

At length, in the spring of 1872, the basis of a general agreement was arrived at, the Khedive consenting to adopt the French amendments with respect to the Courts of Revision and Appeal, and also to limit for a year the criminal jurisdiction of the new tribunals to offences committed against the Courts themselves, or in obstructing their process. Some months later another Commission met in Constantinople to examine the provisions under which these limited criminal powers should be exercised, and the guarantees proposed by the Khedive being considered sufficient, this body also reported favourably of the whole scheme. But, although its delegates on both the Cairo and Pera Commissions had voted for the reform, the French Foreign Office still held out, nor was it till the spring of 1875—under pressure of a threat of the Egyptian Government to close the old mixed Tidjaret Courts, and so leave French citizens totally without means of legal redress against either natives or other foreigners—that the question was at length referred to the Assembly, where, in spite of considerable opposition, adhesion to the measure was finally voted in December of the same year, only a few days before the date fixed for the opening of the new courts. In the meantime, all the new judges except the French had been appointed—the Europeans on the recommendation of their respective Governments, and the natives from amongst the numerous band of young Egyptians whom the Khedive had some years ago sent to be educated in France and Germany with a view to these reforms.

On New Year's Day, 1876, when also the Gregorian was officially adopted in place of the old Coptic calendar—Riaz Pasha, then Minister of Justice, and who during a previous term of office as Minister of Foreign Affairs had also vigorously promoted the reform, inaugurated this

“new departure” in Egyptian civilisation by publicly installing the Tribunal of First Instance at Alexandria; but to give the French Government still further time to recommend its nominee, the opening of the new courts for actual work was postponed till the 1st of February, when, except as regards the deferred criminal authority and civil disputes between foreigners of the same nationality, Consular jurisdiction and its many abuses came to an end in Egypt. The reform, it is true, is tentative for five years; but, whatever changes experience may then suggest in its machinery, or possibly also in some of its organic provisions, it may be safely predicted that the measure itself will be upheld.

As now constituted, the new system includes three Tribunals of First Instance—one at Alexandria, a second at Cairo, and a third provisionally at Ismailieh, but ultimately to sit at Zagazig—and a Court of Appeal, which also sits at Alexandria. Of the inferior courts, that at Alexandria—divided into two chambers, with equal jurisdiction—consists of fourteen judges, of whom six are natives and eight Europeans; that at Cairo of three natives and five foreigners; and that at Ismailieh of three natives and four foreigners. The nominal chiefs of all three are natives, but foreign vice-presidents actually direct their proceedings. In the Court of Appeal the alien element is still more preponderant, the bench of eleven judges there consisting of seven foreigners and only four natives, under the vice-presidency of Dr. Lapenna, an eminent Austrian judge, whose ability, tact, and independence have already won for this court—and through it for the whole reform—a large measure of public confidence and respect. Of the seventeen foreign judges thus functioning, England, France, Austria, Italy, Germany, Russia, Denmark, and the United States have

each recommended one, Belgium, Sweden, and Greece two each, and Holland three.\* The whole receive a uniform salary of 1,600*l.* a year, but their native colleagues only half that amount. As the other machinery of the measure has been fashioned after the Continental model, it includes a foreign *procureur-général*, substitutes, *greffiers* (also foreigners), and a very complete staff of interpreters, clerks, and bailiffs of mixed nationality. The judges are irremovable for five years (except for judicial misfeasance pronounced on by their fellows), and thence after will, like our own, hold their office during "good behaviour." The proceedings are conducted in Arabic, French, or Italian, and a numerous bar of qualified foreign advocates furnishes litigants with ample means of attack or defence. For the purposes of jurisdiction, the whole country is divided into three sections, the first of which, that of Cairo, includes Upper and Middle Egypt from Assouan to the apex of the Delta, with a population of nearly 3,500,000; the second, that of Ismaïlieh, the Canal districts, the adjacent desert, and part of the Delta, with about 1,000,000 inhabitants; and the third, that of Alexandria, the remainder of the Delta, with another 1,000,000 of settled population, and about 10,000 Bedoween.†

\* The work of the four courts is taken as follows: five judges sit at the same time in each of the Tribunals of First Instance, eight in the Court of Appeal, and one as a judge in chambers to hear summary applications. The drafting of the judgments, which are all written, is done in turn by each of the judges on the sitting rota.

† The report for the judicial year ending October 15 last—which, however, only included six months' actual work, with three and a half months' vacation—states that the Alexandria Tribunal of First Instance had heard and decided 1,360 civil and commercial causes out of 2,684 set down, and 1,500 summary claims; that of Ismaïlieh 312 out of 628 entered, besides 197 out of 264 summary cases; that of Cairo 631 out of 1,538, plus 622 out of 1,000 summary; and the Court of Appeal 75 out of 188, besides sitting as a Court of Arbitration on outstanding claims by foreigners against the Government. The fees received by all four tribunals during the term amounted to 30,000*l.* towards covering salaries of 60,000*l.*

But, although the judicial and other *personnel* is thus complete, and the jurisdiction exercised includes all civil disputes between the Government and natives on the one hand and foreigners on the other, as also those between foreigners of different nationalities, and all suits and registrations of sale and mortgage whatsoever of real property, the reform is yet at best only a half measure. For disputes between themselves or with the authorities, the natives are still left to the old *mekkemehs*, where the poor man has an indifferent chance against the rich, and both even less against the Government. It is but fair to admit, however, that since the chief Cadi has been appointed directly by the Khedive, and paid a fixed salary of 4,000 Napoleons a year, instead of being commissioned from Stamboul for a year's plundering by fees, the justice administered by these tribunals has much improved. The new code of the international courts has been as far as possible introduced, and under the firm and liberal control of the present Minister—Cherif Pasha, who holds the double portfolio of Justice and Foreign Affairs—the worst scandals of the old system have been in great part weeded out. But, as against administrative abuse, these native courts still afford little or no protection.\* It was, however, necessary to await the result of the new mixed measure before attempting any very radical changes in the native system; but it is understood that if the international experiment proves a success, a clear sweep will be made of the old Koranic law and procedure, and Government, natives, and foreigners be all alike brought

\* The confidence with which these international tribunals are already regarded by the natives, as compared with their own *mekkemehs*, is shown by the now common device of plaintiffs who have claims either against other wealthy natives or the Government, fictitiously ceding their rights of action to foreigners, and thus bringing them within the jurisdiction of the new courts.

within the scope of the reform which is now so satisfactorily on its trial. The logical and necessary consequence will be the complete abolition of the Capitulations in Egypt, be their fate in Turkey what it may. It is, therefore, of good augury for the national progress that the new tribunals have already won the full confidence of both natives and foreigners, and that the Government also loyally bows to their authority. The independence of the Court of Appeal in unanimously affirming its jurisdiction over both the Government and the private estates of the Khedive himself in the matter of foreign claims against either,\* has especially strengthened popular faith in the reality of the reform, and shown how safely its agents may be entrusted with larger powers. There can be little doubt that the confidence thus felt will continue to be justified, and that in 1881 this new *régime*, modified as experience may have suggested, will permanently and exclusively replace the old. Egypt will then present a unique example of a Mussulman State governed by a system of laws in harmony with modern civilisation, under the ægis of which all classes of its population will, for the first time, enjoy equal justice and protection from administrative abuse. History will contain no grander monument of the reign of ISMAÏL I.

\* This assertion of jurisdiction arose in connection with the decree of May, 1876, unifying the whole of the Government and Daïra debts, the validity of which was disputed by certain foreign holders of bills of exchange drawn by the Daïra and accepted by the Minister of Finance. The Tribunal of First Instance having held that the decree in question barred such claims, the Court of Appeal reversed the decision, and decided that no administrative act to which the Powers were not parties could affect the right of their subjects in respect of claims against either the Government or the personal estate of the Khedive. His Highness demurred to this interpretation of the section of the organic law on which the Court relied, but consented to be bound by the opinion of the foreign Governments; and this being against his own view, he has since loyally acknowledged the jurisdiction thus affirmed

## CHAPTER XIV.

### MANUFACTURING AND OTHER INDUSTRIES.

Skilled Industries not Improved Proportionately to Agriculture and Commerce—Misdirected Efforts of Mehemet Ali to Promote Them—Official List of Trades, Incomplete—*Esnafs*, or Trade Guilds—Weavers—Metal Workers—Workers in Wood—Masons and Bricklayers—Tanners and Curriers—Potters—Paper-making—The Boulak Mill—Bakers and Millers—Embroiderers—Goldsmiths—Turners—The Old *Mushrabeeyahs*—Modern Skilled Labour chiefly done by Europeans—Artificial Egg-hatching—Cotton-factory Workers—Poverty of Mineral Resources—Salt-pits—Natron Lakes—Petroleum—Fisheries—Nile Boatmen—General Inferiority of Native Skilled Work—No Chance of Competing with Europe—True Policy of Government to Encourage Agriculture.

THE great development in Egyptian agriculture and trade within the past twenty or thirty years has not been attended by corresponding improvement in the skilled industries of the country. With a few exceptions these are still as backward as they were a hundred years ago. In the three centuries of mixed Turkish and Mamlouk misrule which followed Ottoman conquest, Arab art of every kind lost its cunning, and when Bonaparte's *savants* entered Cairo they found its handicrafts, as its learning, at the lowest ebb of decadence. Twenty years later Mehemet Ali began a series of efforts to revive the old mechanical skill for which Egyptian workmen had once been famous, but the special aim and the methods of his reforms in this direction were alike unsound, and costly failure was the result. Fascinated by the flattering theory then cherished by more than one European Gov-