

LIBYA

THE year 1952 began with the establishment of the "democratic, independent, sovereign" Federal Constitutional Kingdom of Libya "under the Crown of King Mohammed Idriss al Mahdi el Senussi," otherwise Idriss I.

The constitution of the new state adopted by the National Constituent Assembly on October 7, 1951, provided for a Federal Parliament composed of fifteen members from Cyrenaica, thirty-five from Tripolitania, and five from Fezzan. It also provided for a cabinet with ministers responsible to parliament and acting in the name of the king. The various powers of the state were divided between the Federal government and the three provinces.

Even before the new government began its independent life, violent opposition to the king broke out in Tripolitania, the most populous province. However, later elections confirmed the power of the political parties supporting the king. Nevertheless, instability seems likely to mark the course of the new government in the years to come as it seeks to solve the extraordinary economic problems of one of the poorest countries in the world. This nation, brought to life through the action and under the tutelage of the United Nations, will be dependent economically for many years to come.

Minority groups within the country had requested the inclusion of a statute of minority rights in the new constitution (*see* AMERICAN JEWISH YEAR BOOK, 1952 [Vol. 53], p. 385). This request was not granted, but section 2 of the new constitution, headed Rights of the People, is a virtual bill of rights providing for freedom of speech, freedom from search, freedom of property, and freedom of personal and religious rights. In addition, this section states that the secrecy of letters, telegrams, and telephonic communications in whatever form and by whatever means shall be guaranteed. Freedom of thought is likewise guaranteed, as well as freedom of the press. The right of free emigration from the country is provided for not in the constitution itself but in the Libyan promise to respect the principles included in the International Declaration of the Rights of Man. In general, this section seeks to secure freedom from all discrimination for all Libyans and in addition to protect certain rights for the foreigner, such as freedom of conscience.

It is too soon to evaluate the application of these constitutional provisions by the government. In June 1952 there was a flurry of excitement in the Jewish community of Tripoli when it was reported that Jews would no longer be allowed to emigrate to Israel. The government actually did pass a law forbidding Libyans to travel to Israel and return to their own country. This measure affects only a small fraction of the Jewish population. It was assumed that the passage of this law reflected Libya's desire to relate its policies to those of the Arab League, with which it appears to be more and more closely associated.

Jewish Population

As a result of the two world wars, the Italian Fascist persecutions, and the pogroms of 1945 and 1948, most of the Jews of Libya left the country, mainly to emigrate to Israel. This mass emigration can be divided into two parts.

The first was the clandestine movement between July 1948 and January 1949 of about 2,500 young men and women, who left by small ships for the coast of Italy on their way to Israel.

The second was a legal emigration. When the British military administration announced that direct emigration to Israel from Tripolitania would be allowed starting April 5, 1949, the second phase in the emigration to Israel was under way. Through the coordinated efforts of the Jewish Agency, the American Jewish Joint Distribution Committee (JDC), and OSE-Tripoli, full Israel ships made regular monthly trips between Tripoli and Haifa. In the summer of 1949, 4,000 Jews were evacuated by truck from the desert province of Cyrenaica more than 1,000 kilometers to the port city of Tripoli. During the following months over 7,000 Jews from all the towns in the interior of Tripolitania were also installed in the *hara* (ghetto) of Tripoli awaiting transportation. These large-scale population movements were accompanied by JDC-led intensive welfare assistance, medical and educational preparation of the entire Jewish population over a period of three years for life in Israel. In all, over 31,000 Libyan Jews emigrated to Israel from April 1949 to January 24, 1952.

TABLE 1
EMIGRATION OF LIBYAN JEWS TO ISRAEL,
APRIL 1949 TO JAN. 21, 1952

<i>Source or Type</i>	<i>No.</i>
City of Tripoli and Area	16,788
Cyrenaica (Benghazi, Morg, Derna, etc.)	3,918
Interior of Tripolitania	7,144
Nonvisaed Immigrants	2,500
Others	850
TOTAL	31,200

At the time of writing (July 1952), 3,800 Jews, composing 900 families, remain in the city of Tripoli, and 200 in Benghazi, the capital city of Cyrenaica. The families in Tripoli are divided by occupation as follows:

TABLE 2
OCCUPATIONAL BREAKDOWN OF THE JEWS OF TRIPOLI, JULY 1952

<i>Occupation</i>	<i>No.</i>	<i>Families</i> <i>Per Cent</i>
Industrialists	50	5.5
Wholesale dealers	50	5.5
Small shopkeepers	450	50.
Commission agents	100	11.
Small artisans, peddlers, and unskilled workers	250	28.
TOTAL	900	100.0

It is estimated that there are about 1,400 persons in the last group, all of whom wish to leave for Israel and are unable to do so for reason of sickness among members of the families.

The Jewish Community and the Local Government

The small remaining Jewish community in the city of Tripoli has continued to function under the regulations established by the former Italian regime, and throughout the early months of the year 1952 no particular difficulties developed between the community and the local government. The future, however, appears to be uncertain, since during the same six months' period the Jews have been repeatedly attacked by the local Arab press. These attacks have accused the Jews of every type of crime, and seemed to presage slow but continuous deterioration in the economic, social, and moral position of the remaining Jewish community. It can in any case be expected that by the end of 1952 the Jewish population of Tripoli will be further reduced by emigration to Israel, leaving mostly families with large means. Should the attacks become even more violent, we can foresee the complete end of this ancient Jewish community.

Social Service

Jewish community life in Tripoli reflects the reduction in the numbers of its members. Of the three main organizations responsible for the work of preparation for and actual emigration, OSE-Tripoli has already completed its task. Only the skeleton forces of the Jewish Agency and the JDC remain, and these will probably be gone by the end of 1952. The large-scale social services created by these organizations as a part of the movement of the population have repeatedly been reduced and are now about to disappear. The Jewish community has continued its family relief work and the home for the aged will remain until its occupants can be transferred to Israel. The social services for the children are centered around the schools, which continue on a very much reduced scale.

Education

The Alliance Israélite Universelle continues its school with about 100 children in the primary grades where instruction is carried on in both Hebrew and French. The Pietro Verri School, which formerly was completely Jewish, has been divided in two by the Italian Government, which is responsible for the school. One section is for children from Malta; the second contains almost 500 Jewish children in both primary and nursery school classes. Social services for the children under the direction of the JDC are conducted in this school.

What little cultural activity existed in this community has now virtually

disappeared. The Hebrew teachers have, for the most part, left for Israel; religious life is almost at a standstill, and it appears that the passing of time will see the end of Jewish life in Libya.

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FRENCH MOROCCO

THERE are three sharply distinguished groups of inhabitants in Morocco: non-Moroccans, regardless of religion; Moroccans of the Moslem religion, who are "subjects" of the Sultan; and Moroccans of the Jewish religion, who are "dependents" of the Sultan. This article is concerned with the third category, since Jews of other than Moroccan nationality are not counted as "Jews" in the census, but are listed under their national groups.

This division of the inhabitants of Morocco into three groups affects every aspect of life—economic, administrative, juridical, and social.

The juridical status of Moroccan Jews is not precisely defined. A religious minority living in a theocratic Moslem state, the Jewish community has always been considered as an ethnic group, separate and autonomous in relation to the Moslem community.

Jewish Population

In 1951–52 Morocco's 264,000 Jews formed 3 per cent of the country's total population of 8,500,000. Annual births (approximately 40,000 a year) exceeded annual deaths (about 24,000). The average family had seven members—husband, wife, and five children.

Civil and Political Status

There was no change in the legal and administrative position of Moroccan Jews during the course of the year 1951–52. Moroccan Jews, like Moslems, were subject to the jurisdiction of the Moslem courts in all civil, commercial, or criminal questions. In these courts, only Moslems could hold office. In regard to questions of personal status (birth, death, marriage, divorce, inheritance), Moroccan Jews were subject to the rabbinical tribunals presided over by the grand rabbi of each city. The judgments of these tribunals were executed by the Moslem courts.

In view of the outdated character of the laws applied by these rabbinical tribunals, and their incompatibility with the occidental mentality, the Moroccan Council of Rabbis meeting at Rabat in May 1952 recommended that the law of inheritance—which was extremely unfavorable to women—be modified, as well as the procedure of *halitzah* (the Biblical requirement that a widow without children become the wife of her husband's brother, even if he is married).