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International Law Documents

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War

With Notes

U.S. Naval War College (Editor)

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ARABIA.

Proclamation of the Sherif of Mecca, June 27, 1916.

In the name of God, the merciful, the compassionate.

This is our general circular to all our brother Moslems.

("O Lord, do thou judge between us and our nation with truth; for Thou art the best Judge.")

It is well known that of all the Moslem rulers and emirs, the emirs of Mecca, the favored city, were the first to recognize the Turkish Government. This they did in order to unite Moslem opinion and firmly establish their community, knowing that the great Ottoman Sultans (may the dust of their tombs be blessed and may paradise be their abode) were acting in accordance with the Book of God and the Sunna of his Prophet (prayers be unto him) and were zealous to enforce the ordinances of both these authorities. With this noble end in view, the emirs before mentioned observe those ordinances unceasingly. I myself, protecting the honor of the State, caused Arabs to rise against their fellow Arabs in the year 1327 in order to raise the siege of Abha, and in the following year a similar movement was carried out under the leadership of one of my sons, as is well known. The emirs continued to support the Ottoman State until the Society of Union and Progress appeared in the State and proceeded to take over the

administration thereof and all its affairs, with the result that the State suffered a loss of territory which quite destroyed its prestige. as the whole world knows, was plunged into the horrors of war and brought to its present perilous position, as is patent to all. This was all done for certain well-known ends, which our feelings forbid to dilate upon. They caused Moslem hearts to ache with grief for the Empire of Islam, for the destruction of the remaining inhabitants of her Provinces-Moslem as well as non-Moslemsome of them hanged or otherwise done to death, others driven into exile. Add to this the losses they have sustained through the war in their persons and property, the latter especially in the Holy Land, as is briefly demonstrated by the fact that in that quarter the general stress compelled even the middle classes to sell the doors of their houses, their cupboards, and the wood from their ceilings, after selling all their belongings to keep life in their bodies. All this evidently did not fulfill the designs of the Society of Union and Progress. They proceeded next to sever the essential bond between the Ottoman sultanate and the whole Moslem community, to wit, adherence to the Koran and the Sunna. One of the Constantinople newspapers, called Al-Ijtihad, actually published an article maligning (God forgive us) the life of the prophet (on whom be the prayer and peace of God), and this under the eye of the grand vizier of the Ottoman Empire and its Sheikh of Islam, and all the Ulema, ministers, and nobles. It adds to this impiety by denying the word of God, "The male shall receive two portions," and decides that they shall share equally under the law of inheritance. Then it proceeds to the crowning atrocity of destroying one of the five vital precepts of Islam, the fast of Ramadan, ordering that the troops stationed at Medina, Mecca, or Damascus may break the fast in the same way as troops fighting on the Russian frontier, thereby falsifying the clear Koranic injunction, "Those of you who are sick or on a journey." has put forth other innovations touching the fundamental laws of Islam (of which the penalties for infringement are well known) after destroying the Sultan's power, robbing him even of the right to choose the chief of his imperial cabinet or the private minister of his august person, and breaking the constitution of the Caliphate of which Moslems demand the observance.

In spite of all we have accepted these innovations in order to give no cause for dissension and schism. But at last the veil was removed and it became apparent that the Empire was in the hands of Enver Pasha, Jemal Pasha, and Talaat Bey, who were administering it just as they liked and treating it according to their own sweet will. The most striking proof of this is the notice lately sent to the Kadi of the tribunal at Mecca, to the effect that he must deliver judgment solely on evidence written down in his presence in court and must not consider any evidence written down by Moslems among themselves, thus ignoring the verse in the

Surat-al-Bagara. Another proof is that they caused to be hanged at one time 21 eminent and cultured Moslems and Arabs of distinction, in addition to those they had previously put to death the Emir Omar el-Jazairi, the Emir Arif esh-Shihabi, Shefik Bey el-Moayyad, Shukri Bey el-Asali, Abd el-Wahab, Taufik Bey el-Baset, Abd el-Hamid el-Zahrawi, Abd el-Ghani el-Arisi, and their companions, who are well-known men. Cruel-hearted men could not easily bring themselves to destroy so many lives at one blow, even if they were as beasts of the field. We might hear their excuse and grant them pardon for killing those worthy men, but how can we excuse them for banishing under such pitiful and heart-breaking circumstances the innocent families of their victims-infants, delicate women and aged men-and inflicting on them other forms of suffering in addition to the agonies they had already endured in the death of those who were the support of their homes?

God says, "No burdened soul shall bear the burden of another." Even if we could let all this pass, how is it possible we can forgive them confiscating the property and money of those people after bereaving them of their dear ones? Try to suppose we closed our eyes to this, also feeling that they might have some excuse on their side; could we ever forgive them desecrating the grave of that pious, zealous, and godly man the Sherif Abd el-Kadir el-Jazari el-Hasani? The above is a brief account of their doings, and we leave humanity at large and Moslems in particular to give their verdict. We have sufficient proof of how they regard the religion and the Arab people in the fact that they shelled the Ancient House, the Temple of the Divine Unity, of which it is said in the word of God, "Purify my House for those that pass round it," the Kibla of Mohammedans, the Kaaba of believers in the Unity, firing two shells at it from their big guns when the country rose to demand its independence. One fell about a yard and a half above the Black Stone and the other three yards from The covering of the Kaaba was set in a blaze. Thousands of Moslems rushed up with shouts of alarm and despair to extinguish the flames. To reach the fire they were compelled to open the door of the building and climb on to the roof. The enemy fired a third shell at the Makam Ibrahim in addition to the projectiles and bullets aimed at the rest of the building. Every day three or four people in the building itself were killed, and at last it became difficult for the Moslems to approach the Kaaba at all. We leave the whole Mohammedan world from east to west to pass judgment on this contempt and profanation of the Sacred House. But we are determined not to leave our religious and national rights as a plaything in the hands of the Union and Progress Party. God (blessed and exalted be He) has vouchsafed the land an opportunity to rise in revolt, has enabled her by His power and might to seize her independence and crown her efforts with prosperity and victory, even after she was crushed by the maladministration of the Turkish civil and military officials. She stands quite apart and distinct from countries that still groan under the yoke of the Union and Progress Government. She is independent in the fullest sense of the word, freed from the rule of strangers and purged of every foreign influence. Her principles are to defend the faith of Islam, to elevate the Moslem people, to found their conduct on holy law, to build up the code of justice on the same foundation in harmony with the principles of religion, to practice its ceremonies in accordance with modern progress, and make a genuine revolution by sparing no pains in spreading education among all classes according to their station and their needs.

This is the policy we have undertaken in order to fulfill our religious duty, trusting that all our brother Moslems in the east and west will pursue the same in fulfillment of their duty to us, and so strengthen the bands of the Islamic brotherhood.

We raise our hands humbly to the Lord of Lords for the sake of the Prophet of the All-Bountiful King that we may be granted success and guidance in whatsoever is for the good of Islam and - the Moslems. We rely upon Almighty God, who is our Sufficiency and the best Defender.

The sherif and emir of Mecca,

EL HUSSEIN IBN ALI.

25 Sha'ban 1334 (27th June, 1916).

The Proclamation of Bagdad.

Since the proclamation of the independence of Hedjaz, the great British advance in Mesopotamia has taken place, involving the recapture of Kutel-Amara and the capture of Bagdad. After the occupation of this city, the capital of Mesopotamia, by British and Indian troops, Lieut. Gen. Sir Stanley Maude issued a proclamation to the inhabitants, the text whereof, which makes reference to the King of Hedjaz and other Arab rulers, is printed below:

To the People of Bagdad Vilayet:

- 1. In the name of my King, and in the name of the peoples over whom he rules, I address you as follows:
- 2. Our military operations have as their object the defeat of the enemy, and the driving of him from these territories. In order to complete this task, I am charged with absolute and supreme control of all regions in which British troops operate; but our armies do not come into your cities and lands as conquerors or enemies, but as liberators.
- 3. Since the days of Halaka your city and your lands have been subject to the tyranny of strangers, your palaces have fallen into ruins, your gardens have sunk in desolation, and your forefathers and yourselves have groaned in bondage. Your sons have been carried off to wars not of your seeking, your wealth has been stripped from you by unjust men and squandered in distant places.

- 4. Since the days of Midhat, the Turks have talked of reforms, yet do not the ruins and wastes of to-day testify the vanity of those promises?
- 5. It is the wish not only of my King and his peoples, but it is also the wish of the great nations with whom he is in alliance, that you should prosper even as in the past, when your lands were fertile, when your ancestors gave to the world literature, science, and art, and when Bagdad city was one of the wonders of the world.
- 6. Between your people and the dominions of my King there has been a close bond of interest. For 200 years have the merchants of Bagdad and Great Britain traded together in mutual profit and friendship. On the other hand, the Germans and Turks, who have despoiled you and yours, have for 20 years made Bagdad a center of power from which to assail the power of the British and the allies of the British in Persia and Arabia. Therefore the British Government can not remain indifferent as to what takes place in your country now or in the future, for in duty to the interests of the British people and their allies, the British Government can not risk that being done in Bagdad again which has been done by the Turks and Germans during the war.
- 7. But you people of Bagdad, whose commercial prosperity and whose safety from oppression and invasion must ever be a matter of the closest concern to the British Government, are not to understand that it is the wish of the British Government to impose upon you alien institutions. It is the hope of the British Government that the aspirations of your philosophers and writers shall be realised and that once again the People of Bagdad shall flourish, enjoying their wealth and substance under institutions which are in consonance with their sacred laws and their racial ideals. In Hedjaz the Arabs have expelled the Turks and Germans who oppressed them and proclaimed the Sherif Hussein as their king, and his lordship rules in independence and freedom, and is the ally of the nations who are fighting against the power of Turkey and Germany; so, indeed, are the noble Arabs, the Lords of Koweyt, Nejd, and Asir.
- 8. Many noble Arabs have perished in the cause of Arab freedom, at the hands of those alien rulers, the Turks, who oppressed them. It is the determination of the Government of Great Britain and the great powers allied to Great Britain that these noble Arabs shall not have suffered in vain. It is the hope and desire of the British people and the nations in alliance with them that the Arab race may rise once more to greatness and renown among the peoples of the earth, and that it shall bind itself together to this end in unity and concord.
- 9. O people of Bagdad remember that for 26 generations you have suffered under strange tyrants who have ever endeavoured to set one Arab house against another in order that they might profit by your dissensions. This policy is abhorrent to Great Britain and

her allies, for there can be neither peace nor prosperity where there is enmity and misgovernment. Therefore I am commanded to invite you, through your nobles and elders and representatives, to participate in the management of your civil affairs in collaboration with the political representatives of Great Britain who accompany the British Army, so that you may be united with your kinsmen in north, east, south, and west in realising the aspirations of your race."

March 19, 1917.

ARGENTINE REPUBLIC.

General Orders No. 126, in reference to the sojourn and departure of belligerent vessels, August 6, 1914.

Buenos Aires, August 6, 1914.

NAVY DEPARTMENT:

By virtue of the declaration of neutrality by the Argentine Republic, it being the duty of the Government to prevent the execution of hostile acts in the waters under the jurisdiction of the nation, and in general to take all measures tending to a uniform application of the rules of neutrality and

In consideration of the fact

That article 8 of the Hague Convention, October 18, 1907, in regard to maritime neutrality declares that a neutral government is obliged to make use of every means at its disposal to prevent the equipping and arming of any boat which it may have reasonable motives for believing to be destined to become a cruiser or to take part in hostile operations against a power with which it finds itself at peace;

In compliance with the dispositions of the aforesaid decree, the minister of the navy orders that:

ARTICLE 1. In the ports of the Republic and the waters under its control no foreign merchantmen shall be allowed to arm or to equip for the purpose of becoming auxiliary cruisers in the fleets of any of the belligerent countries.

ART. 2. Captains of foreign merchantmen which are already a part of the fleet of a belligerent country—such as auxiliary cruisers—must make declaration of this fact within 24 hours at the general prefecture of ports in compliance with the laws of neutrality, they being considered as ships of war.

ART. 3. The roadsteads of Buenos Aires and of La Plata shall be assigned as anchoring places in the Rio de La Plata and a guard of national warships shall be established to prevent any aggression against boats flying belligerent colors, and to insure compliance with all requirements relating to the transformation of merchantmen into auxiliary cruisers.

ART. 4. Port commanders shall exercise great care in regard to the turn and order of departure of vessels flying the colors of