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THE END OF THE FRENCH RELIGIOUS PROTECTORATE IN JERUSALEM (1918-1924)¹

In early 1924, last vestiges of the protectorate exercised by France for four centuries – and unbroken except for World War I – over the “Latin” Christians of the former Ottoman Empire disappeared. The era of the privileged French presence in Palestine and more specifically in Jerusalem – the seat of the most venerated Christian Holy Places – had come to a close. For French diplomacy, this failure signaled its ultimate defeat in the battle against the English begun as of late 1915 for the possession of Palestine, and lost for all extents and purposes as of 1918. The liquidation of the protectorate is hence one facet, and one of the least well-known ones, of the Middle East settlement at the end of the First World War, which resulted among other outcomes in the awarding of Palestine to the British.

To date historical research has neglected this feature of the Palestinian settlement and has focused on the main outcomes, the British victory and the French defeat; namely, aside from the local power play between the two powers, their variable success in handling the nationalistic Zionist and Arab factors. Nevertheless, this diplomatic battle which ended in April 1920 at San Remo, left two totally or partially unresolved issues: the fate of the religious protectorate and the setting of the Syrian-Palestinian border. These were doubtless secondary issues, but their solutions have direct bearing on current issues – the regime of the Holy Places and control of water in the region.

Although France succeeded in obtaining most of its border demands including the refusal to cede the Litani river and Mount Hermon to British and Zionist Palestine, it experienced a predictable setback as regards the protectorate. Why did France so relentlessly pursue a form of influence which had already been devalued before the War and already a lost cause? Why were the British, already the masters of Palestine and determined to remain the undivided ruler patient for so long? Lastly, why did the termination of the

¹ This article is the revised and amended version of a paper presented in July 1992 at the workshop *Jerusalem in the Mind of the Western World* held in Jerusalem by the International Center for University Teaching of Jewish Civilization.

French protectorate fail to lead to a durable solution to the problem of the Holy Places? Examination of the archives of the Quai d'Orsay, in addition to S.I. Minerbi's work on the attitude of Italy and the Vatican in this field², can provide some clues. The definitive response would obviously also require in-depth exploration of the British archives.

First and foremost however, we need a better picture of what this centuries-old institution of the protectorate stood for in 1917, when General Allenby's army, dutifully escorted by the diplomat Francois Georges-Picot, the French High Commissioner, made his formal entry into Jerusalem liberated from the Turks.

The protectorate and the Powers at the end of 1917

When the Holy City was returned to Christian hands for the first time since the Crusades, the protectorate had ceased to exist for three years. On September 9, 1914, the Ottoman government, taking advantage of the outbreak of war in Europe, announced its decision to abolish Capitulations from the following October 1. Some of these imbalanced treaties, extracted in the 16th and then in the 18th centuries by France from the weakened Empire – both commercial and institutional treaties granting French citizens individual and religious freedom – were the legal basis of the protectorate system³.

Since 1535, the date of the well-known agreement between Suleiman and Francois 1st, the “Elder Daughter of the Church” was granted the right to protect its subjects residing in the Empire. This protection was expanded in 1740 both individually and collectively to cover all the members of the clergy adhering to the Latin rite settled in the Levant, regardless of nationality or institution. These legal privileges were extended by custom to Orthodox Christians.

Three “paradoxes” can account for the birth and the longevity of the complex protectorate system, as well as its devolution to France. Moslem domination, which was Arab from the year 638 and then Ottoman from the years 1516-1517 over the Christian Holy Places, the sanctuaries and their dependencies created numerous problems which made the intercession and the protection of a Christian power desirable. Since the head of the Vatican State and Christianity, the most directly affected was forbidden to have contacts with the Infidel, a secular branch capable (depending on the era) of flattering or

² Sergio I. Minerbi, *L'Italie et la Palestine, 1914-1920*, Paris, Presses Universitaires de France, 1970, and *The Vatican and Zionism, Conflict in the Holy Land, 1895-1925*, Oxford University Press, 1990.

³ Bernardin Collin, *Le Problème juridique des Lieux saints*, Librairie Sirey, 1956, and *Les Lieux saints*, Paris, PUF, Que Sais-je, n° 998, 1969. A. O'Mahony, G. Gunner and K. Hintlian (eds) *The Christian Heritage in the Holy Land*, London Scorpion Cavendish, 1995.

standing up to the Turks was hence indispensable. Similarly, an arbitrator capable of policing the sanctuaries was needed, in particular after the eleventh century when the rites and churches resulting from successive schisms jostled viciously to officiate. This peace-keeping mission was held for many years by Byzantium, and then Venice. Beginning in the sixteenth century France, the “Elder Daughter of the Church” but also the ally of the Turks because of its hereditary rivalry with Austria, took over this role with the blessings of the Vatican.

The sheer length of time France had exercised the protectorate helped consolidate its position as the protector of the Latins. Acquired experience made France the informed interpreter of an infinitely complex tradition and hence the best guarantor of an always precarious peace. In the seventeenth and eighteenth centuries, bloody squabbles often occurred between Latins and Greek Orthodox over the assignment of sanctuaries to clergymen and rites performed. The intervention of the Christian powers, in particular France in 1690, helped reduce Latin losses while establishing relative calm through the “*Status Quo*”, the *de facto* situation which existed in the Holy Places which had to be maintained. This *Status Quo of the Holy Places* based on the short Ottoman royal decree (*firman*) of 1852, but primarily on the extensive unrecorded common law was nevertheless recognized by the Powers signing the Berlin Treaty in 1878.⁴

France’s special position involved a whole series of duties, some of which were unattractive as it was quick to point out, but it also enjoyed rights and honorific privileges which were the tangible proof of its dominance. In terms of duties, France’s representatives, the Ambassador in Constantinople and after 1843, the Consul in Jerusalem was obligated to assist the Latins in their disputes with or appeals to the Ottoman Authorities. Other sensitive duties included arbitrating the conflicts between the clergy from different rites on the basis of the *status quo* and a vast set of precedents which at times required appealing to the public authorities. But the price paid for these efforts was rewarded since the representatives of France ruled over the Catholic clientele and during religious ceremonies held in the Holy Land, in particular in the Saint Sepulchre, were given carefully codified liturgical honors which made them the most eminent foreign dignitaries in Jerusalem.⁵

Nevertheless the protectorate abolished by the Turks in 1914 had already

⁴ The *status quo* is mentioned in article 62 of the Treaty of Berlin. Before 1914, there was only a non-official status quo document, the *Règlement du très Saint Sépulchre*, written by P. Frédéric de Ghyvelde between 1887 and 1895.

⁵ The consul, in full uniform, sat in a special seat and place during the services. Greeted by a particularly deferent expression he had the privilege (among other things) of presenting holy water at the entrance of the Saint Sepulchre and incense in the sanctuary.

lost some of its former splendor. Even though the position of France had been recognized by the European Powers in 1878, its protectorate over individuals and non-French establishments weakened progressively through efforts of competitive nations, who were concerned about protecting their citizens and obtained the necessary Capitulations from the Sublime Porte. Russia, which as of the end of the 18th century and even more so after 1820 created the first breach, by positioning itself as the protector of the Orthodox. Others such as Germany followed suit, and ultimately Italy who had signed an agreement with France in 1905 allowing Italian institutions that so desired to withdraw from French protection. Data are scarce on the real decline of the French protection of Catholics in Palestine but it was felt, especially after the break in diplomatic relations between France and the Vatican and the separation of Church and State in 1904-1905. In addition the consuls expressed their regret that aside from French institutions the protectorate had been reduced to Franciscan institutions of the Custody of the Holy Land and the Latin Patriarchate. However the Custody, theoretically an international institution, but primarily Italian in reality, was no longer as secure a support as in the past.

Another sign of the decadence of the system was the growing impatience of the Foreign Powers as regards the special honors rendered to the representatives of France in the sanctuaries. For example the National Association for Italian Missionaries, a lobby which made pressing demands on the government of Rome to intervene more actively in the Holy Land, called for the abolition of “religious hegemonies” over the Holy Places and the formation of a “universal and Catholic” tutelage.⁶ This led to incessant intrigues between the Custody, supported generally by Italy and the Patriarchate, an antique institution revived by the Pope in 1847 and favored by the French.

How did the French diplomacy respond to these inroads and petty quarrels? The tradition of the protectorate continued to be used as one of the arguments supporting France's imperialistic designs on the Middle East, above all in Syria.

Paris, however, was resigned to the decline of the institution, in particular since the break in diplomatic relations with the Vatican. Some diplomats of the old school, such as Paul Cambon and Camille Barrère, naturally expressed their sorrow, but others such as the Ambassador in Constantinople, Maurice Bompard, in no way shared their nostalgia and were persuaded that economic and financial tactics should be the instrument of modern imperialism. The Christian population in Palestine tended in fact to decline. Naturally France did not relinquish the still considerable remains of the protectorate, which was valued in particular on the eve of the War for its educational outreach and the support it provided for the spread of the French language in the Middle East.

⁶ Sergio I. Minerbi, *L'Italie et la Palestine, op. cit.*, pp. 152-153.

This position, imposed by tradition and the Catholic beliefs of the diplomatic corps, tended to discourage France from seeking favors from other religious clientele, such as the Jews⁷ whose numbers were on the increase. In contrast, the advancement of French influence in Syria and Palestine was cloaked in tangible investments of ports and railroads, as was the case for the Franco-Turkish agreement in early 1914.

The system was thus already in decline, its foundations shaken by the broken alliance between France and the Vatican when it ceased to function in October-November of 1914. Abolished legally by the unilateral decision of the Sublime Porte, the protectorate ceased to function on paper while its real reasons for being vanished in part after the expulsion by the Turkish Authorities of the Consuls and clergy belonging to the Allied nations. There was however no official declaration on the part of France or the Allies on this subject, doubtless because they initially hoped to prevent Turkey from joining the Central Powers, and later hoped to have Turkey (who entered the war on November 2) agree to a separate compromise peace treaty.

Until the spring of 1915, the Quai d'Orsay, like most of the "Colonial Parties" interested in Syria – the "Syrians" as they were called – hoped that the Ottoman Empire would once again emerge unscathed by withdrawing from the War in time. They were aware that the "disappearance of Turkey along with the privileged position that a long tradition of formal treaties guarantee to our citizens and our country would seriously affect the situation of France in this part of the world."⁸ In fact, French diplomacy quickly realized that the partition which it hoped to achieve with a "Greater Syria" incorporating Palestine would be accompanied by concessions to its allies as regards the protectorate. Sazonoff, the Foreign Minister under Nicholas II, only agreed to recognize France's "freedom of movement" in Syria-Palestine and in Cilicia, in April 1915, "provided a future regime is established for the Holy Places." Aristide Briand who was then the Président du Conseil and the Foreign Minister ordered Georges-Picot, who was about to negotiate for the partition of the Middle East with the English, to defend the rights and religious privileges of France and even to have France "simply (...) replace Turkey as the police force." However in the case of a "preemptory" British refusal to leave the Holy Places to the French, he orders his emissary to accept "the depolitization of Jerusalem and Bethlehem (...) by specifying that it would remain limited to the areas strictly

⁷ Catherine Nicault, *La France et le sionisme, 1896-1914*, thesis, Université de Paris I, 1985, 2 vol., and *La France et le sionisme, 1897-1948 : Une rencontre manquée*, Paris, Calmann-Levy, "Diaspora" series, 1992.

⁸ M.A.E., A Paix, 177, letter from A. Briand to F. Georges-Picot, representative of the French embassy in London, November 2, 1915.

necessary around the two cities.”⁹

Collusion between Britain and Russia made the move to internationalization inevitable, and was associated with a geographic extension which the French had not predicted. The Sykes-Picot Agreement of May 1916 lay the groundwork for a yet unspecified form of “international administration” over most of Palestine described as a “brown zone”. As soon as Italy, which had entered the war the previous year, obtained a copy of this agreement in October 1916, it wasted no time proclaiming that it was “directly concerned by the governing of the Holy Places” and stating its desire to terminate the French protectorate through internationalization, the solution which Sydney Sonnino, the unflinching Italian Foreign Minister would support until the end.

This French retreat was purely tactical, since the prime objective was to obtain a partition agreement from Britain, its most dangerous rival in the Middle East. Picot and his friends the “Syrians” who were highly influential at the Quai d'Orsay, intended to revise the Palestinian arrangement with the help in particular of Russian backing. In this context, demands concerning the protectorate itself were of no interest. They regained their relevance however when the chances of obtaining a French Palestine were dashed at the start of 1917, both by the first Russian revolution and the growing threat of sole British conquest of the Holy Land, since France was unable to divert even a small contingent of its forces from the Western Front. This accounts for the efforts made by Picot and Denys Cochin, a renowned Catholic politician and at that time the Assistant Secretary of State for Foreign Affairs at the Vatican, in April and June 1917, to plead his cause in vain for the prolongation of the religious protectorate in British-controlled Palestine¹⁰. Forced to abandon all hope for an exclusively French Palestine, the Quai resigned itself first of all to the establishment of a Franco-British condominium and then towards the end of 1917, to an internationalization which would still enable France to remain at least somewhat on the scene. In this new context, the protectorate argument, which up to then had been somewhat on the sidelines, once again became center stage. The liberation of Jerusalem thus found France determined to assert its claims. Success was doubtful nevertheless, when victorious England replaced senescent Turkey in the Holy Land and the Vatican, who gave its moral seal of approval to the system, took the opportunity to free itself from France.

The first battle is lost: the end of the principle of the traditional French protectorate (1918-1920).

Although tightly linked to the Franco-British negotiations on the political

⁹ *Ibid, id.* From M. Paléologue, ambassador of France in Petrograd to T. Delcassé, April 15, 1915.

¹⁰ Sergio I. Minerbi. *L'Italie et la Palestine, op.cit.*, pp. 155-156

future of Palestine, the negotiations concerning the protectorate operated from their inception on a fairly autonomous basis. First, unlike the political discussions which were voluntarily frozen in May 1916 at the start of the Peace Conference in January 1919, the battle over the protectorate started at the end of 1917 as soon as Palestine was occupied. Secondly, they involved players aside from Zionists and Arabs, namely the Vatican and Italy. Paradoxically, this interference, more than the British factor, fueled France's ambition to restore its protectorate whatever the price.

British bad faith was obvious in this area as it was for Palestine as a whole, which it viewed as its private hunting ground since Lloyd George became Prime Minister in December 1916. But in the transitional phase of British occupation, it did not dare take radical initiatives as regards religion. Relying solely on its customary pragmatism, it clearly placed the problem of the Holy Places low on its list of priorities. The temporary maintenance of the protectorate may have been seen as a means of satisfying its French ally's disproportional aims, in a context of growing tension, while avoiding a delicate duty even though Turkish defeat was still not complete. Allenby thus solemnly promises to respect the customs of Palestine and let Georges-Picot enter in full dress uniform into Jerusalem as did the Consuls of France in by-gone years to take office or welcome civil or religious dignitaries. Although it is doubtless excessive on the part of the representative of France to claim as he did in December 1917 that there was an agreement among the Powers that France could continue to exercise its religious protection, there was something of a tacit agreement that the right to domination was not enough to seal the fate of the Middle East in general. Lastly, as the mighty Protestant Power supporting the Zionist enterprise, Britain was interested in not obfuscating the Vatican. London however also knew it could count on the Vatican's wish to see the Christian Holy Places finally attributed a permanent international status to undermine the weak reestablished French protectorate as well as Italian ambitions.

Indeed F. Georges Picot had enormous trouble making the protectorate work, since deprived of true means of imposing his authority, he attached great value to this institution as an instrument of prestige. The nearness of the Christmas holidays to the liberation of Jerusalem, and soon afterwards the Easter ceremonies in February-March of 1918 provided Italy with numerous opportunities via the Custody to challenge the protectorate. The first incident was not long in the waiting. On Christmas eve 1917, torn between Picot's desire to obtain the liturgical honors during the high mass in Bethlehem and the protestations of the commander of the Italian detachment of Allenby's army, the Custody was sent a decision from cardinal Gasparri, the Secretary of State of the Holy See stating that "once the Turkish domination has ceased, the

French protectorate will also have ceased". This Vatican stance, which Paris had been notified of in the Spring of 1917 was confirmed on January 12, 1918 by Gasparri to the English representative to the Holy See. It stated that the end of the Capitulations removed all legal foundation for a French protectorate that in any case had become superfluous.¹¹ In the eyes of the Vatican the protectorate was over. But in fact it left it up to the British to decide upon the transitory regime to establishing while waiting for peace.

In these conditions, the British Military Authorities decided not to intervene, and resigned themselves to maintaining temporarily the *status quo* and the pre-war ceremonials. Since the Custody had split into two factions, Picot continued to enjoy the honors in the absence it must be said of representatives of other Christian Powers who now abstained from these ceremonies. The crisis however rebounded at the start of the Easter festivities in mid-February 1918. A new Custos, Father Diotallevi, arrived in Jerusalem "with clear instructions in hand concerning the cessation of the French protectorate"¹². The impact, to the satisfaction of the Italians, was immediate. "After having resisted the presiding Custos for a month and having succeeded in maintaining traditions", Picot reports to his Department, "I have just run up against the new Custos' decision which nothing can budge. Since his arrival the honors are no longer rendered and because I cannot force observance of the customary ceremonial I had to sever relations with the Custody."¹³ It was however the Vatican who temporarily saved the French protectorate. On March 18, Cardinal Gasparri instructed the Custody to render honors to the French representative until a peace treaty was signed.¹⁴

The Vatican's abrupt about-face was doubtless motivated by pressure from the French Episcopate, in particular Cardinal Amette, the Archbishop of Paris, whom the French Government asked to step in. Further, there was a desire to pacify French Catholics who were known to be highly attached to the protectorate. However by making a concession on the calendar and not on principles, since the Secretary of State did not make any changes in fact - the Holy See appeared to be aligning itself with the British position, having grasped the fatal implications in the long run for the French protectorate. This in fact was not the case, because the Vatican feared an Anglo-Zionist rule over the Holy Places and called for an international regime whose establishment clearly required appeasing France. Italy in any case had to temporarily resign itself. On May 25, 1918, the Ambassador of Italy in Paris wrote to Stephen Pichon, the

¹¹ *Ibid.*, pp. 158-159.

¹² *Ibid.*

¹³ MAE, PA Jean Goût, 9 from Picot to J. Goût, Jerusalem, February 20, 1918.

¹⁴ Sergio I. Minerbi, *L'Italie et la Palestine*, op.cit., pp 161-162; MAE, PA Albert Defrance, 56, from the Lieutenant de Saint Quentin to A. Defrance, March 28, 1918.

French Foreign Minister that: “the Government of the King in no way wishes (...) to broach at this time the examination (of the issue of the protectorate) and reserves the right to do so with the most amicable frankness at the time peace is concluded.”¹⁵

Meanwhile the protectorate was provisionally out of danger. But the French, highly aware of this precarious situation, took pains to assuage British susceptibilities by avoiding emphasis on liturgical honors. In October 1918, for example, during a service to celebrate the liberation of the Holy Places, the Custos decided in accordance with the representative of France that it is preferable “only to invite the various representatives to the singing of *Te Deum* which ends the ceremony, and when no special honors are rendered to the delegate of the France commissariat.” The reason, according to the former is that “it would have been difficult to have our allies recognize that during a service in the honor of the liberation of Palestine by the Allies the representative of France was given special treatment.”¹⁶

The French were careful about outward manifestations of the protectorate and made enormous efforts to regain their position within the Custody by providing, despite the lack of funds, a special allocation to the Franciscan missions in the Holy Land and even planned to provide direct financial assistance to the Custody. Similarly Paris was pleased to see that a French custodial vicar was appointed and there was a broad attempt to increase the number of French Franciscans in Palestine. The return to French protection of the Belgian Benedictines of the Dormition Church who had left the German branch of the Order was welcomed with disproportional satisfaction¹⁷. Nevertheless the restored protectorate was not much more than a facade each time its exercise required recourse to public order, i.e. the English Military Administration. The latter took malicious delight in dodging its duty, which had the inevitable effect of reducing the trust Catholics place in the power of a Protector who was unable to solve their problems. The French representatives developed a response to this delaying tactic but it too had its limits. This involved promoting “direct arrangements” with the Communities who customarily had dealings with France and had little desire to get involved with the British, the Protestants, in their affairs.

At the start of the Peace Conference, France had still not given up entirely on saving its protectorate even though in a private meeting in December 1918 in London with Lloyd George Clémenceau, the President of the French Conseil,

¹⁵ MAE, E. Levant, Palestine, 8, from Bonnin to S. Pichon, May 25, 1918; from C. Barrère at the Department, June 15, 1918.

¹⁶ *Ibid.*, from Durieux, representative of the French High Commissioner in Palestine to S. Pichon, Jerusalem October 14, 1918.

¹⁷ *Ibid.*, from Durieux to G. Picot March 22, 1919. The news was announced by the Press Office.

explicitly ceded Palestine “from the Dan to Beersheba” in exchange for Syria. Later the British Prime Minister would state that his French counterpart had given up the protectorate by so doing, an interpretation rejected by France. Although it did not learn of the meeting until several weeks later, and Clemenceau would renege on his statements in March 1919, the Quai d’Orsay was highly displeased and interpreted it as not necessarily including the protectorate. The Quai was apparently relying on the recent good graces of the Custody who as time honored tradition would have it, used France's good offices to transmit a report presenting the claims of the Latins against the Greeks to the Powers, and a list of the damage caused by the Turks to Franciscan establishments.¹⁸ Barrère, the ambassador in Rome had no illusions concerning the Vatican but believed it was possible to modify its stance by citing the resentment of French Catholics, Jewish-Protestant domination of Catholic interests in Palestine, or by hinting at the possibility of a reestablishment of diplomatic ties between Paris and the Holy See.

The disillusion however were not long in coming. Durieux, the representative of the French High Commissioner in Jerusalem demonstrated that the report from the Custody transmitted by France was full of ambiguities. Above all, the Vatican hid its persistent ill will behind an England who was playing its cards on the table. One of Barrère’s assistants stated on March 31, 1919, “what bothered the Vatican is that England let it be known that it had France's withdrawal on the subject in its pocket”. The diplomat, who at the time knew nothing of the conversation between Clemenceau and Lloyd George the previous December, outlined what remained the French position after permanently ceding Palestine. Even if the Holy Land becomes British – which is far from being a certainty – a distinction must be made between the “territorial question” and “the religious question.” Between London and Paris, Gasparri assumes an air of neutrality which bodes ill. He lets it be known that if the French and the English reach an agreement, – which he knows is impossible – it “would sanction anything we want (...) both as regards the Holy Places and as regards the protectorate over the religious Catholics of all nationalities in Palestine.” However the Custody clearly states to Picot that “all the outward manifestations stemming from the protectorate will cease ipso facto when the peace treaty is signed with Turkey.”¹⁹

The busy Peace Conference schedule, as well as the behind the scenes

¹⁸ *Ibid.*, from Picot to the Department, Cairo, November 23, 1918, January 22, 1919, February 2, 1919. From J. Gout to Picot, January 27, 1919; from “P” in the Department, to Picot, February 3, 1919.

¹⁹ *Ibid.*, Transcription of a conversation between “M. Herzog” representative of Cardinal Amette and “C.-R.” (Charles-Roux) March 31, 1919. National Archives 16N 3202 D21, from G. Picot to the Department, Beirut, July 9, 1919

filibuster to block the Syrian-Palestinian negotiations, indeed delayed the signing of the treaty with Turkey which only began to be drawn up in late 1919. But in September, as soon as the English let the French take over militarily in Lebanon and Syria hence leaving the Emir Feisal to his fate, the process leading to the final settlement is on track. The French renounce their claims to Palestine – which had mainly become bargaining chips, in exchange for a Syria carved out mainly around Beirut and Damascus. The Quai d’Orsay had already developed a contingency plan for the religious side of the issue: the Holy Places, it argued “could be placed under the authority of an international commission which would be comparable to the Danube international commission.” This commission could if necessary be presided over by a French delegate who would receive the title of the Governor of Jerusalem. Or better yet: its role would also be to extend its powers to Moslem holy sites.²⁰ This is clearly the groundwork for a future plan for the international commission for the Holy Places. In the meantime, there was a flurry of episcopal activity in late 1919 and early 1920. After Cardinal Bourne, who came to show that England also had Catholics, and Cardinal Giustini, the standard-bearer for Italy, it was Cardinal Dubois, the archbishop of Rouen’s turn to close the rounds with the pomp and circumstance still granted to the protectorate.²¹ Clearly however its days were numbered. Attempts made by Clémenceau on May 22 in Paris and then by Paul Cambon in February 1920 in London to put off the issue of the Holy Places had little effect.

Although the future Treaty of Lausanne with Turkey was not yet ready in the Spring of 1920, the success of Mustapha Kemal in Anatolia and the French intent to remove Feisal from Syria forced the French and the English to finally come to grips with the long postponed issue of partition. The issue was settled at the San Remo Conference on April 24, 1920. Pushed by Charles-Roux, Alexandre Millerand, the new President of the French Conseil, decides to reiterate his request to Britain, the future mandatory power in Palestine, “not to touch the traditional existing rights” in other words the French protectorate. Lloyd George and Nitti, the Italian President, are firm in their resolve, which forces him to formally abandon the preservation of “special privileges” of France in Palestine. “There will no longer be any question of the protection of Catholics in the East by one country or another” summarized Nitti. (...) The religious communities can no longer claim that their rights are protected more

²⁰ M.A.E., E. Levant, Palestine, 8, from the Office of political affairs to the Secretariat of the Peace Conference, April 6, 1919. This plan is presented in this document as the one outlined as of December 1917 by Picot and Sykes together. I have not found any direct record of these conversations.

²¹ Sergio I. Minerbi, *op.cit.*: on the mission of Cardinal Dubois, press releases and travel diary in M.A.E., PA Jean Goût, 8, PA Charles-Roux IX, PA R. Coulondre, 2.

by the representatives of one power than by the representatives of another and (...) there will no longer be any claims against clergy who do not wish to render 'honors' to the country which demands them"²². Nevertheless, the Italian support has a price tag to which Lloyd George has no choice but to agree to; namely the formation of an International Commission on the Holy Places. Millerand may have seized the idea (which had already been advanced by French diplomacy) as a kind of life buoy since in addition he was granted his request to have the President of the Commission named by the Council of the League of Nations and not by the Mandate power. The French renunciation of the protectorate at San Remo was hence linked to other plans, as the British were soon to discover.

The Finalization of the French Defeat (1920-1924)

Over the next four years, France used the full bag of tricks and quibbles possible to preserve certain religious privileges in Palestine, either by saving some of the outward manifestations of the former protectorate or by obtaining a predominant role in the Commission on the Holy Places. This was a game it could not play without some kind of support from the Vatican which like the other Powers involved, sparked rivalries to achieve its own ends.

For the English, as for the Italians, there was no doubt that the days of the protectorate are over. Herbert Samuel, the first British High Commissioner in Palestine, reminds Cardinal Gasparri: that "there is no French protectorate any more, (...) France gave it up in San Remo"²³. This position was pointedly repeated by Lord Curzon in the Vatican on August 6, 1920, but challenged by the French, inspired in particular by their new Charge d'affaires in the Vatican, Doulcet. In December 1920 just before Christmas, the Quai sent the following argument to London. Presuming that the notes taken by the Italian secretary in San Remo, which are considered accurate in this affair, were indeed "true minutes, revised and signed by the parties involved," Millerand only gave up French privileges in Palestine and not in the whole Middle East; and above all he only gave up the right to intervene and not the right to honors. Hence "if the representative of France can no longer demand honors he still has the right to accept them (...) nothing prevents the Holy See from ordering their preservation (...) nothing authorizes the British from breaking with tradition". This preservation is legitimate and desirable. Legitimate since "the honors were not only as Lord Curzon claims, "the outcome and the symbol of the protectorate (...); they were first of all the memory of a past which no one can abolish."

²² *Ibid.* and primarily MAE, E. Levant, Palestine, 8, copy of the "notes of the (Italian) secretary taken during the meeting on April 24, 1920 at 16:00 at the Villa Devachan".

²³ M.A.E., E. Levant, Palestine, 8, from Doulcet to A. Millerand, n° 37, undated.

They were desirable since the British, a Protestant Power, cannot make a claim to it and “its High Commissioner in Palestine is a Jew and the Holy See never accepted under the former rule that honors were rendered to a non-Catholic representative of the protector power”²⁴.

In fact, in sanctuaries in Jerusalem and in Palestine in general, the honors were indeed maintained by the Custos and the Latin Patriarchate on instructions from the Holy See. This enabled Cardinal Gasparri to express his discontent to London as regards the “Judaization” of the Holy Land, the obstacles to pilgrimages and the coming of clergy other than British. “If the Capitulations would cease,” he stated to Herbert Samuel, “the Latins would no longer need a defender in the sense of a protector but (...) they could still need a defender in the sense of a lawyer”. The Cardinal does not hide the fact that as regards future commission “it would not be very favorable to him and that he did not see very well how it would be organized. Nevertheless, there as well it would be normal and useful to have the services of a lawyer, an advisor”²⁵. This did not stop him at the same time from warning France that temporary preservation of the *status quo* and consular honors would not affect the future.

Thus, contrary to all expectations, France continued to receive the traditional honors during services that remained as poorly attended by representatives of other countries, and continued to intervene and act as an arbitrator. All this was to the great irritation of the Mandate Power, reined in because of the collapse of the treaty of Sèvres in August 1920, the time needed to ratify the mandates, and the formulation of a new treaty with the Turks (the Lausanne Treaty 1923). But when the French representative turns to the British to help solve a problem – the repair needed at the Star of Bethlehem in August 1920 or the incident at Gethsemane between Franciscans and Greek Orthodox in October –, the British Authorities no longer turned a deaf ear. Rather, they let it be known to the parties involved that they should address themselves directly to them. As a result, Doulcet notes, “our privilege disappears automatically because it existed only to the extent that it was efficient as a protector and that we were able to guarantee it during the time of the Turks”²⁶. Similarly, trapped by its argument

²⁴ M.A.E., E Levant, Palestine, 9, from Doulcet to G. Leygues, November 15, 1920; note. “The liturgical honors due to representatives of France in Palestine” December 14, 1920; message from the Department to several posts (including London), December 16, 1920. M.A.E., E Levant, Palestine, 27, from Poincaré to Lord Hardinge, British Ambassador to Paris, August 24, 1922 (no response received to this letter). The argument of no renunciation of the protectorate in the East except in Palestine appears to have been dropped quickly.

²⁵ M.A.E., E Levant, Palestine, 8, from Doulcet to Millerand, n° 37, *op.cit.*; 9, from Doulcet to the Department, December 21 and 27, 1920.

²⁶ M.A.E., E Levant, Palestine, 8, from Doulcet to Millerand, June 22, 1920; E Levant, Palestine, 9, from J. Rais French Consul in Jerusalem to Millerand, August 17, 1920; from Rais to the Department, October 3, 1920; from Rais to Briand, July 22, 1921, from Doulcet to G. Leygues,

concerning adherence to the *status quo* while waiting for the official restoration of peace and lacking Italian support, France must agree to withdraw the French detachment stationed in the Saint Sepulchre in February 1921²⁷.

The British are only able to extract themselves from this imbroglio after the signing of the Treaty of Lausanne in early 1924. Bombarded by “very trenchant” notes from the British, Cardinal Gasparri warns Paris on February 17 “that the Holy See cannot disregard the complaints of the British Government and hence is obliged to order that the liturgical honors in Palestine cease to be rendered to the representatives of France”. Doulcet succeeds in obtaining a grace period claiming an ongoing “diplomatic conversation” with England. Enough time for Paris to elicit pressure from the French episcopate, this time in vain. On March 18, 1924, Mgr. Ceretti, the nonce, notifies the Quai of the irrevocable end of liturgical honors “except in buildings which are French property; in the others these honors will not be rendered to anyone”²⁸. Little consolation for France who, to avoid humiliation for the coming Easter celebrations, recalls its Consul under sudden pretext and then, after verification of the application of the measure, chooses to desert the ceremonies at the Saint Sepulchre and retreat to the unchanged festivities in the French edifices.²⁹

Another option for France after April 1920 to preserve bits and pieces of its former protectorate was to obtain a special position on the International Commission on the Holy Places. The idea of an international and interfaith body was formalized in Article 95 of the Treaty of Sevres, and taken up again in article 14 of the Palestinian Mandate ratified in July of 1922. France agreed to this provided it would obtain the presidency of the commission. The Vatican judged it to be “highly insufficient as regards guarantees to Catholics” and wanted to obtain “a statute which would exclude Jews” on the commission. But here again Italy, France and the Vatican were unable to form an allied front. The Italians naturally refused to accept the French conditions. The Vatican opted for a Belgian president. France was unable to adopt the criticisms of the Holy See having prepared the texts for Mandates A with the British and because it had repeatedly committed itself to supporting the British Government³⁰. In fact highly complex negotiations concerning the formation and the role of this

October 19, 1920.

²⁷ The Italians who like the French had obtained permission to send a symbolic detachment for the conquest of Palestine also stood guard at the Saint Sepulchre. On this affair: M.A.E., E Levant, Palestine, 9.

²⁸ M.A.E., E Levant, Palestine, 27, from Doulcet to Poincaré, February 17, 1924 and April 9, 1924; notes on the visit of the nonce to M. de Peretti (by Louis Canet), March 18, 1924.

²⁹ *Ibid.*, from Poincaré to several posts (including Jerusalem), March 24, 1924; from Rais to the Department March 26, 1924; from Ballereau, the acting consul of the Jerusalem Consulate, April 18 and 21, 1922.

³⁰ M.A.E., PA A. Millerand, 66, handwritten letter from J. Goût to Millerand, May 26, 1922.

commission were partly responsible for the delay in which the League of Nations ratified the mandates.

It is understandable that these squabbles were a hindrance to the Zionists who were involved in addition in difficult border negotiations with France. It was apparently with the intention of clearing the way for ratification that the Zionists intervened for the first time in this domain in February 1922. Sokolov then expressed to Millerand his “desire (...) to see France occupy an essential place in the Holy Places.” Senator Anatole de Monzie, a supporter of the Zionist cause and tempted by the Presidency of the international commission himself, agreed to communicate the “friendly dispositions” of the Zionists to higher authorities in Paris where no stone is left unturned³¹. On the eve of an unsure ratification, the Zionists renew their offers of service.

They however carry no weight in London in this matter. The British Government continues to “be totally opposed to the formation of a permanent Commission of a political nature whose members would be appointed by others than itself. The only gesture they make is in a new version of article 14 for a 'temporary commission of legal experts' with a rotating presidency³². This obviously is not to the liking of either France or the Vatican. Even in early July the opposition of the Holy See and the support of the Spanish, whose turn it is to preside the Council of the League of Nations, encourage French resistance. This was prompted by the advice of Father Dhorme, the prior of the Dominicans in Jerusalem and Louis Canet, the advisor of the Quai for religious affairs. Despite last minute hesitations, France however decides because of its Syrian policy to ratify the mandates, thus renouncing its prime form of pressure in the issue of the commission. Even though the discussions last a few months longer, the affair was destined to fail. Britain was thus witness to a failure which gave it great satisfaction, and never in fact created the Commission on Holy Places, preferring to take over the role which France had held for so many years.

Thus after six embattled years, the French defeat was complete. The clearly disproportional investment of French diplomacy in the defense of the protectorate, an outdated form of influence, is hence highly comparable to the irrational attitude of the Italians as S.I. Minerbi shows in his analysis. The French diplomats, like the Italians, were unable to rise above beliefs and antiquated conduct and devise a new and more reality-based strategy of influence.

With doubtful value as to rival national interests, the struggle was for many

³¹ M.A.E., E Levant, Sionisme, 16, from A de Monzie to Poincaré, February 8, 1922; “note on Zionism”, February 17, 1922; M.A.E., E Levant, Palestine, 9, from Poincaré to Monzie, March 9, 1922.

³² M.A.E. PA A. Millerand, 66, from J. Goût to Millerand, June 26, 1922.

years an obstacle to religious peace in the Holy Land. By taking over the religious protectorate, Britain deliberately chose not to apply an international decision, by a kind of “right of occupation”. This was clearly a pernicious example. The Mandatory and Protector Power was soon required to cope with disturbances affecting not only the Christian Holy Places but also and above all the Jewish and Moslem sanctuaries. This led to an increasingly inextricable situation. Nevertheless the Catholic Powers also bear heavy responsibility in this state of affairs. Unable to quell the rivalries of the past, they contributed to the failure of the first of many forms of internationalization of the Holy Land envisaged to this day.

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