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ISBN

9780253056610

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Publication Date

2021-06-01

Peer reviewed

11 “Claimed by Turkey as Subjects”: Ottoman Migrants, Foreign Passports, and Syrian Nationality in the Americas, 1915–1925

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IN APRIL 1917, the United States of America entered the First World War and called on its citizens to participate in an unprecedented military draft. The Selective Service Act of 1917 levied over two million troops to fight in Europe, and it commanded both native-born US citizens and foreign-born immigrants to register with American draft boards. As America’s first experience with total mobilization, the draft raised new questions about the military eligibility and political loyalties of men living in the United States but holding foreign nationalities: German, Czech, and Slovak “enemy nationals,” but also over 200,000 subjects of the Ottoman Empire then living in the United States.¹ Though America was never at war with the Ottoman Empire, Istanbul had recalled its ambassadors and severed diplomatic ties with Washington by 1917. Ottoman nationals, meanwhile, found themselves subject to new surveillance into their political activities, censorship of their ethnic press, and restrictions on their mobility culminating in a ban on cross-border travel by Ottoman subjects in 1918. Even as “neutral allies of the enemy,” Ottoman migrants found that America’s war effort complicated their lives considerably.

Nativists eager to draft “alien slackers” into the army opened the question of whether Ottoman migrants (as neutrals) were eligible for conscription and accused all who opposed the draft of cowardice.² Army Provost General Marshal

1. Of this number, half were Arabs from Syria, Palestine, and Mount Lebanon, the rest of Turkish, Armenian, and Kurdish extraction; see Akram Fouad Khater, *Inventing Home: Emigration, Gender, and the Middle Class in Lebanon, 1870–1920* (Berkeley: University of California Press, 2001), 8; Charles Issawi, “The Historical Backgrounds of Lebanese Emigration, 1800–1914,” in *Lebanese in the World: a Century of Emigration*, ed. Albert Hourani and Nadim Shehadi (London: I.B. Tauris, 1992), 31; Kemal H. Karpat, “The Ottoman Emigration to America, 1860–1914,” *International Journal of Middle East Studies* 17, no. 2 (1985), 175–209.

2. “Alien Slackers May Not Escape Service,” *New York Times*, 22 April 1917, 3; “Deportation of Alien Slackers,” *Christian Science Monitor*, 1 Aug. 1917, 1; Nancy Gentile Ford, *Americans All! Foreign-Born Soldiers in World War I* (College Station: Texas A&M University Press, 2001), 60–61.

Enoch Crowder initially opposed the impressment of “Turks” (a term unevenly applied to Ottoman nationals but also problematically connoted with Muslim) but left the matter of other Ottoman subjects open for debate.³ In May 1917 congressional lawmakers examined whether the “national origins” status of Ottoman migrants could be used to determine which among them could be drafted, which could voluntarily enlist, and which should be policed and surveilled.⁴ Building on a decade of legal precedent and working with migrant ethnic advocates in New York, Congress created a new legal distinction between “Syrians and Mount Lebanonites claimed by Turkey as subjects” and other Ottoman subjects, particularly Turkish- and Kurdish-speaking migrants from Anatolia.⁵ A Syrian American legal exceptionalism was born.

Designed to delimit which among Ottoman migrants were eligible for conscription, the 1917 law drew a line between Ottoman subjects of Syrian origin and other migrants from the empire. Syrians gained enhanced rights to travel, to enlist, and to petition for US citizenship as a consequence. Ottoman Turks or Kurds, by contrast, were prohibited from departing the United States, ineligible for military service, and barred from naturalization. Syrian nationalists in the *mahjar* (diaspora) promoted the law as proof that the war effort “has prompted the American government to distinguish the Syrian and Lebanese from those who are clearly Turks,” and they pushed for migrant men to enlist with the Entente in the name of Syria’s national liberation.⁶ Because the lawmakers who reclassified “Syrians and Mount Lebanonites” did so in order to conscript a subset of Ottoman immigrants, however, the new law did little to define who rightfully counted as Syrian. Similarly, it did not attempt to define geographic Syria, its territorial limits, or delimit the ethnic composition of its rightful claimants.

This chapter is a history of the Syrian American exception. It examines the origins of US legal ideas about Syria as a territory simultaneously *a part of* and *apart from* the Ottoman Empire. It traces the impact of the Syrian exemptions

3. *Second Report of the Provost Marshal General to the Secretary of War on the Operations of the Selective Service System to December 20, 1918* (Washington, DC: Government Printing Office, 1919), 86–88.

4. US legislation restricting immigrants on the basis of their geographic origins began with the Chinese Exclusion Act of 1882, but the language of “national origins” emerged in World War I as US authorities parsed immigrants eligible for the draft from ineligible aliens. As a mechanism of migration restriction, national origins provisions appeared in the Immigration Act of 1917 (in the creation of the Asiatic barred zone) and in the Immigration Act of 1924, which introduced annual quotas on the basis of national origins. The 1965 Immigration Act repealed the use of quotas. See Mai M. Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton: Princeton University Press, 2004).

5. Na’um Mukarzil, “al-Lubnaniyyun wa-l-Suriyyun tujaha al-Khidma al-‘Askariyya,” *al-Huda* 1 June 1917, 3.

6. *Ibid.*, 3.

from wartime laws that restricted the rights and movements of Ottoman immigrants and the legacy of these laws from the 1918 armistice through the Treaty of Lausanne. The reclassification of Syrians and Lebanese as national origins categories in US law opened kinopolitical opportunities for Arab migrants and activists, as well as for French diplomatic authorities looking to claim Syrian migrants for a post-Ottoman Middle East.⁷ In the *mahjar*, Syrian migrant activists lobbied for progressively more thorough articulations of “Syrian” national origins to access US citizenship, to facilitate the repatriation of migrants to Syria after 1918, and to expand the borders of those territories in the months before the French Mandate. France granted passports to these Syrian migrants as one means of establishing a claim over Syria and Mount Lebanese territory between 1918 and 1920. And smugglers exploited these efforts to assist Ottoman Kurds and Turks in obviating a US ban on cross-border travel by Ottoman subjects in its territories.

From “Turkey in Asia:” the Origins of Syrian American Legal Exceptionalism

Ottoman migrants began arriving in the Americas as early as the 1860s but by the 1880s the number of annual arrivals reached mass proportions. By 1914, between 200,000 and 225,000 Ottoman subjects lived in the United States; between 100,000 and 130,000 of them were Arabs from Syria, Palestine, and Mount Lebanon.⁸ Processed through New York City’s Ellis Island, arriving Syrians usually settled first in lower Manhattan, joining the Syrian “mother colony” on Washington Street and finding ready employment in textile or leather factories, in small-time commerce, and in peddling.⁹ Attempts at a more precise demographic estimate on the various groups arriving from the Ottoman Empire are difficult because immigration officials drew no distinction between Syrians and other groups also arriving from “Turkey in Asia:” Turks, Kurds, Armenians, and Sephardim, all travelling on Ottoman travel documents.¹⁰ It was not until 1899 that US ports of entry classified “Syrians” as a distinct ethnic category, typically signifying Arabophone migrants from Syria, Mount Lebanon, and Palestine.¹¹

7. See Thomas Nail, *The Figure of the Migrant* (Stanford: Stanford University Press, 2015).

8. Karpát, “The Ottoman Emigration,” 183–84. Élie Safa, “L’émigration libanaise” (PhD diss., Université Saint Joseph, Beirut, 1960), 188–90.

9. Alixa Naff, *Becoming American: The Early Arab Immigrant Experience* (Carbondale: Southern Illinois University Press, 1993), 128–33.

10. Engin Akarlı, *The Long Peace: Ottoman Lebanon, 1861–1920* (Berkeley: University of California Press, 1993), 63; Karpát, “The Ottoman Emigration,” 182; David Gutman, “Travel Documents, Mobility Control, and the Ottoman State in an Age of Global Migration, 1880–1915,” in this volume.

11. Naff, *Becoming American*, 110. This was also the case in Argentina and Brazil; see Jeffrey Lesser, *Negotiating National Identity: Immigrants, Minorities, and the Struggle for Ethnicity in Brazil* (Durham: Duke University Press, 1999), 58; John Tofik Karam, *Another Arabesque:*

Critically, the “Syrian” category was an ethnic and racial one in 1899, and did not denote a connection to a national point of origin.¹² Because it lacked geographic specificity, the term was conflated with Arab Christianity and to American biblical ideations about the Holy Land, a messy, problematic ordering principle which was frequently contested in America’s immigration courts. That said, the production of a Syrian racial category in US law opened new opportunities for Arab American migrants, who sought to distinguish themselves from other Ottoman migrants as a means of enhancing their access to American citizenship.

Before 1915, Syrian migrants petitioning for naturalization came up against three forces simultaneously: Ottoman laws requiring subjects abroad to seek permission to naturalize in their countries of domicile, the conflation of “Turkish” identity with Islam in US law, and the conflation of “Turkey in Asia” with the rest of the Asian continent facing a mounting restrictionist immigration regime.¹³ These obstacles led Arab Christian migrant activists to seek classification of “Syrians” in the United States as racially white, a move which would enhance their naturalization rights while exempting them from legislation limiting Asian immigration to America and (in the eyes of America) from Ottoman laws designed to stop them from renouncing ties to the empire.¹⁴ A series of racial prerequisite cases between 1909 and 1915 culminated with *George Dow v. United States* in 1915, which established that Syrians were racially white and thus could not be denied access to US citizenship.¹⁵ The ruling based Syrian “whiteness” on the Christian identity of its claimants, a courtroom strategy designed by Dow’s attorneys in collaboration with the Syrian American Association in New York City.¹⁶

The Dow ruling offered Syrian migrants a path to citizenship routinely denied to other Ottoman subjects, and it did so by conflating Syrian identity with Christianity and simultaneously confirming US legal understandings that

Syrian-Lebanese Ethnicity in Neoliberal Brazil (Philadelphia: Temple University Press, 2007), 26.

12. Akram Fouad Khater, “Becoming ‘Syrian’ in America: A Global Geography of Ethnicity and Nation,” *Diaspora: A Journal of Transnational Studies* 14, no. 2 (2005): 301.

13. Ottoman laws requiring permission by subjects seeking to naturalize in their countries of domicile provided a flimsy obstacle for Syrians in the United States, a country which allowed immigrants to naturalize by unilaterally renouncing their previous nationality. On this Ottoman law, see Will Hanley, “What Ottoman Nationality Was and Was Not,” in this volume; Gutman, “Travel Documents.”

14. Sarah Gualtieri, *Between Arab and White: Race and Ethnicity in the Early Syrian American Diaspora* (Berkeley: University of California Press, 2009), 77–79.

15. *Ibid.*, 58–61. Whiteness cases also appeared elsewhere in the Syrian diaspora, see Anne Monsour, *Not Quite White: Lebanese and the White Australia Policy, 1880–1947* (Teneriffe: Post Pressed, 2010).

16. Na’um Mukarzil and his brother, Sallum, were among the SAA’s founding members and financiers. Gualtieri, *Between Arab and White*, 3–7.

“Turks” were defined primarily in connection to Islam. The US naturalization process rarely (if ever) observed Ottoman laws requiring its subjects abroad to obtain permission to renounce their nationality, but the 1915 ruling unambiguously cleared the way for Syrian migrants to unilaterally cut ties with the empire. Though it redefined “Syrian” as a racial-cum-religious category, it did not identify Syrians as sharing a national origin nor attempt to identify Syria as a place, Ottoman or otherwise. The ruling was unconcerned with defining Syria or its territorial limits, though at the same time Syrian migrants living in America still carried Ottoman passports and immigration documents identifying them as coming from “Turkey in Asia.” What *Dow v. United States* did, however, was grant Syrian migrants the right to claim exemption from legal restrictions facing other migrants from the Ottoman Empire on the basis of their enhanced racial status. In 1915, America was still neutral in the First World War, but as the conflict progressed, by 1917 these restrictions multiplied and incentivized migrant activism to expand the logic of exemption into something approaching a Syrian national origins category.

The United States remained in a state of armed neutrality until relatively late, declaring war on Germany in April 1917 and Austria-Hungary the following December. Despite not being at war with one another, diplomatic relations between America and the Ottoman Empire were frosty, particularly after Istanbul severed diplomatic relations with the country, recalled its diplomatic staff, and left the empire’s affairs in the hands of the neutral Spanish Consulate of New York.¹⁷ Though Canada joined the war as a pro-Entente belligerent before 1917, Syrian, Armenian, Kurdish, and Turkish migrants of Ottoman nationality found themselves subject to intensifying official scrutiny across both North and South America.

Official surveillance of Ottoman nationals in the United States never reached the same levels it did in Canada, where thousands of ethnic Turks were interned in camps over concerns about their loyalties.¹⁸ But the US Departments of State, War, and the Bureau of Investigation kept close surveillance on Syrian migrants travelling across American borders, particularly the US-Mexico border. Though largely left alone before 1914, US concerns about the possibility of pro-German sentiments among Ottoman migrants fed rumors that Mexico’s Syrian communities might be smuggling propaganda to Texas or that they might even play a role

17. NARA RG 65.2.2, M1085, case 8000-306290, S. Bucha, “Fouat Mehmet: Formerly in the U.S. Army/ Intimidation by Supposed Turkish Consulate,” Philadelphia, 14 Oct. 1918, 30.

18. Işıl Acehan, “Internment of Turks in Canada during WWI,” *Proceedings of the International Institute of Social and Economic Sciences* 15 (2015): 18. Like Britain, Canada imposed a ban on new naturalization by Ottoman subjects and ethnic Turkish subjects living in its territories; Daniela L. Caglioti, “Dealing with Enemy Aliens in WWI,” *Italian Journal of Public Law* 3, no. 2 (2011): 186.

in immigrant subversion against the US government. These fears stemmed from the fact that networks of Syrians managed a carrying trade between El Paso and Mexico, usually travelling on foreign passports.¹⁹ The US Bureau of Investigation policed the border, subjecting migrants to extensive questioning and detaining those suspected of carrying illegal printed materials, illegitimate paperwork, or after 1917, of evading the Selective Service draft.²⁰

Because it required able-bodied men to register for possible military impressment regardless of nationality, the 1917 Selective Service Act included provisions for classifying all foreign-born immigrants in the United States into one of three categories: declarants (migrants having declared their intent to naturalize but not yet US citizens), non-declarants (migrants maintaining a foreign nationality), and enemy aliens (foreign nationals from countries with which America was at war).²¹ Implicit in this system was the expectation that immigrants would prove their loyalty to America by serving in the army unless they were legally ineligible. Enemy aliens were also required to file for exemptions when drafted. Because immigrant men often failed to obtain these exemptions, nearly 200,000 German, Austrian, and Czechoslovak immigrants were inducted and served in the army despite being legally ineligible.²²

Migrants from the Ottoman Empire inhabited a particularly murky legal space because they fit imperfectly into the eligibility matrix arranged by the Selective Service Act. US Army Provost Marshal Enoch Crowder was reticent to open the draft to Ottoman nationals because, despite America's neutral stance toward Istanbul, the induction of Ottoman subjects risked their deployment against the empire's enemies. Ottoman subjects, Crowder reasoned, were particularly vulnerable to being labelled as traitors by their home government if they were inducted into American military service. Ottomans fighting for the US Army would also break Ottoman conscription and nationality laws if deployed

19. NARA RG 65.2.2, M1085, case 111694, Gus T. Jones, “Re: Syrian Activities: Order Refusing Permission to Depart for Mexico,” El Paso, 9 March 1918, 5.

20. See NARA RG 65.2.2, M1085, case 43703, B.B. Stone, “Joseph Ayub: Departure of Syrians from Mexico,” El Paso, 22 July 1917, 4–5; NARA RG 65.2.2, M1085, case 232-3145, Wm. Nennhoffer, “Re: George Coury/Dealing with Syrian Race in Mexico,” El Paso, 14 June 1918. Ironically, Na‘um Mukarzil was himself accused of pro-German sentiments while recruiting Syrian migrants in Mexico for military service with the French, NARA RG 65.2.2, M1085, Investigative Case Files of the Bureau of Investigation, case 83061, W.H. Yoakum, “N.A. Mokarzel: Loyalty of Syrian,” New York City, 42, 45.

21. Craig Robertson, *The Passport in America: The History of a Document* (New York: Oxford University Press, 2010), 189–90.

22. Ford, *Americans All*, 56.

against Germany.²³ Such induction, he argued, could draw the United States into direct conflict with the Ottoman Empire.²⁴

The Army's hesitance to induct Ottoman nationals ran up against a Congress seeking to broaden the pool of available military labor, as well as the persistent lobbying efforts of Syrian, Lebanese, and Armenian immigrant clubs to extend military service to Ottoman nationals on either a voluntary or compulsory basis. In New York City, Syrian recruiters navigated a stream of migrants through voluntary enlistment by having them take "first papers" (the Declaration of Intent) just before registering for the Army. Though still formally Ottoman nationals, declarant immigrants faced fewer restrictions in the process of voluntary enlistment than did non-declarants.²⁵ Émigré recruiters from the Syrianist, Lebanist, and Arab nationalist movements in the United States competed with one another for potential recruits for the US Army.²⁶

As Congress debated the legality of drafting foreign nationals, émigré activists lobbied for a reclassification of Syria and Mount Lebanon and its migrants in the United States. They built on the logic of 1915's *Dow v. United States* to argue that migrants from Syria and Mount Lebanon were distinct from their Ottoman co-nationals, racially and politically. They invoked Mount Lebanon's prewar autonomy and Syria's Semitic and biblical pasts to advance the claim that Syrian migrants were an exceptional American immigrant population, aligned with America's war effort. Perhaps unsurprisingly, the Syrian American Association, the Syrian Union, the Lebanon League of Progress, and the Mukarzil brothers of New York City all advanced these ideas to policymakers; they had been the same men who financed George Dow's appeal and several others making the whiteness arguments two years earlier.²⁷

Congress ultimately distinguished "Syrians and Mount Lebanese claimed by Turkey as subjects" from other Ottoman nationals in summer 1917, casting Syria and Mount Lebanon not as sovereign Ottoman territories but as contested spaces held by Istanbul also claimed by America's allies. It built on an American understanding of the pre-war mutasarrifate (*mutasarrıflık*) of Mount Lebanon as a legally autonomous province under French extraterritorial protection. This was also an implicit rejection of Istanbul's 1914 abolition of Mount Lebanon's autonomous status and an ambiguous understanding that while Syrian migrants typically carried Ottoman passports (*mürûr tezkeresi*), they were Ottoman-but-

23. *Second Report of the Provost Marshal General*, 86–88.

24. Na'um Mukarzil, "Fi Kull Yawm Khitab," *al-Huda*, 7 June 1917, 2.

25. Mukarzil, "al-Lubnaniyyun was-l-Suriyyun tujaha al-Khidma," 3.

26. On these respective nationalist movements and their diasporic connections, see Carol Hakim, *The Origins of the Lebanese National Idea* (Berkeley: University of California Press, 2013).

27. See Rev. Kalil A. Bishara, *The Origin of the Modern Syrian* (New York: al-Hoda Printing Press, 1914).

not-quite under US law.²⁸ The United States considered Syrians as immigrants first, potential Americans second, and as Ottoman subjects living outside the empire after that. By granting Syrians this national origin status, furthermore, Congress opened voluntary military service to them. Syrians and Lebanese were also drafted into the army, a move which produced friction with Ottoman consular authorities.

Ultimately, Congress’s aim was not to define the borders of Syria or Mount Lebanon, but to classify migrants who originated from those vaguely-defined territories. There was no discussion about where “Syria” began and ended, and as a consequence the law conflated a racial understanding of Syrian identity with an emergent national origins category. It not only stopped short of defining what, precisely, made an Ottoman migrant in the United States a “Syrian” but was remarkably unconcerned with such questions. The following year, a second draft act built on this by extending instantaneous US citizenship to immigrant volunteers regardless of declarancy status. The 9 May 1918 Act,

Entitle[d] all aliens in the service (including enemy aliens) to citizenship whether they have their first papers or not... when the application is granted, the soldier will immediately become a citizen, with all privileges and immunities of citizenship.²⁹

By obviating the need for immigrants to be “declarant” prior to joining the service, the US Army expanded pathways for enemy aliens to enlist and, for Syrians of Ottoman nationality, a means towards coveted US citizenship. Syrian enlistees in 1918 came not only from migrant colonies in the United States but from Brazil, Argentina, Mexico, and Chile. Some travelled to the United States expressly to join and obtain American citizenship.

Turkish and Kurdish migrants also enlisted in the US Army during the First World War, though in much smaller numbers. Tasked with managing Ottoman affairs in America, the Spanish consul general in New York, Francisco Javier de Salas, continually protested the wrongful conscription of Ottoman nationals, including the conscription of Arab migrants then re-identifying themselves as Syrians to enhance their access to citizenship. Salas also contested the use of travel regulations, passports, and naturalization papers to impugn a rightful Ottoman sovereignty over its diaspora subjects, and his office pushed back against the heightened surveillance of Ottoman migrants and censorship of the ethnic press.³⁰ This also meant pushing back against the nationalist aspirations of New

28. Akarlı, *The Long Peace*, 61–63. On these passports, see Gutman, “Travel Documents.”

29. War Department organizational records, 77th division records, Office of the Chief of Staff, memorandum 79, 21 May 1918, as cited in Ford, *Americans All*, 63. Parentheses in original.

30. Spanish Consul General Francisco Javier de Salas to N.A. Mokarzel, 20 March 1918. Letter reprinted in *al-Fatat*, 26 March 1918, 1.

York City's Arab committees. When the Lebanon League of Progress issued a circular to Syrians in the United States enjoining them to join the Army without fear because they were no longer Ottoman subjects, Salas responded with a public letter reminding his constituents that "my mission is to protect the interests of Turkish subjects in the district of New York whatever their race, creed, or political inclination is, and at the present moment, the Lebanonites are Turkish subjects, whether they like it or not."³¹ The letter was widely circulated in the Arabic press and inspired a new Bureau of Investigation case over whether the Spanish Consul's act constituted an invitation to draft fraud.³²

Though there were Syrian migrants who used enlistment as a means of erecting new documentary borders between themselves and the Ottoman state, there were also Syrians who expressed newfound belonging to the "Turkish" empire as a means of escaping American military enlistment. The Syrian exemption could cut both ways: Syrians could describe themselves as distinct from the Ottomans or as an integral part of the empire as it suited them, frustrating the efforts of recruiters, diplomats, and federal investigators tasked with determining their military eligibility. A federal investigation into a suspected draft dodger named Nacep Mallouf is instructive. A printer living in Brooklyn, Mallouf was a declarant immigrant and thus considered eligible for the draft despite his Ottoman nationality. When called to service, Mallouf went to the Spanish Consulate and obtained a draft exemption, proclaiming his Ottoman nationality and military ineligibility. Mallouf's case raised eyebrows among federal investigators because, as a Syrian from Mount Lebanon who had formally declared his intention to become a US citizen, his self-presentation as a faithful Ottoman subject presented a contradiction.

Mallouf's 1918 testimony illustrates that although the Americans had begun to consider Syria as a territory distinct from Ottoman Turkey, the Spanish (acting as Ottoman agents) did not consider it so. Mallouf described how he obtained the exemption:

A Turkish newspaper here published a notice from the Spanish Consulate that Syrians, being Turkish subjects, were not liable for United States military service... I went to the Spanish Consulate to see about this matter... I met a man who told me to make affidavit as to my Turkish citizenship and send it to the War Department, and I did so, and claimed exemption.

31. Salas to Mokarzel, 20 March 1918, 1.

32. NARA RG 65.2.2, M1085, case 36334, Perkins, testimonies of French Consul Goiran and Spanish Consul Gadol, "Naoum Mokarzel—French Consul—Spanish Consul, Alleged Interference of Spanish Consul with Selective Draft of Syrians in the United States," New York City, 28 Jan. 1918, 18–20.

Asked whether Mount Lebanon was an Ottoman possession, Naceep Mallouf replied, “Yes, Mount Lebanon has had some sort of autonomy, but only since 1866, [and] the Turkish Government abrogated that when the European War drew it into the conflict.”³³ It was the 1914 abrogation that made him an ineligible Turkish subject.

Mallouf’s argument about the Ottoman *mutasarrifate* of Mount Lebanon was a common one, used simultaneously by recruiters arguing for Syrian enlistments and by Syrians seeking to exempt themselves from the draft. American ideas about Mount Lebanon and, later, of Syria as legally disputed territory grew up from immigrant informants like Na’um Mukarzil, Shukri Bakhsh, Ayyub Tabet, and the anonymous informant “Mr. Zaloom” who helped federal investigators interrogate Naceep Mallouf in 1918. These informants relied on arguments advanced in racial prerequisite cases that declared Syrian Arabs “white” and Mount Lebanon as legally autonomous territory under the *mutasarrifate* according to the 1864 Organic Law, a law backed by French diplomatic power.³⁴

Interestingly, the US federal government remained divided unto itself on the question about whether Mount Lebanon was Turkish territory in 1918. Congress, the United States Army, the Department of Justice, and Bureau of Investigation converged on the notion that both Mount Lebanon and Syria were nominal—if disputed—Ottoman territories and that migrants from those places were not entirely Ottoman.³⁵ However, the Department of State’s opinion contradicted this idea, and reflected the Spanish consulate’s understanding that the Ottoman Empire continue to claim its migrants abroad as nationals. Policies based on these contradictory visions of Syria and Syrians brought US federal agencies into conflict. When the Bureau of Investigation sought the State Department’s guidance on Syrian draft exemptions in April 1918, the only answer they received was a routine, “according to the Spanish Consulate’s understanding, the citizens of Mount Lebanon are Turkish subjects and as such, they are under Spanish protections” and a subsequent unwillingness to assist with prosecution of draft dodgers.³⁶

Jurisdictional disputes and inter-agency conflict involving immigration status was a defining feature of US domestic policy during the war; the case of Syria

33. *Ibid.*, 16–17.

34. *Ibid.*, 18.

35. Ottoman acknowledgements of provincial autonomy similarly opened up wartime opportunities for European powers to claim they were disputed spaces in the nineteenth century. See Michael Christopher Low, “Unfurling the Flag of Extraterritoriality: Autonomy, Foreign Muslims, and the Capitulations in the Ottoman Hijaz,” in this volume; Aimee Genell, “Empire by Law: Ottoman Sovereignty and the British Occupation of Egypt, 1882–1923” (PhD diss., Columbia University, 2013), 7–12.

36. NARA, RG 65.2.2, M1085, case 36334, Perkins/DeWoody, Leland Harrison/Bielaski letter to DeWoody/Perkins, New York City, 14 April 1918.

(Ottoman or not) was not exceptional but typical in that regard.³⁷ Though Syrian migrants continued to be considered “Turkish” by the US State Department, they simultaneously were granted a distinct national origins category by immigration, legislative, military, and criminal justice officials. Syrians could selectively deploy either Ottoman or Syrian identities to enhance their opportunities to travel, to serve, or to exempt themselves from wartime restrictions. Although these laws represent a progressive recognition of “Syrian and Mount Lebanonite” as both a racial and a national origins category by 1918, exactly what constituted Syrian nationality remained remarkably ambiguous. To be “Syrian” identified a person through some combination of racial, ethnic, and religious markers that Ottoman nationals could claim—or repudiate—when it was practically expedient to do so. This usually meant seeking either inclusion or exclusion from the draft, but after the 1918 armistice Syrian activists broadened the kinds of claims they made. In 1919, for instance, émigré nationalists invoked the draft laws as proof of America’s commitment to Middle Eastern nation-building. They pushed for President Wilson to take a League of Nations Mandate in Syria, to transfer laws defining Syrian identity in the United States into a proper Syrian nationality, and to work with migrants in America to reconstruct an independent post-Ottoman Syrian state. Syrian migrants, these groups argued in their petitions, would eagerly repatriate to the Middle East for the cause.³⁸

The Ottoman Travel Ban, the Safe Conduct Passport, and Paper Syrians

Floating signifier or not, to be a Syrian in wartime America was to be granted exemption from some of the restrictions which governed everyday life for Ottoman nationals. Among these was a travel ban forbidding the departure of Ottoman subjects from US soil, including a ban on migrant repatriation to the homeland in 1918. The travel ban was imposed on all foreign nationals from countries hostile to America or allied with its enemies (the Ottoman Empire was the latter) in May 1918. Three features made this measure remarkable. First, the law contravened international travel norms and was ultimately imposed by executive order after complaints by the US Department of Justice. Second, although legislators allowed the ban to expire for German, Austrian, and other European nationals in 1918, they upheld the ban on Ottoman departures for months following the armistice to forestall migrant repatriation until after the conclusion of the Paris Peace Conference of 1919. Third and finally, Syrians were given provisions

37. Robertson, *The Passport in America*, 189–90.

38. See Abraham Mitrie Rihbany, *America Save the Near East* (Boston: Houghton, 1918), or petitions from the New Syrian National League of New York: NARA RG59 M367, roll 387, 763.72119/2740 Philip K. Hitti to Robert Lansing, Secretary of State, Washington, 22 Nov. 1918, 1; Abraham Rihbany, “Amirka fi-Suriya,” *Mirat al-Gharb*, 19 Feb. 1919, 2; AANM ES1(5) Georges Khayrallah open letter, New York City, 7 April 1919.

to exempt themselves from the ban and leave American soil freely, regardless of actual nationality status, if they applied for a special French passport called the *sauf conduit*, or safe conduct passport.

The Travel Control Act of 22 May 1918 imposed specific restrictions on citizens and foreign nationals seeking to exit or enter the country and prohibited the departure of enemy aliens and their neutral allies (including Ottoman nationals) from US soil. Granting the president authority to limit all travel deemed “contrary to public safety,” the act drew fire from the judiciary; the US attorney general, for instance, questioned the ban’s legality on the basis of international prohibitions against measures inhibiting the departure of non-citizens.³⁹ In an August 1918 executive order (2932), President Wilson mandated that all “hostile aliens must obtain permits for all departures from, and entries to, the United States” from both their own consulates and the US Department of State.⁴⁰ The State Department, in turn, granted departure rights to “hostile aliens” only if they could prove medical incapacity or mental incompetence.⁴¹

In addition to the broad mandate of ensuring public safety, the Travel Control Act aimed to “control the transmission of information in and out of the country.”⁴² President Wilson extended the law after the 1918 armistice, citing its utility in preventing “entry of all improper and dangerous persons” during the war, expressing his concern that the ban would cease upon the declaration of peace.⁴³ Cross-border travel by Ottoman subjects was prohibited through the conclusion of the Paris Peace Conference of 1919, posing a serious imposition for Kurdish and Turkish migrants anxious to return home, reconnect with relatives, or see to household affairs after the conflict. The Department of Justice criticized President Wilson for extending a wartime measure through the 1918 armistice through executive powers; the Department of State, by contrast, supported the measure as a public safety necessity.⁴⁴

In practice, though, the law contained within it the seeds for its own subversion. Just as with the overreaching US Selective Service Act of 1917, the travel ban drew immediate fire from neutral consulates as well as from America’s allies.

39. Robertson, *The Passport in America*, 189–90. The act was also called the Wartime Measure Act, Passport Control Act, and the Entries and Departures Control Act of 1918.

40. *US Statutes at Large*, vol. 40, part 1: 559; Executive Order No. 2932, 8 Aug. 1918. Also see John Torpey, “The Great War and the Birth of the Modern Passport System,” in *Documenting Individual Identity: The Development of State Practices in the Modern World*, ed. Jane Caplan and John Torpey (Princeton: Princeton University Press, 2001), 265; Robertson, *The Passport in America*, 191.

41. Robertson, *The Passport in America*, 194.

42. *Ibid.*, 188.

43. “Continuance of the Passport Control System,” *Congressional Edition* vol. 7610, doc. 79, 25 Aug. 1919.

44. Torpey, “The Great War and the Birth of the Modern Passport System,” 265.

The State Department honored various means of exemption for allied nations; among them, the French safe conduct passport for Syrians seeking to repatriate to the Middle East by way of Paris. In wartime, this temporary French passport assisted with neutral commerce by French partners across maritime or land borders. Syrian migrant peddlers, for instance, carried these documents when conducting the carrying trade across the US-Mexico border or when shipping goods across the port cities of the Atlantic.⁴⁵ The passport bestowed its bearer with the promise of French diplomatic protection and acted as a letter of marque, and the French Consulate in New York offered them freely to Syrians as a potential subject population. Practically speaking, the safe conduct passport extended French sovereignty over Syrian travelers, negating Ottoman claims over these migrants and facilitating Syrian trade as well as the enlistment of Syrians into the French military. After the 1918 armistice, Syrian migrants eager to repatriate to the Middle East could obtain French safe conduct passports for that purpose; by the mid-1920s, these passports offered Syrian repatriates a fast track to claiming citizenship under the Mandate. In the months following the First World War, though, hundreds of ineligible Turks and Kurds also presented themselves as “Syrians” to obviate the travel ban.

Like many facets of the Syrian exemption, the safe conduct passport was a document of political expediency. The United States government allowed France to continue issuing these documents to Ottoman nationals in its territory on the basis that France then occupied Mount Lebanon, and that migrants from Syria and Mount Lebanon could opt into French diplomatic protection. Getting the passport required a vetting process delegated almost entirely to Syrian committees operating in New York City and Boston. Syrian petitioners appeared before these committees empowered by France to certify their connection to Syria, usually with the help of migration agents who advertised their services in the Arabic and Turkish language press. Importantly, these committees were not only French clients but nationalist political parties with a history of pro-French partnership: the Syria Mount Lebanon League for Liberation and the Lebanon League of Progress vetted candidates in addition to Maronite leaders (both lay and clerical).⁴⁶ Petitioners arrived with signatures from two witnesses stating that they knew the petitioner to be Syrian; the committee assessed the claim and signed the application, which the petitioner then brought to the French Consulate. Both the French

45. In El Paso, Texas, Bureau investigators watched Syrian cross-border traffic closely and placed French *sauf conduits* from Latin and South America under heavy scrutiny; see examples NARA, RG 65.2.2, M1085, case no. 111694, Gus T. Jones, “Syrian Activities: Order Refusing Permission to Depart for Mexico,” El Paso, 15 March 1918, 5; NARA, RG 65.2.2, M1085, roll 6, case no. 241285, “Emile J. Couri,” New York, 20 July 1918, 1–2; NARA, RG 59, M367, roll 223, 763.72112/7011, A. Michael, U.S. Consul to Secretary of State, Rio de Janeiro, 22 Jan. 1919, 1–2.

46. NARA RG 65.2.2, M1085, roll 811, case 369154, Valkenburgh, “Fraudulent Passport Matter,” French Consul Joseph Flamand testimony, Boston, 30 July 1919, 3.

Consulate and the US Department of State had to approve these documents, but the process was more or less summary and the work of vetting applicants happened within the confines of the Syrian committees.

From the perspective of the US government, Syrians traveling on French safe conduct passports were presumptive French colonial subjects; this was a continuation of wartime policies of honoring French diplomatic protection over Syrian migrants regardless of nationality.⁴⁷ They were routed through French ports, on French steamship lines, and destined for French-occupied Beirut. The French Consulates seem to have understood the passports as part of a wider project to claim Syrian and Lebanese repatriates for a possible French protectorate in the Middle East; on the rare occasion that they denied a Syrian a safe conduct passport in 1919, it was because the applicant was discovered to have ties to pro-independence or anti-French parties in the *mahjar*.⁴⁸ There were also Syrians who, noting this connection between French passports and French plans for a Middle Eastern mandate, petitioned the American commission at the Paris Peace Conference to halt the practice or else afford “Syrians and Arabians residing in [American] territories... all facilities of travel by land or sea by issuing to them their own permits or passports without reference to any other Government.”⁴⁹

The French safe conduct passport gave the Syrian committees tasked with vetting candidates an enormous amount of latitude to determine who was—or was not—Syrian. There was no discussion about what made a petitioner Syrian enough for the passport; claimants became Syrian if their documents had been stamped by the Syrian committees entrusted with this role, investing them with a remarkable amount of kinopolitical power. These activists not only wished to deepen the ties between Syrian migrants and the French; they also saw the passport as a means of defining who Syrians were, and where Syrian territory began and ended.⁵⁰ A surprise July 1919 discovery that dozens of Kurds from Diyarbakır had obtained French *sauf conduits* from New York’s Lebanon League of Progress led the Spanish Consul General to file a complaint with the US Justice Department alleging that the Syrian committees vetting the special passports used them

47. This was also a remnant of US draft policies exempting Syrians who opted to serve in the French military instead; see Stacy Fahrenthold, “Former Ottomans in the Ranks: Pro-Entente Military Recruitment among Syrians in the Americas, 1916–1918,” *Journal of Global History* 11, no. 1 (2016): 106; NARA, RG 65.2.2, M1085, roll 692, case 277009, Dunn, “Visa Investigation, Melham Maroum George,” Portland, 30 Aug. 1918, 1.

48. NARA RG 59, M376, roll 409, 763.72110/4913, Marsh to Sec. of State Phillips, “Democratic Syrian Society Requests American Protectorate,” Merida, 2 May 1919, 2–3.

49. NARA RG 59, M367, roll 398, 763.72119/4248, American Commission to Sec. of State Phillips, Paris, 22 March 1919, 1, capitalization in original.

50. NARA RG 59, M367, roll 137, 763.72/13046, “10th Rapport Conseil du l’Assemblée fédérale sur les mesures précises par lui en vertu de l’arrête federal du 3 aout 1914,” 26 April 1919, 54–55.

to lay claim to lands within Turkish domain.⁵¹ A six-month federal investigation turned up a smuggler who was filing applications for any Ottoman subjects who came from lands claimed as potentially French in the 1916 Sykes-Picot Agreement. The Justice Department saw this as a clear violation of US policy regarding who could rightly claim Syrian national origins, but the department's lawyers were unable to convict the smugglers because no legal precedent existed to differentiate Syrian territories from Turkish ones. This suggests that if passport laws were the means by which states claimed Syrian migrants for political projects, smugglers were also capable of exploiting the necessary ambiguities in these laws to conduct their own business. Smuggling was not a resistance act, but a feature of a kinopolitical system dependent on a Syria without borders.

Federal investigators also suspected the Syrian committees that vetted French safe conduct passports of asserting a kinopolitical agenda. Bureau of Investigation agent Robert Valkenburgh argued to his superiors in October 1919 that the Lebanon League of Progress had offered known Kurds the safe conduct passport in order to expand French-claimed territories as "Syria" as far as Adana and Diyarbakır. Valkenburgh reasons these passports would bolster French claims to those territories as its war indemnity, an argument France was making at the Paris Peace Conference.⁵² Valkenburgh pushed the Department of State to allow his office to investigate New York's Lebanon League of Progress on this line, without success.

Syrians were not the only group of Ottoman subjects who circumvented the travel ban by seeking foreign diplomatic protection; similar provisions were made for Armenian migrants, who could obtain American passports as protected persons in the wake of the genocide.⁵³ But the French foreign consulates in the United States were especially invested in putting French travel documents into Syrian and Lebanese hands. Very often, the same committees vetting Syrians for the passport simultaneously circulated petitions for a pro-French Mandate in the Levant, illustrating a desire to create a French Syria through a diasporic proliferation of papers.⁵⁴ The same Syrian committees produced pro-French propaganda and had served as pro-French military recruiters during the war. The

51. NARA, RG 65.2.2, M1085, Valkenburgh, "Fraudulent Passport Matter," Boston, 30 July 1919, 3.

52. NARA, RG 65.2.2, M1085, roll 811, case no. 369154, Valkenburgh briefing, Boston, 29 Oct. 1919, 2-3.

53. The Department of State and Bureau of Investigation vetted their requests, primarily to verify the Armenian identity of applicants and reject Turkish applicants. See NARA RG 65.2.2, M1085, roll 808, case 367163, "Application for Passport to Leave U.S.," Providence, 10 July 1919, 1-3; NARA RG 65.2.2, M1085, roll 792, case 358938, "Passport Matter: Sarkis Deroian," Cincinnati, 16 April 1919, 1-3.

54. Simon Jackson, "Diaspora Politics and Developmental Empire: the Syro-Lebanese at the League of Nations," *Arab Studies Journal* 21, no. 1 (2013): 169-71; Andrew Arsan, "This Age is

French invested an enormous amount of kinopolitical power which was vested into their client Syrian committees, effectively granting them with the authority to define who the Syrians were and where Syria began and ended by virtue of passport control. At the same time, though, France issued the *sauf conduits* only to Syrians who came from territories France claimed as her future Mandate, and saw the passport project as a means of legitimating its claim over the migrants’ homeland. Because America allowed the provision of safe conduct passports to “non-Turkish” Ottoman minorities defined in religious or racial terms, furthermore, the order essentially transformed into a prohibition on Muslim travel into and out of the United States, targeting specifically the movements of Ottoman migrants.⁵⁵

Lausanne and French Attempts to Domesticate the Diaspora

The League of Nations ultimately awarded France control over both Syria and Mount Lebanon at the San Remo Conference in April 1920. France set about establishing itself in the Levant, defeating Emir Faysal’s Arab nationalist forces at the Battle of Maysalun in July 1920, creating Greater Lebanon that September, and soon after establishing the federated states of Syria. Though France relinquished its earlier claims to Diyarbakır, Syria’s northern border remained porous and fuzzy until 1921, when Mandate authorities negotiated with Turkey to draw a boundary running between Diyarbakır and Aleppo.⁵⁶

Persistent historiographic images of Syrian and especially Lebanese migrants as supportive of the French Mandate are themselves a construction of French diplomats and the émigré groups who collaborated with them.⁵⁷ The contrasting reality was that the emigrants overwhelmingly opposed foreign Mandates in general and French rule in particular. As they articulated new states in the Levant, France faced the task of asserting its authority over diasporic Syrians and Lebanese, a hostile subject population beyond the reach of conventional containment methods and whose mistreatment could (and did) draw diplomatic fire upon Paris from its allies. French administrators during the Mandate’s first five years understood the *mahjar* as a place which needed to be policed, contained, and if possible, cut away from the emergent Syrian and Lebanese states. Towards

the Age of Associations: Committees, Petitions, and the Roots of Interwar Middle Eastern Internationalism,” *Journal of Global History* 7, no. 2 (2011): 186–87.

55. In an interesting counterpoint, Ottoman Jews and Armenians seeking passports to travel from Greek Salonika to the United States encountered difficulties because of their nationality in 1917; see Devin Naar, “From the ‘Jerusalem of the Balkans’ to the *Goldene Medina*: Jewish Immigration from Salonika to the United States,” *American Jewish History* 93, no. 4 (2007): 460–61.

56. John McHugo, *Syria: A History of the Last Hundred Years* (London: Saqi Books, 2014), 70.

57. Andrew Arsan interrogates this assumption in *Interlopers of Empire: The Lebanese Diaspora in French Colonial West Africa* (New York: Oxford University Press, 2014).

these ends, the French employed travel documents as a means of embracing the Mandate's supporters in the diaspora while shunning potential troublemakers. The provision or refusal of passports to Syrian and Lebanese migrants abroad was vested into French foreign consulates in countries with significant Arab populations. Each was given its own dragoman whose job it was to parse friend from foe.⁵⁸

Émigrés seeking to repatriate from abroad applied not for nationalization, but for safe conduct passports of a type similar to those tendered during the First World War. Critically, the documents legally marked repatriates as French colonials traveling under French protection, not as nationals of the new Mandate states (Lebanon would not get its first nationality laws until 1925).⁵⁹ The French passports caused simmering and recurrent waves of protest in the Syrian colonies abroad, and migrant leaders demanded more formal national recognition under the terms promised them by Article 3 of the League of Nations Mandate charter.⁶⁰ In Greater Lebanon, French High Commissioner Henri Gouraud had been eager to claim Lebanese abroad for demographic reasons, registering emigrants in the largely-Christian communities of the Americas for Lebanon's first census in 1921.⁶¹ Lebanese who registered with the census could later apply for repatriation to Lebanon, but it did not confer automatic nationality to Lebanese emigrants, nor guarantee them suffrage or other citizenship rights.⁶² Taken in this light, the 1921 census was largely a French project to create a confessional balance that France saw as favorable to the continuation of its rule in Greater Lebanon.

The Mandate's policies were even less forthcoming to Syrian emigrants, and the French consulates abroad mostly saw their work in the *mahjar* as surveillance

58. The British imposed a similar style of documentary politics in Mandate Palestine; see Lauren Banko, *The Invention of Palestinian Citizenship, 1917–1948* (Edinburgh: Edinburgh University Press, 2016).

59. On Lebanon's Arrêté 2825 (1924) and Nationality Law of 1925, see Rania Maktabi, "The Lebanese Census of 1932 Revisited: Who Are the Lebanese?" *British Journal of Middle Eastern Studies* 26, no. 2 (1999): 25–26.

60. Ministère des Affaires Étrangères, *Rapport sur la Situation de la Syrie et du Liban, Année 1924*, 54.

61. 9 Feb. 1921 Telegram Circulaire du Président du Conseil aux Agents Diplomatiques et Consulaires de la République Française en Amérique. M.A.E., E-Levant 1918–1929, Syrie-Liban, Vol. 130, ff. 81bis–83bis. Reproduced in Eliane Fersan, "L'Émigration Libanaise aux États-Unis: d'Après les Archives du Ministère de Affaires Étrangères de France" (PhD diss., Université Saint-Esprit de Kaslik, 2006), 163–64; "Population du Grand Liban," *Correspondance d'Orient*, 15–30 May 1922, 270. Also see Maktabi, "The Lebanese Census of 1932 Revisited," 224–52.

62. "Les élections municipales au Grand Liban," *Correspondance d'Orient* 237–38, 15–30 June 1922, 337; Kais Firro, *Inventing Lebanon: Nationalism and the State Under the Mandate* (London: I.B. Tauris, 2003), 77–78; Arrêté 1307, article 26, "De l'électorat et de l'inéligibilité," reproduced in *Correspondance d'Orient* 287–88, 15–30 June 1922, 366.

and policing of political opponents, especially the Arab nationalists organizing in Latin America. The consulates did what they could to contain Arab activism within Latin America, halting Syrian repatriation by rejecting travel permits and threatening denationalization for emigrants who spoke publically against the Mandate. The objective was to sever the ties of protest and politics which bound Syria to its diaspora because, while there were pro-French collaborators in the *mahjar*, the majority of Syrians and Lebanese abroad contested France’s right to rule.

The first time that a post-Ottoman nationality was offered to Syrian and Lebanese migrants abroad came with the Treaty of Lausanne in 1923. Under Articles 34 and 36, former Ottoman nationals were given the right to exercise a nationality option within three years of the document’s signing, regardless of their country of domicile.⁶³ In theory, this provided a mechanism for former Ottoman subjects to become formally Syrian or Lebanese abroad and to gain the unobstructed right to repatriation. In practice, however, France’s consulates screened would-be repatriates, placing obstacles in the path of known nationalists. Similarly, it was more difficult for Syrian migrants to exercise the option than it was for Lebanese, emigrants who tendered their registration receipt from Lebanon’s 1921 census as proof of their national origins. The Lebanese case was further complicated by the fact that the 1921 census was widely boycotted by Lebanese Druze and Muslims.⁶⁴ Access to legal repatriation was most freely available to Lebanese Christians by consequence, with gradations of difficulty filtering through every other population of would-be returnees. Because France employed no such legitimization strategy in Syria (which it ruled through overwhelming military force), Syrian emigrants usually carried Ottoman documents or none at all; they were also subject to more careful screening when exercising their nationality option.

Former Ottomans who did not claim a new nationality as Syrian or Lebanese could naturalize in their countries of domicile, and this is what most Arab migrants did in the Americas in the 1920s (although a third or perhaps half of Lebanese migrants did ultimately return to Lebanon).⁶⁵ Nativism was on the rise in the United States, Brazil, and Argentina, and restrictions mounted on the entry of new migrants into those countries.⁶⁶ The 1924 Johnson-Reed Act effectively ceased new legal immigration of Syrians into the United States, but laws govern-

63. Rania Maktabi, “State Formation and Citizenship in Lebanon: The Politics of Membership and Exclusion in a Sectarian State,” in *Citizenship and the State in the Middle East: Approaches and Applications*, ed. Nils August Butenschon, Uri Davis, and Manuel Sarkis Hassassian (Syracuse: Syracuse University Press, 2000), 148.

64. Maktabi, “State Formation and Citizenship in Lebanon,” 161; Meir Zamir, *Formation of Modern Lebanon* (London: Croom Helm, 1985), 98.

65. Khater, *Inventing Home*, 111–12.

66. On Syrians targeted for immigration restriction, see Steven Hyland, *More Argentine than You: Arabic-Speaking Immigrant in Argentina* (Albuquerque: University of New Mexico Press, 2017); Karam, *Another Arabesque*; Gualtieri, *Between Arab and White*.

ing the naturalization of Syrians already domiciled there remained comparatively permissive.⁶⁷ After waiting out the war, the peace settlement, and negotiations with the French Mandate, Syrian migrants in the United States naturalized in unprecedented numbers after 1923. Many of them simply refused to register as citizens of French Syria and Lebanon. They saw this status as accepting French colonialism, an outcome only slightly preferable to the default for Ottomans who failed to opt into a nationality before the Treaty's 1926 expiration: to theoretically revert to a Turkish nationality neither they nor the Turkish Republic wanted for them.⁶⁸

Access to optional nationality became an even more fraught issue with the eruption of the Great Syrian Revolt in 1925, a repudiation of French rule broadly supported by Syrian migrants in the Americas.⁶⁹ Argentina's former Ottoman consul general, Emir Amin Arslan (cousin to Shakib Arslan and Fu'ad Arslan), led Syrian protests against the French in Buenos Aires and was rumored to be providing material support to Druze revolutionaries in the Hawran.⁷⁰ The French saw Arslan as a dangerous foe, and the Buenos Aires consulate monitored him closely; officer Shukri Abi Sa'ab routinely denied Arslan's applications to travel outside of Argentina or to return to Syria.⁷¹ When Arslan led two thousand Syrians through the streets of Buenos Aires to arrive at the consulate following France's October 1925 bombardment of Damascus, the Mandate responded by threatening Argentina's entire Syrian community—over 110,000 people—with denationalization, severing any claims that emigrants had to their homeland.⁷²

France's threatened mass denationalization essentially looked like a refusal to honor émigré nationality claims from Argentina; it would have transformed

67. Not for want of trying, however. Naturalization challenges continued in 1924. See "Declares Syrians Can Become Citizens: Judge Wilkerson Also Says Armenians are Eligible," *New York Times* 28 June 1924, 15.

68. Like the Lebanese Nationality Regulation of 1925, the Turkish Nationality Act 1312/1928 combined *jus sanguinis* with a territorial concept of nationality, but the 1928 law was the first time that post-Ottoman Turkey integrated the logic of descent into its nationality laws. The French Consulate's 1926 threat that Argentina's Syrians would turn Turk seems to have been an empty threat. Zeynep Kadirbeyoğlu, "Changing Conceptions of Citizenship in Turkey," in *Citizenship Policies in the New Europe*, ed. Rainer Bauböck, Bernhard Perchinig, and Wiebke Sievers (Amsterdam: Amsterdam University Press, 2007), 433.

69. Reem Bailony, "Transnational Rebellion: the Syrian Revolt of 1925–1917" (PhD diss., University of California, Los Angeles, 2015).

70. Maria Narbona, "The Development of Nationalist Identities in French Syria and Lebanon: A Transnational Dialogue with Arab Immigrants to Argentina and Brazil, 1915–1929" (PhD diss., University of California, Santa Barbara, 2007), 44–45.

71. Arslan's 1926 manifesto against the French prompted an intensification of the consular surveillance of his activities in Latin America; see Emin Arslan, *La Revolución Siria Contra el Mandato Francés* (Buenos Aires: Imp. Radio Corrientes, 1926).

72. *Ibid.*, 120.

the Syrian colony into Turkish nationals, theoretically making the Turkish Republic responsible for governing them.⁷³ Both the Argentinian and the Turkish government protested the proposed measure and loudly questioned France’s breach of international legal norms. Though the French walked back the idea in early 1926, France did not suddenly strive to honor the nationality claims of Syrian emigrants following the incident. Emigrant leaders in that community consistently protested mistreatment by the French Mandate’s consular offices in Buenos Aires through the 1920s.⁷⁴

Conclusion

In the decade following the 1915 case, *Dow v. United States*, the logic of Syrian exemption facilitated the construction of a practical Syrian nationality in the *mahjar*. Wartime laws building on *Dow* opened opportunities for Syrian migrants to renounce their ties to the Ottoman state and also gave France a means of claiming Syrian migrants abroad as potential French colonials for the purposes of state-building in the Levant. The 1923 Treaty of Lausanne attempted to replace this system by standardizing the process of asserting new nationalities in the post-Ottoman international order. In practice, however, Lausanne delegated the task of determining which Arabs abroad would become citizens to the French Mandate, a decision which abetted France’s paper-based expulsion of Syrian migrants for political purposes.

This chapter has ventured into the logic of Syrian exemption from the *Dow* ruling, through the construction of the French Mandate in the early 1920s. US laws marking “Syrians and Mount Lebanonites claimed by Turkey as subjects” as a distinct class exempt from prohibitions imposed on Ottoman subjects set up an opportunity for French authorities seeking control over Syria and for their emigrant partners. Syrian activists saw the exemption as a means of renouncing ties to the Ottoman Empire and of entering into new relationships of rights and sovereignty with the United States through military recruitment. They also invoked the exemption to travel freely at a moment of heightened travel restriction. The United States of America and its army saw the opportunity to enlist, induct, and deploy Syrian migrants as military labor. The French Foreign Ministry saw the language of exemption as a convenience allowing them to claim certain Ottoman

73. Narbona, *The Development of Nationalist Ideologies*, 137.

74. The Mandate’s Buenos Aires dragoman, Shukri Abi Sa’ab, wrote a memo to his superiors describing the high commissioner’s reticence to honor emigrant nationality claims as a pervasive threat to French legitimacy in Syria; Abi Sa’ab as cited in Narbona, *The Development of Nationalist Ideologies*, 137. Though granted greater access to the nationality option, Lebanese emigrants were also denied nationality for political reasons; see Butrus Kairuz and *Jama’iyyat al-Ittihad al-Maruni* to Patriarch Ilyas Butrus Huwayyik, 26 Nov. 1928 letter, Archives of the Maronite Patriarchate, Bkerke, Lebanon, Huwayyik Collection, Folder 89, Latin America, number 368.

migrants under the regime of protection. They issued safe conduct passports as part of a system to claim Syrian migrants for the purposes of establishing sovereignty over their lands of origin. In sum, the new legal category offered kinopolitical opportunities to all who invoked it, including the smugglers who exploited the law's ambiguities to repatriate ineligible Turks and Kurds to Diyarbakır.

The end of the Ottoman Empire, the emergent hegemony of optional nationality post-Lausanne, and the expectation that former Ottomans would assert a single nationality ended the period of the Syrian American exceptionalism. And in 1924, the Johnson-Reed Act's passage in the United States illustrates a broader endorsement of regionally specific immigration on the principle not of racial categories but of national origins. The Johnson-Reed Act set annual quotas for sending states based on a percentage of migrants registered on the 1890 US census; Syria's quota was 100, the minimum allowable under the act.⁷⁵ New migrants continued to leave French-ruled Syria and Lebanon through the 1920s, and the threat of emigration was at the top of the French Mandate's list of concerns before the 1925 Syrian Revolt; the continuing political influence of émigrés abroad was another.⁷⁶

In those anxieties about Syrian mobility, the French Mandate closely resembled its Ottoman predecessor. In attempting to manage subject populations living abroad, both polities confronted the fundamental weaknesses of extraterritoriality in a uniform world of nation-states. The Ottoman Empire had made several attempts to refract its diplomatic power and legal sovereignty over migrant populations abroad. The legal exceptionalism that Syrian Arabs in the United States exercised—and indeed, expanded through successful lobbying—demonstrates the limitations inherent in an imperial project to “cast shadows of sovereignty” beyond their realms.⁷⁷ US laws governing the naturalization of foreign nationals empowered Syrians with the means to unilaterally renounce their ties to the empire; the exigencies of the First World War motivated larger numbers of these migrants to do so. In an ironic twist, the same US laws which disempowered the Ottoman Empire's sovereignty over its migrants abroad allowed the French Foreign Ministry to claim them. France claimed Syrian migrants as they sought to repatriate home, seeing in them a means of bolstering its claims on the Arab Middle East. Had they examined the Ottomans' recent history of attempts to domesticcate the diaspora, however, the French might have foreseen what was to

75. Ngai, *Impossible Subjects*, 29; Naff, *Becoming American*, 123.

76. Ministère des Affaires Étrangères, *Rapport sur la Situation de la Syrie et du Liban, Juillet 1922– Juillet 1923* (Paris: Imprimerie Nationale, 1924), 9.

77. Lauren Benton, “Shadows of Sovereignty: Legal Encounters and the Politics of Protection in the Atlantic World,” in *Encounters Old and New: Essays in Honor of Jerry Bentley*, ed. Alan Karras and Laura Mitchel (Honolulu: University of Hawaii Press, 2017) as cited by Lale Can and Michael Christopher Low, “The ‘Subjects’ of Ottoman International Law,” in this volume.

come: migrants once eager to oppose Ottoman authority from abroad turned out to be deeply suspicious of French rule.