

justice to their compatriots. They further increased their influence by extending protection even to Moroccan subjects at their service. This system of protections or privilege of Capitulations ~~was~~ first long argued by the Moroccan Government and finished to be admitted first in the Treaty with Great Britain in 1856, second with Spain in 1861, and finally extended shortly after to France, Belgium, the U.S.A, Sardinia and Sweden.

When the colonising aspirations of certain Countries were directed to Morocco, this system of protections was abusively extended to a large number of Moroccan subjects, to the detriment of the Sultan's authority and prestige. The whole thing had to be revised and a series of unsuccessful meetings led to a definit settlement of the question in a first International Conference held in Madrid, where a Convention ~~was~~ signed regulating the "Protection Rights" was signed in 1880.

During that Conference both the rights for Christians ~~and~~ to practice freely their religion and the situation of the Jews were also discussed and the Representatives of the Foreign Powers all signed and addressed a Memorandum to the Sultan enjoining him ~~to~~ to express his firm wishes on the following questions:

1) "To impose respect in his Estates of the principle that "all who inhabit there now or will inhabit in the future shall have the right to profess and practice without hindrance their respective religions.

2) "To prescribe to his Government as an immutable basis of Morocco's legislation, the principle already adopted in his Edict dated 26 Shaban 1280 ~~and~~ (granted to Sir Moses Montefiore), from which it was understood that neither religion nor race could at any time be the motive to establish any difference in the legal treatment of both his Moslem and non Moslem subjects nor serve as a pretext to impose on the latter any humiliation to deprive them of any civil right, nor to prevent them from the free exercise of any professions and industries permitted to Moslem subjects in the Empire.

"That such a manifestation would not only honour the reign of His Sheriffian Majesty but would also inaugurate for his Estates a new era of prosperity."

The Representative of the Sultan in Tangier, Sid Mohammed Bargash replied to this Memorandum without loss of time, reading a letter from the Sultan, addressed on the 22nd Jomada I, 1297, assuring "...that it was his will that the jews obtain always justice because they are all our subjects like the Moslems, with the same rights and because all abuses against them are condemned by our religion..."

The Conference in Madrid ended in July 1880 and in September in the same year, the Sultan's Representative sent an official reply to the Diplomatic Body, in the name of his lord the Sultan, "...guaranteeing in Morocco the practice of the Christian Religion" and adding "...that it is as well public and notorious

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"that those who follow the Jewish religion, both the subjects
"of our Master -may God favour him- as well as the foreign
"subjects are always respected in the dominions of our Sovereign,
"where they freely practise their religion..."

The "Protected Submitted Tributaries" status imposed by Mohammedan mediæval law to both Christians and Jews, was now long ago abolished as far as Christians were concerned, as incompatible with the influence exercised by the Representatives of their respective countries in Morocco and the dignity and freedom of their nationals. But, nothing was changed in respect of the Moroccan Jews for whom no nation could speak. A discrimination was admitted although against the principle of Mohammedan legislation who adopted no difference between Christian and Jew in this respect. As a matter of fact the Moroccan Authorities would only make such concessions which could be imposed to them by force, a weapon far beyond the reach of the miserable Moroccan Jew who had to endure his lot. Nevertheless, through the humanitarian political interventions of the Foreign Governments, as stated above, the condition of the Jews somewhat improved consequent to the official and though theoretical recognition by the Sultan of equal rights between his Moslem and Jewish subjects and the subsequent abolition of the poll tax.

At the very end of the XIXth century, with the ascension to the throne of Muley Abdelaziz, the country was tormented with revolutions and disorders making life unsafe both for Christian and Jews even in Tangier where resided the Diplomatic Missions of Foreign Countries. Among the numerous assassinations of Christians and Jews figure an American citizen, Marcos Ezagui, massacred and publicly burnt in Fez. A claim was made by the American Government and an indemnity was paid to his wife and child.

Pretenders to the Throne having raised armed revolts in different places and anarchy and murder being the law everywhere, the Foreign Powers, to safeguard the lives and interests of their subjects, caused a Conference to be held at Algeciras in 1906 with a view to take the necessary steps to reestablish order and set the rules of a better administration of the Country.

One of the fundamental principles of the Act of Algeciras was the economical liberty without the least inequality and this principle lies at the basis of all successive treaties.

Although the Act of Algeciras ~~mentions~~ makes no mention of Jews, they were not forgotten at the Conference; Mr. White, the Delegate of the U.S.A., expressed the wish "that His "Majestian Majesty be good enough to take the necessary "measures to continue the amelioration of the Jew's situation, "not only as far as those who live in the ports are concerned, "but also as regards those established in the interior of "the country."

The Duke of Almodovar del Rio, Spanish Delegate and

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President of the Conference and the Marquis Visconti-Venosta, Italian Delegate, seconded the motion. All the other delegates adhered and when proclaiming this the President added "that no other country than Spain could be so glad to adhere to such a high feeling of religious tolerance assuming that so many Jews in Morocco remained attached to Spain by the links of "descendance and the community of language".

The reforms brought by the Act of Algeciras caused very little or no improvement at all owing to the still increasing disorders in the country and the Foreign Political Friction which put an end to the independency of Morocco and brought the establishment of the French Protectorate in 1912. Through previous arrangements the French had to leave to Spain the care of setting their Protectorate on a small part of the Country running all along the Northern Coast with the exception of Tangier and a small district around which were to be placed, latter on, under an International Administration.

The Country who had been independant under the rule of absolute kings for over a thousand years fell now under the control of civilized nations and was divided now in two zones of protectorate and an international zone. The old empire remained though as a whole under a purely nominal sovereignty of the Sultan the Protecting ~~States~~ Governments having the full control of their respective zones.

JEWS POSITION IN THE FRENCH ZONE
SINCE THE ESTABLISHMENT OF THE PROTECTORATE

The French Protectorate brought peace, order and prosperity in the Country for both Moslems and Jews. This advent was cheered by the Jewish population who thought that human dignity and justice were definitely secured for all. They sincerely collaborated to the civilizing action of France and largely benefited materially and morally although not in the measure of their expectations in the latter sense. The Mohammedans although having since enjoyed the benefits and advantages of order and prosperity could not master a certain resentment against the new masters of their country. This feeling gave birth to a so called nationalism which has largely been stimulated and exploited by enemy propaganda and intrigue.

By the treaty of protectorate, France guaranteed absolutely the respect of religion and traditions of the country and under this principle and that of the "open door" or equality of economical treatment for everybody, the other countries recognised it.

Political Status and Justice.- The French after pacifying the country organised it and promulgated whatever laws they thought necessary, all naturally attributed to the Sultan.

Since the French occupation, the jews instead of having their political status brought to line with modern ideas, saw it

maintained and consolidated by the French Authorities in its obsolete and degraded form. Moreover the French interfered with the Jewish autonomous communal constitution, issuing for the first time laws regulating ~~the~~ its organisation. By this the independent Jewish organisations came under the control of the Government and their liberty to elect their own Communal Councils was superseded by the direct and discretionary appointment by the Government of their constitutive Members out of a long list of persons submitted by the Inspector of Jewish Institutions, a new official post created to succeed in the old "Magid" functions. He need to say that the ~~members~~ members of the communities are never consulted for the elaboration of this list.

The Jewish Courts also lost their ancient attributions and were confined to religious matters and the civil status of the Jews (marriages, divorces, inheritances). For all other matters, instead of being placed under the jurisdiction of properly constituted French Courts, who render justice in the name of the Sultan to both French and Foreigners, the Jews were left under the administration of Pachas and Caids who, although directed by a French Controller, still administer justice as in medieval times without any codes nor regulated law. Thus a Moroccan subject (Mohammedan or Jew) can be imprisoned for the least reason without the ~~least~~ least respect to human liberty as understood in civilized countries. Imprisonment for commercial or other debts is a usual standard. ~~That~~ ~~any~~ free expression of opinion can lead a person to jail without process or formal means of defense on the much abused accusation of "propos anti-français" or "propos de nature a porter atteinte à la sécurité de l'état" and other imaginary offences.

On the other hand, French and Foreign citizens have the same guarantees enjoyed in civilized countries as their case, are always tried and properly dealt with by regular Tribunals.

Instruction. - The Moroccan Government provide and support free primary schools for the entire French and Foreign population.

The Jews who have been the pioneers/ of French instruction in Morocco, instead of enjoying of this opportunity, have suffered a sort of indirect "numerus clausus" on account of an undue compromise entered with the Alliance Israélite Universelle. This organisation instead of putting an end to their meritorious mission in Morocco by handing over to the Government their schools, ~~seeking~~ ^{and} at the same time that Jewish scholars be placed on the same level as the French and Foreign, accepted from the Government the continuance of its mission. The result of this agreement was that the Alliance schools had to be supported to a large extent by the Jewish Communities themselves. This private effort, although ^{partly} ~~subsidized to a certain extent~~ by the Government, cannot be efficient to attend the necessities of the Jewish scholar population and thousands of Jewish children cannot find shelter in the schools assigned to them. If they call on the public Government primary schools, there is no admission for them, on the ground that they are Moroccan Jews. No need