

INTRODUCTION

The son of a French immigrant shop clerk, Judge Pierre Crabitès (1877-1943) became an American scholar on Middle Eastern history and politics. He grew up in the French Quarter of Gilded Age New Orleans, where he was reared in a Catholic household and attended parochial schools until he graduated from the Jesuit College of the Immaculate Conception in 1895. He subsequently matriculated at Tulane University, where he studied law. However, he failed to meet the minimum age requirement necessary to take the bar exam upon graduation, so he traveled to Europe to study first at the Sorbonne and later at the University of Berlin. While in Europe, he witnessed first-hand the spectacle of the Dreyfus Affair.

After returning from Europe in 1900, Crabitès passed the Louisiana Bar and joined Hugh Cage and Henry Baldwin to form Cage, Baldwin and Crabitès, a law firm in New Orleans. He spent the next eleven years building a reputation in Louisiana law, even presenting a case before the United States Supreme Court in 1909. During this period, Crabitès rapidly ascended the social ladder in New Orleans. He only associated in the most elite of circles. Crabitès greatly benefited from his intellect and family connections, which helped him secure a seat on the Mixed Courts of Egypt in Cairo, when President William Howard Taft appointed him in 1911. He lived in Egypt from 1911 to 1936, a period when American foreign policy largely ignored the Middle East. Crabitès spent most of his career on the Mixed Courts, yet at heart he remained a Creole from Canal Street.

When he departed his home in New Orleans for Cairo, Crabitès brought his Creole heritage and Bourbon Democrat politics with him. His writing reflected the environment where he came of age. Crabitès's court opinions and publications mirror his background and convictions. He observed British foreign policy shape Egyptian domestic policy. This account highlights his reaction to

the British dominance of Egypt. It demonstrates how Crabitès's professional relationships facilitated his selection to the Mixed Courts, while his personal beliefs ultimately hindered his ability to rise to the Court of Appeals and later to secure a much-desired diplomatic post. Crabitès attempted to obtain promotion to the Mixed Courts' Court of Appeals in 1921, but his anti-British sentiments obstructed the nomination. He would eventually retire from the bench in Cairo early, aware of British intentions to block his appointment to the Court of Appeals.

Over time, Crabitès became increasingly anti-British. This stance directly related to his positions on nationalism and imperialism. He strongly believed that imperialism was immoral and thought that America should promote nationalism and democracy in occupied countries. These attitudes harmonized with President Woodrow Wilson's "Fourteen Points," that the United States should "make the world safe for democracy." His anti-British feelings germinated in New Orleans, where Crabitès beheld Anglo-Saxon culture slowly gain predominance over the French Creole culture. Crabitès's animosity towards the British flowered during his extended stay in Egypt.

During his lifetime, Crabitès resided in many cultures, including Arab, Muslim, French, Anglo-Saxon, Germanic, and Creole. And even though he changed climates during his move from Progressive-Era Louisiana to British-occupied Egypt, he remained true to his Catholic-Creole heritage and convictions. Crabitès stayed in Egypt and Louisiana during periods of declining French culture and a simultaneous rise in Anglo-Saxonism; yet his knowledge of the French language and French culture assisted him on the courts of Louisiana and also helped him attain a seat on the Mixed Courts' bench. He flourished in both worlds, but his pro-French attitude ended up harming him in Egypt. This dissertation examines the interaction in British-American relations, and how Crabitès's anti-British sentiments damaged his opportunities for advancement in Egypt and even strained affairs between the two countries.

Wrapped up in the debate over Crabitès's perspective on nationalism was his decision in the Tutankhamen case. In 1924, Howard Carter sued the

Egyptian government for the sequestration rights to the Pharaoh Tutankhamen's artifacts. Crabitès presided over the case and ruled in favor of British archaeologist Howard Carter. This famous court case captured the attention of the world, and Crabitès inadvertently reinvigorated the nationalist effort in Egypt by supporting Carter's argument. It is interesting to note that Crabitès authored a judgment against Egypt when he condemned the British occupation of Egypt. This dissertation analyzes his opinions on the case by considering the accounts of Egyptian, European, and American journalists.

Just a few months later, Crabitès lost his leg when he tripped and fell under a Cairo streetcar. While recovering from his subsequent amputation, Crabitès took up writing as a hobby. By the time he died in 1943, he had published thirteen books and twenty-eight articles, mostly biographies and histories. Crabitès left behind numerous unpublished manuscripts and articles. He published in academic journals, including the *American Bar Association Journal*, *Catholic World*, *Current History*, and *Foreign Affairs*. The Council on Foreign Relations, Macmillan, and Routledge all published his books. History has most widely recognized Crabitès as a prodigious and opinionated author; however, this work focuses on his role as a judge on the Mixed Courts of Egypt and an agent for the Office of Strategic Services in the Middle East. He also served as a translator, translating several important books from French into English. Crabitès popularized Middle Eastern history and politics. He was no popular author but a legitimate scholar. He was one of the most prominent American authorities on the Middle East in this period, as well as one of the very few pro-Arab intellectuals in the United States. American and British specialists on the Middle East reviewed his works, which influenced American foreign policy towards the Middle East.

Crabitès began publishing primarily out of a desire to influence American foreign policy, but he composed out of a need to be famous. He also wrote from frustration at a lack of progress in his career because he recognized that the British obstructed his advancement on the Mixed Courts. Moreover, his schedule

at the Mixed Courts occupied little time, and he needed a diversion to focus his energy and keep his mind off of his health problems.

This biography integrates Crabitès's compositions into his intellectual life. His works reveal his anti-British sentiments, pro-Catholic proclivities, Social Darwinist attitudes, and other controversial opinions. While Crabitès was well-published, he was unable to find homes for all of his works because there was little interest in the United States for Middle Eastern affairs during this period. This dissertation sorts out and analyzes his major works, including the major themes of Catholicism, nationalism, Palestine, imperialism, and gender.

New Orleans experienced many changes as Crabitès grew up. He watched Anglo-Saxon culture supersede his French Creole heritage in Louisiana. This transformation had a significant effect on his writing. Crabitès reacted conservatively to these changes in his life. The dynamic between his French and Creole heritage influenced his intellectual life. There is a noticeable tension exhibited in his works between his American (Anglo-Saxon)-Protestant, French, and Creole-Catholic backgrounds.

Nationalism was a major theme in Crabitès's life, and he directly confronted this issue. He had strong sentiments regarding nationalism. Even though his anti-imperialist outlook cost him promotion, he still expressed his anti-colonial opinions. Crabitès had close connections to King Fuad and his son Farouq, and he preferred the monarchy over the British and the nationalists (Wafd). He disapproved of the British occupation of Egypt and Palestine. Crabitès favored both Egyptian and Arab nationalism. He was partial to one brand of nationalism in Egypt and then another in Palestine. His belief in Egyptian nationalism stemmed from his conviction that Egypt's nationalism predated Arab nationalism and Islam. For him, nationalism in Egypt was a uniquely Egyptian, Pharonic nationalism.

This dissertation ascertains Crabitès's position on Palestine. On the one hand, he opposed the British Mandate for Palestine, yet he was not an avowed Zionist. He advocated a Palestinian state. He considered Palestine the home of Arabs, not the Jews. He contended that the Arabs had governed Palestine

peacefully for millennia until the British mandate, which afforded a Jewish minority the power to govern the Holy Land and an Arab majority. His hostility towards the British mandate related to their incompetence there. This biography also connects Crabitès's stance on Palestine to the Catholic Church's position on Palestine.

Crabitès was an anti-imperialist Democrat. Democrats refused to approve of American imperialism for numerous reasons. Some were Social Darwinists who alleged that imperialism brought America into contact with inferior peoples, and they opposed granting them American citizenship. These men were reluctant to become involved with a "lesser race" because they thought that America had already taken part in that before. Other American anti-imperialists, such as William Jennings Bryan, considered imperialism immoral and believed domestic problems to be of greater import. Imperialism meant involving America in affairs that were none of its business. Still other anti-imperialists were labor unionists, who assumed that immigrants would bring down American standards and depress wages. Crabitès applied these perceptions of imperialism to the British occupation of Egypt and Palestine.

Women played a significant role in Crabitès's life. His father died when he was young, and his mother, grandmother, aunt, and female cousins helped raise him. Gender was a major theme in Crabitès's intellectual life. He wrote one book and twenty-one articles on women. The role of gender dominates his writing on Islam. This dissertation examines the impact that these women had on his writing.

Crabitès left Egypt as soon as he realized that he could not advance on the Mixed Courts. In 1935, he arranged for a position as a special lecturer in law at the Louisiana State University. Crabitès began simultaneously publishing editorials in newspapers and traveling the country to lecture at Rotary Clubs. Most of his speeches took place in the Southeast. He also traveled to the Midwest and Northeast to give an address on occasion. He covered numerous topics in his lectures and newspaper editorials, including such subjects as communism, African-Americans, and the Nazi-Fascist threat.

This biography analyzes his opinions on World War II, which were surprisingly tolerant of Nazi Germany. Crabitès, like many Americans who experienced the horrors of World War I, believed that America should retreat into isolationism after the war. Many Americans, such as Charles Lindbergh, protested American involvement in World War II. Crabitès's early pacifism related to Catholic tradition, but it also reflected the values of mainstream America, so he was not exceptional in his opinions. Later, Crabitès changed his attitude towards Germany, adopting a more internationalist perspective on the Nazi threat.

In 1936, President Franklin Delano Roosevelt appointed Crabitès as the American representative to the Montreaux Convention, which resolved to phase out the Mixed Courts of Egypt. After a few years of teaching at the Louisiana State University, Crabitès decided that he wanted to become a diplomat. Not only did he seek to return to the Middle East in this capacity in another attempt to gain fame, but he sincerely attempted to assist America in the war effort. Unfortunately for him, his outspoken anti-British proclivities hindered his ability to secure a stable diplomatic position, for many in the diplomatic community were suspicious of his motives or disagreed with his opinions. Even though he was one of the few American specialists on the Middle East, many in the State Department and British Foreign Office believed that he was not up to the task. Most likely, these feelings can be attributed to his poor health, although, the State Department was distrustful of Crabitès's motives in diplomacy. His views, and the relationships that he forged both in New Orleans and in Egypt, caused problems for him, and the State Department was reluctant to support his mission with the Office of Strategic Services. Even though he was immensely qualified for the job of coordinating relations with the royal palace, they believed that he was more concerned with seeking glory than aiding in the Allied war effort. Crabitès had a close association with the Abdine Palace. Both British and American authorities in Egypt questioned his politics and connections. Crabitès was intensely patriotic and truly interested in helping the American cause during

the war. He was assigned to Egypt for a short while, only to be relocated to Iraq in 1943, where he died of a brain hemorrhage months after his arrival.

Although most of the studies on the Mixed Courts have been in French, these were published prior to the closure of the courts. There has been very little research conducted on the Mixed Courts since they shut down, even in French. However, there have been two histories published in English on the Mixed Courts and one master's thesis.¹ Almost no research exists on the judges of the Mixed Courts and little has been written on Judge Crabitès. Aside from my master's thesis, the longest work is a master's thesis written by Jamal T. Perkins.² This work is brief, insufficiently researched, and contains errors. Its thesis argues that Crabitès was an under-utilized expert on Middle Eastern affairs during a period of increasing American interest in the Middle East. It considers some of the information housed in the Crabitès Collection at the University of New Orleans and focuses on Crabitès's manuscripts on the conflict in Palestine, especially his unpublished manuscripts "Palestine and her Problem" and "The Partition of Palestine." It fails to analyze any of his major works and neglects many primary source documents on Crabitès's life, including State Department documents referencing Crabitès's time as a judge on the Mixed Courts and his stint working for the State Department, as well as foreign archival material. Perkins does not examine any of the State Department or British National Archives documents. He ignored the importance of Crabitès's anti-British sentiments and the effect that they had on his life.

This dissertation intends to correct the errors from earlier work on Crabitès and provide a more extensive and in depth study of his life. Besides focusing on Crabitès as an expert on the Middle East, this account concentrates on Crabitès as a man whose intellect and connections helped him ascend the social ladder, yet his personal opinions ultimately limited his ability to accomplish his goals,

¹ Jasper Yeats Brinton, *The Mixed Courts of Egypt*, revised ed. (New Haven, CT: Yale University Press, 1968). Mark S.W. Hoyle, *The Mixed Courts of Egypt*. (London: Graham and Trotman, 1991). Wadih A. Saleh, "The Mixed Courts of Egypt and International Law . . ." (Master's thesis, Duke University, 1968).

² Brian R. Parkinson, "Judge Pierre Crabitès: An American in Egypt (1877-1943)." (Master's thesis, The Florida State University, 2002). Jamal T. Perkins, "Pierre Crabitès: An Early American Expert on the Middle East" (Master's thesis, University of New Orleans, 1992).

such as an appointment to the Court of Appeals and a diplomatic post. While Crabitès's relationships back home in the United States helped his promotion to the Mixed Courts, he fell out of favor with members of the British government in Egypt, such as Sir William Brunyate, and these personal conflicts hindered his grander aspirations.

The foundation for the story of Crabitès's life relies on primary resources. The secondary sources used supply background information and situate Crabitès in the period. The work essentially uses the research gathered at seven archives, including the Crabitès Collection, housed at the University of New Orleans, census information from the National Archives I in Washington D.C., State Department documents from the National Archives II in College Park, Maryland, British Foreign Office sources from the Public Record Office in Kew, England, and newspapers from the British Library in London, England. It also uses newspapers from the *Bibliothèque Nationale*.

Historians can profit from studying Judge Pierre Crabitès and the Mixed Courts of Egypt. Crabitès is an excellent example of the early American diplomatic experience in the Middle East. He lived and worked in the Middle East during a period when the United States was unable to influence colonial powers or even other Middle Eastern countries with its foreign policy. Crabitès illustrates the conflict between imperial powers and the United States in colonized Middle Eastern countries. An avid writer, Crabitès was also one of the most eminent scholars on Middle Eastern affairs during his lifetime. He was a specialist on the Middle East and international law as it related to the region during a time when there were very few Americans in the region. Historians can gain much from examining his role on the Mixed Courts of Egypt. In addition to his published articles on Mixed Courts, he made landmark decisions while on the bench. This biography pulls his life together by revealing what was important to him, such as his family, fame, and prosperity. It also traces the major themes in his life, including the dynamic between the French and British cultures in Egypt and his Creole heritage, as well as his Catholicism, nationalism, and his intellectual life.

This dissertation covers such historical areas as the Gilded Age and Progressive-Era America, early twentieth century Egypt and the Middle East, Palestine during the Mandate, and World War II. Crabitès is significant in the history of American relations in the Middle East in the early twentieth century. His life provides a fascinating and unique window onto U.S. relations with Egypt during the beginning of the twentieth century. This dissertation is a largely political biography; however, it should interest a range of audiences, such as intellectual, social, political and legal historians, as well as Americanists, Europeanists, and historians of the Middle East.