

T  
271

THE POSITION OF THE HIGH COMMISSIONER IN  
THE ADMINISTRATION OF LEBANON UNDER  
THE MANDATE.

Leila Wadih Canaan.

Submitted in partial fulfillment  
for the requirements of the degree  
Master of Arts in the History  
Department of the  
American University of Beirut,  
Beirut, Lebanon.  
1959.

The High Commissioner in Lebanese Administration.

Canaan.

## ABSTRACT

It has been my purpose to examine the position, prerogatives and powers of the chief executive officer of the mandatory administration in relation to the mandate, the constitution and the actual practice.

Between 1861 and 1914 Mount Lebanon was ruled by a Mutasarrif who was the chief executive. In 1861, the Mountain was administratively re-organized and an Administrative Council was established. At the outbreak of the First World War the autonomus status of Lebanon was abolished and a period of direct Turkish rule began. On October 8, 1918 the British and French forces entered Beirut and a period of direct French military administration began, characterized by a strict centralization of power. On September 1, 1920 General Gouraud proclaimed the Greater Lebanon and introduced a new administrative civil organization which corresponded to the previous regime in its distribution of power.

On March 18, 1920 the High Commissioner became the secondary ordinator on expenses related to the budget of the ministry of Foreign Affairs.

On April 3, 1920, he was granted consular powers in civil penal jurisdiction and police, birth certificates, the preservation of archives, passports etc... On November 23, 1920, the High Commissioner was entrusted with the mandatory duties and was held in charge of the different branches of the Haut Commissariat. He controlled directly or indirectly all the officials of the State of different ranks, Frenchmen or Lebanese. He introduced all administrative changes concerning the State, he instituted and defined the powers of commissions or councils and could also dissolve these.

On March 8, 1922 the acting High Commissioner replaced the Administrative Commission by a Representative Council, he organized its procedure and fixed its jurisdiction. It was an assembly composed of 30 members elected by universal suffrage and for a period of four years. The Council met in two ordinary sessions every year; the Governor summoned for the extra ordinary sessions.

On the same occasion the High Commissioner fixed the prerogatives of the Governor of Greater

Lebanon, and on September 6, 1924, the Governor instituted a State Council which was approved by the High Commissioner.

On May 23, 1926, Greater Lebanon was granted a Constitution whereby the President of the Republic, and the Senate<sup>1</sup> and the Chamber of Deputies exercised executive and legislative powers respectively. The Lebanese Republic had seven ministries, each headed by a minister who was responsible to the Prime Minister, and in turn controlled by a French Counsellor; the local branches of administration also had French advisors. The High Commissioner, who was placed above the Constitution and in his capacity as mandatory representative, controlled, besides the bureaus of the Haut-Commissariat, the President of the Republic, the Prime-Minister, the Ministers. Through his delegated counsellors, he controlled the local branches of administration.

According to the Constitution of 1926, the High Commissioner was (supposed to) safeguard

---

1. According to the ammendment of 1927, the Senate House was abolished, and only the Chamber of Deputies exercised legislative powers.

the Consitution. Between 1926 and 1943, he suspended the constitution three times.<sup>1</sup>

During non-constitutional life the High Commissioner appointed the Head of Government and regulated the exercise of legislative and executive power. When the Chamber was also dissolved (in 1939), the High Commissioner appointed the state secretary who exercised the powers which formerly belonged to the Prime-Minister and the Ministers. Moreover, and between 1932 and 1939 the High Commissioner introduced other changes in the administration. E.g., number of deputies in the Chamber.

Thus, though the French modernized the administration and introduced new forms of parliamentary government, yet there remained a strict centralization of power and the High Commissioner held the greatest power and his authority was both supreme and ultimate.

The French Administration granted, potentially the Chief Executive wide prerogatives, so

- 
1. The Constitution was suspended between:
    - a. May 9, 1932 - January 4, 1937.
    - b. September 21, 1939 - March 18, 1943.
    - c. November 10, 1943 -

in 1943 the President of the Republic inherited both the constitutional and the conventional powers of the High Commissioner, which he had exercised extensively.

## TABLE OF CONTENTS

	<u>Pages</u>
Abstract	vi
Table of Contents	
Chapter I. The Administration in Lebanon between 1861-1920.	1
Chapter II. The Mandate, The High Commi- ssioner and the Haut- Commissariat.	28
Chapter III. Administrative changes Introduced by the Mandatory 1922-1930.	42
Chapter IV. A period of Administra- tive Unrest, 1932-1943.	62
Conclusion.	76
Bibliography.	80



## Chapter I

On July 25, 1860 representatives from France, Austria, Great Britain, Prussia, Russia and Turkey met in Paris to settle the question of Lebanon.<sup>1</sup> In the spring of that year civil strike had broken out in the country. The European representatives offered to help the Sublime Porte in maintaining security in the Lebanon. The Porte accepted the offer and a six-point Protocol was signed by which the European Powers agreed to send to Syria an army of 12,000 men to re-establish order, France providing half the force. The European Powers also promised to dispatch additional marine forces to the Syrian coast.<sup>2</sup> Accordingly, France sent 6,000 soldiers under the command of General Beaufort D'Hantpoul.

In the meantime Fu'ad Pasha - Minister of Foreign Affairs and the Porte representative - had come to suppress the revolt in the country. Since the troubles in Lebanon did not easily subside, in

- 
1. Mount Lebanon was bounded by Nahr El Kebir to the north of Tripoli and Nahr Al Ali in the north, by sahl Baalbeck and sahl of Beq'aa in the east, by Nahr Al Awali in the South and by the Mediterranean Sea in the west.
  2. Philip and Farid Al-Khazen, Majmū't Al Muharrarāt As-Siyasiyat Wa Al-Mufawadat Ad Dawliyat'n Suriya wa Lubnan (The collection of Political correspondence and International negotiations about Syria and Lebanon, Junieh, 1911), V. II, p. 238-239.

spite of Fu'ad Pasha's efforts, France, England, Russia, Prussia and Austria sent representatives to Beirut to make serious efforts on the spot to end the troubles. This committee revised the administrative arrangements which had been introduced on December 7, 1842 and which had divided the Lebanese Mountain into two Kaimmakamiet; the Christian Kaimmakamiet north of the Beirut - Damascus road,<sup>3</sup> and the Druze Kaimmakamiet south of that road.

On June 9, 1861 the first Protocol was issued. According to the first article the Mutasarrif of Mount Lebanon was to be a Christian appointed by the Sublime Porte and directly responsible to him. He (the mutasarrif) was given all the rights of the executive power, the responsibility of maintaining peace and order in the Mountain, and that of collecting all the revenue. The Porte gave him the power to appoint the local administrative officers and to install judges. The Mutassarrif presided over the meetings of the Great administrative Council and executed the official orders of the courts. The people of the mountain were represented by agents (Wukalā')

---

3. It corresponds to the present Beirut-Damascus road.

who were appointed by the notables of every sect.

The second article stated that the Great Administrative Council of Lebanon was to consist of twelve members, two Maronites, two Greek Catholics, two Greek Orthodox, two Sunnis and two Shi'ites. This Council had the power to distribute the revenue, take care of taxation and make suggestions on matters which the Mutasarrif brought forward.

The third article divided the mountain into six administrative districts:

1. Al-Koura and the villages which surrounded it; the inhabitants of which were Greek Orthodox, except for the town of Kalamoun where the majority of the inhabitants were Sunni Muslims.

2. Northern Lebanon as far as Nahr Al Kalb.

3. Zahle and its environs.

4. Al-Matn, Sahl Al Nasara, Al-Qati' and Salima.

5. Beirut and south of the Damascus road as far as Jezzine.

6. Jezzine and the province of Al-Tiffah.<sup>4</sup>

Each district was to be administered by an

---

4. Bulūs Mas'ad, Lubnān Wal Dustūr Al-Uthmāni, (Lebanon and the Ottoman Constitution, Al-Fahalat), p. 10.

officer appointed by the Mutasarrif; this officer belonging to the seat possessed of a local majority. Every district was to have an Administrative Council composed of three members. The districts were divided into Nahiyas which in turn were subdivided into communities of five hundred persons each. The Mutasarrif appointed an officer for each Nahiyay. The villagers elected their own Sheikhs who were to be subject to the approval of the Mutasarrif.

In 1864 Dā'ūd Pasha, the Mutasarrif of Mount Lebanon, visited Constantinople where he asked for the amendement of the Protocol of 1861. The Protocol of 1864 gave the Maronites (who formed the majority sect) four seats in the Great Administrative Council,<sup>5</sup> and added a seventh administrative district; the northern part of the mountain being divided into two districts, that of Beshherri, Al-Zawiya and Al-Batrūn, and that of Jubail, Jubbat-Al-Munytra, Al-Futūh and Kisrawān as far as Nahr Al-Kalb. The new amendement also divided the districts into Nahiyas similar to the practice prevalent in the country in 1842. The officer of the Nahiya was

---

5. According to the Protocol of 1864 the twelve members of the Great Administrative Council were as follows: four Maronites, three Druzes, two Greek Orthodox, one Catholic, one Shi'ite and one Sunni Muslim.

appointed by the Mutasarrif upon the suggestion of the mudir of the district. The Sheikh of every village was elected by the inhabitants and confirmed by the Mutasarrif. Furthermore, the Mutasarrif appointed the president of the Judicial Council and the judges.<sup>6</sup>

It appears from the minutes of the Great Administrative Council of Lebanon that the Mutasarrif had the right to increase the amount of the taxes and the number of the courts of first instance. He also had the right to ask the Great Administrative Council to determine the salary of each employee according to his ability. It was his duty to confirm the election of the members of the Council and the sheikhs of the villages and to supervise the work of some officers e.g., officer of gypsies etc. According to the amendment of 1864 the members of the Great Administrative Council were elected by the sheikhs of the villages, the former had the right to confirm the election of the sheikhs of the villages. In all matters discussed by the Council

---

6. 'Abd ar Rahmān 'Adra, Protocol Lubnan,  
(The Protocol of Lebanon: Beirut, 1952),  
p. 31.

the final decision was always left to the Mutasarrif. Thus, the powers and responsibility given to the Mutasarrif incline one to agree with a Lebanese scholar who said: "the Mutasarrif held the most serious position in the world."<sup>7</sup>

With the entry of Turkey into the First World War the period of Mutasarrifiyah in Lebanon came to an end. Ohannes Bey, an Armenian and the last Mutasarrif, was replaced in August 1915 by Ali Munif Bey. In November 1914 the Turkish commander-in-chief of the Fourth Army Ahmad Jamal Pasha<sup>8</sup> had arrived in Syria. In October 1915 Mount Lebanon was declared a sanjak, its autonomous status was abolished and a period of direct Turkish rule began.

Until January 1918 Jamal Pasha remained the dictator of Syria, Palestine and Lebanon, his rule was characterized by harshness, suffering and discontent. On August 21, 1915 eleven men were

- 
7. Cited by Adra, op.cit., p. 23, 32, from Kunuz. The author of Kunuz has not been identified. *in his book Syria and Lebanon*
8. According to S.H. Longrigg, Jamal Pasha was the minister of Marine and one of three important leaders of the committee of Union and Progress; the other two were Enver Pasha and Tal'at Pasha. Under French Mandate  
p. 47

hanged in Beirut for conniving with the Arab nationalists and with the French. The Turkish Administration introduced diverse administrative offices; an office of Education and an office of Health and Hygiene which established seven hospitals and a laboratory. All the other administrative offices were closed.<sup>9</sup>

Mount Lebanon suffered greatly from direct Turkish rule, its ports were closed to the importation of food stuffs resulting in a food shortage, and later in famine. The following passage which was published in the "Times" of September 15, 1916 illustrates the sufferings which the people had to endure:

Towards Spring cases of starvation began to be known. People were found in the streets unconscious, and were carried to the hospitals. We passed women and children lying by the roadside with closed eyes and ghastly, pale faces. It was a common thing to find people searching the garbage heaps for orange peel, old bones, or other refuse, and eating them greedily when found. Everywhere women could be seen seeking eatable weeds among the grass along the roads."<sup>10</sup>

---

9. Pierre Amory, Le Regime Administratif au Liban avant et depuis l'institution du Mandat International de la France sur ce territoire, (Lyon Bosc Freres, M. and L. Riou, 1939), p. 31-32.

10. <sup>Cited by</sup> George Antonius, The Arab Awakening, (Beirut, 1955), p. 203-204.

In January 1915, Jamal Pasha tried to occupy the Suez Canal zone but failed; in August of the following year another attack was launched under German leadership but again it proved a failure. And so with Lloyd George as head of the Cabinet and with Sir A. Murray as commander-in-chief in Egypt the British army decided to march into Palestine. On December 21, 1916 the British army occupied Al-'Arish and the campaign for Palestine was opened.<sup>11</sup> The Palestine campaign lasted from 1916 to 1918. On October 8, 1918 the "British Twenty First Corps, including most of the French Detachment Français de Palestine Syrie" entered Beirut; a small French army had landed in Beirut the day before and now other units came to the city from the east and from the south, while the British army occupied Tripoli.<sup>12</sup>

In the early days of October 1918, the Arab Government in Damascus<sup>13</sup> had sent to Beirut Shukri Pasha Al-Ayyubi to back, in Faisal's name,

---

11. Stephen Hemsley Longrig, Syria and Lebanon under French Mandate, (London, 1958), p. 47, 62.

12. Ibid., p. 65.

According to Longrig, op. cit., p. 64  
 13. The military governor of Damascus was Ridha Al-Rikabi.



the government <sup>from</sup> of Umar Bey Da'ud.<sup>14</sup> When on October 8, 1918 the British army entered Beirut the commander-in-chief, Allenby, removed Al-Ayyubi and appointed Colonel de Piepape, a senior French officer, as military governor of Beirut.<sup>15</sup>

When the Allied Troups entered Syria the following Ottoman territories were confided to the French Administration under the designation North Zone:

1. "Vilayet of Beirut excluding the sancak of Nablus and Saint Jean d'Arc which, according to the treaty of 1916, were part of the Southern Zone (Palestine) placed under British Administration.
2. "Autonomus province of the Lebanon.
3. Kaza of Alexandretta, Antioch, Harim, Beylan, and Djisir es-Shaqhur was attached to the sancak of Latakieh (Vilayet of Beirut).
4. Kaza of Hasbeya, Rachaya and Baalbeck (plain of Beqaa) detached from the

---

14. On October 1, 1918, Umar Da'ud replaced the Turkish Wali Ismail Haqqi Bey and established an Arab government.

15. Longrig, op.cit., p. 66.

vilayet of Damascus. However, in the instructions of October 22, 1918 the commander-in-chief made it clear that these kazas should remain administered by the Arab governments during the period of the military administrative regime. the northern zone underwent no new modifications, the 'status quo' remained until July 1920, when General Gouraud marched into Damascus.<sup>16</sup>

In January 1918, a special French administration was given to Cilicia in the north and henceforth the coastal region, formerly part of the Northern Zone, was separated into a Western Zone.<sup>17</sup> The new Western Zone included the following: the Vilayet of Beirut was composed of

1. The town of Beirut.
2. The sancak of Sidon which included the kazas of Sidon, Tyre and Merdjayoun.
3. The sancak of Tripoli which included the kazas of Tripoli, Safita, Hosn-el-Akrad and Akkar.

---

16. Contant-Biron, Comment La France s'est installée en Syrie 1918-1919, (Paris, 1922), p. 102-103.

17. Ibid., p. 103.

4. The sancak of Lattakieh which included the kazas of Lattakieh, Djible, Banias, Sahioun and Djisr es-Shaqhur.

The Province of the Lebanon was composed of the kazas of El-Koura, Batroun, Kesrowan, Zahle, Metn, El-Chouf, Jezzine and the autonomus mudirieh of Deir el Kamar. The autonomus sancak of Alexandretta was composed of the kazas of Alexandretta, Antioch, Harim and Beylan.<sup>18</sup>

With the British occupation military rule was enforced with certain modifications.<sup>19</sup> The French officers set up a Central Administration, for the whole of the Western Zone, which was to replace the Ottoman Administration.<sup>20</sup> The Allies saw to it that no Turk was kept in an administrative post. French officers held the positions of Vali and Mutasarrif. Many high Turkish officials

18. Ibid.

19. According to Gontant-Biron the people were not considered hostile, the word "Enemi" was only attributed to the territory which was under Turkish rule and not to the people who were ruled by the Turks.

20. According to Gontant-Biron, the first French officers to administer the Western Zone were the following: The administrator-in-chief: Colonel de Piepape, who was later replaced by the sous intendant Copin. The Secretary General was the

left the country before the arrival of the Allies. Moreover, Turks who still remained in Syria were asked to leave. French authors claim that the French government was obliged to reduce the degree of autonomy intended for the Western Zone because there were no competent Syrians to replace the Turkish officials. The Zone, therefore, was divided into vilayets and sancaks under direct French administration.<sup>21</sup>

The Central Administration had eight technical bureaus which were directly responsible to the General Secretariat. The eight bureaus were the following: Finance, Post Telegraph, Agriculture, Supplies, Water, Customs and Forests; Public Works; Health, Hygiene, Public Health; Justice; Commerce and

---

sous intendant Copin and later lieutenant Colonel Nieger.

The Administrative Counsellor of the Vilayet of Beirut was commandant Capdijelle and later Commandant Deluol. The Administrative Counsellor of the city of Beirut was Commandant Doizelet.

The Administrative Counsellor of the sancak of Saida was Captain Feijerl, and later Commandant Charpentier. The Administrative Counsellor of the sancak of Tripoli was Commandant Dupuis.

The Administrative Counsellor of the sancak of Lattakieh was lieutenant de la Roche, and later Commandant Minault. The Administrator of the Province of the Lebanon was Captain Beuscher, and later Commandant Sechet. The Administrative Counsellor of the autonomus sancak of Alexandretta was Captain Mathiot, and later commandant Malinjoud.

21. Ibid., p. 104-105.

industry; Gendermary and Police; Education. The General Secretariat included an office for non-military Affairs; that is dealing with questions concerning general administration, personnel, supplies, accounts and archives.<sup>22</sup> It was directly controlled by the Administrator-in-chief, from whom it received orders. The Administrator in chief controlled a military cabinet and was assisted by a private secretariat.

In each of these technical bureaus there were officers who helped the Administrator in chief. Two administrators were named for the vilayet of Beirut and the Province of the Lebanon. Every sancak had an administrative counsellor who was assisted by officers. The administrative counsellors occupied respectively "The offices of the Vali, the governor-general and the Mutasarrif of previous period."<sup>23</sup>

A sous gouverneur militaire was appointed for each kaza, he exercised direct administration where it seemed of any advantage to do so. On the

---

22. Ibid., p. 105.

23. Ibid.

other hand the Kaimmakams were mainly Syrians and occasionally Lebanese. According to a French authority<sup>24</sup> the sous-gouverneurs acted only as delegates of the occupying power since they served only as intermediaries between the High French representatives and the Syrian officers.<sup>25</sup>

The members of the General Council of the Vilayet of Beirut were the General counsellors of the sancaks of Sidon, Tripoli, Beirut and Latakieh. On February 24, 1919, this Council was given the right to vote on the budget during the period March 1 to December 3, 1919.<sup>26</sup>

The Administrative Counsellor of the sancak was responsible for its administration and represented in it the administrative counsellor of the vilayet. He supervised all the acts of the Mutasarrif and all the administrative services of the sancak, and was responsible for the maintenance of order and public security. He had the power of requisition over all the military forces on condition that any such action be explained to the higher authorities.

---

24. The French authority is Comte R. de Gontaut-Biron.

25. Gontaut-Biron, *op.cit.*, p. 106.

26. Arrête no.189 of February 24, 1919, Recueil des Arrêtes et Decisions de la Zone Ouest, 1918-1920, (Beyrouth, 1924, hence Recueil.....), p. 5.

Moreover, the Administrative Counsellor supervised permanently the Accounting department and the regular collection of taxes. He signed all financial requisitions before payment.<sup>27</sup>

The Administrative Counsellor, who was responsible to the administrative delegate, administered the kaza. He supervised all the work of the Kaimmakam and was responsible for the maintenance of public order and security. He had the power of requisition of the military forces, subject to permission from the administrative counsellor of the sancak. He permanently supervised the department of accounting and the regular collection of taxes. He also signed all financial requisitions before payment.<sup>28</sup>

The Mutasarrif held the highest local administrative authority in the sancak. He was responsible to the Administrative Counsellor of the sancak who acted as intermediacy between the administrative delegate and the Mutasarrif. The latter was responsible for the maintenance of public order and security in the sancak; the police and the gendarmarie forces being at his disposal.

---

27. Arrete no. 947 of January 23, 1920, Recueil, p. 6-7.

28. Ibid.

The Mutasarrif was requested, by the administrative counsellor, to go on inspection tours within the sancak and report on the conditions in the area. The Mutasarrif supervised the judicial affairs and Shari'a courts. He inspected the prisons and suggested necessary improvements. Moreover, he could impose penalties on the lower officials (judges and naibs) of the sancak. The officials of the sancak received order from the Mutasarrif; the latter's decisions were enforced only after the approval of the administrative counsellor of the sancak.<sup>29</sup>

The Kaimmakam was the highest official in the kaza, he was given the same privileges as the Mutasarrif except for the control of local order which was left to the administrative counsellor.<sup>30</sup>

On October 9, 1919 General Gouraud was appointed High Commissioner in Syria, Lebanon and Cilicia; on November 21, 1919 he arrived in Beirut.

On August 31, 1920, Lebanon regained its

---

29. Arrete no. 948 of January 23, 1920, Recueil, p. 8-9.

30. Ibid., p. 9-10.



natural and historical boundaries. The following kazas and sancaks were added to the administrative province of Lebanon: the kazas of Baalbeck, Beqa'a, Rachaya and Hasbaya; the sancak of Saida excluding the part given to Palestine by international agreement; the sancak of Beirut; the kaza of Tripoli, the part of the kaza of Akkar situated south of Nahr El-Kebir and part of the kaza of Hosn El-Akrad situated south of the northern boundaries of Greater Lebanon.<sup>31</sup>

Thus Greater Lebanon was given the following boundaries:

"In the north by a line that runs from the mouth of Nahr El-Kabir following the course of the river until it meets with its tributary Ouade Khalid opposite Djisr El Kamar. Greater Lebanon was bounded in the south by the bridge separating the Valleys of Ouade Khalid and the Orontes (Nahr Al Assi) and passing through the villages of Mesraat, Hasbaana, Hait, Ebbidj-Faissen, on a line with the villages of Brifa and Matrebeh; this line follows the northern limits of the kaza of Baalbeck towards the northwest, south-east, then the eastern limits of the kaza of Baalbeck, Beqa'a, Rachaya, and Hasbaya. Greater Lebanon was bounded

---

31. Arrete no. 318 of August 31, 1920, Recueil des Actes Administratifs du Haut Commissariat de la Republic Francaise en Syrie et au Liban 1919-20, (Beyrouth), hence Actes Administratifs, V. 1, p. 132-133.

in the south by the border of Palestine,  
and in the west by the Mediterranean  
Sea.<sup>32</sup>

As a result of the new territorial modifications, the administrative circumscription of the Vilayet of Beirut, its agencies and local administrative services were dissolved. As were the General Council, the Administrative Council of the Vilayet and the Administrative Councils of the sancaks and kazas, which depended on the Vilayet of Beirut.<sup>33</sup> Consequently, General Gouraud also dissolved the administrative circumscription of the autonomus territory of Lebanon.<sup>34</sup>

On September 1, 1920, General Gouraud issued a decree<sup>35</sup> regulating provisionally the administrative organization of the state of Greater Lebanon. This decree divided the state administratively into four sancaks and two autonomus municipalities. The four sancaks were divided into twelve kazas which in turn were subdivided into

---

32. Ibid., p. 133.

33. Arrete no. 320 of August 31, 1920, Actes Administratifs, V. 1, p. 136.

34. Arrete no. 321 of August 31, 1920, Actes Administratifs, V. 1, p. 137.

35. Arrete no. 336 of September 1, 1920, Actes Administratifs, V. 1, p. 141-150.

müdiriyets. The administrative divisions were the following: "the sancak of Northern Lebanon with Zghorta as its center. This included

1. The kaza of Akkar - the actual kaza of Akkar minus that part running northward of Nahr-El Kebir, and the section of the kaza of Hosn-El-Akrad situated south of Nahr El-Kebir, and bounded in the east by the summit of Ouadi Haddid.

2. The kaza of Zghorta which included the müdiriyets of Zaouieh, Dennieh and Becharreh.

3. The kaza of Batroun which included the müdiriyets of the two Kouras and Batroun.

"The sancak of Mount Lebanon with Baabda as its center. This included:

1. The kaza of Kesrowan.
2. The kaza of Metn.
3. The kaza of Chouf and the actual mudirieh of Deir El Kamar.

"The sancak of Southern Lebanon with Sidon as center. This included:

1. The kaza of Sidon consisting of Teffah, Jezzine, The Chekif and the northern part of Chomar.

2. The Kaza of Tyre with the southern part of Chomar and that section of Bechara north of the Palestinian border.
3. The kaza of Hasbeya including the actual kaza of Hasbeya and Merdj-Ayoun as far as the frontier of Palestine.

"The sancak of Beqaa with Zahle as its center. This included:

1. The kaza of Racheya.
2. The kaza of Beqaa Moallaka.
3. The kaza of Baalbeck and the mudirieh of Hermel.

"The two autonomus municipalities were the city of Beirut, with its suburbs, and the city of Tripoli, with its suburbs. Beirut was proclaimed the capital of Greater Lebanon."<sup>36</sup>

Greater Lebanon was governed by a high French official called the Governor of Greater Lebanon. The Governor exercised the executive power which he received from the High Commissioner.

---

36. Ibid., p. 142-143.

He was responsible to the High Commissioner for the maintenance of public security, and for the administration of the State. Moreover, the Governor had the power of requisition of the military forces conditional upon the approval of the High Commissioner. He prepared local budgets and submitted to the High Commissioner all projects concerning duty taxes or monopolies which were collected by the state, the sancaks and the municipalities. The Governor appointed officials for all ranks and orders except for those whose choice required the approval of the High Commissioner.<sup>37</sup>

The general bureaus of the State were the following: Interior, Finance, Justice, Public Works, Post and Telegraph, Education, Economics and Public Health. Every bureau was headed by a high official (haut fonctionnaire) appointed with the approval of the High Commissioner. These high officials were assisted by French technical counsellors appointed by the High Commissioner on the Governor's advice. The purpose of the French counsellors was to advise the heads of the bureaus;

---

37. Ibid., p. 144.

moreover, they controlled all administrative levels, and went over all administrative decisions taken by the heads of the bureaus. Nevertheless, these decisions were not enforced without the Governor's approval. Thus the heads of the bureaus were directly responsible to the Governor.<sup>38</sup>

A provisional council of fifteen members<sup>39</sup> called the "Administrative Commission of Greater Lebanon" was also set up. The members of this Commission were appointed by the High Commissioner with the consent of the Governor. The Commission gave advice on legislative matters, it regulated and drew up the State budget, and created new taxes and monopolies. In case of disagreement between the Governor and the Administrative Commission, the final word was left to the High Commissioner.<sup>40</sup>

Every sancak was headed by a Mutasarrif nominated by the Governor of Greater Lebanon and appointed by the High Commissioner. The Mutasarrif was assisted by a French counsellor who sanctioned all the formers' decisions. The Mutasarrif was

---

38. Ibid., p. 144-145.

39. The fifteen members were: 6 Maronites, 3 Greek Orthodox, 2 Sunni Muslims, 2 Shi'ites, 1 Greek Catholic and 1 Druze.

40. Ibid., p. 146-147.

responsible to the Governor for the maintenance of order and public security. Moreover, he was responsible for the strict enforcement of regulations, for the collection of taxes and for public services. He submitted to the Governor all the problems which directly affected the interests of the State, such as, the approval of local budgets, levying of taxes and the delimitations of territory.<sup>41</sup>

Although the general bureaus received orders from the Central Administration, they were responsible to the Mutasarrif for the execution of these orders. Every sancak had a local Administrative Commission of ten members, nominated by the Mutasarrif and appointed by the Governor for a period of one year. The role of the Commission was to advise the Mutasarrif in all matters related to the sancak, especially those of administration and finance.<sup>42</sup>

Every kaza was headed by a Kaimmakam appointed by the Governor of Greater Lebanon, with the consent of the Mutasarrif. The Kaimmakam was responsible to the Mutasarrif for the maintenance of order and security in the kaza. He was responsible for the

---

41. Ibid., p. 147-148.

42. Ibid., p. 148-149.

strict application of laws and for the running of public services. His administrative decisions were subject to the approval of the Mutasarrif.<sup>43</sup>

Every M<sup>u</sup>diriyet had a mudir appointed by the Mutasarrif with the consent of the Kaimmakam. The mudir was responsible to the Kaimmakam for order and public security, for the strict application of laws and regulations and for the running of public services.<sup>44</sup>

Before passing to the study of the Mandate period and the powers exercised by the High Commissioner, it is necessary to point out, in brief, the characteristics of the administrative structure which preceded the establishment of the Mandate.

There is no doubt that the "Reglement Organique" of 1861 had quietened the situation in Mount Lebanon, and established an administrative structure which provided the Mountain, for a period of fifty years, with peace, security and prosperity.

---

43. Ibid., p. 149.

44. Ibid.



The Protocol empowered the Administrative Council, the administrative officers, the officers and the sheikhs with certain privileges, but in reviewing the minutes of the Great Administrative Council we find that these privileges were more or less theoretical ones, for in all matters the final decision was left to the Mutasarrif.

The amendment of 1864 introduced a new contradiction which is worth mention, the sheikhs of the villages elected the members of the Administrative Council yet the latter were to decide whether the election of the sheikhs to their posts was legal or not. The contradiction is clear for the privileges given to these sheikhs become of no importance if they were put at the mercy of the people they elected.

The period of military occupation is characterized by strict centralization of power. Though the Mutasarrif and the Kaimmakam were given certain privileges, yet in all their acts they were directly responsible to the Administrative Counsellor of the sancak and the kaza respectively. Although the Administrative Counsellor was given

the right to supervise the accounting department, to see that taxes were collected normally and to sign all requisitions for expenses before payment, still, the bureau of finance was directly responsible to the Secretariat General which, in turn, was directly controlled by the Administrator-in-chief.

The administrative structure of 1920 embodied many of the characteristics of the preceding structures. Strict centralization prevailed, the heads of the eight bureaus of the Central Administration were directly responsible to the Governor of Greater Lebanon; the fifteen members of the Administrative Commission were also responsible to him.

Moreover, Greater Lebanon was also divided into sancaks, kazas and mudiriyets. The mudir was responsible to the Kaimmakam who in turn was directly responsible to the Mutasarrif of the sancak. The general bureaus of the sancak received orders from the Central Administration, but they were responsible to the Mutasarrif who in turn was responsible to the Governor.

The Governor, who supervised all the other officials of the State, was responsible to the High

Commissioner, and though the Governor was in charge of preparing the budget, yet he had to present it to the High Commissioner for approval. There was, thus, a strict centralization and a concentration of power.

## Chapter II

At the outbreak of World War One, geographic Syria, Iraq, and the Arabian Peninsula were still under Turkish rule. During the war, Sharif Husayn of the Higaz, as the spokesman of the nascent Arab nationalist movement, negotiated with British agents, expressing readiness to cooperate in the Allied war effort in return for a promise of Arab independence. This promise conflicted with secret agreements which the Allies had reached on the partition of the Ottoman territory after the war.

The Sykes-Picot agreement of May 16, 1916, between France, Great Britain and Russia gave France the coastal strip of Syria, the Vilayet of Adana and Cilicia. Great Britain was to receive southern Mesopotamia with Baghdad, and also the ports of Haifa and Acre. The zone between the French and the British territories was to form a confederation of Arab States under British and French influence. The French sphere of influence was to include the Syrian hinterland and the Mosul province (Mesopotamia). The British sphere of influence was to extend over the territory between

Palestine and the Iranian border.<sup>1</sup>

On January 8, 1918, President Wilson issued his "Fourteen Points," in which he denounced secret treaties:

"Open Covenants of peace, openly arrived at, after which there shall be no private international understandings of any kind but diplomacy shall proceed always frankly and in the public view."<sup>2</sup>

President Wilson referred specifically to the Ottoman territories:

"The Turkish portions of the present Ottoman Empire should be assured a secure sovereignty, but the other nationalities which are now under Turkish rule should be assured an undoubted security of life and an absolutely unmolested opportunity of autonomous development."<sup>3</sup>

In a speech delivered at Mount Vernon, on July 4, 1918, President Wilson added "Four Points" of which the second stated that:

"The settlement of every question, or of political relationship upon the basis of the free acceptance of that settlement by the people immediately concerned and not upon the basis of the material interest or advantage of any other nation or people

- 
1. George Lenczowski, The Middle East In World Affairs, (Ithaca, 1952), p. 72.
  2. Ray Stannard Baker, Woodrow Wilson and World Settlement, vol. 3, (New York, 1922), p. 43.
  3. Ibid., p. 44.

which may desire a different settlement for the sake of its own exterior influence or mastery."<sup>4</sup>

The Allies accepted Wilson's Points as the basis for the peace.

On December 6, 1918 and at the Peace Conference, General Smuts<sup>5</sup> presented his famous pamphlet "The League of Nations a practical suggestion." In this pamphlet General Smuts suggested the idea of international mandate.

He sketched the plan of government by a power acting as the mandatory or delegate of the International body. This suggestion was approved by the representative of Great Britain and the president of the United States, and was applied to the Arab countries which had formerly formed a part of the Ottoman Empire. The scheme in this application was adopted by the Council of Ten at the Peace Conference who in turn transmitted it to the Commission which embodied it in the Covenant of the League of Nations."<sup>6</sup>

Article 22 of the Covenant of the League of Nations reads as follows:

"The well-being and development of the peoples form a sacred trust of civilization and securities for the performance

---

According to Norman Bentwick in his book The Mandates System p. 2

4. Fannie Fern Andrews, The Holy Land Under Mandate, Vol. 3, (New York, 1931), p. 46-47.

5. General Smuts was a British under whose leadership the German colonies of South West Africa and East Africa ~~were~~ conquered.

6. Norman Bentwick, The Mandates System (London, 1930), p. 2.

of this trust should be embodied in the Covenant... The best method of giving political effect to this principle is that the tutelage of such people should be entrusted to advanced nations who by reason of their resources, their experience or their geographical position can best undertake this responsibility and who are willing to accept it, and that this tutelage should be exercised by them as mandatories on behalf of the League... Certain communities formerly belonging to the Turkish Empire had reached a stage of development where their existence as independent nations can be previously recognized subject to the rendering of administrative advice and assistance by a mandatory until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the mandatory."<sup>7</sup>

"The degree of authority, control or administration to be exercised by the mandatory shall, if not previously agreed upon by the members of the League, be explicitly defined in each case by the Council."<sup>8</sup>

The A mandate was created accordingly, and Lebanon was assigned to this category. In the preamble of the Mandate it was stated that the principle Allied Powers had decided to entrust Syria and Lebanon to a mandatory responsible for rendering administrative assistance and advice to the peoples.<sup>9</sup> France

---

7. Quincy, Wright, Mandates under the League of Nations, (Chicago, 1930), p. 591.

8. Ibid., p. 592.

9. Albert Hourani, Syria and Lebanon, (London, 1954), p. 164.

undertook this responsibility, and issued a mandate document for Syria and Lebanon. The text of the Mandate was agreed upon in London on July 24, 1922 though it came officially into force on September 29, 1923.

The High Commissioner was to represent the French Republic in Syria and Lebanon. On November 23, 1920, President Millerand of France defined the powers of this High Commissioner.<sup>10</sup> He was entrusted with the Mandatory duties and placed in charge of the different branches of the Haut-Commissariat. He was under the jurisdiction of the ministry of Foreign Affairs, and acted as intermediary between the local governments and the French Consuls. He commanded the land forces and the naval forces stationed within the limits of his jurisdiction, and he corresponded with the different departments of the French Republic through the intermediary of the ministry of Foreign Affairs, informing these departments of the questions which were of interest to them.<sup>11</sup> The decree of April 3, 1920, granted the High Commissioner the right to

---

10. Rene De Feriet, l'Application d'un Mandat, (Beyrouth, 1926), p. 121-122.

11. Ibid.



exercise the powers of the consuls in the following matters: civil **penal** jurisdiction and police, birth certificates, the preservation of **archives**, question of deposits, passports, legalization and announcements of judicial acts, inheritance, notary public certificates, military service, book-keeping and the collection of chancellery **taxes**. By the decree of March 18, 1920, the High Commissioner became the secondary ordinator on expenses related to the budget of the ministry of Foreign Affairs.<sup>12</sup>

A Secretary-General assisted the High Commissioner and acted for him in cases of absence. He was the only person who could sign for the High Commissioner in correspondence with the ministry of Foreign Affairs. He directed those branches of the Haut-Commissariat concerned with civil administration, and prepared the instructions of the High Commissioner for the services in question. He approved the political and administrative propositions before they were presented to the High Commissioner, and he was assisted by a secreterial assistant (chef de

---

12. Alphonse Joffre, Le Mandat de la France sur la Syrie et le Grand Liban, (Lyons, 1924), p. 81-82.

cabinet), a personnel bureau and a bureau for administrative questions. One or several assistance could be delegated to sign for him.<sup>13</sup>

The Mandatory was to facilitate the progressive development of Syria and Lebanon as independent states, encouraging local autonomy as far as circumstances permitted, and to frame, within a period of three years, an organic law. It controlled foreign relations, issuing exequaturs to the consuls appointed by the Foreign Powers and exercising diplomatic and consular control over the Lebanese and Syrians living outside their respective countries. The mandatory also protected the territory of Lebanon and Syria against foreign aggression.<sup>14</sup>

In financial matters the mandatory imposed taxes and customs duties, and concluded customs arrangements with adjoining countries. It created monopolies and concluded (with the approval of the League of Nations) international treaties in respect to slave trade, the traffic in drugs, the traffic in arms and ammunition, commercial equality, freedom of transit and navigation, aerial navigation,

---

13. Ibid., p. 82.

14. Wright, op.cit., p. 607-608.

postal, telegraphic communication and measures for the protection of literature, art or industries. The mandatory was also to attend to the development of natural resources in the interest of the people of Lebanon and Syria, and supervise the enforcement of measures adopted by the League of Nations for preventing and combating disease.<sup>15</sup>

Before considering the organization of the Haut-Commissariat it is important to examine the powers of the Civil Cabinet of the High Commissioner, defined by General Sarrail on February 14, 1925. This Civil Cabinet consisted of a Political Section, to which were attached the Information Service, the Sûreté General and the Press and Code services, and a Personnel Section. The Political Section studied all information relevant to the mandated state, prepared instructions on policy, and was generally concerned with all matters reserved to the High Commissioner. The Personnel Section studied all measures concerning the Personnel paid by the office of the Haut-Commissariat and the other non-Lebanese engaged by the local

---

15. Ibid., p. 610.

government.<sup>16</sup>

The Secretary General approved all the projects of the Civil Cabinet. The Director and the Assistant Director of this Cabinet were charged with missions and study projects in the mandated territory.<sup>17</sup> Moreover, the Secretary General and his assistant directed and controlled the bureaus of the Haut - Commissariat, the prerogatives of which were fixed by General Sarrail on February 14, 1925. The Cabinet of the Secretary-General was in charge of all the correspondence of the Haut-Commissariat. It issued regulations and controlled the archives, the translation bureau and the supply and transport department. The Secretary-General and his assistant were in charge of the external, political and consulate affairs. They had to follow up the functions of delegations, of governmental and parliamentary debates. They had to propose measures to the High-Commissioner appropriate to the French policy in the mandated states. They also had to present the annual reports to the League of Nations, and to control the works of the committee of Tourism.<sup>18</sup>

---

16. Arrete, no. 43/s of February 14, 1925, Actes Administratifs, VI, 48-49.

17. Ibid., p. 49-50.

18. Arrete no. 42/s of February 14, 1925, Actes Administratifs, VI p. 40-41, 47-48.

The office of the Advisor on Legislative Studies and Legal cases (Bureau du Conseiller des Etudes Legislatives et du Contentieux) considered all reclamations related to war damages and compensations. It examined cases referred to it by the Haut-Commissariat, and studied the legislative projects of the Haut Commissariat and of the local government which needed the approval of the High Commissioner.<sup>19</sup>

The office of the Financial Adviser (Bureau du Conseiller Financier) prepared and executed the budget of the Haut-Commissariat and of the mandated State. It checked the administrative accounts and the functioning of the local governments. It also prepared and executed the budgets of the Customs department, of the Companies control department and the Patent and Copyright office. The office examined all projects related to taxes, fees, loans and revenues of the local government and the municipalities . Moreover, it studied the monetary system, the establishment of credit, the exchange regulations, the Tobacco monopoly and the Ottoman Public debt.<sup>20</sup>

---

19. Ibid., p. 41.

20. Ibid., p. 41-42.

The Inspectorate General of Customs (Inspection Generale des Douanes) assigned and collected customs duties, executed commercial treaties and kept import and export records. It also applied laws and regulations governing special cases (transit, temporary admission etc....)<sup>21</sup>

The Inspectorate General of Post and Telegraph (Inspection Generale des Postes et Telegraphes) controlled the local Post and Telegraph department and examined improvement projects. It also studied personnel status and recruitment of staff, audited postal accounts, and ordered stamps and other material.<sup>22</sup>

The office of the Adviser on Public Works and the control of Concessionary Companies (Bureau Du Conseiller pour les Travaux Publics et Controle Des Societes Concessionnaires) examined the public work projects of the mandated State and controlled the railways and other concessionary companies. It studied the regulations regarding State property and mines, and inspected merchant ships, harbors and coastal fisheries. It also considered requests for concessions of ports, railways, waterfalls and

---

21. Ibid., p. 42.

22. Ibid.

water supply irrigation in collaboration with the proper counsellors of the Haut-Commissariat.<sup>23</sup>

The office of the Educational Adviser (Bureau Du Conseiller pour l'Instruction Publique) was in charge of all matters related to education, and studied the needs of subsidised private schools, investigated their requests and controlled the use of such subsidies. It controlled the private establishments and studied the needs of the French charitable organizations, or those subsidised by the ministry of Foreign Affairs, in agreement with the Adviser on Public Health.<sup>24</sup>

The Office of the Adviser on Archeology and Fine Arts (Bureau du Conseiller pour l'Archeologie et les Beaux Arts) kept an inventory of historical monuments and took measures to preserve them. It regulated the export of antiquities and exercised a scientific control over archeological museums. It established relations with "L'Academie des Inscriptions et Belles Lettres" and with the societies of "Etudes Archeologique." It also helped in editing the magazine "d'Art Oriental et d'Archeologie," and

---

23. Ibid., p.42-43.

24. Ibid., p. 43.

assisted the committee on Tourism, and the Patent and copyright office.<sup>25</sup>

The office of the Adviser on Public Health and assistance (Bureau du Conseiller pour l'Hygiene et l'Assistance Publique) applied all measures relating to public health and required by the Permanent Commission of the League of Nations. It exercised technical control over clinics, public hospitals, private institutions of public relief, asylums, orphanages and sanitariums. The office studied the functions of the French Relief Institutes and those subsidised by the ministry of Foreign Affairs, with the counsellor of Education. Moreover, it was responsible for the quarantine and for the marine and territorial sanitary police.<sup>26</sup>

The office of the adviser on Economy and Agriculture (Bureau Du Conseiller pour les Affaires Economiques et Agricoles) studied all economic measures and organized industrial and agricultural projects. It also studied veterinary and agricultural problems, and was responsible for commercial affairs and for technical and professional instruction.<sup>27</sup>

---

25. Ibid., p. 43-44.

26. Ibid., p. 44-45.

27. Ibid.



The office of Consular Services (Bureau Des Services Consulaires) exercised consular functions in matters concerning personal status, archives, deposits, passports, judicial registration, affairs of inheritance, military service and tax collection and accounts.<sup>28</sup>

The Patent and Copyright Office (Office De Protection pour la Propriété Commerciale, Industrielle, Artistique, Littéraire et Musicale) studied all matters relating to commercial, industrial, artistic, literary and musical property rights. It received demands for and issued certificates of invention, registered trade marks and published its certifications and registrations in the official bulletin.<sup>29</sup>

The Office of Local Police Control (Controle Des Police Locales) was responsible for its efficiency. It appointed policemen, after consulting the local adviser. It also conducted requests and informed the Central Administration on local matters upon request. Furthermore, it gave technical instructions to the frontier posts, and was responsible for local security, emigration, immigration, passports and aliens.<sup>30</sup>

---

28. Ibid., p. 45-46.

29. Ibid., p. 46-47.

30. Ibid., p. 47.

### Chapter III

On March 8, 1922, Robert de Caix<sup>1</sup> dissolved the Administrative Commission,<sup>2</sup> replaced it by a Representative Council, and fixed the prerogatives of the Governor of Greater Lebanon.<sup>3</sup> The Governor of Greater Lebanon was appointed by the High Commissioner of the French Republic. He was in charge of the executive power and carried out all preliminary investigation in matters which were of interest to the State and which were submitted to the Representative Council. He presented all projects of a legislative order and represented the State in all civil activities. He had the right to pardon criminals, he appointed officials to all the offices of public administration and gendarmerie. Nevertheless, the nomination of the Secretary-General and the Directors were subject to the approval of the High Commissioner.<sup>4</sup>

The Representative Council of Greater Lebanon was an assembly composed of 30 members elected by universal suffrage and for a period of four years.

- 
1. He was the acting High Commissioner.
  2. Arrete no. 1304 of March 8, 1922, Actes Administratifs III, p. 177-178.
  3. Arrete no. 1304 bis of March 8, 1922, Actes Administratifs, III, p. 178-193.
  4. Ibid., p. 179-180.

The members of the Council were allowed to investigate all matters within the jurisdiction of the Assembly. The meetings of the Representative Council were public. The Governor was always allowed to attend, and was represented by a high official called the "Government Commissioner" (Commissaire du Gouvernement). Directors and heads of general departments of the State, with the consent of the Governor, could take part in the discussion of problems concerning their departments. The Mandatory administration, represented by the Government Counsellor (Le Conseiller du Gouvernement), attended and took part in the meetings of the Council. The Council met in secret only at the request of the Government Commissioner, the Government Counsellor or at the request of the absolute majority of Counsellors present.<sup>5</sup>

The internal procedure (règlement intérieur) drawn up by the Representative Council had to be approved by the Governor. The Council met twice a year in ordinary session. The first session began on the first Tuesday after March 15 and ended

---

5. Ibid., p. 180-181.

on May 15. The second session convened on the first Tuesday which followed October 15 and was devoted exclusively to the examination and the discussion of the budget. The duration of every ordinary session did not exceed 5 weeks or 35 days. Extra ordinary sessions were summoned and terminated at the request of the Governor.<sup>6</sup>

At the opening of the October session, the Representative Council<sup>7</sup> elected, in secret ballot and by absolute majority, a president, a vice-president and two secretaries who remained in office for a year. During its first session (in March) the Representative Council elected four commissions, a commission for finance, a General Administrative and Judiciary Commission, a Commission for Education, Hygiene and Public Assistance and a Commission for Public Works. Every Commission was composed of six members except that of Finance which had 12 members. The officers of every Commission were a president, a vice-president and a secretary.<sup>8</sup>

The Commission of Finance had a "rapporteur

---

6. Ibid., p. 181-182.

7. It met with the eldest member as Chairman and the two youngest as secretaries.

8. Arrete no. 1304 bis, op.cit., p. 182, 185-186.

generale" for the whole budget and "rapporteurs particuliers" for the special budget of every general service. The Commission of Finance took into consideration the budget estimates which were prepared by the Governor. The budget was divided into obligatory expenses and non-obligatory expenses. The Representative Council could debate the obligatory expenses but in case they disapproved such expenses, the High Commissioner could pass them by decree. The Representative Council exercised complete control over the non-obligatory expenses. Equally the Council discussed any increase of revenue with the exception of customs, Post and Telegraph and quarantine. The High Commissioner gave effect to the whole budget upon the recommendation of the Governor. If the Representative Council did not meet or wish to discuss the budget, the High Commissioner promulgated the budget upon the advice of the Governor after the recommendation of a government Council formed from all the Directors and Heads of offices of the State specially convened for this purpose.<sup>9</sup>

---

9. Ibid., p. 186-188, 190-191.

In legislative matters every internal law<sup>10</sup> (loi d'ordre interne) was first subjected to the Representative Council before it was promulgated. No legislative act, prepared by the Governor and discussed by the Representative Council, could be executed before it was approved by the High Commissioner.<sup>11</sup>

On September 6, 1924, a State Council was instituted for Greater Lebanon, composed of a Lebanese president, two members (a Frenchman and a Lebanese) and two substitute members (a Frenchman and a Lebanese); the members were appointed by the Governor. The State Council resolved, without appeal, on all disagreements raised by the execution of public services, such as disagreement on direct taxation, disagreement related to salaries of State employees etc.... The State Council resolved, without appeal, upon the contestations concerning the regularity of the elections to the Councils of municipalities, sanjaks and kazas. Moreover,

---

10. Laws related to personal status, local judiciary organization, promulgation of new laws and penalties, alienation of public property and modification of administrative circumscription.

11. Arrete no. 1304 bis, op.cit., p. 188-189.

it decided upon the removal of certain officials for having exceeded their powers.<sup>12</sup>

On December 22, 1924, the Governor of Greater Lebanon<sup>13</sup> fixed the powers of the Council of Directors (Conseil Des Directeurs) which was composed of the Secretary General of the Government and the Directors and Heads of General Services. The Governor presided over its meetings and consulted the members on all questions related to general administration.<sup>14</sup> The Secretary-General of the government and the Directors of General Services were responsible to the Governor who could depose them of their functions, by a decree and with the approval of the High Commissioner.<sup>15</sup>

On April 9, 1925, Greater Lebanon was re-organized administratively, the autonomus municipalities, sanjaks and kazas were suppressed and new circumscriptions, called districts, were created. The territory of Greater Lebanon was divided into eleven districts<sup>16</sup> and one autonomus nahiya

---

12. Arrete no. 266 of September 6, 1924, Recueil dess Arretes et Decisions du Grand Liban 1924-1925, (Beyrouth, 1927 hence Arretes et Decisions...), p. 3.

13. Vandenberg.

14. Arrete no.2867 of December 22, 1924, Arretes et Decisions, p. 6.

15. Arrete no.2868 of December 23, 1924, Arretes et Decisions, p. 7.

16. The eleven districts were Tripoli, Batrun, Kaasrawan, Matn, Beirut, Shuf, Baalbeck, Zahle, Saida, Sur and Mardjuyun. The autonomus nahiya was Deir el Kamar.

administered by a mudir, every district was headed by an administrator who represented the Central Power. He was appointed and could be dismissed by the Governor, and was responsible to the latter for public security in the district. Assisted by an Administrative local Council, he was responsible for the strict application of the laws and regulations, for the good functioning of all public services of the district, and for assistance in the collection of taxes. The administrator exercised all the powers attributed to the Mutasarrifs and the municipal administrators in municipal questions. The mudir of the autonomus nahiya exercised the same prerogatives as the administrator of a district.<sup>17</sup>

The Administrative Council (Conseil Administratif) of every district was composed of an administrator or his delegate, the Head of the Secretariat of the district, the Mohasseb (all were ex-officio members) and six notables. Two notables were appointed by Governor, the other four were elected by an electoral college<sup>18</sup> for a period of two years. The mandat of the elected members of the Administrative Council

---

17. Arrete no. 3066 of April 9, 1925, Arretes et Decisions, p. 73-74.

18. The electoral college was composed of the elected Sheikh El-Solh, the elected Moukhtars and the members of the Municipal Councils.



could be repealed collectively by the Governor for reasons of order or public interest. Moreover, the Governor could release any ineligible or incompatible elected member from his post according to the report of the administrator. The Administrative Council leaglizized all acts of security and certificates concerning status of fortune, it fixed the tariffs for liquor and spirits, took decisions, with the approval of the Governor, on the following: the collection of taxes, the validity of election of the Moukhtars, adjudications etc.. Moreover, the Administrative Council gave its advice on questions related to public utility and on all problems submitted to it for examination by the administrator.<sup>19</sup>

The Autonomus Nahiya had an Administrative Council which exercised the same privileges as that of the district with some reservations. The President Mudir (Le Mudir President), the secretary of the Mūdiriyet and the Mohasseb, members by right, were designated by the Director of Finance to effectuate the operations of finance in the Nahiya. The Governor appointed the Mudir with the approval of

---

19. Arrete no. 3066, op.cit., p. 75-76, 78-79.

the Administrator. The former was responsible to the Administrator for the public security of the Nahiya, he controlled all the authorities of the Nahiya especially the Moukhtars of the villages, he helped in the collection of taxes and supervised the activities of the Presidents of the Municipalities of his Nahiya.<sup>20</sup>

On January 5, 1925, General Sarrail decreed that the Representative Council should nominate, in its first meeting of the extra ordinary session, three French or Lebanese candidates to the post of Governor for Greater Lebanon; but if the High Commissioner did not approve of one or more of the candidates, the Representative Council had to nominate, in its next session, two other candidates and from then (i.e., in the session which followed) they would proceed to elect in secret ballot and for three years the Governor of Greater Lebanon.<sup>21</sup> When the Council was unable to agree on the nomination and the election of the Governor the High Commissioner dissolved it.<sup>22</sup> In July 1925, a new Council was elected.

---

20. Ibid., p. 80.

21. Arrete no. 3023 of January 5, 1925, Actes Administratifs, VI, p. 2-3.

22. Arrete no. 7/S of January 13, 1925, Actes Administratifs, VI, p. 11-12.

the following December the High Commissioner asked the Council to "expand and revise the basic laws of Lebanon in keeping with Art 1 of the Act of the Mandate"<sup>23</sup> which stated that an organic law should be framed by the Mandatory for Syria and Lebanon within a period of three years and in accordance with the wishes and interests of the people.<sup>24</sup>

According to the constitution of May 23, 1926, the Lebanese Republic<sup>25</sup> was proclaimed an independent State. The Senate and the Chamber of Deputies exercised the legislative power,<sup>26</sup> the President of the Republic exercised the executive power with the assistance of his ministers. The President or the Chamber of Deputies introduce legislation which would only be promulgated when adopted by the Chamber of Deputies. Courts of various orders and degrees exercised the judicial power.<sup>27</sup>

---

23. George Grassmuck and Kamal Salibi, A Manual Of Lebanese Administration, (Beirut, 1955), p. 5.

24. Wright, op.cit., p. 607.

25. From September 1, 1926, Greater Lebanon came to be known as the Lebanese Republic.

26. According to the ammendment of 1927, only the Chamber of Deputies exercised the legislative powers.

27. Hellen Miller Davis, Constitution, Electoral Laws, Treaties of States in the Near and Middle East, (Durham, N.C. 1947), p. 172.

The Senate was composed of 16 members,<sup>28</sup> seven of which were appointed by the Head of the State with the consent of the ministers, the rest were elected. All senators served for six years.<sup>29</sup> The members of the Chamber of Deputies were elected in conformity with the decree no. 1307 of March 10, 1922. Both the Senate House and the Chamber of Deputies held two ordinary sessions every year. The first session opening on the first Tuesday after March 15 and terminating at the end of May, the second session beginning on the first Tuesday after October 15 and lasting for 60 days. In the latter session<sup>30</sup> The Chamber discussed and voted on the budget.<sup>31</sup>

Every six years the Chamber of Deputies elected, by two thirds majority, the President of the Republic who exercised the executive power.<sup>32</sup>

---

28. The distribution of senatorial seats was as follows: 5 Maronites, 3 Sunni Muslims, 3 Shi'ites, 2 Greek Orthodox, 1 Greek Catholic, 1 Druze, 1 minority representative. This first Senate was appointed by the High Commissioner for a period terminating by 1928.

29. The ammendment of October 17, 1927, abolished the Senate House.

30. At the opening of this session (October session) the Chamber met (with the eldest member as chairman and the two youngest as secretaries) and elected, by secret ballot and an absolute majority, a president, a vice-president and two secretaries.

31. Davis, *op.cit.*, p. 174.

32. The President could be re-elected after an interval of six years.

He promulgated the laws which were adopted by the Chamber and he supervised the execution of these laws and so had the power to issue regulations, "but not to modify any actual laws or set aside their provisions." (Art 51) He could convene both Chambers in extra ordinary sessions and he appointed and dismissed ministers, "from whom he selected a prime-minister." (Art 53) He had the right of pardon and could negotiate and ratify treaties, except financial treaties which must be ratified by the Chamber. The President had the right to dissolve, by decree, the Chamber of Deputies with the approval of the Cabinet, he enforced, in the same manner, any bill "which had been declared urgent by the government and on which the Chamber has not given a decision within forty days of its communication, to the Assembly." (Art 58). Moreover, he could give effect to the budget estimates in the form in which they were submitted to the Chamber if the latter did not decide on these estimates by the end of January.<sup>33</sup> (Art 86). The President also had the right to ask

---

33. January marked the end of the extra ordinary session devoted to the examination of the budget.

for the revision of the Constitution and in such a case, the government submitted to the Assembly a draft constitutional law. (Art 76). He promulgated the constitutional laws "under the same conditions and in the same form as ordinary laws" (Art 79). "Every instrument issued by the President of the Republic, with the exception of those relating to the appointment and dismissal of ministers, had to be countersigned by the minister or ministers concerned."<sup>34</sup> (Art 54).

On May 26, 1926, the Chamber of Deputies elected Mr. Charles Debbas, President of the Lebanese Republic.<sup>35</sup> The new President appointed Mr. Auguste Pasha Adib<sup>36</sup> prime-minister.<sup>37</sup> The new Lebanese Republic had the following seven ministries: Justice, Interior, Finance, Public Works, Education, Agriculture and Health and Public Assistance. The ministers were assisted

---

34. Davis, op.cit., p. 176-178, 182.

35. Recueil des Lois et Décrets du Gouvernement de la République Libanaise, Mai 1926-Janvier 1929, V. I, (Beyrouth, 1930, hence Lois et Décrets...), p. 37.

36. Auguste Pasha Adib was the President of the State Council.

37. Décret no. 4 of May 31, 1926, Lois et Décrets, V. I, p. 40.

by Directors in the administration of the various departments. The Prime minister supervised and coordinated the activities of the individual ministries and secured administrative and political unity in the direction of the different ministries. He received and studied all projects for decrees, instructions and publications (circulaires) which touched upon the general administration, and he also supervised the proper execution of ministerial decisions. Moreover, he prepared the agenda for the Council of ministers' meetings, and he communicated to the President of the Republic all documents which needed the latter's signature.<sup>38</sup>

The ministry of Justice was responsible for the organization and the administration of the judiciary, it controlled the application of the judicial legislation laws and regulations, and it supervised and controlled the State Council (Conseil d'Etat), the Islamic Shari'a Court and the Ifta.<sup>39</sup> The ministry of Interior preserved order and security in the country, it supervised

---

38. Décret no. 5, of May 31, 1926, Lois et Décrets, V. I, p. 40-41.

39. The Ifta was later connected to the Prime Minister's Office.

the various levels of the local administration, it prepared the census and controlled the service of personal status, the prisons and the police and gendarmerie. The ministry of Finance acted as the administrator and the treasury of public wealth. It safeguarded revenues, collected the State's debts, consolidated the estimates of expenditure which were prepared by the individual ministries, prepared the budget estimates and studied the problems of taxation, fees and other revenues proposing all necessary modifications. It audited the incurred obligations, prepared monthly accounts and published both the Balance sheet for the year and the complete final budget account. The following departments: the department of Post and Telegraph, the department of Economics, the department of Public domains and the department of land surveying (fonciers), were connected to the ministry of Finance.<sup>40</sup>

The ministry of Public Works constructed roads, and it took necessary technical measures for the preservation of public buildings. It

---

40. Ibid., p. 41-43.



studied all problems related to minerals, mines, railroads and water power. It was also entrusted with the construction of new ports and with the reparation of old ones. The ministry of Education and Fine Arts was entrusted with the organization and the functioning of public schools; it prepared appropriate educational programs and examinations and provided special schools for teachers' training. It controlled the National Conservatory, the department of antiquities and the national library. The Ministry of Agriculture executed all measures for the enrichment of the land; it guarded public woods and it controlled the veterinary department. The ministry of Health and Public Assistance undertook the management of public orphanages and public hospitals, it controlled the practice of medicine and pharmacy and it inspected schools, prisons and the like. It proposed measures for the prevention of disease and presented the government with projects concerning public health and assistance.<sup>41</sup>

Every ministry was headed by a minister responsible to the prime minister for the administration and the coordination of the work within his

---

41. Ibid., p. 44-45.

ministry. He was appointed by the President of the Republic and he exercised the supreme direction of all the services which came under his ministry. Every minister was responsible, "in so far as he was concerned, for the application of laws and regulations. (Art 64 of the Constitution). Moreover, "ministers had free access to the Chamber and had the right to address it whenever they requested." (Art 67). The prime minister presented to the Chamber the government's general program.<sup>42</sup>

The Mandatory controlled all the powers of the President, the prime minister, and the ministers, given to them by the constitution of 1926; it also safe guarded this constitution.<sup>43</sup>

In 1930, the Lebanese Republic was administratively re-organized, it was divided into five districts<sup>44</sup> which in turn formed 18 kazas.

42. Davis, op.cit., p. 178-179.

43. Ibid., p. 183-185.

44. Décret-Loi no. 5 of February 3, 1930, Lois et Décrets 1929-1930, V. III, p. 221-223.

According to Décret-loi no.5 the administrative divisions were the following:  
The District of Beirut.

The District of Southern Lebanon included the kazas of Saida, Tyre, Merjayoun and Jezzine.

The District of Mount Lebanon included the kazas of Baabda, Metn, Kessrawan, Chouf and Aley.

The District of Northern Lebanon included the kazas of Tripoli, Akkar, Zghorta, Batroun and Koura.

The District of Beqa'a included the kazas of Zahlé, Baalbeck, Hermel and Rachaya.

Every District was headed by an Administrator and every Kaza was administered by a Kaimmakam. The Administrator (Muhafiz) was appointed by a decree taken by the Council of Ministers, and he represented the Central Power in the district. He received and was responsible for the execution of all the laws, the regulations and the directions sent by the ministries to the different branches in the District. He was responsible for the preservation of peace and security, for the collection of taxes and for the economic development in the District. He supervised all the administrative services of the District and the appointment of all functionaries. As an officer of the judiciary police, the Administrator undertook the duties which were placed upon him by the penal laws in force. All nominations and changes of officers were, beforehand, submitted to the Administrator yet the minister of Interior gave the final approval. All plans to move units of gendarmerie or police were equally presented to the Administrator before they were approved by the qualified authorities. The Administrator was the 'ex officio' president of the municipal Council

of the chief town in his District. He controlled the municipal affairs of his District and so assisted at Council meetings in making suggestions or hearing complaints; he also nominated the president and the members of the Municipal Commissions. Moreover, the Administrator had to meet, every 15 days, with all the heads of the Administrative Services (with the exception of the heads of the judicial branches) under his jurisdiction, and he met, every three months, with the Kaimmakams of his District to examine the situation in their kazas. Every year the Administrator made two general inspection tours in his District and sent a report with his comments to the Ministry of Interior. The Administrator inspected the political and the economic situations of his District.<sup>45</sup>

The Kaimmakam was appointed upon the suggestion of the Minister of Interior. He represented the Administrator in the Kaza and was responsible to him for the execution of orders, for the maintenance of order and public security and for the collection of taxes. He was also responsible

---

45. Ibid., p. 224-230.

for the discipline of the Moukhtars and the Council for Elders. He was the President, 'ex-officio,' of the Municipal Council in the chieftown of the kaza, and he controlled the actions of the municipalities in his Kaza. Proposals made by the Administrator relating to the nomination of the president of a municipality or to the choice of municipal delegations had to receive the opinion of the Kaimmakam.<sup>46</sup>

The Administrative Council of the Kaza was headed by the Kaimmakam. The first secretary of the Kaza and the Ma'amour Al-Mal were members 'ex-officio' in this Council. The other members were six in number, two were appointed by the Minister of Interior and the other four were elected for a period of four years by an electoral college composed of Moukhtars and the members of the Municipal Council. The Council examined all matters referred to it by the Kaimmakam, it studied the economic situation of the Kaza and made suggestions on domestic matters, e.g., creation of extraordinary fees and the opening of roads between villages etc...<sup>47</sup>

---

46. Ibid., p. 183, 185.

47. Ibid., p. 232-233, 238, 239.

## Chapter IV

In 1932, M. Henri Ponsot<sup>1</sup> suspended the Constitution. In this intermediary period the Head of the Government, designated by a decree from the High Commissioner,<sup>2</sup> exercised the executive power with the approval of the Mandatory State, and was assisted by a Council of Directors of General Services.<sup>3</sup> He controlled the Lebanese Directors and he issued, after he received the opinion (avis conforme) of the Council of Directors, decrees having the force of law. Legislative decrees were subject to the approval of the High Commissioner. Moreover, Mr. Ponsot dissolved the Chamber and ordered the institution of technical commissions to lessen the charges of the States.<sup>4</sup>

On January 2, 1934, De Martel issued a decree regulating the exercise of legislative and executive power. The Chamber of Deputies

- 
1. M. Henri Ponsot became High Commissioner on October 12, 1926.
  2. E.g., on May 9, 1932, Ponsot appointed Mr. Charles Debbas, Head of the Government.
  3. The General Services of the State were the following: Justice, Interior, Finances, Public Works, Education, Agriculture, Hygiene and Public Assistance.
  4. Arrete no. 55/LR of May 9, 1932, Actes Administratifs, XIV, 1932, p. 177.  
Arrete no. 56/LR of May 9, 1932, Actes Administratifs, XIV, 1932, p. 178.

exercising the legislative power, was composed of members elected by universal suffrage and of 7 members appointed by the President of the Republic<sup>5</sup> on the suggestion of the government Council<sup>6</sup> (Conseil de Gouvernement). The Chamber of Deputies could initiate laws. It held two ordinary sessions every year, the first session started on the first Tuesday after March 15 and terminated by April, the second session opened on the first Tuesday after October 15 and terminated by December. The latter session was devoted to the discussion and the approval of the State budget, which was submitted to the Chamber by the State Secretary.<sup>7</sup>

The President of the Republic exercised the executive power with the assistance of his State Secretary who had to countersign every act of the President. He could summon the Chamber for extra ordinary sessions, he promulgated and was

- 
5. The appointed deputies exercised the same rights, guarantees and obligations as the elected deputies.
  6. The Government Council was composed of the following: the State Secretary, the Directors of the General Services of the State and of two higher magistrates of judicial order. The President of the Republic presided over the meetings of the Government Council.
  7. Arrete no. 1 of January 2, 1934, Lois et Décrets, VII, 1934, p. 4, 6, 10.

responsible for the execution of laws passed by the said Chamber. He enforced all matters (projects), with the opinion of the Government Council, which were urgently proposed with the approval of the Government Council and on which the Chamber had not acted within 40 days after their submission to it. He could adjourn the session of the Chamber for a period not exceeding one month, and he could also dissolve, with the consent of the Government Council, the Chamber before the legal expiration of its term. He appointed and dismissed the State Secretary.<sup>8</sup> On January 2, 1934 De Martel appointed, for a period of one year, Mr. Habib Pasha Al-Asaad President of the Lebanese Republic.<sup>9</sup>

The State Secretary exercised the superior direction of all the State services, he was responsible for the application of laws and regulations, and he could take part in the meetings of the Chamber of Deputies. He was assisted by one or several officials.<sup>10</sup> The President of the Republic had to approve all the decrees or laws adopted

---

8. Ibid., p. 12-14.

9. Arrete no. 3 of January 2, 1934 (du H.C.), Lois et Decrets, VII, 1934, p. 16-17.

10. Arrete no. 1 of January 2, 1934, op.cit., p. 14.



by the Directors of General Services, who were authorized to appoint, promote or dismiss the personnel, the provisional or temporary agents of the various services.<sup>11</sup>

On January 3, 1936, De Martel re-introduced the election of the President of the Republic by two thirds majority of the Chamber of Deputies voting in a secret ballot. The term of office was diminished to 3 years.<sup>12</sup> On January 4, 1936 Habib Pasha Al-Saad called for an extra ordinary session of the Chamber to elect a new President,<sup>13</sup> and on January 20, 1936, the Chamber of Deputies met<sup>14</sup> and elected Emile Eddé, President of the Lebanese Republic.<sup>15</sup> On January 4, 1937, De Martel re-instituted the Constitution of 1926,<sup>16</sup> which had been suspended on May 9, 1932. On

- 
11. Décret no. 335 of May 3, 1934, Lois et Décrets, VII, 1934, p. 63-64.
  12. Arrête no. 1/LR of January 3, 1936, Lois et Décrets, 1936, IX, (Beyrouth, 1938), p. 3-4.
  13. Décret no. 2640 of January 4, 1936, Lois et Décrets, 1936, (Beyrouth, 1938), p. 12.
  14. Monsieur Lafond, the High Commissioner delegate, was present and Comte De Martel gave an address.
  15. Edde obtained 15 votes and Béchara El-Khoury obtained 10 votes.
  16. Arrête no. 1/LR of January 4, 1937, Lois et Décrets, 1937, X, (Beyrouth, Imp. Azar, 1938), p. 3-4.

October 6, 1937, he extended the Presidential term of office to 6 years; the President could not be re-elected except after an interval of 6 years.<sup>17</sup>

On July 29, 1937, De Martel decreed<sup>18</sup> that the Chamber of Deputies should consist of 40 elected members and of 20 appointed ones, and on October 7, 1937, he again increased the number of deputies by 2 elected members and an appointed one.<sup>19</sup>

On September 21, 1939, Monsieur Gabriel Puaux suspended the constitution, dissolved the Chamber of Deputies and dismissed the ministry.

17. Arrete no. 133/LR of October 6, 1937, Lois et Décrets, 1937, X, p. 17-18.
18. Arrete no. 119/LR of July 29, 1937, Lois et Décrets, 1937, X, p. 24-25.
19. Arrete no. 135/LR of October 7, 1937, Lois et Décrets, 1937, X, p. 26-27. According to décret no. 1254/EG of October 9, 1937, (Lois et Décrets, 1937, X, p. 28-32) the seats in the Chamber were divided as follows:  
 District of Beirut had 6 seats-2 Sunni Muslims, one Maronite, one Greek Orthodox, one Armenian Orthodox and one minority representative. District of Mt. Lebanon had 12 seats 6 Maronites, one Sunni Muslim, one Shi'ite, 2 Druzes, one Greek Catholic and one Greek Orthodox.  
 District of Northern Lebanon had 9 seats-4 Sunni Muslims, 4 Maronites, one Greek Orthodox.  
 District of Southern Lebanon had 8 seats-5 Shi'ites, one Sunni Muslim, one Maronite and one Greek Catholic.  
 District of Beqa'a had 7 seats-one Sunni Muslim, 2 Shi'ites, one Druze, one Maronite, one Greek Catholic and one Greek Orthodox.

The powers which formerly belonged to the prime minister and to the ministers were to be exercised by a State Secretary<sup>20</sup> appointed by the High Commissioner. The State Secretary was assisted by a French Counsellor, appointed by the High Commissioner, and by a council of senior officials of the Government (Conseil consultatif de gouvernement) composed of the directors of the General Services of the Lebanese Government. The President of the Republic was given the power to appoint certain officials, the list of which would be fixed by a decree from the High Commissioner. The other officials would be nominated by the Secretary General. The President of the Republic could, upon the advice of the Secretary of State, promulgate decrees having the force of law, namely in matters relating to the budget. Legislative decrees would be made with the sanction of the High Commissioner who would put them into effect.<sup>21</sup>

---

20. According to Arrete no. 248/LR of September, 21, 1939, (Journal Officiel de la République Libanaise, 1939, p. 3369), The first State Secretary appointed by M. Puaux was M. Abdallah Beyhum.

21. Arrete no. 246/LR of September 21, 1939, Journal Officiel de la Republic Libanaise, (Beyrouth, 1939, hence J.O...), p. 3368-3369.

On November 22, 1939, the President of the Republic introduced an administrative reorganization in the following General Services: Finance, Interior, Public Works, National Economy and Education. The Hygiene and Health Services were attached to the Department (Direction) of Interior and were administered by a doctor known as the medical inspector (Médecin Inspecteur). The Judiciary Services were also attached to the Department of Interior. The Services of Agriculture were to form a part of the Department of National Economy. The Department of Post and Telegraph were attached to the Department of Public Works and were administered by a functionary called the Inspector General.<sup>22</sup>

The Franco-German armistice of June 2, 1940, left Lebanon and Syria under Vichy rule, and in November 1940, Monsieur Gabriel Puaux was first replaced by Monsieur Chiappe and later by General Dentz. In April 1941, President Eddé and his Secretary General resigned from office, so a new

---

22. Décret-legislatif no. 10/LE of November 22, 1939, J.O., 1939, p. 3587-3588. This decree was issued by President Eddé and was approved by the High Commissioner Monsieur Gabriel Puaux.

administration was set up under the "Head of State" appointed by the High Commissioner;<sup>23</sup> the former was assisted by a Council of 5 sous-Secretaries of State appointed by him and responsible only to him. The Head of State issued decrees having the force of law, upon the advice of the State Council.<sup>24</sup>

The rule of Vichy France in Syria and Lebanon was approaching its end, for on June 8, 1941 a "force of Imperial free French and other Allied Troops entered Lebanon and Syria, the free French contingent was under the command of General Catroux."<sup>25</sup> On June 24, 1941, General De Gaulle appointed General Catroux, commander-in-chief of the Levant, General and Plenipotentiary Delegate of the Free French in the Levant. The policy of the Free French was embodied in the letter which De Gaulle sent to Catroux

"You are going to exercise your powers and functions in my name and in that of The Council of Defence of the French Empire. Your mission will consist

---

23. Arrete no. 81/LR of April 9, 1941, Bulletin Officiel des Actes Administratifs du Haut Commissariat, 1941, (Beyrouth, 1941, hence Bulletin Officiel), p. 142. According to this Arrete (81/LR), General Dentz appointed Monsieur Alfred Naccache, "Head of State."

24. Arrete no. 80/LR of April 9, 1941, Bulletin Officiel, 1941, p. 141-142.

25. Hourani, op.cit., p. 237-240.

particularly in restoring the economic situation in the Levant as rapidly and completely as the circumstances of the war permit, in negotiating with the qualified representatives of the interested peoples treaties establishing the independence and sovereignty of the Levant States, while guaranteeing their alliance with France and safeguarding the rights and interests of France; in assuring the defence of the territory against the enemy and cooperating with the Allies in the military operations in the East.

"Until the regime resulting from the treaties to be concluded is established --and this ought to take place as soon as possible--you should assume all the powers hitherto exercised by the High Commissioner of France in the Levant and all the responsibilities incumbent upon him. Furthermore your powers will include that of representing France so far as treaties are concerned, and you will be at the same time commander-in-chief of our forces.

"You will bring about, whenever it shall be possible, the establishment of assemblies fully representative of the whole population and the formation of Governments having the confidence of those assemblies. You will immediately enter into negotiations with these Governments, so as to bring about the conclusion of treaties of alliance. These treaties will be signed by those Governments and by me.

"In spite of the confusion and chaos resulting from the temporary reverses of the French armies and in spite of the intrigues of the invader of our country, the Mandate of France, which was confirmed by the League of Nations in 1923, should be exercised up to the moment when it is effectively ended, and until then the work

of France ought to continue."<sup>26</sup>

On July 8, 1941, General Dentz surrendered, and on July 14, an armistice Convention was signed in Acre.<sup>27</sup> General Catroux gave a proclamation which embodied the intentions of the Free French. He said:

"Inhabitants of Syria and Lebanon!

"At the moment when the forces of Free France, united to the forces of the British Empire, her ally, are entering your territory, I declare that I assume the powers, responsibilities and duties of the representative of France in the Levant. I do this in the name of Free France, which is the traditional and real France, and in the name of her chief General De Gaulle. In this capacity I come to put an end to the Mandatory regime and to proclaim you free and independent.

"You will therefore, be from hence forward sovereign and independent peoples, and you will be able either to form yourselves into separate States or to unite into a single State, etc...."<sup>28</sup>

On November 26, 1941, General Catroux proclaimed the independence of Lebanon and defined the form of collaboration between France and Lebanon.

26. Hourani, op.cit., p. 243-244.

27. Ibid., p. 237-240.

28. Ibid., p. 241.

"Lebanese

"The proclamation which I addressed to you on June 8 in the name of General de Gaulle, Chief of Free France, and which Great Britain supported by a special simultaneous declaration, recognized Lebanon, under the guarantee of a treaty to be concluded with a view to defining Franco-Lebanese reciprocal relations, as a sovereign and independent State...."

...."Your aspirations are satisfied. It is now a matter of organizing your independence. As far as I am concerned, I have two tutelary duties. The first is to confide the work of installing and directing the regime to a man fully qualified to accomplish this difficult task in present circumstances. After very extensive consultations both with individuals and with public opinion throughout the whole extent of the territory, I have understood that the hopes of the Lebanese nation are fixed upon His Excellency Monsieur Naccach. I have asked him to remain in power with the title and prerogatives of President of the Republic, and to govern by means of a ministry which will be responsible to him and in which the just representation of all the regions and confessions which form the Lebanese Nation will be assured.

"The second task is to define the spirit and forms of the collaboration to be established between Lebanon and Free France, while awaiting the conclusion of a treaty of alliance and friendship.

"In recognizing your independence, France is inspired solely by her traditional friendship with Lebanon, by her tutelary mission in this country throughout the centuries, and by the privileged position which she has thus acquired. Her aid remains assured



to Lebanon in all things, in the spirit of the Franco-Lebanese Treaty of Alliance and Friendship of 1936 which received the unanimous approbation of the Lebanese population...."29

Though Catroux proclaimed the independence of Lebanon, constitutional life was not restored to the country until 1943. On March 18, 1943, General d'Armée Catroux reintroduced the Constitution of 1926.<sup>30</sup> He defined provisionally, until the election of a new President, the organization and the functioning of the executive and the legislative powers. The Head of State, who was appointed by the General and Plenipotentiary Delegate of France in the Levant, exercised the executive power. He was assisted by two ministers of State appointed by him and responsible only to him, the President issued decrees, upon the advice of the Council of ministers, having the force of law.<sup>31</sup>

---

29. Ibid., p. 250-251.

30. Arrête no. 129/FC of March 18, 1943, Bulletin Officiel des Actes Administratifs de la Délégation, 1943, (Beyrouth, 1943), hence Bulletin Officiel de la délégation, p. 74-76.

31. Arrête no. 130/FC of March 18, 1943, Bulletin Officiel de la Délégation, 1943, p. 75-77. According to Arrête no. 131/FC of March 18, 1943, (Bulletin Officiel de la Délégation, 1943), General Catroux appointed Monsieur le Docteur Ayoub Tabet provisional Head of State.

On July 31, 1943, M.J. Helleu, who had succeeded Catroux as Delegate General in June, fixed the number of deputies in the Chamber. The Chamber was to include 30 Christians and 25 Moslems.<sup>32</sup> Elections took place in August and on September 21, 1943, the Chamber met and elected Bechara El-Khoury, President of the Republic.<sup>33</sup> Riyadh El Solh formed a strong cabinet.<sup>34</sup> Premier Solh declared before

---

32. Arrete no. 312/FC of July 31, 1943, Bulletin Officiel de la Délégation, 1943, p. 209-210. The seats were divided as follows:

	<u>Beirut</u>	<u>Mt. Lebanon.</u>	<u>North Lebanon</u>	<u>South Lebanon</u>	<u>Beq'aa</u>
Sunni	3	1	5	1	1
Shiites	1	1		6	2
Armenian Ortho <sup>2</sup>					
Greek Ortho.	1	1	2	1	1
Maronites	1	10	5	1	1
Minorities	1				
Druzes		3			1
Greek Cath.		1		1	1

33. Hourani, op.cit., p. 257.

34. Hourani, op.cit., p. 257. The Cabinet was composed as follows:  
 Riyadh El Solh, Prime Minister and Minister of Finance.  
 Habib Abu Shahla, Deputy Prime Minister and Minister of Justice and Education.  
 Camille Chamoun, Minister of Interior and of Posts and Telegraph.  
 Salim Takla, Minister of Foreign Affairs and Public Works.  
 Amir Mejid Arslan, Minister of Defense and Hygiene.  
 Adile Usayran, Minister of Food Supply and National Economy.

The Chamber that France should revise the Constitution and rightfully fulfill the independence she had already acknowledged. On November 9, 1943, the Constitution was modified, and all mandate restrictions were deleted.<sup>35</sup> The President of the Republic was to exercise executive power free of foreign restrictions. Thereupon the French imprisoned the President and all the Cabinet members except two who escaped and formed a government in Bchamoun with parliamentary approval.<sup>36</sup> On November 10, 1943, Helleu suspended the Constitution, dissolved the Chamber<sup>37</sup> and appointed Monsieur Emile Eddé provisional Head of State.<sup>38</sup> A general strike and demonstrations were carried out in Beirut. With the British support and the American and Arab moral backing General Catroux, who was again sent to Beirut, ordered the release of the Lebanese officials who resumed office. Lebanese independence was thus established.

---

35. Davis, op.cit., p. 185-186.

36. Grassmuck and Salibi, op.cit., p. 12.

37. Arrete no. 464/FC of November 10, 1943, Bulletin Officiel de la Délégation 1943, p. 284.

38. Arrete no. 465/FC of November 10, 1943, Bulletin Officiel de la Délégation 1943, p. 286.

## CONCLUSION

The authority exercised by the High Commissioner and the strict centralization of power which prevailed during the mandatory period were not introduced by the French; a similar situation had existed before the First World War, when the mutasarrif was the chief executive. The administrative changes of 1860,<sup>1864</sup> 1918, 1920 and 1926 were successive steps in the creation of strong privileged mutasarrifs, and subsequent administrators, high commissioners and presidents of the Republic. Highly centralized power was a dominant factor before, during and after the mandatory period. This concentration of authority encouraged the people's passive mentality towards administrative problems, a characteristic already prevalent in Lebanon when the mandate was established. Besides, the centuries of neglect and the social disintegration of the late nineteenth and early twentieth centuries had not prepared the people for a democratic way of life. Moreover, the French were really unable or did not try to remove political feudalism; it became a traditional practice for most of the political feudalists to establish friendly relations with the holder of authority,

thus enhancing the latter's powers and prerogatives.

In addition to the unlimited powers of the High Commissioner, practice had placed him above law and constitution. The new local administration was given nominal authority; <sup>only</sup> for the President of the Republic during the mandate had little power and every ministry was under the supervision of a French Counsellor. The local branches of the administration were also controlled by French advisors. One cannot but agree with Monsieur Gabriel Menassa's statement concerning the early years of the Mandate: "Les Conseillers étrangers ont eu (et ont toujours) une influence et un pouvoir tel que la personnalité et l'activité du Directeur sont complètement éclipsées. Tel n'est pas l'esprit du mandat."<sup>1</sup>

It is true that the people had not been prepared for democratic institutions, yet the French introduced the new forms of parliamentary government to the Lebanon and thus potentially put them face to face with democratic life. But there was no clear manifestation of democratic

---

1. Gabriel Menassa, Les Mandats Act leur Application en Orient, (Paris, 1924), p. 190.

life for though France had promised independence, the High Commissioner imprisoned the President and some members of the Cabinet when they abrogated the articles of the constitution related to the Mandatory regime.

It becomes clear, after a study of the administrative structure of Lebanon since 1918, that the High Commissioner held the greatest power. His supreme and ultimate authority was exercised mainly through three channels. Between 1920 and 1926 he controlled the personnel of the Central Administration and exercised direct influence through the bureaus of the Haut-Commissariat. In 1926, with the retention of direct influence over the bureaus of the Haut-Commissariat, the High Commissioner exercised direct control over the President of the Republic; moreover, French counsellors supervised ministries and had more real authority than the ministers themselves. No ministerial order was ratified unless it was approved by the President of the Republic whose power was limited by the High Commissioner.

The French modernized the administration

in Lebanon by introducing new bureaus or new legislative measures. Their form of administration gave the country some stability, and potentially allowed the chief executive wide prerogatives. Thus, when in 1943, Lebanon became independent, the practical heir of this wide executive power was the President of the Republic. Both the constitutional and the conventional powers of the high commissioner were handed down to the first President of the Independent Lebanon. Since then the President exercised these prerogatives to the best of his ability.

## BIBLIOGRAPHY

### Articles.

- Rondot, Pierre. "Quelques réflexions sur les structures du Liban," Orient, 2<sup>ème</sup> année, 2<sup>ème</sup> trimestre no. 6 (1958).

### Books and Thesis.

- 'Adra, ' Abd ar Rahman. Protocol Lubnān. Beirut, 1952.
- Al-Khazen, Philip and Farid. Majmū't Al-Muharrarāt As-Siyasiyat Wa Al-Mufawadāt Ad Dawliyat'n Suriya wa Lubnān. Junieh, 1911.
- Amory, Pierre. Le Regime Administratif au Liban avant et depuis l'institution du Mandat International de la France sur ce territoire. Lyons, 1934.
- Andrews, Fannie Fern. The Holy Land Under Mandate. New York, 1931.
- Antonius, George. The Arab Awakening. Beirut, 1955.
- Baker, Ray Stannard. Woodrow Wilson and World Settlement. New York, 1922.
- Bentwick, Norman. The Mandates System. London, 1930.
- Berger-Levault, ed. La Syrie et Le Liban sous l'occupation et le Mandat Français 1919-27, Paris.
- Davis, Hellen Miller. Constitutions, Electoral Laws, Treaties of States in the Near and Middle East. Durham, N.C., 1947.
- De Feriet, René. L'Application d'un Mandat. Beyrouth, 1926.
- Gontaut-Biron. Comment La France s'est installée en Syrie 1918-1919. Paris, 1922.



- Grassmuck, George and Salibi, Kamal. A Manual of Lebanese Administration. Beirut, 1955.
- Hitti, Philip K. Lebanon in History, London, 1957.
- Hourani, Albert. Syria and Lebanon. London, 1954.
- Joffre, Alphonse. Le Mandat de la France sur la Syrie et le Grand Liban. Lyon, 1924.
- Lenczowski, George. The Middle East in World Affairs. Ithaca, 1952.
- Longrig, Stephen Hemsley. Syria and Lebanon under French Mandate. London, 1958.
- Masād, Būlus. Lubnān Wa Dustūr Al-Uthmāni. Al-Fahalat, Imp. Al-Ma'ref.
- Menassa, Gabriel. Les Mandats A et leur Application en Orient. Paris, 1924.
- Rondot, Pierre. Les Institutions Politiques du Liban. Paris, 1947.
- Samné, George. La Syrie. Paris, 1920.
- Tabet, Eyyoub G. L'Etat Du Liban et Le Mandat. Beyrouth, 1926.
- Tamir, Jurgi. Al-hadiyya al-Wataniyya. B'abda, 1909.
- Young, George. Corps De Droit Ottoman. Vol I, Oxford, 1905.
- Wright, Quincy. Mandates Under the League Of Nations. Chicago, 1930.
- Ziādeh, Nicola A. Syria and Lebanon. London, 1957.
- Riashi, Iskandar. Kabl Wa Ba'd. Beirut, 1953

Documents.

Bulletin officiel des actes administratifs du Haut-Commissariat. Beyrouth, (1922-1944). This was called Bulletin officiel des actes administratifs de la Délégation, 1942-1943.

Journal Officiel du Grand Liban. Beyrouth (1922-1926).

Journal Officiel de la République Libanaise. Beyrouth (1926-1943).

Mahādir Jalasāt Al-Majlis Al-Idāri Al-Kabir. (Preserved by the National Museum of Lebanon.)

Recueil Des Actes Administratifs du Haut-Commissariat de la République Française en Syrie et au Liban. Beyrouth (1919-1932).

Recueil des arretes et decisions du Grand Liban. Beyrouth (1920-1926).

Recueil des arretes et decisions de la Zone Ouest. Beyrouth, (1918-1920).

Recueil des lois et decrets du gouvernement de la République Libanaise. Beyrouth, (1926-37).