

**A FEW WORDS ON THE
ANGLO-EGYPTIAN
SETTLEMENT**



Photo by G. S. S.

The Author.

A FEW WORDS ON THE
ANGLO-EGYPTIAN
SETTLEMENT

By

ABBAS HILMI II

Twenty-three years Khedive of Egypt

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To the memory of my lamented
friend Benjamin L. Mosely, the pioneer
of the struggle begun in 1906 for the attainment
of cordial relations between Britain and Egypt.

In this movement he was close associate
of my friend the Rt. Hon. J. M. Robertson late
Member of the British Parliament and an old
and sincere supporter of Egyptian Constitutional
freedom.

Albas Hilmi.

PREFACE TO THE ENGLISH EDITION

I SHOULD indeed be without heed either for my human obligations or for my duties as a prince if I could follow without deep interest the evolution of a land which I love and whose interests and traditions I have for more than twenty years defended. Patriotism alone would have sufficed to make clear to me my path, even if my loyalism had not first revealed it to me. I have followed with sympathetic interest the efforts of Egyptians for the independence of their country, and the establishment of a sound régime founded on national sovereignty.

I am deeply interested in Egyptian matters, and I contemplate with anxiety the struggle carried on by Egypt's inhabitants for the conquest of their liberties.

Never at any time have I spared myself for the good of the country; I have spared neither counsel nor sincere thought in the course of the discussions between Egyptian negotiators and the British Government. I have always hoped that the efforts of them all might be crowned with success, being desirous to see the Fatherland finally set free from the sorrowful situation which it has endured since 1882.

There is no need for me to dwell upon the history of the years between 1882 and 1892. Owing to the death of my father I was called upon to assume the heavy duties of State, and to ascend the throne at the age of eighteen. Leaving school, completely devoid of experience to prepare me to shoulder such a heavy burden, I was almost overwhelmed by a task of such difficulty and complexity. Of course I was aware that the country was under military occupation by a foreign army, but in my first

month I realised that the civil administration of the country was penetrated by the British with the object of supplanting the Egyptian Executive and Government. This fact impressed itself vividly upon my mind. This is not the occasion to relate in detail all the events which followed this impression. The sole thing I wish to recall here is that the interference of the British authorities in Egypt was the cause of the discord which arose between them and me. I well recall my first official visit to England; I then made contact with personages holding high positions in Great Britain and in English society.

I found myself in a world differing totally from that which continually surrounded me at Cairo. I made great efforts to get into closer contact with the Executive of the Government at London, but I felt my endeavours were frustrated by some indefinable influence at work. I realise now

that I might profitably have made it a practice to visit London every year, but that was made impossible. The British authorities in Egypt had every interest in putting obstacles in the way and preventing any closer contact between me and London; and every winter brought me so many incidents that my presence in London was made very difficult.

I have followed with much interest the negotiations in Egypt during the decade 1919-1929—negotiations which have had their primary cause in the uprising of the Egyptian people at the end of the War, and which have ended in various conventions for the adjustment of conflicting claims in reply to criticisms. These have had one common similarity in diversity, inasmuch as they all more or less failed to satisfy the aspirations of the Egyptians. But I consider that great progress has been made toward the attainment of this end. I allude

to the coming to power of a British Government determined on the solution of this question by the employment of peaceful means and just dealing. My position is this: A settlement such as is proposed to-day in the projected treaty may be accepted as a basis for the future relations of the two countries, and time and experience will furnish opportunities to remedy all the defects hitherto disclosed in preceding conventions. No treaty ever yet made between nations was perfect. All are the product of human intelligence, which is necessarily fallible. Only the passage of Time, that great enlightener, can reveal defects which must be remedied to keep pace with the perpetual change in human affairs.

Immediately I learned the principal lines of the proposed settlement, as set out in the Anglo-Egyptian White-book of August 1929, I made a declaration in the pages of

the *Manchester Guardian*, in which my position was clearly stated.

In that declaration I made 'an appeal to the Egyptians to forget their divisions in face of an opportunity so serious and so fraught with the future well-being of Egypt and the assurance of the liberty of her people. It was in full consciousness of this that I reminded Egyptian politicians that Mohammed Mahmoud Pasha had been one of their number from the beginning of the struggle, and that this moment was certainly a very ill-chosen one in which to reproach him for past conduct, however reprehensible that conduct might seem to certain critics. I pointed out that fairness and justice to political opponents was a duty incumbent on all, and that before passing sentence one must be sure that it is passed on the one really responsible. Is it not a truism that in the world of politics the originator and the executor of a policy are

very rarely found united in one and the same individual?

“Mahmoud Pasha is a person with whom we refuse to have any dealings.” Such is the cry of many Egyptian politicians at this critical time. I reply that if during my twenty-three years of politics in Egypt I had refused to make use of a man’s service solely on the ground that he had committed faults and mistakes in the past, I should never have been able to work with anyone at all. *Humanum est errare*. As proof of the defectiveness of the Egyptian Constitution I will cite the case of the late Prime Minister, Mustapha Nahas Pasha. I know him well, and appreciate him as a sincere Egyptian patriot. But, when he came to power, I fully anticipated that his régime would be one of very short duration, and so the event proved. Let us bear in mind the circumstances of his dismissal, and the text of the letter which dismissed him from

power. It is unjust to consider anyone responsible for an event which neither he nor anyone else can be presumed to have desired. Let us dismiss the discussion of that in face of more vital issues. That which Mohammed Mahmoud has obtained for us to-day is vastly more important than the futile discussion of dead controversies. Let us face facts. Parliament is suppressed, but it is an inherent indisputable right belonging to the Egyptian nation that it shall be restored whenever they decide that it *must* be restored. Every Egyptian must be convinced that his primary duty is to defend the Constitution, and only by national union will his legitimate patriotic desires be obtained. But the proposed treaty with Britain is in another case; for if at this moment, when such weighty matters are in the balance, the internecine discords of Egyptian politicians are allowed to prevail, with the result that the projected treaty is

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compromised or abandoned, then it may well be that such an opportunity may be lost beyond recovery. Such is my message to the Egyptian people.

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I
THE SUDAN

I

THE SUDAN

THIS great, rich, and most interesting country, so closely linked up and conquered in the reign of Mohammed Ali, has suffered grievously by war and disease.

Only during the last thirty years has it begun the period of convalescence which must precede health. Although many Egyptians have severely criticised the arrangement of 1899, whose author, Boutros Pasha, was bitterly censured, and who, in consequence, ultimately paid the penalty with his life—yet dispassionate consideration of that document impels us to admit that up to this day no better proposition has been made.

Egypt has struggled against Imperialism and demanded her independence; and to

those who accuse her of harbouring imperialist ideas against the Sudan we reply that, seeing the Sudanese are of the same race and religion as we ourselves, Egypt is bound to continue the same policy towards the Sudan as she demands for herself. Our duty in this matter is to induce Britain to collaborate with us for the civilisation and progress of this people, so that it may be educated to take its rightful place in the family of civilised nations. Let us hope that the day will dawn when the Sudanese people will possess representative institutions, and in close association with the sister nation will, if they desire, form one member of a Federation of the United States of the Nile. This, however, although a great aspiration, at present belongs to the future. It is for us to set our hands to the more prosaic, but necessary, work of to-day.

Egyptians, on the one hand, must remember how impossible would have been the

reconquest of the Sudan without the organising power of the British Army authorities. Englishmen, on the other hand, ought not to forget how many Egyptian lives were sacrificed, and how much of Egyptian revenue was spent, in digging the great irrigation canals and building the railways which were essential to the development of the recovered territory.

There are many in Egypt who demand that the Egyptian Army should return to the Sudan. The presence of the army alone cannot be considered as a manifestation of Egyptian sovereignty over the Sudan. No Egyptian would like to see the army employed as one of conquest. The idea of employing the army as a means of suppressing the rebellions of Sudanese and Arab tribes at the cost of the death of Egypt's sons is one which finds no welcome in our hearts. The presently existing Sudanese force which, according to the spirit of the

Convention of 1899, represents the Anglo-Egyptian authorities) amply suffices, and the presence of an Anglo-Egyptian army is unnecessary. Nevertheless, seeing that there *are* British troops in the Sudan, we consider that Egypt should be represented there by a force of equal strength in numbers, and that force should not be called upon to undertake any greater obligations than are now allotted to the British force.

This military parity should be extended to the Civil Administration, and the number of appointments allotted to Egyptian subjects ought to be equal to those allocated to British subjects. All the same, it is to be remembered that these questions, although important, are political in their character; they are not the essential and fundamental points for Egypt. Of these latter, there are three whose importance for Egypt cannot be too strongly emphasised.

All Egyptians should ever bear them in mind.

1. *Nile Irrigation*.—"Egypt is the Nile and the Nile is Egypt." The question of Nile Irrigation has already formed the object of an arrangement. Whether the results to be revealed from its practical working will be satisfactory or not, only the future can show. I merely allude to the subject in passing, owing to its vast importance. No Egyptian statesman must ever lose sight of the importance of adapting the existing convention so that it shall always be adequate to the changing requirements of the country, and assure its efficient irrigation.

This is why I suggested to Zaghoul Pasha, when he was negotiating with London, that a permanent Commission should be formed at Cairo under the name of the "Nile Commission". It was to consist of high technicians representing all the

interests involved, and its task would be to ensure a just and adequate irrigation everywhere.

2. *Agriculture.*—Egypt and the Sudan should come to a “rationalising” agreement as to the output of cotton, such treaties being now familiar in European countries. An enlightened agricultural policy is called for, which shall be so framed that the two countries shall mutually assure each other’s requirements. The two countries are intended by Nature for mutual co-operation, and any policy which ignores this obvious fact is *ipso facto* foredoomed to economic failure.

3. *Emigration.*—Egypt has a large and growing population. The population of the Sudan is extremely sparse. It is absolutely necessary for Egypt to find in the near future an outlet for her surplus population. What Egypt requires is an agreement which shall recognise this and confer

priority on Egyptians, so that the vast regions of the Sudan shall receive settlers coming from Egypt in preference to those coming from elsewhere.

This question will in the near future become one of capital importance for Egypt, and it behoves her statesmen and politicians to understand this. There remains the closely allied subject of the entry of Egyptian capitalists into the Sudan. We consider that the right of Egyptians to participate in the development of the country must be asserted, and full equality in the opportunities of investment with those enjoyed by British capitalists should be claimed and accorded. Thus Egyptians will realise that they are taking their fair share in the economic and agricultural improvement of the country to which they are bound by such close ties; and the collaboration of the British Government is very desirable in order that

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the Sudan, which has suffered so greatly in the past, may be led along the path of social and economic progress by all the means which wise and sympathetic administration can devise, and so ultimately attain the place in the world to which it is entitled.

II

THE SUEZ CANAL AND THE
ANGLO-EGYPTIAN MILITARY
ALLIANCE

II

THE SUEZ CANAL AND THE ANGLO-EGYPTIAN MILITARY ALLIANCE

THE gigantic work of the Suez Canal, worthy of the land which witnessed the colossal undertakings of the mightiest Pharaohs of long-past ages, never fails to strike the imagination; but it should ever be borne in mind that a terrible toll of Egyptian lives was taken in the course of its successful execution. The number of deaths which occurred during that period surpassed the number which Egypt had to lament during the late war. Ah! it is true that the Canal has proved highly remunerative to the company which exploits it; but Egypt has never obtained the smallest advantage; on the contrary, the Canal has been the principal cause of Egypt's miseries.

I recall that in the time of the late Sir Eldon Gorst, the time when my relations with the representative of Great Britain were at their best, it was proposed to prolong the duration of the Company's concession. The Company, naturally seeking its own private interests first, was the author of the proposal; but it is greatly to be regretted that the Legislative Council, instead of recognising that it was in the country's interest to put forward a counter-proposition, in which they could have demanded and obtained a fair share of the vast profits of the undertaking immediately, simply declined to make any proposition at all, and (apparently), being content with the *status quo*, the Council turned the whole thing down. A golden opportunity was then lost, and it prompts now to ask the questions: What has Time in store for us up to the end of the concession? Who, in face of the political state of

the world to-day, would dare to risk an answer?

Great Britain demands the right to-day to defend the Canal, in that she is demanding in the proposed treaty authorisation to maintain military forces on both banks.

Mr. Ramsay MacDonald has gone to America to initiate the great matter of disarmament. Perhaps the question of "waterways", which geographically are the links between international oceans, will come up for consideration.

If, however, this subject should not come up for consideration to-day in the Disarmament treaty, it should not be forgotten that the League of Nations will be forced (in its work for world peace) to occupy itself with the wide question of waterways and to find a final solution for it.

In such case Great Britain will have no special interest in undertaking the protection of the Canal, and then the League

would inherit the work of protection carried on by Great Britain, and the maintenance and upkeep of the Canal without material advantage for itself or for Egypt either. This is the reason why it is incumbent on us to find a solution which will allot to Egypt material advantage as soon as the first opportunity occurs.

My conclusion is, therefore, that Egypt should obtain an agreement with Great Britain, in virtue of which it shall be provided that at the expiration of the present concession the Canal should become an Anglo-Egyptian exploitation, and thus prevent its falling into the hands of the present company. I am categorically against any renewal of the concession. It is astonishing to me also that since the creation of the Suez Canal Company no Egyptian Minister ever seems to have thought of enlarging the rôle of his country in the administration of the Company. Moreover,

never has an Egyptian been chosen as member of the Conseil d'Administration from the inception of the Company up to to-day. No Egyptian high official has ever tried to obtain any high post on the Company, nor has the latter ever sought to include such on its staff.

I now pass to the questions which present themselves for consideration touching the military point of view.

A great deal of surprise and criticism has been directed by Egyptian politicians against the proposal to restrict the British troops to the Canal zone. The fact that this criticism can be made is a proof to me that many Egyptians, who should be better informed, know very little of what goes on in their own country. It is no new thing for British troops to be in occupation of the banks of the Canal. It is well within my recollection that the British Government purchased at Port Said, at the very

beginning of that town, an hotel which was derelict and in bankruptcy, and transformed it into a barracks, with canteen, stores, hospital, and the necessary military dependencies. There was nothing secret about it, for the British flag was floating at the mast, and the sentries on guard were clearly visible. Thus British troops have been previously stationed in the Canal zone, despite its technical neutrality.

The recent war taught us many unexpected lessons concerning the astonishing mobility and development of the means of warfare, such as tanks and airplanes, etc., but it is regrettable to find that there are still persons who are blind to those lessons, and who can still seriously attach importance to the (now) purely academic question as to whether the Canal banks are occupied on their eastern or western sides. The point has now become a ridiculous one.

Egyptian independence, so ardently

desired by us, must not be erected into an excuse for loading our budget with the heavy expenses which would be involved in the maintenance of an increased army or navy. The best thing for Egypt would be the presence of British troops in the Canal zone, authorised by treaty of which the League would be arbitrator, and their presence should be considered as a symbol of the alliance with Great Britain. I understand that their number will be limited to about 4,500 men. So small a force is insufficient really to defend the Canal, but it may be considered a symbol of the *protection* of the Canal.

It is to be hoped that Egyptians will find means to induce Great Britain to assume the protection of the entire Egyptian coast by maritime means, the British fleet assuming that responsibility; and it should be regarded as the price paid by Great Britain for the concessions made by Egypt.

It should be the part of Egypt to accord all necessary facilities to render this alliance a reality. Egyptian troops should undergo a training similar, as far as possible, to that of Great Britain; and I would propose that there should be organised at Cairo a "Commission of Liaison". The duties of this body should consist in organising the intimate contact of the respective General Staffs, without mutual interference in their internal affairs, and it should provide for the admission of suitable Egyptian military students into British Military Colleges. Egyptian Staff Officers should be eligible for admission to, and should be trained by, the British General H.Q. Staff.

If these propositions are carried into execution, Egypt would be in a fair way of obtaining an excellent army for National Defence—a militia; and it would be very similar to that maintained by Switzerland,

which is the only army in which the soldier knows that his single duty is to defend his country, and not to conquer a square yard of foreign territory. But to obtain an army similar to the Swiss, one great thing is necessary before all else, and that is: the level of public elementary education of the Egyptian citizen must be generally improved. The character and *moral* of pupils must be considerably raised, and illiterates must completely disappear.

III

MINORITIES

III

MINORITIES

THIS thorny and complicated question was a thing formerly unknown to jurists in Egypt. In the days before the British occupation all the various national minorities lived their lives in perfect harmony and toleration. The existence of these sections, whose diversities were both ethnical and religious in character, was alluded to for the first time in the Declaration of February 1922.

The most important minority in Egypt is that of the Copts. I can recall that I always maintained the best of relations with all the leading members of this community, and always have done my utmost to treat the Copts on exactly the same footing as all other Egyptians. I should be the first to recognise the devoted and faithful

services of the late Boutros Pasha Ghali. I can assert that during my long reign he was the best President of the Council that I ever had, and with him I was always able to work in complete harmony. In the beginning of the national movement, which took place after the War, the Copts took their full share with sincerity and enthusiasm, and many were the sacrifices they made for the cause. In the long list of killed, wounded, deported, and prisoners, many Copts are to be counted.

Now the proposed treaty recognises the absolute and uncontested right of Egypt to protect all Egyptians without distinction of creed or origin. We ardently desire, therefore, that all Copts will do as they did in 1919, and do their part in maintaining Egyptian national sovereignty.

I now come to the Syrians. This community, in the time of the British occupation, was in possession of many Government

appointments, and was always very favourably disposed, and gave active support, to British policy. But this never prevented the Syrian colony showing the completest sympathy with Egyptian policy. Again to-day, as in the past, we see many Syrian families who ardently desire to do their utmost to become Egyptian subjects.

Then we have the Armenians. I desire here, before dealing with the Armenians, to pay my tribute to the memory of Tigran Pasha Abro, who was Minister for Foreign Affairs in Egypt at the time of my accession in 1892, and who was my sole faithful and devoted councillor. I must admit that his conduct, up to the time of his death, was marked by an equal devotion to the country and to myself. Since the massacre of the Armenians of Turkey in the reign of the Sultan Abdul Hamid, a vast emigration of this people from Turkey

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into Egypt has taken place, and during the time that has elapsed from those days to the present many Armenians have made fortunes.

They are witnesses that they have received a benevolent welcome and protection from the Egyptian nation; but it is unfortunately true that they have never shown any interest in the Egyptian cause, nor have they desired to become assimilated into the great Egyptian family, although their position was such that the acquirement of Egyptian nationality was their duty to the land which offered them refuge.

The case of the Israelites of Egypt must be noticed also. These have had the opportunity of taking advantage of the Capitulations, and have placed themselves under so many foreign Powers that their leaders have become foreign subjects. None among them, therefore, is able to



Abbas Hilmi II in 1914.

associate himself with, or take any active part in, the direction of Egyptian national policy. But it is to be hoped that as a result of the abolition of the Capitulations all these anomalies—a never-failing source of discord in the community—will disappear from public life, and that we shall see the Israelites merging their activities into the general patriotic activity of the country. Surely we have good reason to count on this, though at present, of all the countries in the world, Egypt is the only one where the Jew as a rule takes no interest in the policy and destiny of the country of his residence.

In this connection I may appositely cite the example of the Grand Rabbi, His Eminence Naoum Effendi, formerly in Turkey, whose public activity and patriotism are well known, and who has accepted a new position in Cairo. This eminent man has made known his desire

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to acquire Egyptian nationality, and in this we have a proof that he wishes to offer an example to his co-religionists, which we sincerely hope will be followed by all.

IV

THE POSITION OF EGYPT IN
THE EAST

IV

THE POSITION OF EGYPT IN THE EAST

THERE are many countries in Europe to-day which seek to form an alliance with Great Britain; but it so happens that the indefinite character of the position of Britain in Egypt, taken in conjunction with her geographical situation and widely flung interests, brings it about that it is not Egypt which seeks an alliance, but it is Britain which offers one.

This is an opportunity that no other country can have. If a treaty with Great Britain can be solidly established, Egypt (taking into consideration the fact that her civilisation and instruction are greatly superior to that of other Oriental countries) will be called upon to play a very great part in the Eastern modern world.

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It must be remembered that before the late war all the Arab countries of the East were in the position of Turkish provinces. To-day these are emancipated from Turkish dominion; but what is the position in Egypt? Egypt still remains, ten years after the War, in the same anomalous and undefined position, and until recently there was always a menace that Mesopotamia (now the mandated territory of Irak) would, with the acquiescence of Great Britain, have entered the League of Nations *before* Egypt. This event, seeing the level of instruction and civilisation in Mesopotamia, would have been a severe and cruel blow to the intellectual classes of Egypt. I consider that this indignity to Egypt is no longer to be apprehended.

Furthermore—and this point cannot be too strongly emphasised—in the proposed treaty, Great Britain is prepared to agree that all difficulties which may arise from

time to time between her and Egypt shall be duly submitted to the League of Nations for the latter's arbitration. In this proviso we see an indisputable proof of the loyalty of Great Britain, and a full recognition of the complete independence of Egypt. There is no deception to be apprehended; and in the future, things which are still lacking in the present treaty can be obtained by Egypt without difficulty. The machinery of the League will be available for the solution of such difficulties. I again insist that this provision is the most important one in the treaty, and to a fair mind it should be a sufficient proof that Great Britain cherishes no secret design of attempting to withdraw from any engagement to which she has affixed her signature. If Egypt accepts the treaty and enters the League of Nations, her moral position will be so enhanced that she will be able to play a very great

part as a mediator in the liquidation and solution of the difficulties now existing in all the Arab countries. Here is a field in which Egypt, by reason of her geographical situation and her ethnical affinities, can render the most valuable services to civilisation.

I can well recall having been present at the meeting of the Assembly of the League at Geneva, when for the first time the representative of Abyssinia was admitted to take his seat. I asked where the delegates of other Eastern countries were to be found, and the reply was that a place had been reserved for Hedjaz, but that it was unoccupied.

How great would be our joy to see the representative of Egypt take his seat! The entrance of Egypt into the great family and comity of nations! Her sovereignty safeguarded by the Covenant of the League and the long-vexed problem of her international status at last finally solved!

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Perhaps certain Powers look forward to obtaining many and substantial economic advantages in Egypt after the cessation of the interference of Great Britain in her affairs. I am inclined to think that they will be disappointed. I am certain that after the ratification of such a treaty, Britain will become far more popular in Egypt, and the Egyptians will be more inclined to trust their ally than the Powers whose principal interest in the treaty will be shown in their hope that it will mean for them the acquisition of economic advantages.

V

THE CAPITULATIONS

THE CAPITULATIONS

THE régime of the Capitulations is an institution of very ancient date, but no satisfactory reason can now be given for its continued existence, inasmuch as Egyptian legislation is practically identical with that of the civilised world.

The Mixed Tribunals, an emanation of the Capitulations, were created under the government of my grandfather, and I am thus unable to say much concerning them; but I can certainly affirm that at the time of my accession to the throne of Egypt, in 1892, I saw Egyptian judges, survivals of a time which was past, in the early days of the reform of the jurisdiction. Very few among them possessed a diploma of legal knowledge. Some among their number were military men; others were doctors

and engineers. The sole qualification demanded at that time for recruiting the ranks of the magistracy of the Mixed Tribunals was a knowledge of the French language. So it happened that any Egyptian civil servant who could fulfil this qualification, who was able to dress decently and in the European fashion and speak in the midst of foreign judges, might be selected.

Frequently was the anomaly witnessed of an Egyptian being tried by foreigners, whilst the Egyptian understood nothing but Arabic, and found no barrister in the court able to understand his tongue to defend him before the Mixed Tribunal. For no leading barrister in the Mixed Tribunals possessed an adequate knowledge of the language of the country.

* All this state of things has now, fortunately, passed into the region of history and completely disappeared. The majority

of barristers and law students have been born in the country, and to-day are quite comparable with those in the most modern countries. It has even become difficult for a lawyer coming from abroad to set up a practice of any importance in Egypt. While engaged in these reminiscences and reflections, the attentive observer is struck by the fact that so far nothing had been done to extend the sphere of activity of the Mixed jurisdiction to make it comparable from the point of its extension and efficiency with that of the Egyptian courts.

In the treaty which we have under discussion, the Government of His Britannic Majesty recognises that the régime of the Capitulations, out of which the Mixed jurisdiction now in operation in Egypt has developed, is no longer in conformity with the spirit of the age, nor in harmony with the actual condition of Egypt.

Great Britain has undertaken to aid

Egypt, if not to suppress this dyarchy, at any rate to find a way out of the existing archaic deadlock. A step has already been taken by the transfer of the powers of the Consular courts to the Mixed Tribunals; Egyptians should never grow weary of daily attempting to improve this system with the object in view of their complete unification. I have the fullest confidence and hope that the application of the new treaty will convince everybody that the amalgamation of these two judicial institutions into one is necessary. Thus the magistracy and the bars of the two institutions will be raised to a high level, and Egyptians and foreigners will be confronted with one single body of law and one single justice equal and impartial for each and all.

This institution will be instrumental also in introducing into the Egyptian State a modern distribution of taxation. Is it not

considered to-day that the equal apportionment of fiscal burdens among the inhabitants of the same country is the indispensable condition and soundest criterion to enable that country to take rank as both democratic and civilised?

Thus one single juridical and one single fiscal system equal in its incidence for all are the task of the near future, and these should logically develop from the treaty about to be submitted to the people of Egypt.

VI.

THE BRITISH COMMONWEALTH
AND AMERICA

VI

THE BRITISH COMMONWEALTH AND AMERICA

HAVING completed the most important part of my reflections on the treaty, I would like to say a few words to my countrymen upon the subject of Great Britain and the vast aggregation of dominions and colonies of which she is the nucleus. I desire to explain to Egyptians what I understand to be the inner bond of union which keeps the British Empire, in being, and how that idea of toleration and liberty gives value to the treaty now proposed to Egypt.

But first of all, what is the British Empire? It is very necessary to ask this question, for large numbers of Egyptians have hitherto only known Britain as the dominating Power in occupation of their

country. They have been accustomed to see the British Army and Navy; and in the civil administration of Egypt British officials have been a familiar sight. As it has never entered their minds to consider this Power as an ally, I desire to point out to them its real greatness and position in the world. The British Empire, or the British Commonwealth of Nations, as it is now beginning to be called, occupies a territory of nearly 34 millions of square kilometres, out of a totality of 132 in the globe, and this without counting territories under mandate. The population under the British flag is over 400 millions, and thus forms the greatest union known to history. Its chief members, Great Britain, the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, and the Union of South Africa, have been formally declared at the last Imperial Conference to be free co-equal and inde-

pendent States, whose bond of union is in one common allegiance to the Crown, and whose object is mutual co-operation on the path of toleration and free democracy, harbouring no designs on the independence of nations and communities which are outside this vast aggregation. It is not to be regarded as a force tending to foster the war spirit, but on the contrary. It is a force of peace and harmony in the world—a force tending everywhere towards maintaining stability and equilibrium; and it is difficult to over-estimate the benefits that Egypt may obtain from association and alliance with it, for it means a guarantee to Egypt against possible external attack during the critical period required for our internal organisation and development.

This great empire, as one of the results of the World War, attained its apogee in the political sphere by formulating an imperial, but not an imperialist, policy.

The words must be carefully distinguished, for the first merely implies consolidation, whilst the second implies aggression. It is a moral force which may endure for a far longer period than any one of its Continental critics may well imagine, for it is built on the twin foundation-stones of toleration and liberty. It is not without significance that the Boer military leaders in the war of 1899-1902 subsequently rose to power as Prime Ministers in the Union of South Africa, and rendered valuable service in the forces of the British Empire in the Great War of 1914-1918. General Hertzog, of Dutch extraction, is at present Prime Minister of that Dominion, and took part in the recent Imperial Conference in London. Upon these foundations of toleration and liberty has developed in Britain the widest system of democracy that the world has yet seen, where universal suffrage reigns, in the *real* sense, and not

in the *rhetorical* sense understood among the nations of Latin origin. It is my earnest hope that Egypt may be influenced by the practical toleration and spirit of self-discipline of the British nations, for without these qualities in the citizen of the modern state all aspirations towards democracy are but idle dreams.

Great Britain cannot help being deeply interested in the welfare and the prosperity of Egypt, for the Suez Canal, which means so much to Great Britain, passes through Egyptian territory. During the year 1927, the tonnage of shipping which passed through that great highway amounted to 28 millions, of which total no less than 16 millions were under the British flag.

We now come to the subject of the financial strength of Great Britain. This has been revealed in startling relief since the conclusion of the Great War.

That mighty upheaval cost the belliger-

ent nations of *both sides* the colossal sum of 56,000 million pounds sterling; of this vast sum the British Empire bore nearly one quarter (upwards of 13 milliards); and notwithstanding the fact that, as regards her relation to the United States, Great Britain has become a debtor instead of a creditor nation, she is in the proud position to-day of being the only one among the European belligerent nations whose monetary unit has survived at its pre-War value. All the others have foundered in the financial storm and have had to undergo revaluation, however the fact may have been disguised; and this writing-down of values, whether it be of marks, lire, francs, or what not, has been accompanied by internal and external repudiation.

The pound sterling has alone weathered the storm. This is largely due to the essential soundness and integrity of the British banking system and organisation, coupled

with the fact that a far greater portion of expenditure has been covered by direct taxation than elsewhere. If "imitation is the sincerest flattery", then it may be said that post-War Europe has shown many signs of flattering the British financial system.

It is not generally known that Great Britain still retains her primacy as the leading creditor nation of the world, her invested capital still surpassing in the South American continent that of the other mighty member of the Anglo-Saxon branch—namely, the United States of America.

Great were the sacrifices made by the British Empire in blood and treasure, but the principal object of the War has been attained by Britain. This was the destruction of the German fleet, whose phenomenal growth during the ten years that preceded the War was a constant menace

to the lines of communication connecting Great Britain with the oversea Dominions. The maintenance of these lines of communication was, and still is, a matter of life and death for her existence. Before the War all schools of political thought in Britain recognised the "Two-Power Standard" as a formula to be accepted without question. This asserted the doctrine that the British fleet must be always equal to the combined strength of the two strongest foreign naval Powers. The result of the War has been the disappearance of the German fleet from the seas. Among European naval Powers there is now no competitor.

But simultaneously with the eclipse of the German fleet there has been witnessed the rise of the American fleet since the conclusion of the War. The other great branch of the English-speaking nations has claimed complete parity with the naval

forces of the British Empire. It is not my purpose here to dwell in detail on the long and difficult negotiations which have taken place on this subject. I am concerned only to show that the claim for complete parity in "capital ships", which was admitted at the Washington Conference of 1921, has now been extended to tonnage of all categories, and there is every reason to consider that an agreement has been reached between the two parties, with the positive result that competition in naval armaments between them will be abolished.

For the very first time since the foundation of the United States, a British Prime Minister has been seen in America; and it has been a matter of great encouragement to see the good will and sincerity which both Mr. Ramsay MacDonald and President Hoover have shown in their determination to reach a solid and tangible result. If the British Prime Minister's visit could

only be followed later on by a visit to England from President Hoover, that would indeed be the sealing of a final understanding fraught with bright hopes for the peace of the world and the introduction of disarmament into the region of practical politics. I rejoice to see that Mr. MacDonald has extended his journey to Canada, and paid a visit to his colleague, Mr. Mackenzie King, in Ottawa. In this act he has proved that London and Ottawa are the two poles from which the new British attitude towards America will be oriented. This is a recognition of the great status now held by the Dominion of Canada in the British Commonwealth of Nations, and it is quite possible that the forthcoming Imperial Conference will this time take place outside London.

I have dwelt at some length on this matter, for my object has been to explain the nature of the British Commonwealth—

a real League of Nations, of immense strength and resources—with which, under the proposed treaty, Egypt is invited to enter into alliance. The prospect of the removal of all sources of discord between the British Empire and the United States, and the inauguration of a spirit of co-operation instead, makes this treaty of even greater interest for us as Egyptians. One result of the naval agreement, which is now confidently expected between these two great branches of the Anglo-Saxon world, will be that the North Atlantic Ocean will become an extension of that great undefended frontier which has existed for so many years between Canada and the United States. As a result of the probable redistribution of British naval forces, the Atlantic fleet may perhaps furnish units to the other great branch of the navy—the Mediterranean fleet, whose bases are at Gibraltar and Malta. This powerful

fleet would be quite adequate to the defence of the Egyptian coast; and the construction of a modern and fully equipped naval base on the Egyptian coast by Egypt herself, as a base for the Eastern Mediterranean, would completely suffice to make the Egyptian littoral secure against the attack of any enemy blockading force.

This last suggestion of mine is not to be criticised by Egyptians as a restriction or limitation of Egyptian sovereignty. Greece recently proposed a treaty to Great Britain, placing her entire coast at the disposition of the British Admiralty, and authorising the latter to use all existing Greek bases as should be judged necessary, on the condition that Great Britain would undertake the maritime defence of Greece. Notwithstanding all the advantages to Great Britain, the latter declined to accept the treaty.

VII

THE PROPER BASES OF THE
EGYPTIAN CONSTITUTION

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WHEN the independence of Egypt was proclaimed, with the consequent recognition of her sovereignty, amid the roar of a hundred and one guns, which seemed to announce the beginning of a new era, one might for a moment have supposed that the event was no illusion, and that thanks to the constancy and firm will of those who had led Egypt to the gates of freedom, that same freedom would blossom in the institutions of the future.

Nevertheless it soon began to be perceived that if the proclamation contained some seeds of emancipation, Egypt herself perhaps lacked a good sower to ensure the much hoped-for harvest.

The first preoccupation which the

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possession of power brought in its train was the establishment of expensive legations abroad, and very soon there was to be witnessed the comic spectacle of a crowd of idle persons wandering about in spacious international hotels in search of an idea or an apartment in order to develop an activity which had no real existence, or to hide documents whose only value consisted in the labels with which they were adorned. It was soon seen that these persons possessed neither the means nor the power to carry on any effective work for their country, whether of a political or an economic nature. Having nothing whatever to do, and being quite unsuccessful in impressing other people with their importance, they supposed that they could attract foreign attention by a display of lavish expenditure which only too frequently offered a striking contrast with the complete unimportance of their work as plenipotentiaries. They

alone derived any benefit. Certainly their country derived none.

During this period, the legation in London, whose importance may be understood, was left in the hands of men having neither wealth nor qualifications, strangers to political or diplomatic usage, and sometimes ignorant of the true aspirations of the people they represented, and the rights of the nation whose sovereignty should have been implied by the mere fact of their presence. The Egyptian Minister in London having tendered his resignation, no trouble was taken to fill his place, and his duties were carried on for several years by a *chargé d'affaires*, whose obscurity and self-effacement were only too symbolic of the state of things in general.

The representation of Egypt abroad, therefore, may well be described as illusory. It adds nothing whatever to the prestige

of the country, and is only an unnecessary charge on its budget.

One does not easily understand, for instance, why the Egyptian Government made certain purchases of very expensive buildings in a country where the diplomatic relations with Egypt scarcely existed. Certain legations were quartered in magnificent hotels and furnished with an unheard-of luxury. It was soon understood that these establishments had no other object than to minister to the King's pride, and what were called "legations" were in reality only so many stopping-places destined to make the movements of an illustrious traveller more agreeable.

If we turn now to the Parliament, it is not without sadness that we can study its work. One might almost count the number of its sessions on the fingers of one's hand. Indeed, since the introduction of the parliamentary régime into Egypt seven

years ago, there has never been a case of a Chamber sitting for more than two sessions without being dissolved by order of the Sovereign, and in one case a Chamber only lasted for seven hours. This is why the new régime has never had either time or opportunity to adapt itself to circumstances, or to organise its work in a manner compatible with the dignity of representatives of the people, and the great national interests they stand for.

Is this the result expected from a constitutional system for which the country so insistently clamoured?

In my time I remember that everyone, from the humblest to the greatest, demanded a constitution.

“Yahia el Destour!”: that was the rallying-cry, the password of liberty. The nation was imbued with the idea that its salvation could only be found in a change of régime, and it knew that without a charter its

independence would prove an illusion. But it was more difficult to draw up a constitution than to ask for one. There was lacking at the head of the movement a man determined to see that those liberal principles should triumph which alone are able to safeguard the people's rights. Unfortunately, the late and regretted Sarwat Pasha, who was a great statesman and ardent patriot, dared not at that moment throw himself into the struggle and oppose the ever-changing whims of his prince with the unquestionable laws upon which must rest the freedom of men. He had still preserved his attitude of the bureaucrat, and his early enthusiasm, the result of a deep faith in the destiny of his country, was nevertheless soon quenched because of his naturally timid character. His policy was quite alien to a policy adapted to a constructive period on which depended the solidity of the legislative structure

destined for the defence of the people's sovereignty in a free nation.

The drafting of the constitution had been confided to a handful of men animated by good will, but lacking for the most part in experience and in authority.

They wrote: "There was general agreement that sovereignty certainly belonged to the nation, but differences of opinion arose when it became necessary to state this explicitly. This is the reason that in the constitution we have been content to draw the practical deductions from this principle without explicitly stating it."

Doubtless also this is the reason that the constitution is incapable of working, and that it tends directly opposite to what should be its true aim—namely, the political independence of the nation.

It is owing to its defectiveness that Parliament has continued to be at the mercy of a gesture of ill-humour or a pro-

ceeding dictated by fear. Through insistence on too many oaths, much perjury has been committed, which has ended in the constitution itself being laid aside. Sarwat, having been overcome by intrigue, and having refused to make certain concessions to modify the constitution, found himself replaced by Yahia Ibrahim and Nessim. Full advantage was taken of the weakness and servility of these men in order to cripple the newly born constitution.

No one undertook its defence, and no one respected it. It is this which explains why the Egyptians who had shown themselves so bold to obtain their rights seem to-day so incapable of action when it is only a question of defending them.

These things, let us hope, are but the first mutterings of growing liberty. It remains none the less true, however, that the country must put forth an effort for

a reform which is essential. The constitution is not hopelessly crippled, it is not incurable. It only requires an operation, which, however, must be entrusted to qualified practitioners. Egypt cannot continue her development under the yoke of an ill-conceived law, and her liberty can only be impotent as a consequence of the successive injuries which irresponsible legislators, inspired by Royal egoism, have inflicted upon her. Indeed, it is from the faulty drafting of the charter of national liberties that all the difficulty arises.

It is because the constitution is ill-conceived that the most daring attempts against liberty have taken place. It is because the constitution is crippled that it has been possible to witness the King expel from power, by means of an offensive letter, a man who enjoyed the country's confidence and represented national aspirations. That letter of dismissal, which took

no account of services performed, nor of the one who had performed them, is the very negation of Egyptian liberties; and that which throws the deception and the irony of the constitution into a more glaring light is the protocol, which prescribes that a Minister who has been driven from power as though he were a lackey, must call at the palace to inscribe his name in the visitors' book, thanking His Majesty for his dismissal.

Again, it is owing to this ill-conceived constitution that three Parliaments have succeeded each other, each elected by a different process. These considerations permit me to assert that Egypt has never obtained her liberties, and that by means of a ridiculous phraseology the country and the world at large have been deceived concerning her true situation.

The hundred and one guns which were fired to announce the independence of

Egypt made a good deal of noise to celebrate very poor results. Events since have only confirmed me in this opinion. The Sovereign and the British High Commissioner decided to make an end of the parliamentary régime, and Mohammed Mahmoud was summoned to power to carry this design into effect. But when he went to England last July to receive an honorary degree, his journey was coincident with the dismissal of Lord Lloyd. One might have been excused for supposing at that moment that Egyptian national theories had triumphed. In fact, the President of the Council, Mahmoud Pasha, was confronted with an accomplished fact, for there was proposed to him for negotiation a treaty which was intended to satisfy both British and Egyptian opinion. The examination of the treaty having been finished, the King showed very little interest in it; and Great Britain was com-

pelled to point out this error to him and suggest that he might show some satisfaction by conferring on Mahmoud Pasha some high distinction while investing him with the Regency, so that he should be enabled to point out the merits of the treaty to enlightened opinion.

The King readily agreed to confer a high distinction on his Minister, and Mahmoud received the Order of Mehemet Ali. But the Sovereign suddenly abandoned all his plans, including his "cure" at Vichy, and his projected visit to his "cousin" of Spain, and took very good care *not* to nominate.

All the shooting-parties in Scotland were cancelled, and all the Royal tours in the Asturias. The King returned to his country and his throne, as though he feared that the effect of a very brief regency might gravely compromise a throne which was only his through the play of circumstance,

and whose foundations were too precarious to warrant any risks being incurred.

As a result of recent happenings we are justified in expecting important movements which will change fundamentally the condition of Egypt, and this will be by the advent of a union, national and patriotic, to examine and accept the treaty. But internal dissensions must and will infallibly arrest the evolution of these promising beginnings. The late imbroglio would have continued for months, and even years, had it not been for the intervention of the British High Commissioner, who made the President of the Council understand that the most opportune solution would be for him to relinquish power, at the same time advising the Sovereign to remain quiet and accept the formation of a Ministry of an entirely neutral political colour, under whose auspices the treaty would be submitted to the country.

Thus it comes about that Egypt, independent *de jure*, yet finds herself obliged to have recourse to the representative of Great Britain to obtain his help against the dangers threatened by the Royal obstinacy. However, the situation might have been still more serious, and Egyptians must be congratulated on having escaped a yet graver danger. The old Senate, which, notwithstanding its composition and system of recruiting, still showed some few signs of independence, had been maintained. There were reasons to fear that its disappearance might necessitate a new selection, and that in consequence of Palace intrigues there might have been introduced into that body a majority hostile to constitutional liberties.

Thanks to the servility of the new members it would have been possible to obtain the dissolution of the Chamber every time that the King considered it advisable.

Parliamentary action, therefore, in Egypt, is non-existent, and we may hasten to add that the situation of Ministers as regards their relations with the palace completely shelters them from all criticism. They are in no sense independent. Parliament having been dissolved, Ministers remain at the mercy of the whims of the King, which are not in any way concealed, and which take no account of the fact that the introduction into Egypt of a modern régime with constitutional laws ought logically to have supplanted the absolute power of a sovereign.

The Grand Sheikh of the Mosque of El Azhar, who, it is known, is the true guardian of the Islamic faith, and who is the most important agent for the propagation of the Mussulman idea, desired to reform the teaching of this university. The entire Cabinet had adopted the views of the Rector of El Azhar, and had taken

measures to introduce into this old citadel of Islam certain reforms, perhaps of too sweeping a character, which might have called for examination before being submitted for signature.

But the reformers and their supporters had reckoned without taking account of the ill-will of the palace, the supporter of routine on principle, and without the obstinacy of the Sovereign, hostile to all Government initiative. The Cabinet having discussed and accepted the Bill passed by the Council of Ministers, the King, who up to that point had shown himself uninterested in the matter, then refused to sign it.

It is certainly strange to observe that since the country has obtained a constitution that fact has by no means increased its liberties. To prove this, it will suffice to cite a personal example, which I well remember. A crime having been committed on the person of a British subject, and the assassin

not having been found owing to lack of witnesses, the British judicial adviser demanded that Article 32 of the Egyptian Penal Code should be suppressed. This code, by the way, is copied from the Code Napoléon, and prohibits the Tribunal pronouncing the death penalty in cases where there is neither avowal on the part of the assassin nor formal depositions by witnesses.

The matter was laid before the Council of Ministers. I had around me as members of my Ministry barristers and jurists, in a word, men who were quite able to understand the question and to give an opinion with full knowledge of the principles involved. I consulted my collaborators after the judicial adviser had made known his report, and I pointed out first that Egyptians were being deprived of a necessary guarantee, and were in consequence being delivered over to the

arbitrary power and caprice of judges. I then consulted the Council. No one said a word.

It was evident to me that no one shared my opinion, or at any rate I was the only person courageous enough to express it. Nevertheless, being fully conscious that it was my rôle not blindly to impose my will, but to conform to the opinion of those whom I had myself chosen for my Ministers, I yielded on the point, and signed the decree, but on the condition that my observations should be registered, and that my opinion should be entered in the report of the proceedings.

I was not, indeed, a constitutional sovereign, but I had already realised that absolute power can no longer be exercised over educated masses who are in consequence conscious of their rights. This is why I have confidence in the future of Egypt. I count upon the broad-mindedness

of the new British Cabinet to put an end to a conflict so prejudicial to both nations.

I should like to have seen the salvation of the country in the constitution of a National Assembly which would have met to discuss and ratify the treaty. But seeing that the Government has decided to proceed to new elections, I trust that the coming parliamentary session will do the work that the National Assembly would have done, thereby permitting the free development of democratic institutions and the firm establishment of impartial justice.

And since it is now a question of new elections, and the Parliament is to be reinstated in its functions, and the seals which closed the doors of the Chamber are to be removed, I earnestly trust that its first task will be the revision of the charter. The significance of this charter has been too much forgotten in order to avoid

touching certain prerogatives and to flatter susceptibilities which are incompatible with the exercise of constitutional power.

“Yahia el Destour!”—“Long live the Constitution!” This was a cry which henceforward sounded agreeably in my ears. And, like all Egyptians, I trust that it may be fulfilled. But I desire no crippled constitution which shall protect all subterfuges and all ambitions. The constitution must be the daughter of liberty. The day when it shall be proclaimed in all its fullness, in all its light, will be for me a day of joy. For during twenty-two years I have been obliged to hold my peace, and even to-day still there are those who would stifle my voice!

Nevertheless I have allowed myself to be convinced, and I have written this book because I realise that this is an opportune moment to say frankly and without reticence to Egyptians what I feel is the truth.

I see in national union and respect for freedom the salvation of Egypt and the honour of Britain. And I trust that on this occasion again Egypt will escape from her evil shepherds, who, under the pretext that they are leading her to freedom, are in reality causing her to drift into the worst of servitudes.

The constitution must be no vain and empty word. It must respect the people's rights and assert their duties. It is thus, and only thus, that Egypt will be enabled to steer her bark towards new destinies, and to revive in a new world the qualities of a race which was at one time the world's teacher, and which for centuries gave it lessons in wisdom and greatness.

I have lived for years under the tradition of Mohammed Ali, Ibrahim, and the Khedive Ismael. I have found in my ancestors the noblest examples. I have but to turn my glance toward the past to

gather its teaching. In a recent dynasty I could find examples of soldiers, reformers, and great gentlemen. I have ever sought to find inspiration in the virtues of these noble ancestors and to live in their spirit and their memory. But I have never considered it my duty to build my popularity on the acts of these great ancestors. It was sufficient to me that I could pay homage to their memory by trying to continue their work. I have not estranged all those who are closely or distantly related to these glorious predecessors, and I have always felt for them the respect that one owes to all who have touched sacred things.

That, perhaps, was a thing better worth doing than the estrangement of those who by reason of their nobility were both the ornaments of the throne and the tutors of the dynasty. I regret that the sovereign who desires to continue the tradition of

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Ismael's greatness is to-day in conflict with Ismael's branch of the family.

To-day I express my profoundest wish for the freedom of Egypt. I am proud that I have been able to contribute to its birth, and thus to add to the long list of services rendered to Egypt by my ancestors the tribute of my own sacrifices and my most cherished aspirations.



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