institute provided that they continue their music studies at the expense of the Army for a period of two years at the above mentioned Academy.

c. From among the Army's musician noncommissioned officers possessing a certificate of music-master and who have at least ten years' service."<sup>13</sup>

Article 20 - "All provisions of this law relating to officers are applicable to officer musicians."

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<sup>13</sup> Bands in the United States Army come under the operational supervision of the Chief of Special Services and their administration is controlled by the Adjutant General. Band leaders are warrant officers who have come up through the ranks and who have had experience in the army bands. The leader of the United States Army Band stationed in Washington, D. C., is a commissioned officer and this is the only place where a commissioned officer is found as the leader of a band. In the event other commissioned officers are assigned to duty with bands, their duties are mainly supervisory.

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## THIRD CHAPTER

## Promotion

## 1 - Military personnel other than officers

Article 21 - "The chain of command for military personnel other than officers is as follows:<sup>1</sup>

Privates or individual soldiers	(Jundi (Jundi awal 'Arif 'Arif awal	Noncommissioned officers	(Raqib (Raqib awal (Nā'ib dābit (Nā'ib awal (Murashah dābit"
---------------------------------	----------------------------------------------	--------------------------	--------------------------------------------------------------------------

<sup>1</sup> Paragraph 3, AR 600-12 - "Grades of rank - The following are the grades of rank in the Army of the United States, in order of their precedence:

	<u>Pay Grade</u>
* * * * *	
p. Cadet	
q. Master sergeant	E-7
r. Sergeant first class	E-6
s. Sergeant	E-5
t. Corporal	E-4
u. Private first class	E-3
v. Private	E-2
w. Private - (Recruit)	E-1 "

Jundi corresponds to our recruit and private; jundi awal to our private first class; 'arif to our corporal (this is not a noncommissioned officer rank in the Lebanese Army); raqib to our sergeant; raqib awal to our first sergeant (holders of this rank are the senior noncommissioned officers of their units). The nearest parallel to the ranks of nā'ib dābit and nā'ib awal in the Army of the United States are the grades of warrant officer junior grade and chief warrant officer respectively. However, in the Lebanese Army, holders of these ranks are considered enlisted men whereas in the Army of the United States a warrant officer is neither a commissioned officer nor an enlisted man, but holds his grade by authority of appointment or warrant. We have no parallel for the rank of murashah dābit. This is a special temporary

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rank given to those noncommissioned officers who have been selected for promotion to the officer grades. While the noncommissioned officer holds this grade his performance of duty and personal habits and actions are closely observed to insure that he is officer material. He must then pass the examinations referred to in Article 10 before appointment in the additional cadre as a lieutenant. A good translation of this term would be officer candidate, but not in the same sense as a cadet at the military academy.

For purposes of this paper, *jundi* will hereinafter be referred to as private; *jundi awwal* as private first class; *'arīf* as corporal; *'arīf awwal* as corporal first class; *raqīb* as sergeant; *raqīb awwal* as sergeant first class; *nā'ib dābit* as adjutant; *nā'ib awwal* as adjutant first class; and *murashah dābit* as aspirant. (These ranks most closely resemble the French system of enlisted ranks upon which this Lebanese structure was based.)



Article 22 - Everyone holding a grade of rank has the right to command those of lower rank. If the grades of rank are equal, command falls to the senior in the grade. If seniority in grade is equal, service in the former grade governs.<sup>#2</sup>

<sup>2</sup> Paragraph 10, AR 600-15 - "Enlisted Personnel - a. Precedence or relative rank - Between enlisted personnel of the same grade in active military service, including retired enlisted personnel on active duty, precedence or relative rank is determined as follows:

- (1) According to date of rank
- (2) When dates of rank are the same, by length of active service in Army
- (3) When (1) and (2) above are same, by length of total active Federal service.
- (4) When the foregoing tests are not sufficient, by age.

b. Date of rank.

(1) (a) The date of rank in grade of an enlisted person of the Army who has not had a break in service is the date indicated in the warrant or instrument of appointment, except that former first sergeants who were redesignated master sergeants on 1 September 1942 and whose service has been continuous, will take rank from that date. Where there has been no break in the service of such former first sergeants, their dates of rank may be adjusted to reflect active Federal service prior to 1 September 1942 as an officer, warrant officer, flight officer of the Army of the United States, or as a master sergeant, except that such service prior to a reduction with prejudice will not be counted.

(b) The date of rank upon reenlistment after a break in service not in excess of 90 days in the case of former enlisted personnel nor 6 months in the case of former officers or warrant officers entitled to reenlist under \*\*\*\*\* is a date preceeding the date of enlistment by a period equal to the amount of service in the same or a higher grade performed subsequent to appointment to that of a higher grade. In computing date of rank upon reenlistment, no service prior to a break in service in excess of 90 days in the case of former enlisted personnel or 6 months in the case of former officers or warrant officers, nor service prior to service in a grade lower than that in which reenlisted, will be credited. The date of rank in such cases is the date of reenlistment.

(c) Date of rank upon reduction without prejudice is the date from which continuous service has been performed in the same or a higher grade than that to which reduced. If reduction is with prejudice, date of rank will be the date of reduction.

(2) The date of rank of enlisted personnel of the National Guard of the United States or the Enlisted Reserve Corps upon entrance into active military service shall be a date preceeding the date of entrance on active duty by a period equal to the amount of active Federal service and \*\*\*\*\*, in the grade in which ordered or a higher grade, performed subsequent to the most recent break in service, except that no service prior to service in a grade lower than the grade held at time of entry into active military service will be credited. For the purposes of this subparagraph, a period during which an individual is not a member of one of the regular armed services, of the Organized Reserve Corps, or of the National Guard of the United States, is a break in service, provided that such period is in excess of 90 days in the case of enlisted persons or 6 months in the case of former officers and warrant officers.

Article 23 - "A private shall not be promoted to the grade of private first class except after at least one year's service.

- The number of privates first class shall not exceed (15%) fifteen percent of the basic number of soldiers in the unit or detachment except in the artillery arm in which the number of privates first class may reach a fifth of the basic number.<sup>3</sup>

<sup>3</sup> Paragraph 2, SR 615-25-40 - "Effective date - a. The effective date of promotion is the date of the order or other instrument of promotion, unless such orders are confirmatory of oral orders previously issued or unless a future effective date is provided in the order itself. Where promotion is made by the oral orders of a proper promotion authority, such orders, when later confirmed in writing, have the force of written orders and the date of oral order will be the effective date of promotion. In no case will the effective date of promotion shown in the written orders be subsequent to the date of death, missing in action, or capture as indicated on a casualty report, or after the effective date of change on the morning report of any transfer of a battle or nonbattle casualty to medical installations or any other transfer from the unit in question.

b. The effective date of a promotion may differ from the date of rank obtained on the promotion." (See paragraph 6, below).

Paragraph 3, SR 615-25-40 - "Orders. - a. Promotions of enlisted personnel will be announced in company or special orders issued by the appropriate promotion authority, except that advancement to grade E-2 does not require issuance of a promotion order.

b. Promotion orders will cite the specific paragraph and subparagraph of the particular regulation on which authority the promotion is based.

c. Promotion orders will in each case specify whether the promotion is permanent or temporary as hereinafter provided and the component in which such promotion is made, as prescribed in paragraph 13."

Paragraph 6, SR 615-25-40 - "Date of rank - Date of rank on promotion is the date of issuance of promotion orders unless otherwise prescribed by regulations. The date of rank for an individual receiving a promotion as a result of a competitive examination will be prescribed at the time by the Department of the Army. Date of rank on reenlistment without a break in service is the same as the date of rank at time of discharge. On reenlistment or enlistment after a break in service (of less than 90 days in the case of former enlisted personnel and 6 months in the case of former officer personnel authorized to enlist \* \* \* \*), the date of rank will be a date preceding the date of enlistment or reenlistment by the number of days served in active Federal service in that or higher enlisted or officer grade, provided there has been no intervening service in a grade lower than that in which enlisted. Intervening service in a grade lower than that in which enlisted is considered a break in service for date of rank purposes."

Paragraph 7, SR 615-25-40 - "Promotable status - An individual must be in promotable status to be eligible for promotion. An individual will be considered in promotable status except when such individual is -

- a. Carried on the appropriate morning report under AR 345-400 as absent without leave, absent or present in confinement, absent in desertion, absent in hands of civil authorities, in arrest, or sick not in line of duty.
- b. Serving a courts-martial sentence including forfeiture or detention of pay, as long as the sentence has not been suspended.
- c. Under courts-martial charges, until such charges have been dismissed, or withdrawn, or the individual has been tried and acquitted.
- d. Under discharge proceedings, except discharge for the purpose of reenlistment.
- e. Awaiting or undergoing reclassification action based on inefficiency.
- f. No longer within the command of the promotion authority when such promotion is based upon assignment to or within the promotion authority's command."

Paragraph 8, SR 615-25-40 - "Advancement to grade E-2 - a. Advancement to grade E-2 will be administratively effected by the custodian of the individual's personnel records upon completion of 4 months' service for pay purposes, provided the individual is in promotable status.

- b. When an individual is not in promotable status on the date of completion of four months' service for pay purposes, or has been reduced to grade E-1 as a result of courts-martial action, the advancement to grade E-2 will be administratively effected under this authority on the date promotable status is regained.
- c. Advancement to grade E-2 does not require issuance of a promotion order."

Paragraph 9, SR 615-25-40 - "Authority - Promotion authority is designated as follows:

- a. To grades E-3 and E-4 - Company or comparable unit commanders.
- b. To grades E-5, E-6, and E-7 - Commanders of regiments, separate or detached battalions or any similar or separate organization for which the grade of lieutenant colonel or higher is authorized and a field grade officer is actually in command."

Paragraph 10, SR 615-25-40 - "Computation of time in grade and time in service - a. Time in grade and time in service. - Whenever in any of the promotion regulations reference is made to the fixed time-in-grade or time-in-service requirements, time-in-grade or time-in-service will be computed as follows:

- (1) Time-in-grade - Time-in-grade will be computed by giving credit for all active Federal service in any of the Armed Forces in that or the equivalent grade or in a higher enlisted, warrant, or commissioned grade, less time lost under Article of War 107 or Manual for Courts-martial 1951, when -

(a) Service has been continuous in that grade or in a higher enlisted grade, or in a warrant or commissioned status, or

(b) In cases of a break in such service in grade through separation under honorable conditions, enlistment or reenlistment is accomplished within 90 days from such separation in the case of former enlisted men or within 6 months in the case of former officers or warrant officers authorized to enlist \* \* \* \* \*

(2) Time in service - Time in service will be computed by giving credit for all active, honorable Federal service in any of the Armed Forces, less time lost under Article of War 107 or Manual for Courts-martial 1951.

b. Waivers of time in grade or time in service. - In exceptional cases, on application of the designated promotion authority, major commanders may waive all or part of the time-in-grade or time-in-service requirements for promotions up to and including grade E-4. In no case, however, will blanket waivers be utilized. The waiver will be exercised only in appropriate cases to correct individual injustices arising through the application of normal promotion procedures or to meet operational necessities facing the commander concerned.

The authority will not be delegated."

Paragraph 11, SR 615-25-40 - "Permanent or temporary promotions - a. All promotions will be permanent unless it is specifically prescribed that they be temporary.

b. Temporary promotions are subject to termination in such manner and at such rate as may be hereafter prescribed by the Department of the Army to readjust grades to a permanent peacetime basis."

Paragraph 17, SR 615-25-40 - "General. - a. This section prescribes certain special permanent and temporary enlisted promotions, applicable both in the peacetime Army and during mobilization.

b. Special promotions fall into the following categories:

- (1) Posthumous promotion.
- (2) Promotion of personnel completing 29 years of service.
- (3) Temporary promotion of selected officer candidates.
- (4) Promotion of students.
- (5) Meritorious or operational emergency promotion.
- (6) Adjustment of grades obtained upon enlistment.
- (7) Local position vacancy promotion in units in which competitive promotion are suspended by the Department of the Army for emergency reasons."

\* \* \* \* \*

Article 24 - "A private will not be promoted to the grade of corporal except after two years' service. A corporal will not be promoted to the grade of corporal first class except after spending at least one year in the grade of corporal."<sup>4</sup>

Article 25 - "No one will be promoted to the grade of sergeant except after spending at least two years in the grade of corporal or at least one year in the grade of corporal first class."<sup>4</sup>

Article 26 - "No one will be promoted to the grade of sergeant first class except after spending at least two years in the grade of sergeant."<sup>4</sup>

Article 27 - "No one will be promoted to the grade of adjutant except after spending at least two years in the grade of sergeant first class and having obtained a certificate to command an infantry platoon or a certificate to command a mounted platoon.

"No one will be promoted to the grade of adjutant first class except after spending at least two years in the grade of adjutant."<sup>4</sup>

Article 28 - "The time in grade mentioned in the previous two articles will be reduced to 18 months if the noncommissioned officer has studied at the military institute and graduated from it with a certificate of qualification for the rank of lieutenant or a certificate of completion of studies."<sup>4</sup>

Article 29 - "During military operations the conditions of time in grade may be reduced to one-half or may be disregarded, as may be the required certificates, in reward for bravery, self-denial, or full devotion to duty and when the soldier demonstrates fitness for leadership."<sup>4</sup>

Article 30 - "A soldier possessing a certificate from the School of Trades and Arts may be promoted to the grade of corporal after one year's service and to the grade of sergeant after two years' service."<sup>4</sup>

Article 31 - "Promotion to the grade of corporal and to the noncommissioned officer ranks will not take place unless the soldier has been placed on the promotion list prepared by competent authority.

- The promotion list which is prepared by the detachment commander or the head of department for promotion to the grades of corporal and sergeant must be accompanied by the approval of the Supreme Military Authority before publication."

Article 32 - "Names of soldiers entered on the promotion list at the same time will be arranged according to their time in grade and their classification in scholastic studies. These names will be entered after the names of those previously recorded and who have not yet been promoted.

- Promotion will take place according to the promotion list arrangement. However, the Supreme Military Authority may delay the promotion of one of those listed by reason of neglect of duty or if he has been surpassed by one who has distinguished himself by superiority and competence. The soldier eligible for promotion has the right to request and obtain the postponement of his promotion if this promotion necessitates transfer from his unit."<sup>4</sup>

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<sup>4</sup>See footnote, Article 23.

Article 33 - "The detachment commander or the head of the department is entitled, after approval of the Supreme Military Authority, to promote individual soldiers up to the grade of sergeant.

- Promotions to all other grades of noncommissioned officers shall be established by the Supreme Military Authority in accordance with recommendations of detachment commanders and heads of departments by means of roster.
- All these promotions will take place by selection within position vacancies.
- These provisions may not be complied with if sufficient funds are not allotted in the budget."<sup>5</sup>

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<sup>5</sup> See footnote, Article 23.

## 2 - Officers

Article 34 - "The chain of command for officers is as follows:"<sup>6</sup>

The Basic Cadre

Mulāzim  
 Mulāzim awwal  
 Naqīb  
 Muqqadam  
 'Aqīd  
 Za'im  
 Za'im awwal  
 Liwa'

The Additional Cadre

Mulāzim  
 Mulāzim awwal  
 Naqīb  
 Muqqadam"

6

Paragraph 3, AR 600-15 - "Grades of rank - The following are the grades of rank in the Army of the United States, in order of their precedence:

- a. General of the Army (\* \* \* \*).
  - b. General
  - c. Lieutenant general
  - d. Major general
  - e. Brigadier general
  - f. Colonel
  - g. Lieutenant colonel
  - h. Major
  - i. Captain
  - j. First lieutenant
  - k. Second lieutenant
  - l. Chief warrant officer-----W-4
  - m. Chief warrant officer-----W-3
  - n. Chief warrant officer-----W-2
  - o. Warrant officer (junior grade)-----W-1
- \* \* \* \* \*"

Pay grade

Mulāzim corresponds to our second lieutenant; mulāzim awwal to our first lieutenant; naqīb to our captain; muqqadam to our major; 'aqīd to our lieutenant colonel; za'im to our colonel; and liwa' to our brigadier general.

For purposes of this paper, mulāzim will hereinafter be referred to as lieutenant; mulāzim awwal as first lieutenant; naqīb as captain; muqqadam as major; 'aqīd as lieutenant colonel; za'im as colonel; za'im awwal as first colonel; and liwa' as brigadier general.

Article 35 - "Officers of Basic Cadre have the right to command officers of the Additional Cadre when the ranks are the same. In each of the two cadres when the ranks are the same, those who are senior in rank have the command, and if seniority is equal, seniority in the former rank will be considered. When seniority in the former rank is the same, seniority in service will be considered, and when seniority in both are equal, classification resulting from final examination at the officers' school will be considered."<sup>7</sup>

<sup>7</sup> Paragraph 8, AR 600-15 - "a. Precedence or relative rank - Between officers of the same grade in active military service, including retired officers on active duty, precedence or relative rank is determined, except in case of special assignment made by the President, as follows:

- (1) As among officers on the active list of the Regular Army.
  - (a) By date of temporary or permanent rank, whichever is earlier.
  - (b) When dates of rank are the same among officers carried on the same promotion list, in accordance with their positions on the promotion list.
  - (c) When dates of rank are the same among officers carried on different promotion lists, the officer with the greatest amount of service creditable for promotion purposes shall be the senior. When dates of rank and service for promotion purposes are the same, reference will be made to the Department of the Army for determination.
- (2) As among Reserve, National Guard, Army of the United States officers without component, and retired officers on active duty.
  - (a) By date of rank.
  - (b) When dates of rank are the same, by length of active Federal commissioned service, including service performed under the conditions outlined in b (2) and (3) below.
  - (c) When (a) and (b) above are the same, according to age.
- (3) As between officers of the Regular Army, Reserve, National Guard, Army of the United States officers without component, and retired officers on active duty.
  - (a) By date of temporary or permanent rank, whichever is earlier.
  - (b) When dates of rank are the same, by length of active Federal commissioned service ((2) (b) above), which in the case of Regular Army officers shall be service creditable for promotion purposes.
  - (c) When (a) and (b) above are the same, Regular Army officers shall take rank among themselves as described in (1) above, preceding non-Regular Army officers and retired officers on active duty, who shall take rank among themselves according to age.

b. Date of rank.

- (1) The date of rank of an officer on the active list of the Regular Army is the date of rank stated in his commission or letter of appointment.
- (2) The date of rank of a Reserve, National Guard, or Army of the United States officer without component ordered into the active military service of the United States is a date preceding the date on which he is placed on active duty by a period equal to the total length of active Federal service and service under sections 94, 97, and 99, National Defense Act, as amended, which he has performed in the grade in which ordered, or any higher grade. In case of Reserve or National Guard officers, dates of rank will be further adjusted to reflect active Federal service performed in an equivalent grade in the Navy



or Air Force, except as provided in (4) below, or active service performed in the Public Health Service for any period from 8 December 1941 until such time as \* \* \* \* \*

(3) The date of rank of a retired officer upon being ordered into the active military service is the date of rank stated in Department of the Army orders placing him on active duty. Such date of rank is computed by adding to the date of rank at time of retirement the period of time between the date of retirement and the date of return to active duty. In case of additional periods of inactive service, the date of rank will be adjusted further in accordance with the foregoing procedure. \* \* \* \* \*

(5) The date of rank of an officer promoted to a temporary grade on active duty is the date cited in the order announcing the promotion. Such dates of rank will not be adjusted to reflect prior service in the grade to which promoted or in a higher or comparable grade in any of the armed services."

Paragraph 9, AR 600-15 - "Warrant officers. - a. Precedence or relative rank. - Between warrant officers of the same statutory grade in active military service, including retired warrant officers on active duty, precedence or relative rank is determined as follows:

(1) By pay grade, the order of precedence of which is W-4, W-3, W-2, and W-1.

(2) When pay grade is the same, by date of rank in pay grade (b) below.

(3) When date of rank in pay grade is the same by lineal list number. Warrant officers to whom a lineal list number has not been assigned shall take rank next below the junior on the lineal list of that same date of rank in pay grade, and among themselves in accordance with length of active Federal service in the same or higher warrant officer pay grade or in commissioned grade.

(4) When length of active Federal service in the same or higher warrant officer pay grade or commissioned grade is the same, by length of total active Federal service.

(5) When total active Federal service is the same, by age.

b. Date of rank.

(1) The date of rank in pay grade of a warrant officer on the lineal list is the date of rank in pay grade in his warrant, letter of appointment, or order designating his pay grade.

\* \* \* \* \*

## 3 - The Basic Cadre

Article 36 - "A lieutenant in the Basic Cadre will be promoted to the rank of first lieutenant:

- By selection: After two years in grade.
- By seniority: After four years in grade."<sup>8</sup>

Article 37 - "An officer cannot be promoted to the rank of captain, major, lieutenant colonel, or colonel unless he has spent at least four years in each of the next lower ranks. He may be promoted to the ranks of first colonel or brigadier general if he has spent at least two years in the next lower rank.

- Promotion to these various ranks will not take place unless the name of the officer has been listed on the promotion list which is compiled annually for each rank immediately after the examination known as the promotion examination."<sup>9</sup>

<sup>8</sup>A second lieutenant in the Regular Army of the United States will be promoted to the rank of first lieutenant three years after the date of his Regular Army commission.

<sup>9</sup>According to the Officer Personnel Act of 1947, selection boards consisting of high ranking officers meet periodically to select officers for permanent promotion to the ranks of captain, major, lieutenant colonel, and colonel. If an officer is selected he is placed on the eligible or selected list. Then he must be promoted to the rank of captain seven years after the date of his commission; to the rank of major, fourteen years after the date of his commission; and to the rank of lieutenant colonel twenty-one years after the date of his commission. He may be promoted before these periods if position vacancies occur. If the officer fails to be selected two consecutive times, he is severed from the service.

Article 38 - "Temporary promotion to each of the ranks mentioned in the preceding article is possible if the officer fulfills the same conditions. - Temporary rank accords its holder the privileges pertaining to it in regard to pay and command. The period which the officer spends in this rank shall not be considered for promotion to the next higher rank."<sup>10</sup>

- <sup>10</sup> Department of the Army Circular Number 22, 28 March 1951 - I----
- "Temporary Promotion Policies. - 1. Selection of officers for temporary promotion to the grades of colonel, lieutenant colonel, major, and captain will be made at Department of the Army.
2. Selection for temporary promotion to the grades of colonel, lieutenant colonel, major, and captain will be made from a zone of consideration established in order of date of rank, in grade in which serving on active duty, without regard to component. Those officers not serving in a temporary grade shall be governed by date of rank in permanent grade. Officers selected for promotion will be promoted from recommended lists in accordance with dates of rank on active duty.
3. The selection board may select to exceed 5 percent of the vacancies in each grade from outstanding officers, without regard to component, whose dates of rank do not place them in scheduled zones.
4. Reserve and National Guard officers ordered into the active military service who have completed 6 months on current tour of active duty and whose dates of rank on active duty place them in scheduled zones of consideration will be considered for temporary promotion to the next higher grade. Cut-off dates for completion of 6 months on current tour of active duty will be established by Department of the Army.
5. The "best qualified" method of selection will be used for selection to the grade of colonel. The "fully qualified" method will be used for selection to the grades of lieutenant colonel, major, and captain.
6. Promotion from second lieutenant to first lieutenant will continue to be made in the field except for officers in c below. Eligibility for promotion from second lieutenant to first lieutenant will be established as follows:
- a. Second lieutenants, Regular Army.
- (1) Graduates of the United States Military Academy and the United States Naval Academy. - Completion of 18 months' service for promotion purposes in the Regular Army, such service to be computed from officer's basic date.
- (2) Other second lieutenants, Regular Army. - Completion of 18 months' active Federal commissioned service, to include service performed in Army, Navy, Air Force, Marine Corps, or Coast Guard, including 6 months' service on current tour of active duty.
- b. Second lieutenants, other than Regular Army. - Completion of 18 months' active Federal commissioned service, to include commissioned service performed in Army, Navy, Air Force, Marine Corps, or Coast Guard, or a combination of 24 months' active Federal commissioned service and service in the Active Reserve of the Organized Reserve Corps or the National Guard of the United States as a commissioned officer, whichever is completed earlier, including 6 months' service on current tour of duty.
- c. Second lieutenants may be recommended for promotion to the temporary grade of first lieutenant prior to the completion of service outlined in a and b, above, with selection to be made by a Department of the Army selection

Article 39 - "During military operations an officer may be granted, in an exceptional case, a distinguished standing for promotion varying between a year and eighteen months and the examination stipulated in Article 37 may be disregarded."<sup>11</sup>

Article 40 - "Promotion to the rank of captain and above will take place by selection within position vacancies and in accordance with the roster of names on the promotion list."<sup>12</sup>

Article 41 - "Officers of the Basic Cadre will be promoted by decree issued upon the recommendation of the Minister of National Defense based on the decision of the Supreme Military Authority.

- Promotion to the rank of brigadier general will take place in accordance with a decree adopted in the Council of Ministers and this rank shall be reserved to he who assumes command of the Army."<sup>13</sup>

board, provided they -

(1) Have served continuously on active duty for 9 months in the grade of second lieutenant.

(2) Are outstanding among their contemporaries.

(3) Are recommended by a general officer.

\* \* \* \* \*

7. The authority to make battlefield promotions by a commander in an active combat area designated by the Department of the Army remains unchanged.

\* \* \* \* \*

<sup>11</sup> See footnote, Article 38.

<sup>12</sup> See footnote, Article 37.

<sup>13</sup> Officers promoted to the general officer grades in the United States Army are recommended by the President and confirmed by the Senate.

#### 4 - The Additional Cadre

Article 42 - "A lieutenant in the Additional Cadre will be promoted to the rank of first lieutenant in that cadre, after he spends four years in the rank of lieutenant.

- A first lieutenant in the Additional Cadre will not be promoted to the rank of captain or major except in an unusual case and then after he spends at least four years in the next lower rank.

- Officers of the Additional Cadre will be promoted within position vacancies according to the conditions established for officers of the Basic Cadre."

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## FOURTH CHAPTER

## Rewards and Punishments

## 1 - Rewards

Article 43 - "In principle, soldiers other than officers have the right to receive a leave of fifteen days with full pay for every twelve months spent in the service. Officers have the right to receive a leave of thirty days under the same conditions but the detachment commander, after approval of the commander of the army, has the right to:

- a. Raise to thirty days, in an exceptional case, the leave of soldiers other than officers, and to forty-five days the leave of officers as compensation for distinguished service, provided that the additional leave is taken on half pay.
- b. To reduce the period of leave or to cancel the leave entirely as punishment of those whose services were unsatisfactory.
- c. To recall soldiers on leave if the interests of the service necessitates."<sup>1</sup>

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<sup>1</sup>Paragraph 1, AR 600-115 - "Introduction. - a. The Armed Forces Leave Act of 1946 \* \* \* \* provides that each member of the armed forces shall be entitled to leave at the rate of two and one-half calendar days for each month of active service excluding periods of -

- (1) Absence without leave.
- (2) Confinement as a result of court martial.

b. Such leave may be taken by a member on a calendar day basis as vacation or absence from duty with pay, annually as accruing or otherwise, in accordance with regulations prescribed by the Secretary of War."

Paragraph 3, AR 600-115 - "Limitations. - a. Every member of the Armed Forces shall be entitled to leave while on active duty under the following conditions. During such periods of leave he shall be entitled to the same pay and allowances he would receive if not on leave and to any additional allowances otherwise authorized or provided by law for members while on leave.

(1) Not to exceed sixty calendar days continuous leave granted at any one time. Exception is authorized for reenlistment leave as shown in paragraph 5f (2).

(2) May not accumulate in excess of 60 days computed as prescribed in paragraph h 5k.

(3) Leave taken prior to discharge or separation from the service shall be considered as active military service, but unused accrued leave settled and compensated for under the Armed Forces Leave Act of 1946 as amended shall not be considered active military service.

(4) Leave accumulated shall not survive death occurring during active military service.

(5) Members of components of the Army of the United States ordered to active duty for periods of 30 days or more will be granted leave in accordance with these regulations. Those ordered to active duty for periods of less than 30 days will not be granted leave."

Article 44 - "Leave is continuous or intermittent depending upon the needs of the service and in an exceptional case, the accumulation of leave may be for two years only."<sup>2</sup>

\* \* \* \* \*

Paragraph 4, AR 600-155 - "Types of leave. - a. Ordinary leave. - Leave granted upon request of the individual at any time during a fiscal year to the extent of the leave which may be earned during that fiscal year, plus credit from prior years, provided leave granted at any one time does not exceed 60 days.

b. Sick or convalescent leave. - Leave granted for absence because of illness or convalescence upon recommendation of the surgeon. It is not chargeable as leave.

c. Emergency leave. - Leave granted upon assurance that an emergency exists and that granting such leave will contribute to the alleviation of the emergency. Emergency leaves may not exceed accrued leave plus 30 days of advance leave, except that, when advanced leave has been taken previously and not fully debited, emergency leave may be granted in such an amount that the total leave advanced will not exceed 30 days. It will not be prejudicial to granting of future leave but will be charged against present or future accrued leave (see paragraph 5g (2)).

d. Excess leave. - Leave granted in excess of that amount accrued by the individual and except for such advance or ordinary leave as is specifically authorized in these regulations is without pay and allowances, and will be taken only under exceptional circumstances upon authority of the War Department.

e. Delays. - Authorized delays stated in orders will be counted as leave and so charged."

Paragraph 5, AR 600-115 - "Department of the Army policy. - a. General. - \* \* \* \* \* Each commander will insure that members of his command are afforded the opportunity and encouraged to take leave. The practice of accumulating leave to the maximum permitted is undesirable and is to be discouraged. Periods of cessation from routine work for the purpose of travel, healthful recreation, and diversion are essential to the efficiency of persons in the military service. Commanders in all echelons will encourage individuals of their command to avail themselves frequently of accrued leave and, subject only to military necessity, all commanders will approve such requests for leave. Leave requests from personnel having quarters on the post will not be disapproved merely because the individual wishes to remain thereat for any part or all of his leave period.

\* \* \* \* \*

<sup>2</sup> See footnote, Article 43.

Article 45 - "Soldiers who distinguish themselves by bravery, services, or a brilliant act may receive, besides promotion and military decorations, the following rewards:

- a. Verbal commendation by their leaders before their units or comrades.
- b. Written commendation by the Minister of Defense, the Supreme Military Authority, or their leaders. An extract will be entered in their service records.
- c. Praise from the Supreme Military Authority in a general order distributed to all detachments and units and entered in their service records.
- d. Civil decorations."<sup>3</sup>

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<sup>3</sup> Paragraph 15, SR 600-45-1 - "Letter of Commendation and Appreciation.- Acts or services which do not meet the standards required for decorations or for the certificates \* \* \* \* \* may be recognized by written or oral expressions of appreciation or commendation. A written expression of commendation or appreciation will be typed on letterhead stationery and will not contain formalized printing seals, or other distinguishing features which depart from normal letter form. Such letters may be issued to military personnel, individual civilians, or civilian groups. A copy of the letter of commendation or appreciation will be placed in the individual's field \* \* \* \* \* file. Where warranted, a copy of such commendation or appreciation may be attached to an officer's next efficiency report or entry made in the service record of enlisted personnel, in accordance with instructions contained in Technical Manual 12-230A."



## 2 - Punishments

Article 46 - "Irrespective of judgments imposed upon by them by court martial, soldiers are subject to disciplinary punishments manifested in the following articles and they are imposed by:

- a. Officers and noncommissioned officers over soldiers placed under their direct command.
- b. Officers over noncommissioned officers who are placed under their direct command.

No punishment shall be imposed upon officers except by their unit or detachment commander or by the head of their department and whoever may be under these chiefs in order of rank."<sup>4</sup>

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<sup>4</sup>Article of War 10A - "Disciplinary Powers of commanding officers. - Under such regulations as the President may prescribe, the commanding officers of any detachment, company, or higher command, may, for minor offenses, impose disciplinary punishment upon persons of his command without the intervention of a court-martial, unless the accused demands trial by court-martial.

The disciplinary punishments authorized by this article may include admonition or reprimand, or the withholding of privileges, or extra fatigue, or restriction to certain specified limits, or hard labor without confinement or any combination of such punishments for not exceeding one week from the date imposed but shall not include forfeiture of pay or confinement under guard; except that any officer exercising general court-martial jurisdiction may, under the provisions of this article, also impose upon a warrant officer or officer of his command below the rank of brigadier general a forfeiture of not more than one-half of his pay per month for three months.

A person punished under authority of this article, who deems his punishment unjust or disproportionate to the offense, may, through the proper channel, appeal to the next superior authority, but may in the meantime be required to undergo the punishment adjudged. The commanding officer who imposes the punishment, his successor in command, and superior authority shall have power to mitigate or remit any unexecuted portion of the punishment. The imposition and enforcement of disciplinary punishment under authority of this article for any act or omission shall not be a bar to trial by court-martial for a serious crime or offense growing out of the same act or omission, and not properly punishable under this article; but the fact that a disciplinary punishment has been enforced may be shown by the accused upon trial, and when so shown shall be considered in determining the measure of punishment to be adjudged in the event of a finding of guilty."

Paragraph 20, page 16, Manual for Courts-Martial - "Who May Arrest or Confine. - a. General. - Except as prescribed in c below, persons subject to military law may be placed in arrest or confinement as follows:

(1) Officers and warrant officers. - By commanding officers only, in person or through other officers, or by oral or written orders or communications. The authority to place officers and warrant officers in arrest and confinement will not be delegated. The term "commanding officer" shall be construed to refer to an officer commanding a post, camp, or station or other place where troops are on duty, and the officer commanding a body of troops who, under Article 10, has power to appoint a summary court-martial.

(2) Enlisted persons. - By officers only, in person or through other persons subject to military law, or by oral or written orders or communications. The officer in command of any company or detachment may delegate to the non-commissioned officers thereof authority to place enlisted persons who are assigned or attached to his company or detachment, or are temporarily within its jurisdiction, e.g., in quarters or camp, in arrest or confinement as a means of restraint at the instant when restraint is necessary.

\* \* \* \* \*

c. In quarrels, frays or disorders. - All officers, warrant officers and noncommissioned officers have power to part and quell all quarrels, frays, and disorders among persons subject to military law and to order officers who take part in the same into arrest and other persons subject to military law into arrest or confinement, as circumstances may require, until their proper superior officer is acquainted therewith."

Article 47 - "Disciplinary punishments which may be imposed are as follows:"<sup>5</sup>

Authority who may impose punishment	Maximum punishment which may be imposed		
	On officers	On noncommissioned officers	On soldiers of the Army
Serjeants and corporals first class in their unit.			2 days confinement
Commissioned officers in their unit.			4 days confinement 1 day imprisonment
Officers other than unit commanders. Noncommissioned officers who are detachment commanders in respect to soldiers placed under their command.		6 days ordinary arrest 3 days stringent arrest	8 days confinement 3 days imprisonment
Commander of an independent unit administratively within a detachment.	4 days ordinary arrest	12 days ordinary arrest 6 days stringent arrest	12 days confinement 6 days imprisonment
Commander of a battalion in his battalion Head of a department in his department Group commander in his group Commander of a separate detachment or commander of a post.	8 days ordinary arrest 8 days stringent arrest	20 days ordinary arrest 15 days stringent arrest	20 days confinement 10 days imprisonment
Chief of an arm	12 days ordinary arrest 12 days stringent arrest	20 days ordinary arrest 15 days stringent arrest	20 days confinement 15 days imprisonment
Commander of a district Commander of military academy Department director	) In respect to soldiers placed under their command.	15 days ordinary arrest 15 days stringent arrest	25 days ordinary arrest 20 days stringent arrest
Commander of the Army.		60 days ordinary arrest 60 days stringent arrest	60 days ordinary arrest 60 days stringent arrest
Minister of Defense	60 days confinement under guard <sup>5</sup>		

<sup>5</sup> See footnote, Article 46.

Article 48 - "Maintaining the right to impose punishments defined in the previous article, the commander of the army has the right to send soldiers who have at least three months' service to the disciplinary platoon for the following reasons:

- a. If they disgrace the military service, the honor of the units, and the departments to which they belong by their recurrent mistakes and their extreme misdemeanor.
  - b. If they participate in making collective mistakes constituting a danger to discipline.
  - c. If one of them intentionally amputates one of his limbs, attempts to do so, or pretends disability for the purpose of evading service.
  - d. If he participates in the actions stipulated in the previous paragraph.
- The disciplinary platoons shall be organized by special instructions issued by the Supreme Military Authority."<sup>6</sup>

Article 49 - "The name of the officer, noncommissioned officer, or rated soldier may be written off the promotion list as punishment to him and this is done either by decision of the commander of the detachment or head of department in respect to corporals and noncommissioned officers after the approval of the Supreme Military Authority or by decision of the Minister of National Defense in respect to officers in accordance with the recommendation of the authority mentioned above."<sup>7</sup>

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<sup>6</sup>The United States Army operates and maintains disciplinary training barracks and military prisons but these are used for prisoners who have been convicted by courts-martial.

<sup>7</sup>Both officers and enlisted men may be demoted in the United States Army as a result of action and recommendation by boards of inquiry and special boards convened for this purpose.

## FIFTH CHAPTER

## Categories and Termination of Service

## 1 - Soldiers other than officers

Article 50 - "Soldier other than officers will be discharged by order of the Supreme Military Authority, but the detachment commander may discharge those who have completed their period of enlistment and who do not wish to reenlist except under the following conditions:

- a. If the expiration of his enlistment occurs before the completion of disciplinary punishment or if he is awaiting trial. In these two cases the soldier shall be retained in his former status in his detachment until he completes punishment or until he stands trial.
- b. If he is undergoing treatment in an infirmary or his physical status has not yet been determined, he will not be discharged until after the decision of the medical board in accordance with the provisions stipulated in Article 76.
- c. If the Supreme Military Authority considers his temporary retention is necessary for the benefit of the service during security operations, after the announcement of a state of war, or during a state of emergency.<sup>1</sup>

<sup>1</sup>Paragraph 10, AR 615-360 - "Separation upon expiration of term of enlistment or period for which inducted or ordered into the active military service. - The periods of military service, now or hereafter required of all members of the Army, will be prescribed by the Department of the Army in accordance with applicable laws. \* \* \* \* \*  
Periods for which individuals are inducted or ordered into the active military service are prescribed by law. The date on which an individual serving in an enlistment is due for discharge, or released from active military service and transfer to the Enlisted Reserve Corps, is normally the date upon which he completes his required period of active service. An individual inducted or ordered into the active military service will normally be discharged, or released from active military service on the date upon which he completes the period for which inducted or ordered into the active Federal service.

\* \* \* \* \*

Paragraph 11, AR 615-360 - "Separation after expiration of period of service.- a. Time lost to be made good.- Every individual who, in an existing or subsequent enlistment, induction, or other period of active military service, deserts the service of the United States, or without proper authority absents himself from his organization, station, or duty for more than one day, or who is confined for more than one day under sentence, or while awaiting trial and disposition of his case, if the trial results in conviction, or through the intemperate use of drugs or alcoholic liquor, or through disease or injury the result of his own misconduct, renders himself unable for more than one day to perform duty, shall be liable to serve, after his return to a full duty status, for such period as shall, with the time he may have served prior to such desertion, unauthorized absence, confinement or

Article 51 - "If a sergeant leaves the service and wishes to reenlist in the Army he may, after approval of the Supreme Military Authority, reenlist either in his former rank, if there is a vacancy, in a lower rank, or as a private."<sup>2</sup>

inability to perform duty, amount to the full term of that part of his period of service which he is required to serve with his organization before being discharged or released from active military service. He cannot begin to make good such time until restored to a full duty status.

(1) Time lost during an enlistment will be made good at the end of the enlistment period, except that, when an enlistment is extended by law, time lost will be made good at the end of the extension. If an individual who lost time during an enlistment prior to its extension by law wishes, and is eligible for, reenlistment in the Regular Army, he may be discharged \* \* \* \* \* and reenlisted when the amount of time serviced in the extension equals the period required to be made good. \* \* \* \* \*

b. Awaiting trial or result of trial by court martial. - An individual who, on the date on which he would otherwise be eligible for separation, is awaiting trial or result of trial by court martial will not be discharged or released from active military service until final disposition of the court martial charges is made. \* \* \* \* \*

d. Sick in hospital when period of service expires.-Any enlisted person whose period of service will expire during the course of hospitalization and who is in need of further medical care and hospitalization, may with his consent, be retained in the service beyond the expiration of his period of service in order that he may complete hospitalization and, if required, be brought before a physical evaluation board \* \* \* \* \*. Any enlisted person so retained will receive, at government expense, medical care, hospitalization, pay and allowances (including expense money authorized by law and credit for longevity), and will be subject to forfeiture in the same manner and to the same extent as if the period of service had not expired.\* \* \* \* \*

Paragraph 15, AR 615-360 - "Expiration of term of service.- When no Reserve obligation remains, discharge of an enlisted person by reason of expiration of service (ETS) may be accomplished at any installation having the facilities required for separation processing."

Paragraph 16, AR 615-360 - "Action by commanders having discharge authority.- a. Commanders having discharge authority normally will direct that actual discharge or release from active military service of an enlisted person to be effected by the commanding officer of his parent organization if he is stationed at a place where adequate facilities exist for separation processing.\* \* \* \* \*"

During a state of war or emergency, the Congress usually passes laws authorizing the retention of enlisted persons in the service for as long as may be necessary.

<sup>2</sup> See footnote, Articles 5 and 6

Article 52 - "Soldiers other than officers will be discharged from the service upon reaching the following age limits:

- Private soldiers: Forty years
- Sergeants and sergeants first class: Forty-two years
- Adjutants and adjutants first class: Forty-five years

However, soldiers other than officers who fill permanent or special positions in some of the departments and units which are defined by decision of the Minister of Defense, may be retained in the service until fifty years of age."<sup>3</sup>

Article 53 - "The period which the soldier other than an officer spends in the service after reaching the age limit for his rank does not entitle him to promotion but will be entered in his account for retirement pension."<sup>4</sup>

Article 54 - "The soldier other than an officer may not be discharged from the service before the expiration of his enlistment except under the following conditions:

- a. If the condition of his health does not allow him to continue his service or if his physical disability is proved, then the Supreme Military Authority will decide upon his discharge in accordance with the recommendations of the medical board composed of a high ranking officer and two military doctors.
- b. If he violates discipline or commits a grave mistake in the service, the Supreme Military Authority will write off his name from the cadre in accordance with the decision of his detachment commander and counsel of his superiors in the chain of command.
- c. He may be discharged from the service according to his request after attentive study of the papers in his file and after obtaining counsel from his superiors in the chain of command. His discharge may be refused in a state of war, emergency, or if the interests of the service warrant it.
- d. If he has completed fifteen years in the service the Supreme Military Authority has the right to place him in retirement."<sup>5</sup>

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<sup>3</sup>Enlisted personnel in the Army of the United States may be retired, not discharged, with pension after completing 30 years' service or a minimum of 20 years' service but less than 30 years (they will receive less pension in this latter case). They may be discharged from the service before this time at the expiration of terms of service according to their periods of enlistment.

<sup>4</sup>Once enlisted personnel submit application for retirement they are not eligible for promotion in the Army of the United States.

<sup>5</sup>See footnotes, Articles 50 and 52. Enlisted personnel in the Army of the United States may be given a physical disability discharge after examination by a medical examining board in accordance with existing regulations.

Article 55 - "An officer will be discharged when he has reached the following age limits whatever his service may have been:

50 years for lieutenants and first lieutenants

52 years for captains

54 years for majors

56 years for lieutenant colonels

58 years for colonels, first colonels, and brigadier generals"<sup>6</sup>

Article 56 - "Specialist officers as stipulated in Article 11 may be retained in the service in an exceptional case for a period not to exceed six years and that is after they have attained the lawful age.

In this case these officers are not entitled to promotion during the above mentioned period nor will they be entitled to temporary state of sickness. This period will be entered in their account for retirement pension.

If they suffer sickness, accident, or wounds attributed to service, by virtue of the law, they will be changed to retired status in accordance with Articles 91 and 92."<sup>7</sup>

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<sup>6</sup> Paragraph 9, AR 605-245 - "At 60, 62, or 64 years of age.- a. After \* \* \* (7 February 1948) unless provided otherwise by some provision of law, each commissioned officer of the Regular Army (other than a professor of the United States Military Academy), who is not retired or separated at an earlier date under applicable provisions of law, shall, if in the permanent grade of brigadier general or in any permanent grade below that of brigadier general, be retired on that date upon which he attains the age of sixty years; and, if in the permanent grade of major general, be retired on that date upon which he attains the age of sixty-two years: Provided, that officers holding appointments on \* \* \* (7 August 1947) as chiefs and assistant chiefs of services shall not by reason of the enactment of this section be retired while so serving until age sixty-four years is reached if serving with the rank of major general or until age sixty-two is reached if serving with the rank of brigadier general \* \* \*."

<sup>7</sup> Specialist officers in the Army of the United States are subject to the same regulations and provisions as other officers in regard to retirement and separation from service.



Article 57 - "Rank is the legal right of an officer and he will not be caused to lose it or be deprived of it except:

- As a result of the findings of a court martial sentencing him to be dismissed or stripped of his rank.
- As a result of the findings of a civil court sentencing him to punishment for committing a crime or misdemeanor or to punishment by imprisonment for an offense which would have sentenced him to be stripped of his rank if the findings had been issued by a court martial.
- If he loses Lebanese citizenship.

In some of these cases it will be decided to write off the name of the officer from the officers' list by decree in accordance with a proposal of the Minister of National Defense based on the recommendation of the Supreme Military Authority."<sup>8</sup>

Article 58 - "Officers are in one of the following categories:

- a. Active service
- b. Separated from the service
- c. Suspension
- d. Extended leave
- e. Sickness
- f. Resignation
- g. Retirement

The placing of an officer in one of these categories is decided by decree in accordance with a proposal by the Minister of National Defense based on the recommendation of the Supreme Military Authority."

a. Active Service

Article 59 - "Active service is the category of an officer present for duty, sick in quarters or in the hospital, absent with leave or on extended leave, or on a mission."<sup>9</sup>

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<sup>8</sup> Article of War 118- "Officers, Separation from Service.-No officer shall be discharged or dismissed from the service except by order of the President or by sentence of a general court-martial; and in time of peace no officer shall be dismissed except in pursuance of the sentence of a general court-martial or in mitigation thereof; but the President may at any time drop from the rolls of the Army any officer who has been absent from duty three months without leave or who has been absent in confinement in a prison or penitentiary for three months after final conviction by a court of competent jurisdiction. \* \* \* \* \*"

<sup>9</sup> In the Army of the United States, active duty or active service is defined as military service with full pay and regular duties. Persons absent from duty on account of sickness, wounds, leave, or other lawful causes are considered as still on active duty.

D. Separated from the Service

Article 60 - "Separated from the service is the category of an officer separated from his duty temporarily or permanently for disciplinary reasons.

-Separated from the service temporarily is when an officer is separated from his duty for a period of six months subject to renewal but not to exceed a total of two years.

-Separated from the service permanently is when an officer is separated from his duty permanently and the separation is decided either after the expiration of the interval of separation or for the commission of a serious mistake without their being a previous order for separation."<sup>10</sup>

Article 61 - "Separation from the service temporarily and permanently is decided after taking the opinion of a disciplinary board composed of five officers two of whom are of the same rank as the officer concerned and the others of a higher rank."<sup>11</sup>

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<sup>10</sup> An officer in the Army of the United States is separated from the service by reason of retirement, resignation, or elimination.

Paragraph 4 (b), AR 605-200 - "The following or similar reasons warrant recommendation of an officer for demotion, relief from active duty, or elimination, dependent upon the degree:

- (1) A continuous or progressive decline in the quality of the officer's performance of duty over a period of time, which results in a low and unacceptable standard of efficiency.
- (2) A record of substandard service in two or more assignments, each under a different immediate commander.
- (3) Demonstrated inability to exercise the necessary leadership or command required of an officer of his grade.
- (4) Inability or failure to assimilate the technical proficiency required of an officer of his grade.
- (5) Inability or failure to discharge properly assignments commensurate with his grade and experience.

(6) Repeated failure to meet personal financial obligations, or mismanagement of personal affairs detrimentally affecting the performance of duty of the officer concerned, or mismanagement of personal affairs in a manner which is a discredit to the service.

(c) - The following additional or similar reasons warrant recommendation for elimination:

- (1) Intentional omission from or misrepresentation of facts in official statements, either oral or written.
- (2) Recurrent instances of intemperance or personal misconduct.
- (3) Commission or attempted commission of a homosexual act or existence of homosexual tendencies, \* \* \* \* \*
- (4) Apathy, defective attitudes, or other character and behavior disorders to include inability or unwillingness to expend effort. \* \* \* \* \*"

<sup>11</sup> In the Army of United States, the case of an officer recommended for

Article 62 - "An officer will not be separated from his duty permanently if he is eligible for pension but in this case he will be retired."<sup>12</sup>

Article 63 - "The time that an officer spends in the category of separated from the service will in no way be considered as active service."<sup>13</sup>

c. Suspension

Article 64 - "Suspension is the category of an officer who is deprived of his position either because of its abolition or by loss of his aptitude to carry out the functions of his rank. The period which an officer spends in the category of suspension will not be considered active service for retirement pay except for one year. The period of suspension will not exceed three years."<sup>14</sup>

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elimination from the service will be forwarded through channels to the commander having jurisdiction over such cases. This commander may disapprove of the recommendation and close the case. Or, he may refer it to a board of inquiry which will investigate the case thoroughly and make recommendations. The officer will be separated at Department of the Army level if it is proved that he should be eliminated from the service.

<sup>12</sup> See footnote, Article 61.

<sup>13</sup> See footnote, Articles 60 and 61.

<sup>14</sup> Paragraph 116 (h), Manual for courts-martial, page 130 - "Suspension from rank, command, or duty. - Suspension from rank includes suspension from command. It does not affect the right of an officer to promotion nor his right to rise in files, but renders him ineligible to sit as a member of a court-martial, court of inquiry, or military board, and deprives him of privileges depending on rank, such as any priority dependent on rank and the selection of quarters.

Suspension of command merely deprives the officer of authority to exercise military command and, consequently, his authority to give orders to his juniors and to perform any duty involving the exercise of command. It does not affect his right to promotion. Suspension from duty is analogous to suspension from command and is particularly appropriate in the case of an officer assigned to a purely administrative duty not involving the exercise of military command.

Sentences to loss of rank or promotion are not authorized."

Article 65 - "The positions of officers will be abolished by decree in accordance with a proposal of the Minister of National Defense based on the recommendation of the Supreme Military Authority which determines when necessary the number of positions to be abolished in each arm and in each rank and the number of officers necessary to be placed on suspension beginning with those closest to the legal age for retirement."<sup>15</sup>

Article 66 - "If it appears that an officer is inefficient to discharge the functions of his rank and he has not completed fifteen years' service, the Supreme Military Authority has the right to recommend his being placed on suspension after investigation by the professional efficiency examination board consisting of five officers from the same arm as the officer concerned two of whom are of the same rank and the others of higher rank."<sup>16</sup>

Article 67 - "An officer placed on suspension may be returned to active service. No officer will remain in the category of suspension if he has completed fifteen years' service but must be placed in retirement in this case."<sup>17</sup>

Article 68 - "In order to improve the practice of the leadership which is vested in his rank, an officer placed on suspension must participate in a training period of three weeks each year and this is while his detachment is in camp. if it appears that during one of these periods the officer is inefficient for the leadership which is vested in his rank, he may be placed in retirement according to the provisions of Article 94 or discharged from the service without restrictions and without condition if he has not completed fifteen years' service."<sup>18</sup>

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<sup>15</sup>The positions of officers in the Army of the United States are stable but certain functions or duties may be dispensed with at certain times. In these cases, officers are detailed to other functions or duties.

<sup>16</sup>See footnote, Article 60.

<sup>17</sup>See footnote, Articles 60 and 64.

<sup>18</sup>See footnotes, Articles 60 and 64.

#### d. Extended Leave

Article 69 - "An officer may be granted extended leave upon his request:

a. For a period not exceeding three years after twelve years' service including periods of suspension and sickness provided that its duration ends on the day the officer becomes eligible for retirement. His pension is in proportion to his number of years of service. (Fifteen years.)

b. For a period not exceeding five years after twenty years' service provided that its duration ends on the day the officer becomes eligible for ordinary retirement. (Twenty-five years).

In both cases these officers will not be replaced by others during the period of their leave in order that they may claim retirement. They may be returned to active service during war operations.<sup>19</sup>

#### e. Sickness

Article 70 - "An officer is considered to be in the category of sickness when he is deprived of his position for reasons of health.

-Either, the sickness is temporary and in this case it will be set for one year subject to renewal provided that the total period of sickness does not exceed three years.

-Or, the sickness is permanent and that will be decided after the period of temporary sickness or in the event of an incurable ailment which has not been preceded by temporary sickness.

In both cases the category of sickness will be determined after considering the opinion of a medical examining board composed of three military doctors and two other officers one of whom is of the same rank as the officer concerned and the other of a higher rank.

-The time which an officer spends in the category of temporary sickness will not be considered as a step for rank and promotion but will be considered active service for settlement of his retirement pension.

-An officer who has acquired or who will acquire the right to receive a pension is not eligible to be placed or remain in the category of sickness.<sup>20</sup>

<sup>19</sup>See footnote, Article 43.

<sup>20</sup>In the Army of the United States, officers sick in the hospital remain there until they are completely cured or until they are ready for convalescent leave and then return to duty. In the event they cannot become completely cured they are placed in retirement for physical disability with pension after their case has been investigated and studied by a medical examining board and final approval by the Surgeon General.

Article 71 - "Officers in the category of temporarily separated from the service or in the category of temporary sickness will remain on the roster of their branch or department and no one will replace them. They may be returned to active service at any time if there appears any improvement in their conduct or in their state of health or if the interests of the service necessitates their return.

-Officers in the category of permanent separation from the service because of permanent separation from their duties or officers in the category of permanent sickness will have their names written off the officers' roster and will be replaced by others within the limits of the appropriations in the budget. It is absolutely impossible to recall these officers to active service."<sup>21</sup>

f. Resignation

Article 72 - "Resignation is the separation of an officer from the Army in accordance with his written request and the acceptance of his resignation by decree. Resignation will not be accepted in the two cases of war and emergency.

An officer who resigns loses all his acquired rights, especially his right of pension."<sup>22</sup>

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<sup>21</sup> See footnotes, Articles 60, 61 and 70.

<sup>22</sup> Paragraph 1, AR 605-275 - "General.-a. The right of an incumbent of military office to resign his office at pleasure is subject to certain restrictions growing out of his military status. The acceptance of a resignation is an Executive act which may be exercised by the President through any proper office designated by him.

b. Officers of the Army on the active list will not hold any civil office, whether by election or appointment. Every such officer accepting or exercising the functions of civil office thereby ceases to be an officer of the Army and his commission is thereby vacated.\* \* \* \* \* (This statute pertains only to officers of the Regular Army). \* \* \* \* \*

Paragraph 2, AR 605-275 - "Unqualified resignation.-a. Any officer of the Army in whatever duty status may tender his resignation whenever he considers such action appropriate. \* \* \* \* \*

b. An unqualified resignation, if accepted by the Department of the Army, will be accepted as under honorable conditions. The officer will be furnished an Honorable Discharge certificate \* \* \* \* \* unless moral or professional dereliction within the control of the officer is involved, in which case a General Discharge certificate (under honorable conditions) \* \* \* \* \* may be furnished in the discretion of the Department."

Paragraph 3, AR 605-275 - "Resignation in lieu of elimination.- a. An officer who has been selected or recommended for elimination or removal from the active list under any provision of law may tender his resignation at any time prior to final action of the proceedings. \* \* \* \* \*

b. Such resignation, if accepted by the Department of the Army, will be accepted as under honorable conditions. When the proceedings are based solely on facts over which the officer has no control, such as inability to learn or military inaptitude, an Honorable Discharge certificate \* \* \* will normally be furnished. When the proceedings are based on factors over which the officer has control, such as repeated instances of misconduct of a minor nature, a General Discharge certificate (under honorable conditions) \* \* \* , will normally be furnished. In every case, however, the type of discharge to be furnished will be determined on the facts and will be discretionary with the Department of the Army."

Paragraph 4, AR 605-275 - "Resignation for good of service.-a. An officer whose conduct has rendered him triable by court martial for an offense punishable by dismissal, regardless of whether charges actually have been preferred, or an officer who is under a suspended sentence of dismissal, may tender his resignation for the good of the service.

b. A resignation for the good of the service tendered in lieu of trial by court martial ordinarily will not be accepted where the offense or offenses with which the officer is, or may be, charged would warrant imposition by a general court martial of punishment more severe than dismissal from the service.

\* \* \* \* \*

Paragraph 5, AR 605-275.-a. An unqualified resignation will be tendered in letter form through channels to the Adjutant General, will be unconditional, will contain a complete statement of the reasons for which submitted, and will have appended thereto, if available, documentary evidence tending to substantiate any of the given reasons.

\* \* \* \* \*

Paragraph 6, AR 605-275 - "Forwarding.- A resignation will be forwarded by commanding officers through channels to the Department of the Army for final action thereon.\* \* \* \* \*

Paragraph 7, AR 605-275 - "Acceptance.- a. Until the acceptance of his resignation becomes effective as provided in these regulation, the officer tendering it will continue to be an officer of the Army.

\* \* \* \* \*

d. The Department of the Army may properly refuse to accept a resignation -

(1) When the officer is -

- (a) Under investigation
- (b) Under charges
- (c) Awaiting result of trial
- (d) Absent without leave
- (e) Absent in hands of civil authorities
- (f) Insane
- (g) In default with respect to public property or public funds.

(2) In time of war or when war is imminent, or in a period of emergency as declared by the President.

Article 73 - "The resignation of an officer will be accepted under the following conditions:

- a. After not less than ten years' service in the Army.
- b. Before this period provided he pays back to the Treasury all money spent on his education and training in foreign countries with the exception of his pay."<sup>23</sup>

Article 74 - "An officer who has resigned may be returned to service upon his request provided that his resignation was not due to confinement, dishonorable acts, decision of a disciplinary board, or the findings of a court martial. In the event of his return he must be under the age for retirement by at least four years and his former service will be considered towards retirement."<sup>24</sup>

g. Retirement:

Article 75 - "An officer is considered retired from the service when he is demobilized by authority or according to his request, with pension."<sup>25</sup>

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(3) \* \* \* In case of graduates of the United States Military Academy with less than 3 years service in the Regular Army.

(4) In case of officers who have attended a full course of instruction at a civil institution\* \* \* \* \*  
\* \* \* \* \*

(6) In the case of officers who have received professional training under any of the Army Medical Service professional training programs, regardless of date of entrance on active duty or date of training, and who have not completed, subsequent to such training, the period of service required for participation in such program.

(7) In the case of any officer when in the opinion of the Secretary of the Army sufficient justification exists."

<sup>23</sup>See footnote, Article 72.

<sup>24</sup>See footnote, Article 72.

<sup>25</sup>See footnote, Article 55. In the Army of the United States retirement is defined as withdrawal from active service of an individual after the required number of years of service. Pensions are determined by regulations in force.



## SIXTH CHAPTER

### Medical Provisions

#### Limitation of the Period of Medical Treatment and Convalescence

Article 76 - "If a soldier becomes ill or meets with an accident preventing him from duty, he shall be entitled to medical treatment with full pay:

a. If the accident or sickness was caused by service:

For a period not exceeding nine consecutive months, but if the soldier is returned to duty before the expiration of this period and then suffers a relapse because of the same sickness or accident making it impossible for him to continue his duties, he is entitled to receive full pay for the remaining mentioned period (nine months). In the event he does not recover after the expiration of this period, he shall be referred to the medical examining board which will recommend either his retention under treatment with full pay for a new period not exceeding three months or his discharge from the service in accordance with the provisions of this law.

b. If the sickness or accident was not caused by service:

For a period not exceeding three months subject to renewal provided that the total does not exceed six months during one complete year or nine months during three years."<sup>1</sup>

Article 77 - "A soldier will be granted convalescent leave for a period not exceeding six months and that is:

a. With full pay if the leave was granted as a result of sickness or accident caused by service or relapse because of sickness or accident.

b. With full pay for the first thirty days and half pay from the thirty-first to the one hundred and eightieth day if the leave was granted as a result of sickness or accident not caused by service."<sup>2</sup>

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<sup>1</sup>Paragraph 1, AR 600-140 - "General. -a. Determinations.-In all cases of injury (including wounds in action cases), disease, or death (including killed in action cases) incurred by members of the Army on active duty or during authorized training in an inactive status, a general determination will be made as to whether such injury, disease, or death was incurred in line of duty, and a specific determination will be made as to whether such injury, disease, or death was incurred because of the individual's own misconduct.\* \* \* \*  
b. Purpose.-Primarily, line of duty and misconduct determinations are made for the purpose of providing data required by the Department of the Army in determining the status of members thereof with relation to particular statutes administered by the Army. For example, the act of 17 December 1919\* \* \*, as amended (granting "death gratuities" upon the death of members of the Army); \* \* \* \* (physical disability retirement); and the act of 4 June 1920 \* \* \* \*, as amended ("time lost" to be made good). \* \* \* \*  
Determinations under these regulations, whether favorable or unfavorable to the individual concerned under any statutes conferring benefits or imposing disabilities."

<sup>2</sup>See footnote, Article 43.

## SEVENTH CHAPTER

### Salaries, Compensations, and Allowances

Article 78 - "Salaries, compensation, and allowances pertaining to members of the Army are defined by stipulations in force."<sup>1</sup>

Article 79 - "An Officer temporarily separated from the service in accordance with Article 60, receives pay equal to one-fifth of the pay for active service and this pay is not subject to retirement deductions. If separation from the service is permanent because of permanent separation from duties, he will receive this same pay but only for half the number of months he has spent in active service."<sup>2</sup>

Article 80 - "An Officer placed on suspension in accordance with Article 66 receives suspension pay equal to one-quarter of active service pay. If he is released in accordance with Article 68 and has not completed fifteen years' service, he will receive this same pay but only for one year as from the date of the order of his release."<sup>3</sup>

Article 81 - "An officer who is granted extended leave in accordance with the provisions of the first paragraph of Article 69 will receive suspension pay equal to one-quarter of active service pay.  
-An officer who is granted extended leave in accordance with the provisions of the second paragraph of the above mentioned article will receive suspension pay equal to one-half of active service pay."<sup>4</sup>

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<sup>1</sup>The United States Congress passes the laws providing for the pay and allowances for members of the Army and these are announced in Department of the Army publications.

<sup>2</sup>See footnote, Article 60.

<sup>3</sup>See footnotes, Articles 60, 64, and 68. Officers in the Army of the United States on suspension receive the same pay and allowances as if they were present for duty.

<sup>4</sup>See footnote, Article 43.

Article 82 - "An officer in the category of temporary sickness in accordance with the provisions of Article 70 will receive pay equal to one-third of active service pay.

- An officer in the category of permanent sickness which has no connection with the service and who has not completed fifteen years' service will receive this same pay but only for half the number of months he has spent in active service and in temporary sickness."<sup>5</sup>

Article 83 - "Military doctors are prohibited from practicing their profession privately but will be given monthly compensation defined by ministerial decree within the budget allowances."<sup>6</sup>

Article 84 - "With the outbreak of war operations all soldiers who are in the service and those who will be called to the service during the state of war and emergency will be granted a fixed pay equal to the pay of one month including all compensations supplementing this pay.

-Civilian employees belonging to the Ministry of National Defense who are sent to the area of war operations will receive the benefits of this compensation."<sup>7</sup>

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<sup>5</sup>Officers in the Army of the United States sick in the hospital continue to receive their same pay and allowances just as if they were present for duty. Officers retired on account of physical disability receive a pension provided by regulations in accordance with length of service and extent of disability.

<sup>6</sup>Medical officers in the Army of the United States receive the same pay and allowance as other officers of the same rank. They are not allowed to continue their private practice while serving in the Army.

<sup>7</sup>This means that members of the Lebanese Army receive double pay during the states of war and emergency. Soldiers in the Army of the United States receive pay and allowances provided in regulations as a result of laws passed by the Congress. Usually, the Congress will raise the pay for members of the Armed Forces during time of war as has happened in the past. Civilians working for the Department of the Army, do so by contract and usually receive additional compensation for service in the combat areas.

## EIGHTH CHAPTER

## Retirement Pay

## 1 - General Provisions

Article 85 - "Retirement pension for soldiers will be either disability pension or ordinary pension."<sup>1</sup>

Article 86 - "For the settlement of retirement pension the age recorded in the contract of the first enlistment supported by identity papers which were presented to the enlistment committee and approved of, will be considered as the actual age."<sup>2</sup>

Article 87 - "A soldier is entitled to receive disability pension, whatever his time in service has been, if he is released for any one of the reasons shown in the following articles:"<sup>3</sup>

<sup>1</sup> Soldiers in the United States Army receive either a physical disability pension or normal retirement pension.

<sup>2</sup> Age is not a factor in determining the amount of pension in the Army of the United States. The degree of physical disability or amount of service is considered.

<sup>3</sup> Paragraph 1, SR 600-450-5 - "Purpose.-These regulations provide the procedure for the evaluation and determination of medical fitness, and disposition of members affected. Medical fitness as used herein includes both physical and mental fitness as distinguished from administrative fitness. The medical evaluation of members to determine their medical fitness for retention on active duty is accomplished by means of appropriate medical authority and/or physical evaluation boards.\* \* \* \* \*

Paragraph 2, SR 600-450-5 - "Applicability.-a. Except as indicated in b below, these regulations apply to members of the following categories when such members are determined by appropriate medical authority to be medically unfit:

- (1) Members of the Regular Army
- (2) Members of the Organized Reserve Corps, members of the National Guard of the United States, and members of the Army of the United States without specification of component who are ordered into the active military service for periods in excess of 30 days.
- (3) Members of the federally recognized National Guard of the several States, Territories, and the District of Columbia who are engaged in any type of training or active duty under sections 5, 81, 92, 97, or 99, National Defense Act, for periods in excess of 30 days.

(4) Members of the National Guard of the several States, Territories, and the District of Columbia when in the service of the United States pursuant to call as provided by law for periods in excess of 30 days.

(5) Members specified in (2), (3), and (4) above who are injured while performing active duty, full-time training duty, other full-time duty, or inactive duty training for any period of time pursuant to any provision of law, including sections 5, 81, 92, 94, 97, or 99, National Defense Act. Instructions for initial hospitalization of such members are contained in directives of and pertaining to the Reserve components.

b. Members in the following categories will not be processed under these regulations:

(1) Members charged with offenses for which dismissal, dishonorable discharge, or bad-conduct discharge may be adjudged.

(2) Members under sentence to dismissal, dishonorable discharge, or bad-conduct discharge, whether or not finally approved, and whether or not suspended. However, members under suspended sentence of dismissal or dishonorable discharge who are to be discharged or separated for reasons other than such sentence and who are otherwise within the provisions of a above will be processed under these regulations.

\* \* \* \* \*

Paragraph 38, SR 600-450-5 - "Disposition Alternatives.-a. Based upon the findings of the physical evaluation board, one of the following dispositions of a member described in paragraph 2a (1), (2), (3), or (4) will be made:

(1) Return to duty, in accordance with SR 600-145-11, of those members determined to be both medically and administratively fit to perform the duties of their office, rank, grade, or rating.

(2) Return to duty, in accordance with SR 600-145-11, to perform those duties for which they are medically fit, reverting to a full-duty status on a specified future date, when a temporary defect exists and when the duties of the member can be resumed without injury or a marked decrease in efficiency.

(3) Defer final disposition of the member pending -

(a) Further hospitalization and observation, with re-examination and re-evaluation on a specified later date. When the medical condition of a member has not stabilized to a degree which will permit proper evaluation, the case may be returned to medical jurisdiction for further hospitalization, observation, and evaluation.

(b) A period of trial duty for a specific period, with re-examination and re-evaluation of the case to be accomplished upon termination of that period (see SR 600-145-11). In appropriate borderline cases, where the member's condition indicates that he may be able to return to full active duty within a relatively short time, the member may be returned to duty on a trial basis to perform those duties of which he is capable, provided that such duties can be undertaken without further injury to the member or a marked decrease in his efficiency. Upon termination of the trial duty period, the member's case will be reconsidered by medical authorities and, if appropriate, processed through physical evaluation board channels.

(4) Administrative separation of members determined to be medically fit who are scheduled for separation. If a member is eligible for administrative separation, he will be processed for separation under existing instructions.

Orders for relief from active duty or discharge will include the statement "not by reason of physical disability." In such cases, a final type physical examination will not be required.\* \* \* \* \*

(5) Return of the case to the hospital commander for action under pertinent regulations, when the findings are that a member is medically fit, but indicates that separation for administrative unfitness may be appropriate.

(6) Separation for physical disability without severance of pay of members determined to be medically unfit as the result of a condition which -

(a) Was not incurred or aggravated during any period of service.

(b) Was incurred through their own intentional misconduct, willful neglect, or during a period of unauthorized absence.

(7) Separation for physical disability with severance pay of members determined to be medically unfit, other than those specified in (6) above, who have

(a) Less than 8 years' active service and are determined to be medically unfit as the result of a disability which is not the proximate result of the performance of active duty, regardless of the percentage of disability, or

(b) Less than 20 years' active service and are determined to be medically unfit as the result of a disability rated at less than 30 percent in accordance with Veterans Administration standards.

(8) Permanent retirement for physical disability of members determined to be medically unfit other than those specified in (6) and (7) above -

(a) Who are determined to be 30 percent or more permanently disabled, provided they have either 8 or more years' active service or a disability which is the proximate result of the performance of active duty.

(b) With 20 or more years' active service who are determined to be permanently disabled, regardless of their percentage of disability.

(9) Placement on the Temporary Disability Retired List of members who meet the requirement of (8) above, except that it has been determined that their disability may be permanent.

b. Based upon the findings of the physical evaluation board, The Adjutant General will make final disposition of members described in paragraph 2(a) (5).

Paragraph 39, SR 600-450-5 - "Retirement for reasons other than disability.- Members will not be separated or retired for disability as provided in paragraph 38a (6), (7), (8), or (9) if they are eligible for and elect retirement under any other provisions of law.

\* \* \* \* \*

Paragraph 41, SR 600-450-5 - "Periodic physical examination.- A periodic physical examination will be required of all members who are placed upon Temporary Disability Retired List, and shall be given to such members not less frequently than every 18 months, to determine whether the disability for which such member was placed on the Temporary Disability Retired List has changed.

\* \* \* \* \*

Paragraph 43, SR 600-450-5 - "Action following determination made by Secretary of the Army.- a. In accordance with the determination made by the Secretary of the Army, one of the following actions will be taken:

(1) Retain the member on the Temporary Disability Retired List (unless he has completed 5 years on such list).

(2) Permanently retire the member.

(3) Separate the member.

(4) Take action as indicated below to return the individual to an active duty status, subject to the individual's consent. If the individual does not consent to the proposed action, his status on the Temporary Disability Retired List and his disability retirement pay shall be terminated forthwith.

(a) Regular Army Officers and Warrant Officers.- Orders to active duty and initiate action to effect reappointment to former commissioned or warrant grade or the next higher grade, as is determined to be appropriate.

(b) Regular Army Enlisted Members.- If the enlistment in which the member was serving at the time of placement on the Temporary Disability Retired List has not expired or otherwise been terminated, order to active duty. If such enlistment has expired, or if the enlisted member has previously been discharged, initiate action to reenlist in the grade held at the time of placement on the Temporary Disability Retired List or the next higher grade, as is determined to be appropriate.

(c) Organized Reserve Corps Members.- If the period for which appointed or enlisted has not expired or otherwise been terminated, initiate action to transfer to an appropriate component of the Organized Reserve Corps if necessary. If such period has expired or otherwise been terminated, initiate action to reappoint or reenlist in an appropriate component of the Organized Reserve Corps in the grade held at the time of placement on the Temporary Disability Retired List or the next higher grade, as is determined to be appropriate.

(d) National Guard Members.- If the appointment or enlistment in which serving at the time of placement on the Temporary Disability Retired List has not expired or otherwise been terminated, request the proper State authorities to take action to transfer the member to an appropriate component of the National Guard of the State and if the State complies with such request, initiate action to restore the member to an equivalent status in the National Guard of the United States. If the appointment or enlistment in which serving at the time of placement on the Temporary Disability Retired List has expired or otherwise been terminated, request the proper State authorities to reappoint or reenlist the member in the National Guard of the State, in the grade held at the time of such placement or the next higher grade, as is determined to be appropriate; and if the State complies with such request, initiate action to restore the member to an equivalent status in the National Guard of the United States. If the State fails to restore the member to his former status, as indicated in this subparagraph, initiate action to appoint or enlist the member in an appropriate component of the Organized Reserve Corps in the grade held at the time of placement on the Temporary Disability Retired List or the next higher grade as is determined to be appropriate.

b. Prior to or at the end of the 5-year period during which the name of a member may be carried on the Temporary Disability Retired List, the Secretary of the Army will make a final determination of such member's status and will cause such member to be retired, separated, or, subject to his consent, returned to duty, or reappointed or reenlisted in his component, if appropriate."

Paragraph 1, AR 35-1355 - "General.- When the name of a member of the uniformed service \* \* \* is placed upon the temporary disability retired list pursuant to the provisions of AR 600-450, for the period during which his name is carried on such temporary disability retired list, but in no event to exceed a period of 5 years, he shall be entitled to receive disability retirement pay computed, at his election, by multiplying an amount equal to the month-

ly basic pay of the rank or grade held by him at the time of the placement of his name on the temporary disability retired list, by -

- a. A number equal to the number of years of active service, as defined in AR 600-450 to which such member is entitled, multiplied by 2½ per centum; or
- b. The percentage of his physical disability as of the time his name was placed on the temporary disability retired list; provided that for the purpose of the computation of a above, fractions of one-half year or more of active service shall be counted as a whole year.\* \* \* \* \*

Paragraph 2, AR 35-1355 - "Members holding temporary rank or grade.- The disability retirement pay of any member who shall have held a temporary rank or grade higher than the rank or grade held by him at the time of placement of his name upon the temporary disability retired or at the time of his retirement, whichever is earlier, and who shall have served satisfactorily in such higher rank or grade as determined by the Secretary of the Army, shall be computed on the basis of the monthly basic pay of such higher rank or grade to which he would have been entitled had he been serving on active duty in such higher rank or grade at the time of placement of his name on the temporary disability retired list or at the time of retirement, whichever is earlier.  
\* \* \* \* \*

Paragraph 3, AR 35-1355 - "Limitation.- In no case shall disability retirement pay exceed 75 per centum of the basic pay upon which the computation is based, provided that the disability retirement pay of any member whose name is carried on the temporary disability retired list shall, for so long as his name is carried on such list, be not less than 50 per centum of the basic pay upon which the computation is based.\* \* \* \* \*  
\* \* \* \* \*

Paragraph 5, AR 35-1355 - "Any member who, for any reason, has been or hereafter may be retired or whose name is carried on a temporary disability retired list and who, while in such status, serves on active duty, and while so serving, incurs a physical disability of 30 per centum or more in accordance with the standard schedule of rating disabilities in current use by the Veterans Administration or incurs a physical disability in addition or an aggravation of the physical disability for which he was retired or for which his name was placed on the temporary disability retired list, shall, if qualified therefor pursuant to AR 600-450, be entitled, on his return to a retired status or to the temporary disability retired list, to receive either -  
a. Disability retirement pay as provided in these regulations, using as multipliers the highest percentages and basic pay which he attained while serving on such active duty; or  
b. Retirement pay or retired pay, as the case may be, as provided by any law in effect at the time of his retirement;  
and, in addition thereto, if such member is, during such period of active duty, promoted to a rank or grade higher than that rank or grade on which his retired pay, retirement pay, or disability retirement pay was based, and has served satisfactorily in such higher rank or grade as determined by the Secretary of the Army, be entitled, on his return to a retired status or to the temporary disability retired list, to receive such retirement pay, disability retirement pay, or retired pay computed on the basis of the higher



rank or grade and which such member would be entitled to receive if serving on active duty in such higher rank or grade.\* \* \* \* \*  
\* \* \* \* \*

Paragraph 7, AR 35-1355 - "Termination of temporary disability retirement pay.- a. If, as a result of a periodic physical examination, a member of the uniformed services whose name appears on the temporary disability retired list is found to be physically fit to perform the duties of his office, rank, or grade, he shall -

(1) If an officer of a Regular component, have his disability retirement pay terminated upon the day prior to the date of his recall to active duty and his status on the temporary disability retired list terminated on the day prior to his reappointment to the active list;

(2) If an enlisted member of a Regular component, have both his status on such temporary disability retired list and his disability retirement pay terminated on the day prior to the date of his reenlistment in the Regular component from which placed on the temporary disability retired list; or

(3) If a member of a Reserve component, have such status and his disability retirement pay terminated on the day prior to the date of his reappointment or reenlistment in a Reserve component, as the case may be.

b. If any member referred to in a(1), (2), or (3) above does not consent to his appointment, reappointment, enlistment, or reenlistment authorized pursuant to section 405(2) or (b), Career Compensation Act of 1949, his status on the temporary disability retired list and his retirement pay shall be terminated as soon thereafter as practicable.\* \* \* \* \*

Paragraph 8, AR 35-1355 - "General.- When a member of the uniformed services is retired pursuant to the provisions of AR 600-450, he shall be entitled to receive disability retirement pay computed, at his election, by multiplying an amount equal to the monthly basic pay of the rank or grade held by him at the time of his retirement, by-

a. A number equal to the number of years of active service, as defined in AR 600-450 to which such member is entitled, multiplied by 2½ per centum; or

b. The percentage of his physical disability at the time of his retirement; provided that for the purpose of the computation of a above, fractions of one-half year or more of active service shall be counted as a whole year.\* \* \*

Paragraph 9, AR 35-1355 - "Permanent retirement for physical disability.- If, as a result of periodic physical examinations or upon termination of a period of 5 years from the date of temporary disability retirement, it is determined that a member shall be permanently retired for physical disability, under AR 600-450, he shall be entitled to receive disability retirement pay as prescribed in these regulations. For the purpose of computing such pay the percentage of his physical disability shall be determined as of the time of his permanent retirement.\* \* \* \* \*

Paragraph 10, AR 35-1355 - "Retirement with over 20 years' service.- Any member who shall have completed at least 20 years of active service as defined in AR 600-450 and who is otherwise qualified to be retired for physical disability, except that his disability is less than 30 per centum, shall be entitled to receive disability retirement pay as prescribed in these regulations; provided that the provisions of these regulations shall not be

interpreted to limit the application of any provisions of law relating to  
voluntary or involuntary retirement.\* \* \* \* \*

Paragraph 16, AR 35-1355 - "General.- A member of the uniformed services who has met the prescribed requirements for separation for physical disability with entitlement to severance pay benefits under AR 600-450 shall be entitled to receive disability severance pay computed as follows:

a. An amount equal to 2 months' basic pay of the rank or grade held by such member at the time of the placement of his name on the temporary disability retired list or at the time of his separation, whichever is earlier, and which such member would be entitled to receive at the time of separation if serving on active duty in such rank or grade, multiplied by a number equal to the number of years of active service to which such member is entitled as defined in AR 600-450, but not to exceed a total of 2 years' basic pay.\* \* \* \* \*

b. For the purpose of computing disability severance pay, fractions of one-half year or more of active service shall be counted as a whole year.\* \* \*

Paragraph 17, AR 35-1355 - "Members holding temporary rank or grade.- The disability severance pay of any member who shall have held a temporary rank or grade higher than the rank or grade held by him at the time of the placement of his name on the temporary disability retired list or at the time of his separation, whichever is earlier, and who shall have served satisfactorily in such higher rank or grade as determined by the Secretary of the Army, shall be computed on the basis of the monthly basic pay of such higher rank or grade at the time of placement of his name on the temporary disability retired list or at the time of separation, whichever is earlier.\* \* \*

Paragraph 21, AR 35-1355 - "Rates of retired pay.- a. General.- Officers retired from active service shall receive 75 per centum of the pay of the rank upon which they are retired.\* \* \* \* \*

b. Promoted and retired for disability.- Officers on a recommended list for promotion to any grade under title V Officer Personnel Act of 1947, who, at any time prior to promotion, are found incapacitated for service by reason of physical disability contracted in line of duty shall, when retired, be retired in the grade for which they were recommended, with retired pay at the rate of 75 per centum of the active-duty pay of the grade to which recommended, unless entitled to higher retired rank or pay under the provisions of law.\* \* \* \* \*

## 2 - Disability Pension

a - Soldiers other than officers

Article 88 - "If a soldier other than an officer is released as an infirmity case; or because of disability resulting from disease or wounds; or accident resulting from service which occurred during time of war or during his performance of security maintenance; or while pursuing outlaws; or in the case of endangering his life for the rescue of others; or because of assault upon him during his performance of duty, he will receive disability pension equal to:

- One third of his last base pay if the degree of disability was more than 20% but not exceeding 30%.
- One half of his last base pay if the degree of disability was more than 30% but not exceeding 50%.
- 85% of his last base pay if the degree of disability was more than 50% but not exceeding 90%.
- 75% of the last base pay of the grade of rank one grade higher than his rank if the degree of disability was more than 90% to 100%."<sup>4</sup>

Article 89 - "If a soldier other than an officer is released as an infirmity case; or because of disability resulting from disease or wounds; or accident resulting from service which occurred in cases other than those mentioned in the preceding article, he will receive disability pension equal to:

- One fourth of his last base pay if the degree of disability was more than 20% but not exceeding 50%.
- One third of his last base pay if the degree of disability was more than 50% but not exceeding 90%.
- One half of his last base pay if the degree of disability was more than 90% to 100%."<sup>5</sup>

Article 90 - "If a soldier is released for inability to continue service because of infirmity, disease, wounds, or accident not resulting from service and he has not completed fifteen years' service he is not entitled to claim disability pension but he will receive the benefits of discharge compensation stipulated in Article 96.

If he has completed fifteen years' service he will lawfully be placed in retirement."<sup>6</sup>

<sup>4</sup>See footnote, Article 87.

<sup>5</sup>See footnote, Article 87.

<sup>6</sup>See footnote, Article 87.

b - Officers

Article 91 - "If an officer is released as an infirmity case; or because of disability resulting from disease or wounds; or accident resulting from service which occurred during time of war or during his performance of security maintenance; or while pursuing outlaws; or in the case of endangering his life for the rescue of others; or because of assault upon him during his performance of duty, he will receive disability pension equal to:

- Sixty per cent of his last base pay if the degree of disability was more than 30% but not exceeding 50%.
- Eighty-five per cent of his last base pay if the degree of disability was more than 50% but not exceeding 90%.
- Seventy-five per cent of the last base pay of the grade of rank one grade higher than his rank if the degree of disability was more than 90% to 100%."<sup>7</sup>

Article 92 - "If an officer is released as an infirmity case because of disability resulting from disease or wounds, or accident resulting from service which occurred in cases other than those mentioned in the preceding article and before he attains fifteen years' service, he will receive disability pension equal to one-half of his last base pay.

If he is released after attaining fifteen years' service he will lawfully be placed in retirement and will receive the benefits of the added allowances stipulated in Article 102 in proportion to the degree of disability."<sup>8</sup>

<sup>7</sup>See footnote, Article 87.

<sup>8</sup>See footnote, Article 87.

3 - Ordinary Retirement Pension

a - Soldiers other than officers

Article 93 - "A soldier other than an officer who has completed at least fifteen years' service may be placed in retirement by decree or according to his request."<sup>9</sup>

b - Officers

Article 94 - "An officer who has spent at least fifteen years in the service including periods spent in the categories of suspension, extended leave, or temporary sickness may be placed in retirement according to his request or by decree under the following conditions:

- a. If he is inefficient in discharging the functions of his rank according to investigation by the board referred to in Article 66.
- b. If he has received disciplinary punishment and in accordance with the opinion of the disciplinary board referred to in Article 61.
- c. If he is in the category of temporary sickness for reasons not related to service and attains fifteen years' service in this category.
- d. In case of the abolishment of his position."<sup>10</sup>

Article 95 - "An officer has the right to request retirement if he has spent at least twenty-five years in the service including periods spent in the categories of suspension, extended leave, or temporary sickness."<sup>11</sup>

<sup>9</sup> Paragraph 1, AR 615-395 - "General.- That when an enlisted man shall have served thirty years either in the Army, Navy, or Marine Corps, or in all, he shall, upon making application to the President, be placed upon the retired list.\* \* \* \* \*

Paragraph 3, AR 615-395 - "Application.-An enlisted man who desires to retire and who believes himself eligible will submit to his immediate unit commander an Application for Retirement \* \* \*. The application will contain a statement of service compiled by the enlisted man from memory and from records as may be available \* \* \* \* \*

Paragraph 4, AR 615-395 - "Whenever any enlisted man of the Regular Army shall have completed a minimum of 20 but less than 30 years of active Federal service, he may, under such regulations as the Secretary of the Army shall prescribe, upon his own request be transferred to the Enlisted Reserve Corps and thereupon will be placed on the retired list of the Regular Army.\* \* \* \* \*

Paragraph 6, AR 615-395 - "Application.-Application for retirement under this section will be submitted in accordance with Paragraph 3."

<sup>10</sup> See footnotes, Articles 60, 61, and 65.

<sup>11</sup> Paragraph 1, AR 605-245 - "After 20 years' service.-a. That any /commissioned/ officer on the active list of the Regular Army\* \* \* or Philippine Scouts or any officer of the Reserve components of the Army of the United States \* \* \* who shall have completed not less than twenty or more than thirty years' active Federal service in the Armed Forces of the United States, at least ten years of which shall have been active commissioned service, may in

the discretion of the Secretary of the Army\* \* \* \* be retired upon his own application with annual pay equal to 2½ per centum of the annual active duty base and longevity pay of the rank with which retired, multiplied by the number of years of service credited for longevity pay purposes and not to exceed a total of 75 per centum of such annual active duty base and longevity pay: Provided, That in computing the number of years of such service for the purpose of determining the percentage of active-duty annual pay, and for no other purpose, any fractional part of a year amounting to six months or more shall be counted as a complete year: Provided further, That for the purpose of determining years of service credited for longevity pay in the case of a general officer, such service shall be that which would be credited to such general officer if he were on the promotion list and serving in the grade of colonel.\* \* \* \* \*

b. The policy of the Department of the Army is to deny voluntary retirement applications of male Regular Army officers under a above unless the officer has over 20 years' active Federal service and is otherwise eligible for retirement under Paragraph 3.

c. Voluntary retirement applications of male officers of the Reserve components of the Army of the United States requested under a above, normally will be denied except for those officers who -

- (1) Have completed 20 years' active Federal service, or
- (2) Will reach age 60 within 6 months of the desired effective date

of retirement, or

(3) Are relieved from extended active duty under honorable conditions for reasons other than at their own request\* \* \* \* \*

d. /Regular Army/ Warrant officers shall be entitled to retirement under the same conditions as commissioned officers: Provided, That hereafter /Regular Army/ warrant officers may, in the discretion of the Secretary of the Army \* \* \* \*, be retired after twenty years of active service: Provided further, That a /Regular Army/ warrant officer retired after twenty years of active service shall receive retired pay at the rate of 2½ per centum of the annual active duty base and longevity pay at the time of retirement multiplied by the number of years of service credited for longevity pay purposes and not to exceed 75 per centum of such annual active duty base and longevity pay: Provided further, That a fractional year of 6 months or more shall be considered a full year in computing the number of years' service by which the rate of 2½ per centum is multiplied.\* \* \* \* \*

e. The policy of the Department of the Army is to deny voluntary retirement applications of warrant officers of the Regular Army unless the applicant has completed 30 years active Federal service or will reach the age of 60 within 6 months of the desired effective date of retirement.

Paragraph 2, AR 605-245 - "After 30 years' service.-\* \* \* \*When an/Regular Army/ officer has been thirty years in the /active/ service, he may, upon his own application, in the discretion of the President, be so retired, and placed on the retired list.\* \* \* \* \*

Paragraph 4, AR 605-245 - "After 40 years' service.-\* \* \* \*When an officer has served forty years either as an officer or soldier in the regular or volunteer service, or both, he shall, if he makes application therefor to the President, be retired from active service and placed on the retired list,\* \* \* \*. This act is not self-executing, but affirmative action by the President is required, through the Secretary of the Army.\* \* \* \* \*

## 4 - Discharge Compensations

a - General Provisions

Article 96 - "If a soldier is released for physical disability not resulting from service and is not entitled to retirement pension he will receive a discharge compensation equal to one month's pay for each year of the first ten years and two months' pay for each year exceeding ten years."<sup>12</sup>

b - Soldiers other than officers

Article 97 - "The following provisions apply to soldiers other than officers who are released from the service according to their own request or by provision of the law before completing fifteen years' active service:

- a. If he has spent less than six years in the service he will be released without compensation.
- b. If he has service more than six years to ten years, the retirement deductions from his pay will be returned to him.<sup>13</sup>
- c. If he has served for more than ten years he will receive discharge compensation equal to one month's pay for each year of the first ten years and two months' pay for each year exceeding ten years. By this pay is meant the average fixed pay subject to retirement deductions the last year.
- d. If his name has been written off (the cadre list) in accordance with the provisions of the second paragraph of Article 54, he will receive half the amounts to which he is entitled in accordance with the preceding paragraph of this article."<sup>14</sup>

Article 98 - "If a soldier other than an officer is returned to active service, he will be entitled to request the insertion of his previous service in his account for retirement pension or discharge compensation on the condition that he submits application for this within three months from the date of his return to service and that he returns to the Treasury the amounts he received according to the provisions of the previous article by monthly installments for twelve months."<sup>15</sup>

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<sup>12</sup> Soldiers retired from the Army of the United States receive a pension, either the normal retirement pension or physical disability pension. If they are released, not retired, from the service for any other reason, including expiration of enlistment, they receive no extra compensation but merely all pay and allowances due them at time of discharge.

<sup>13</sup> These retirement deductions contributed toward pension.

<sup>14</sup> Soldiers in the Army of the United States do not contribute toward pension. See footnote, Article 96.

<sup>15</sup> Service in any of the Armed Forces of the United States at any time is counted for longevity and retirement pay purposes. This service may be continuous or broken.

Article 99 - "In the event of the death of a soldier other than an officer before the payment of these installments, 15% from the retirement pension specified for his heirs will continue to be deducted. In case of discharge compensation or returning of retirement deductions all installments unpaid will be deducted from the discharge compensation or deductions due." 16

16

Paragraph 1, AR 35-1370 - "Statutory Provisions.- a. Regular Army.- Immediately upon official notification of the death from wounds or disease, not the result of his own misconduct, of any officer or enlisted member on the active list of the Army or on the retired list when on active duty, the Chief of Finance, United States Army, shall cause to be paid to the widow; and, if there be no widow, to the child or children; and, if there be no widow or child, to any other dependent relative of such officer or enlisted member previously designated by him, an amount equal to 6 months' pay at the rate received by such officer or enlisted member at the date of his death. The Secretary of the Army shall establish regulations requiring each officer and enlisted member having no wife or child to designate the proper dependent relative to whom this amount shall be paid in case of his death. Said amount shall be paid from funds appropriate for the pay of the Army; provided that none of the funds appropriated for the purposes stated herein shall be used for payment of the six months' pay to any married child or unmarried child over 21 years of age of a deceased officer or enlisted member who is not actually a dependent of such deceased officer or enlisted member; and provided further that in the event of the death of any beneficiary before payment to and collection by such beneficiary of the amount authorized herein, such gratuity shall be paid to the next living beneficiary in the order of succession above stated; and provided further that if there be no widow, child, or previously designated dependent relative, the Secretary of the Army shall cause the amount herein provided to be paid to any grandchild, parent, brother, sister, or grandparent shown to have been dependent upon such officer or enlisted member prior to his death, and the determination of such fact by the Secretary of the Army shall be final and conclusive upon the accounting officers of the Government; and provided further that the last foregoing proviso shall be effective as of 27 August 1940.  
\* \* \* \* \*

b. Other than Regular Army.

(1) Army of the United States.- All officers, warrant officers, and enlisted members of the Army of the United States other than the officers and enlisted members of the Regular Army who -

(a) If called or ordered into the active military service by the Federal Government for extended military service in excess of 30 days suffer death in line of duty from disease while so employed; or

(b) If called or ordered by the Federal Government to active military service or to perform active duty for training or inactive duty training for any period of time, suffer death in line of duty from injury while so employed, shall be deemed to have been in the active military service during such period and shall be in all respects entitled to receive the same pensions, compensation, death gratuity, retirement pay, hospital benefits, and pay and allowances as are now or may hereafter be provided by law or regulation for officers and enlisted members or corresponding grades and length of service of the Regular Army.\* \* \* \* \*



c - Provisions Common to Officers and other Soldiers

Article 100 - "A soldier will be deprived of his right to retirement pension or discharge compensation, and retirement deductions will not be refunded to him, if he is stripped of his rank or dismissed in accordance with the two Articles 143-144 of the Military Penalties Law."<sup>17</sup>

Article 101 - "Retirement pension may not be computed unless the retired officer or soldier serves at least one year in the Army after his return to active service in accordance with the provisions of Article 109 and this period may be continuous or interrupted. In the event of his return to service, retirement pension will not be added to active service pay."<sup>18</sup>

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(2) National Guard.- All officers, warrant officers, and enlisted men of the National Guard of the United States, both ground and air, the federally recognized National Guard of the several States, Territories, and the District of Columbia -

(a) If engaged for periods in excess of thirty days in any type of training or active duty under sections 5, 81, 92, 94, 97, or 99 of the National Defense Act, as amended, suffer disability or death in line of duty from disease while so engaged; or

(b) If engaged for any period of time in any type of training or active duty under such sections of the National Defense Act, as amended, suffer disability or death in line of duty from injury while so employed, shall be in all respects entitled to receive the same pensions, compensation, death gratuity, retirement pay, hospital benefits, and pay and allowances as are now or may hereafter be provided by law or regulation for officers and enlisted members of corresponding grades and length of service of the Regular Army.\* \* \* \* \*

Paragraph 2, AR 35-1370 - "Computation of amount of death gratuity.- The amount of the death gratuity due the beneficiary of a service member includes the compensation of every kind and character received by such member at the date of his death but does not include allowances.\* \* \* \* \*

Paragraph 4, AR 35-1370 - "Six months' death gratuity exempt from indebtedness.- The amount of the six months' pay cannot be used for the debt of the officer or enlisted member, not even for overpayment.\* \* \* \* \*"

<sup>17</sup>This is also applicable in the Army of the United States.

<sup>18</sup>Paragraph 3, SR 35-1350-1 - "Recall to active duty or relief from active duty.- a. When a retired member is recalled to active duty, he will be paid his active duty pay and allowances by the disbursing officer at his station, who will immediately upon preparation of the military pay record, forward the fourth copy of the military pay order to the Finance Officer, Washington Finance Office, U.S. Army, Washington 25, D.C., or to the designated disbursing officer of the particular area concerned, as the case may be. Upon receipt of such information, the disbursing officer will make payment of the retired pay due and forward a transcript of such payment to the disbursing officer at the individual's station.

Article 102 - "The following items will be entered in the settlement of retired pension or discharge compensation:

- 1 - The number of years of service.
- 2 - Extra credit for service added to the number of years of service in connection with war operations and this extra credit is equal to:
  - Double the period of active service performed during war in the combat area or during security maintenance operations in a state of emergency.
  - Double the period of active service performed during war outside the combat area.

The extra credit and service will be reckoned by the month and fractions of a month will not be considered.

3 - Soldiers who have been in the service at least fifteen years and if it is proved upon their being placed in retirement that they suffer a degree of disability of more than fifteen per cent as a result of wounds or sickness attributed to the service, will be granted in accordance with their degree of disability extra allowances equal to:

- One year if the degree of disability was between 15 and 30 %.
- Two years if the degree of disability was between 30 and 50 %.
- Three years if the degree of disability was between 50 and 70 %.
- Four years if the degree of disability was between 75 and 80 %.
- Five years if the degree of disability was between 85 and 90 %.
- Six years if the degree of disability was between 95 and 100 %."19

b. Upon relief from active duty the member will be paid active duty pay and allowances in full by the local disbursing officer, including payment for the date of relief from active duty. The military pay record will be closed and forwarded to the disbursing officer designated to pay the member's retired pay.

Paragraph 4, SR 35-1350-1 - "Placed on the retired list and called or retained on active duty the day following retirement.- Individuals who are placed on the retired list and called to or retained on active duty the day following retirement are in a continuous active duty status for pay purposes and will continue to be paid by local disbursing officers. Advice should be furnished such individuals that it is not necessary to execute and forward any forms pertaining to their status as retired members until they are relieved from active duty and revert to the retired list.\* \* \* \* \*"

19

Paragraph 2, AR 35-1350 - "Computation of retired pay.-a. General. - On and after 1 October 1949 members of the uniformed services retired for reasons other than for physical disability, and members of the Army Nurse Corps heretofore retired under the Act\* \* \* \*, shall be entitled to receive retirement pay, in the amount, whichever is the greater, computed by one of the following methods:

- (1) The monthly retirement pay in the amount authorized for such members and former members by provisions of law in effect on 11 October 1949, or
- (2) Monthly retired pay equal to  $2\frac{1}{2}$  per centum of the monthly basic pay of the highest federally recognized rank or grade whether under a permanent or temporary appointment, satisfactorily held by such member or former member as determined by the Secretary concerned, and which such member, former member, or person would be entitled to receive if serving on active duty in such rank or grade, multiplied by the number of years of active service creditable to him; provided, that for the purpose of such computation, fractions of one-half year or more of active service shall be counted as a whole year.\* \* \* \* \*

Article 103 - "The districts which are invested with the right to award extra credit are defined as per decree in accordance with the proposal of the Minister of National Defense based on the recommendations of the Supreme Military Authority."

Article 104 - "Retirement pension will be settled for each year on the basis of one-fiftieth of the average fixed pay specified in the last year of service."<sup>20</sup>

Article 105 - "Extra credit and allowances stipulated in Article 102 does not give the soldier the right to retirement pension unless his service has amounted to at least fifteen years but it will be entered in his account for discharge compensation."<sup>21</sup>

Article 106 - "In any case retirement pension may not exceed: 90% of the soldier's last pay if the pension due him is disability pension. 75% of the average fixed pay specified in the last year of service."<sup>22</sup>

Article 107 - "If a soldier is entitled to disability pension and his service gives him the right to normal retirement pension, he will receive the benefits of the greater pension."<sup>23</sup>

Article 108 - "From the date of the promulgation of this law retired members of the Army will be granted family allowances stipulated in the first article of the Law of 12 January 1944."<sup>24</sup>

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b. Maximum 75 per centum.- In no case shall retired pay exceed 75 per centum of the monthly basic pay upon which the computation is based.\* \* \* \* \*

See footnote, Article 87.

<sup>20</sup> See footnote, Article 102.

<sup>21</sup> See footnote, Article 102.

<sup>22</sup> See footnotes, Articles 87 and 102.

<sup>23</sup> See footnotes, Articles 87 and 102.

<sup>24</sup> Retired members of the Army of the United States do not receive family allowances. See footnotes, Articles 87 and 102.

Article 109 - "A retired soldier or one discharged from the service with discharge compensation will remain at the disposal of the army command for a period of five years following his release if he was an officer, and for a period of ten years following his release if he was other than an officer and during this period the Supreme Military Authority has the right to recall him to service temporarily during war operations, in a state of emergency, or when the exigencies of the service demand."<sup>25</sup>

Article 110 - "Retirement pensions and discharge compensations will be transferred to members of the soldier's family in accordance with the provisions of the general retirement law, but

- The families of soldiers who die as heroes on the battlefields in time of war and during war operations in time of peace or who die because of wounds received on the battlefields and under the conditions mentioned, will be given retirement pension equal to seventy-five per cent of the base pay in accordance with the retirement pension of a soldier whose rank is one grade higher than the rank of the martyred or deceased soldier. These rights will be settled in accordance with the provisions of the retirement law.

- The families referred to in the preceding paragraph will be given, in addition to the retirement pension, financial assistance equal to the pay of one year including all lawful compensations supplementing the pay and the children will be admitted to government schools free of charge and with priority."<sup>26</sup>

Article 111 - "The general retirement law will be applied to all that is not expressly stipulated in this chapter."

<sup>25</sup> AR605-245, Paragraph 38. "Retired and wholly retired officers, status.- A Regular Army officer placed on the retired list is still an officer of the United States \* \* \*. But an officer wholly retired becomes a civilian and cannot be readmitted to the service otherwise than by a new appointment\* \* \* \* \*, and his name shall be omitted from the Army Register.\* \* \* \* \*"

AR615-395, Paragraph 25. "Recall to active duty.- a. General.- During an emergency declared by Congress any retired enlisted man may be recalled to active duty for a specific assignment if physically qualified to perform the duty required by such specific assignment."

<sup>26</sup> See footnote, Article 99.

## NINTH CHAPTER

## Miscellaneous Provisions

Article 112 - "The wearing of the military uniform is obligatory for reserve officers, adjutant, and adjutants first class whenever they attend meetings or military drills to which they are called. They are also allowed to wear the uniform when they attend parades, gatherings, holiday celebrations, and official ceremonies provided that they abstain from taking part in demonstrations during these occasions.

- It is forbidden for them to wear the uniform at occasions other than those mentioned and especially for attendance at public or private meetings which have a political or electoral trait or during the practice of any profession."<sup>1</sup>

<sup>1</sup>AR 600-32, Paragraph 9. "Wearing of uniform in public demonstrations.- The wearing of the uniform in a public demonstration or activity of any organization listed in SR 600-220-11.....(list of suspected subversive organizations).....by any person authorized to wear the uniform is prohibited and will be cause for disciplinary action.

\* \* \* \* \*

AR 600-32, Paragraph 17. "Organized Reserve Corps.-a. Officers.

(1) Reserve officers on duty.- Except as otherwise prescribed. A Reserve Officer on duty will wear the uniform, including insignia, prescribed for officers of the Regular Army. Members of the Organized Reserve Corps will provide themselves with service uniforms and insignia of the branch in which commissioned, for use when ordered to active duty.

(2) Nonmembers of the Regular Army not on active duty.-

(a) Reservice officers not members of the Regular Army, not on active duty and within the limits of the United States or its possessions, may wear the uniform on occasions of military ceremony, at social functions in informal gatherings of a military character, and when engaged in the military instruction of a cadet corps or similar organization, or when responsible for the military discipline at an educational institution. Such Reserve Officer also may wear the uniform when attached to a military organization for target practice, when visiting a military station for participation in military drills or exercises, or when assembled for the purpose of military instruction.\* \* \* \* \*

(b) Reserve officers not on active duty who are enrolled as undergraduates in any educational institution in which there is an active Reserve Officers' Training Corps unit or an established quota of the Enlisted Reserve Corps may wear the uniform and insignia of their commissioned grade only upon such occasions as may be expressly desired or authorized by the professor of military science and tactics or other proper official of the school concerned. Reserve officers, attending institutions at which military training is required curricular activity are authorized and may be required to wear the uniform prescribed by the institution, including the insignia of any grade or rating held in the student unit.

Article 113 - "After the lapse of the first five years following their release from the service reserve officers may, upon their request, become honorary officers and they will then carry the title referring to their last rank as a reserve officer followed by the word honorary. In this case they will be allowed to wear the military uniform in accordance with the circumstances and conditions allowed for reserve officers."<sup>2</sup>

(c) Reservice officers not on active duty and outside the United States or its possessions will not, except when granted authority by the Department of the Army, wear the uniform. Such officers on occasions of military ceremony or other military functions may, upon reporting to the nearest military attache and having their status accredited, be granted authority to appear in uniform. In a country to which no military attache is accredited, authority to wear the uniform for a specific occasion should be obtained from the proper civil or military authorities of the country concerned.\* \* \* \* \*

(3) Members of the Regular Army not on active duty as Reserve Officers.-

(a) Warrant officers and enlisted men on the active list of the Regular Army who hold commissions in the Organized Reserve Corps may wear the uniform of their grade in the Organized Reserve Corps as follows, when-

1. Undergoing voluntary training designed for Reserve Officers which they have been authorized to take by proper authority, and in going to and returning from this training.

2. Attending meetings or functions of associations formed for military purposes, the membership of which is composed largely or entirely of officers of the United States Army or of former members of the service.

(b) The uniform of the Reserve grade will not be worn by warrant officers and enlisted men on the active list of the Regular Army in an office of the Department of Defense, or at places where they would come in contact with troops of the Regular Army, or of the National Guard when called into Federal service, except when the wearer is on active duty as a Reserve officer or as is otherwise authorized in this paragraph.

b. Enlisted.- Members of the Enlisted Reserve Corps on active duty will wear the uniform and insignia of the branch to which they are assigned and when not on active duty may wear the prescribed uniform under conditions similar to those set forth in § (2)(a) and (b) above\* \* \* \* \*

\* \* \* \* \*

AR 600-32, Paragraph 19. "Persons who served honorably in time of war.-

a. All persons who have served honorably in the Army of the United States during war shall, when not in the active military service of the United States, be entitled to bear the official title and upon occasions of ceremony, to wear the uniform of the highest grade held by them during their war service.\* \*

b. The uniform to be worn under the foregoing provisions will be, at the option of the wearer, either that prescribed for persons of corresponding grade in their branch at date of separation from the service or that prescribed for persons on the active list, except that the uniforms will not be mixed and the insignia of branch will not be worn."

<sup>2</sup> AR 605-255, Paragraph 1. "General.- The Officers Honorary Retired List was established by section I, War Department General Orders 11, 1945,

for the purpose of providing a measure of recognition for officers and former officers of the Army of the United States not members of the Regular Army who have served faithfully and well for long periods of service or during national emergencies.

AR 605-255, Paragraph 2. "Publication.- a. The Officers Honorary Retired List will be published annually by the Adjutant General as a section of the official Army Register. It will consist of an alphabetical listing of officers, showing name, grade, Army serial number, component, and permanent address.

b. One copy of each current list will be furnished each officer listed.

AR 605-255, Paragraph 3. "Eligibility.- Those in the following categories are eligible for inclusion on the Officers Honorary Retired List:

a. An officer of the Inactive National Guard who has served honorably on active duty as an officer in time of national emergency or who has completed 15 years of honorable service in an active or inactive status (including warrant officer and enlisted service) in any component of the Armed Forces of the United States.

b. An officer of the Honorary Reserve of the Organized Reserve Corps who has served honorably on active duty as an officer in time of national emergency or who has completed 15 years of honorable service in an active or inactive status (including warrant officer and enlisted service) in any component of the Armed Forces of the United States.

c. A former commissioned officer of the Army whose separation therefrom was under honorable conditions and who meets one of the following conditions:

(1) Has reached the age of 60 years.

(2) Has completed 15 years of honorable service in an active or inactive status (including warrant officer and enlisted service) in any component of the Armed Forces of the United States.

(3) Has served honorably in time of national emergency but is not eligible for appointment in the National Guard of the United States or the Organized Reserve Corps.

Note.- Officers on the Regular Army or Army of the United States retired lists are not eligible.

AR 605-255, Paragraph 4. "Pay and allowances.- No pay and allowances will accrue to an officer as a result of his being placed upon the Officers Honorary Retired List.

AR 605-255, Paragraph 5. "Placement upon list.- a. Eligible officers will be placed upon the Officers Honorary Retired List only upon their own application. Such application will be made to The Adjutant General in letter form and will include the officer's full name, grade, Army serial number, permanent address, and the facts upon which he bases his claim to eligibility.

b. Once placed upon the Officers Honorary Retired List each officer is required to forward to The Adjutant General not later than 1 June of each year his current permanent address.

AR 605-255, Paragraph 6. "Removal from list.- Officers will not be removed from the Officers Honorary Retired List except for death; for mis-

Article 114. - "All soldiers are prohibited from taking part in political affairs or joining any party or society whatever quality or aims it may have. Any infraction of these instructions will result in punishment stipulated in the Military Penalties Law."<sup>3</sup>

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conduct; for failure to report current permanent address each year as required in paragraph 5b; upon placement upon another Department of the Army retired list; or upon written request to The Adjutant General by the officer concerned.

AR 605-255, Paragraph 7. "Misconduct.- Misconduct, as a cause for removal of an officer from the Officers Honorary Retired List, shall be construed to mean conduct unbecoming an officer and gentleman or conduct of a nature to bring discredit upon the military service, and shall include violations of paragraph 25 and 26, AR 600-40.

AR 605-255, Paragraph 8. "Active duty.- In time of war or national emergency an officer on the Officers Honorary Retired List who also holds an appointment in the inactive National Guard or in the Honorary Reserve may be ordered to active duty."

<sup>3</sup>AR 600-10, Paragraph 17. "Political activities.- Members of the Army, while on active duty, will not use their official authority or influence for the purpose of interfering with an election or affecting the course or outcome thereof. Such persons, while on active duty, retain the right of vote, to express their opinions privately and informally on all political subjects and candidates, and to become candidates for public office as permitted by these regulations. They will not be permitted to participate in any way in political management or political campaigns. The foregoing prohibition includes, among other things, activity at political conventions or on political committees, participation in political campaigns, the making of political speeches, the publication of articles, or any other public activity looking to the influencing of an election or the solicitation of votes for themselves or others. All persons in the military service, active and retired, are subject to the restraints imposed by the Uniform Code of Military Justice, Article 88. Particular attention is directed to the following statutory provision:

It shall be unlawful for any commissioned, noncommissioned, warrant, or petty officer in the armed forces of the United States (1) to attempt to influence any member of the armed forces to vote or not to vote for any particular candidate, or (2) to require any member of the armed forces to march to any polling place or place of voting, but nothing in this Act shall be deemed to prohibit free discussion regarding political issues or candidates for public office.\* \* \* \* \*



## SECOND PART

### The Air Force.

This part, consisting of Articles 115 through 150, is divided into seven chapters dealing with regulations peculiar to the Lebanese Air Force. These chapters set forth the provisions relating to definition of terms, enlistment and appointment, promotion, punishments, positions and terminations of service, and medical provisions.

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### THIRD PART

#### Interim and Abrogated Provisions

Article 151 - "The Supreme Military Authority is entitled to regulate technical matters connected with the Army. Administrative matters will be issued by decree."<sup>1</sup>

Article 152 - "For promotion or retirement, service performed in one of the following armies or military organizations before 1 August 1945 by every Lebanese soldier under arms at the time this law is put into effect will be counted:

a. The Ottoman Regular Army and Gendarmerie and the Arab Forces before 1921."<sup>2</sup>

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<sup>1</sup>AR 320-5, Paragraph 10. "Administrative and technical services.- This term means the services listed in a and b below.

a. Administrative services.- This term means the following:

- (1) Adjutant General's Corps.
- (2) Chaplains.
- (3) Military Police Corps.

b. Technical services.- This term means the following:

- (1) Army Medical Service.
- (2) Chemical Corps.
- (3) Corps of Engineers.
- (4) Ordnance Corps.
- (5) Quartermaster Corps.
- (6) Signal Corps.
- (7) Transportation Corps.

The General and Special Staffs of the United States Army, corresponding to the Lebanese Supreme Military Authority, maintain supervision over the above-mentioned services.

<sup>2</sup>Up until the First World War, Lebanon was a part of the Ottoman Empire and the Lebanese, nominally Ottoman subjects, were allowed to enlist in the Ottoman Regular Army and Gendarmerie. Right after the First World War, the French were in military occupation of the Syrian coast and a provisional Arab government was established in the interior under the Amir Fayçal, the third son of Sharif Husayn who was the ruler of Hijaz in Saudi Arabia. Troops for the Arab Forces under this provisional Arab government were recruited from among Syrians and Lebanese.

- b. The Gendarmerie and all other military organizations belonging to the states which came under the French mandate.<sup>3</sup>
- c. Formations of Regular Allied Armies during the war 1939-1945 if the soldier belonged to the Special Armies of the Orient before joining these organizations.<sup>4</sup> The service mentioned in this paragraph will not be counted unless retirement deductions were paid to the treasury.<sup>5</sup>

Article 153 - "The Minister of Defense has the right to make contracts with non-Lebanese experts for their employment in the departments of the Army for a period of one year subject to renewal. These experts will not have any right of command in the Army."<sup>6</sup>

Article 154 - "The age of soldiers under arms at the present time and whose retirement pensions have not yet been settled will be considered as that age recorded according to the census of 1932 except those adjusted before 1 August 1945 in accordance with Laws in force."

Article 155 - "Soldiers under arms at the present time whose previous service in the Army was performed before 20 March 1930 and who are under legal age, will be credited with this previous service in the settlement of retirement pension."<sup>7</sup>

Article 156 - "This law will be applied as from the date of its promulgation and rescinds all previous conflicting provisions and stipulations."

<sup>3</sup>Under the French mandate, local troops were recruited and enlisted in the Special French Forces in the Orient.

<sup>4</sup>During the Second World War, Lebanese were allowed to volunteer for service with the Allied Forces and were taken into these forces in units sometimes with their own commanders.

<sup>5</sup>See Footnote, Article 98.

<sup>6</sup>Non-citizens of the United States may be employed by the Department of the Army as civilians for specific and technical assignments.

<sup>7</sup>See Footnote, Article 98.