

# SYRIA'S CONSTITUTIONS AND THEIR RELATIONSHIPS TO MINORITIES

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I approach this topic as an American-born scholar, who has expertise in the history of Islam and politics in the Middle East and North Africa, focusing on such areas as Islamism, liberal Islam, and religious minorities in the Middle East and North Africa. I have spent extended periods of time conducting research in various parts of the Middle East.

## HISTORICAL BACKGROUND OF SYRIA'S CONSTITUTIONS

In trying to understand Syria's most recent constitution, which is the constitution of 2012, it would be helpful to analyze some of the history which preceded it. The history which is presented in this paper is a summary, and as such includes some information while excluding other information.

One of the many subregions within the Middle East and North Africa, which was ruled by the Ottoman Empire, was the subregion which eventually came to be the modern nation-state of Syria.<sup>1</sup> The Ottomans ruled the subregion of Syria from approximately 1516 until the end of World War I in 1918, which was the year that Syria and a few other subregions within the Middle East and North Africa came under French and British rule as a result of the 1916 Sykes-Picot agreement and other related agreements, which the French and British secretly established with each other during World War I.<sup>2</sup>

As part of the *tanzimat* reforms that took place in the Ottoman Empire between 1839 and 1876, which in many respects constituted an attempt to modernize that Empire's laws and related practices, the Ottomans permitted the people living within the subregion of the Ottoman Empire, which included what was to become Syria, to have a written constitution. This constitution provided the subregion, which included what was to become Syria, an administrative council of elected and appointed officials, as well as municipal councils, whose members were chosen by religious leaders.<sup>3</sup>

After the French made Syria one of their colonies in the Middle East and North Africa, in the aftermath of World War I, there was, within the subregion of Syria, a period of approximately fifty years of constitutional instability, characterized by the relatively frequent adoption, suspension, and restoration of approximately fifteen different constitutional charters. In 1930, France, as the colonial power, drafted a constitution for the subregion of Syria, which was modelled on that of the French Third Republic. This constitution, which provided for a president and a unicameral legislature, was suspended two

months after it was first implemented, and Syria's parliament was dissolved. In 1943, that constitution was restored and remained Syria's basic law even after Syria gained independence from France in 1946. In 1949, that constitution was suspended and replaced by a new one that was promulgated in 1950. This constitution expanded a bill of rights and included articles related to land and education. That document was, however, dissolved in 1951 following a military coup, which resulted in another constitution. The 1953 constitution mandated that instead of the President being elected by the parliament, she or he would be elected by a direct popular vote. However, the 1950 constitution was restored in 1954 after yet another coup. Syria's attempt in 1958 to join, with Egypt, in the United Arab Republic (UAR), effectively suspended that constitutional framework.<sup>4</sup>

When an army coup brought that period to an end in 1961, the 1950 constitution was again restored. In 1964, a constitutional referendum approved a provisional charter, which was immediately suspended when a new group of military leaders from Syria's Baath Party staged another coup, suspended the 1964 constitution, and established a regional command in which all of the executive and legislative powers were concentrated. In 1966, the Baath Party was taken over by a wing which had not held the center of power, and this wing produced a new constitution in 1969. The party split in 1970 when a group of Baath Party members under General Hafiz al-Assad came to power. Assad was elected as the new president of Syria in 1971, and on March 14, 1973 he promulgated a different constitution, which is often called the Constitution of 1973.<sup>5</sup>

There are many reasons for the frequent adoption, suspension, and restoration of constitutional charters in the subregion which was to become the nation-state of Syria from the period directly after World War I, when Syria became a French colony, until the establishment of Syria's constitution of 1973. Some of these reasons include:

1. attempts to adapt aspects of older Ottoman laws to the new modern Syrian context, even though the contexts within which some of those Ottoman laws were established predated the modern period;
2. the pressures which were placed on Syria by the French colonialists in the sense that those colonialists' perceptions of laws and their application were rooted more in the French colonialists' understandings of the West than their understandings of Syria and the Middle East;
3. Syria's frequent military coups and political transformations, each of which instituted significant changes in Syria through attempts by each set of leaders to legitimize their governance;
4. the different ethnic and religious groups within Syria (including Alawites, Arabs, Armenians, Assyrians, Kurds, Turkomans, Christians, Druze, Ismailis,

Sunnis, and Shias, to name a few) and the desire on the part of such groups to either protect themselves and/or to expand their influence within Syria and its political structures;

5. the pressures which have been placed on Syria as a result of the Israeli-Palestinian conflict and the historic influx of Palestinians into Syria;

6. the hardships which have been placed on Syria as one of several countries where the Cold War conflicts between the USA, on the one hand, and the Soviet Union (and subsequently Russia), on the other, manifested themselves historically and have continued to do so in the midst of Syria's civil war;

7. the transformation of Baathism from a secular political movement, which aspired to create unity in Syria and many other parts of the Arab world, to a tool used by the Assad family in order to increase their authority and control within Syria; and

8. a history of turmoil in Syria's parliamentary life, which resulted in both suspensions of the constitution and the rise of authoritarianism in Syria.<sup>6</sup>

In the context of this tumultuous history, the Constitution of 1973 was drafted under the guidance of Hafiz al-Assad and, like other constitutions in the Arab world and certain other parts of the Middle East and North Africa, has a nationalist and socialist character, which, while in theory projecting itself as espousing democracy and freedom, in practice, affirmed Assad's authoritarian rule. While that constitution states "that the religion of the president of the republic of Syria has to be Islam"<sup>7</sup> and that "Islamic jurisprudence is a main source of legislation for the country,"<sup>8</sup> a number of aspects of that constitution also reflect a strongly Arab and secularist character, which manifest, among other influences, those of the Arab secularist socialist intellectuals Michel Aflaq (a Christian), Salah al-Din al-Bitar (a Sunni Muslim), and other secular Arab intellectuals who established the Baath Party, which became a formal party at the time of Syrian independence in 1946.<sup>9</sup> In addition, the 1973 constitution conveys a secular pan-Arab consciousness, which was manifested in many ways during various periods in the twentieth century, including the period of the UAR, which lasted from 1958 until 1961.<sup>10</sup>

In terms of the aspects of Syria's constitution which are secular and pan-Arab, an early portion of the 1973 constitution emphasizes five principles that stress the unity of the Arab world. The first of these principles states that the Syrian revolution (meaning by implication the "Corrective Revolution" in 1970 that brought Hafiz al-Assad to power) was part of a larger Arab revolution.<sup>11</sup> The second principle states that any threats to an Arab nation are threats to the Arab world as a whole. The third principle commits Syria to the fight

against Zionism and imperialism, reflecting that nation's religious and historical heritage. The fourth principle states that freedom is a sacred right and democracy is an ideal form of government. The fifth and final principle states that the Arab revolution is part of a global movement, not an isolated phenomenon.<sup>12</sup> It also divides power between the President, the Prime Minister, the legislature, and the courts.<sup>13</sup>

#### THE 2012 CONSTITUTION

With respect to the Constitution of 2012, in October of 2011, which was approximately seven months after the beginning of Syria's civil war, a committee, which was established by Bashar al-Assad, began work on that constitution, which was issued on February 15, 2012 and was approved in a referendum on February 26, 2012.<sup>14</sup> That committee had been called into existence and the 2012 constitution had been implemented after extensive pressure was placed on Assad's government from pro-democracy activists who were operating long before and during Syria's civil war.<sup>15</sup>

One of the most significant results of these pro-democracy groups' actions was that the 2012 constitution omitted the 1973 constitution's reference to the Baath Party as the "leader of the nation and society" and the 2012 constitution opened the door to other more-or-less legal political parties in Syria, in addition to the Baath Party.<sup>16</sup> One result of this opening in the new constitution was the fact that in Syria's presidential election, which took place on June 3, 2014, there were two candidates in addition to Bashar al-Assad, one of whom was Hassan al-Nouri, US-educated businessman,<sup>17</sup> who represented the party named the "National Initiative for Administration and Change in Syria." The other candidate was Maher Hajar, a member of the Syrian Communist Party and of Syria's Parliament,<sup>18</sup> who ran for Syria's presidency as an independent.<sup>19</sup> While it seems that Assad and the Baath Party played a significant role in influencing who Assad's opponents would be, those elections constituted one manifestation of the new constitution's and Assad's limited openness to opponents of the Baath Party running in elections. Yet, even though Assad ran against limited opposition in that election, any changes that may be manifested in the 2012 constitution are largely superficial in that, in reality, freedoms in Syria seem to be as limited under the new constitution as they had been under the previous constitution.

Other than the fact that Syria's 2012 constitution states that (1) the religion of the president of the republic of Syria has to be Islam and (2) Islamic jurisprudence is a main source of legislation for that country,<sup>20</sup> I could not find evidence to indicate that the Syrian constitution or laws place limits on offices to which Syrians can be elected or appointed based on their religion, ethnicity, language, and/or minority status. However, the two above statements related

to Islam in Syria's constitution and the fact that Syria is a majority-Muslim country could place *de facto* limits on political offices to which minorities in Syria could be elected or appointed.<sup>21</sup>

With respect to the related matter of military conscription, Syria's 2012 constitution states, "1. Compulsory military service shall be a sacred duty and is regulated by law;" and "2. Defending the territorial integrity of the homeland and maintaining the secrets of state shall be a duty of every citizen."<sup>22</sup> Military service is mandatory for all Syrian males over the age of eighteen;<sup>23</sup> they are required to serve for eighteen months, except for men who have not completed the fifth grade, who are required to perform twenty-one months of service.<sup>24</sup> There are also stipulations in Syrian law related to postponements and exemptions from military service related to whether one is undertaking postsecondary studies, is living abroad, has a deceased father, and/or has one or more brothers who serve in the Syrian military, for example.<sup>25</sup> Except for the fact that "Syrians (including U.S. citizens of either Syrian or Palestinian origin) [who are] born outside of Syria and residing abroad until the age of 18" can receive an exemption from military service for a fee,<sup>26</sup> I could not find any information indicating that there are limits and/or constraints with respect to military service or promotion within the military based on an individual's ethnoreligious background. At the same time, in view of the fact that Kurdish-dominated regions of Syria separated themselves from Syrian-government control after Syria's civil war began in 2011, since 2014 Kurdish males living in those areas have been required to serve as conscripts in the YPG ("Yekineyen Parastina Gel" in Kurdish, which means "People's Protection Units"), which is the military arm of the Kurdish Democratic Union Party (PYD).<sup>27</sup>

I would like to make a few additional observations about the constitutions of 1973 and 2012. First, the term "Arab" appears *sixty-two* times in the constitution of 1973, while the terms "Arab," "Arabism," and "Arabic" appear *thirty-two* times in the constitution of 2012.<sup>28</sup> In both constitutions, the term "Arab" and related words can, on the one hand, be *positive*, for Armenians and other religious minorities in Syria, while, on the other hand, it can also be *negative* for Armenians in Syria. On the positive side, although Armenians are definitely not Arabs, there have been times when Armenians living in Arab countries have, either directly or indirectly, *benefited* from legal and cultural emphasis on Arab identity, in the sense that this emphasis has at times tended to emphasize the *secular* aspects of Arab societies. Because Armenians are Christians, they have benefited from the secular aspect of assertions of Arab identity in the sense that it has given Armenians more freedom religiously and in other respects than the kind of emphasis on Islamic law which Sunni Islamist groups such as the Islamic State of Iraq and Syria (ISIS)<sup>29</sup> and related

groups espouse. While Arabs' assertions of Arab identity, in and of themselves, may not necessarily benefit Armenians, *the secular laws and practices*, which are often associated with assertions of Arab identity, can indirectly benefit Armenians.

On the negative side, whenever Arab identity is asserted as an *emphatic ethnic and cultural* category, which excludes and even perpetrates hostility against non-Arabs, this can pose a great danger to the lives and futures of Armenians. Thus, this kind of nuanced understanding of Arabism and Pan-Arabism can be helpful to Armenians and other ethnic and religious minorities in the Middle East, because of the extent to which these minorities can influence the ways which Arabism and Pan-Arabism are expressed. Armenians and other ethnic and religious minorities benefit most from its expressions which are secular and *inclusive* of non-Arabs.<sup>30</sup>

In a second and related matter, in both the 1973 and 2012 constitutions, the term Islam and related words can, under certain circumstances, be *positive* or *negative* for Armenians and other religious minorities in Syria. In the 1973 constitution, the terms Islam or Islamic are mentioned two times.<sup>31</sup> In the 2012 constitution of Syria, the terms "Islam" or "Islamic" are also mentioned two times.<sup>32</sup> In this context, both constitutions state that the "religion of the President of the Republic [of Syria] must be Islam" and that "Islamic jurisprudence is a main source of legislation."<sup>33</sup> In my view, the fact that the President of Syria must be a Muslim is not necessarily harmful to Armenians, non-Armenian Christians, and other religious minorities in Syria as long as that President and his government administer the country in such a manner as to truly guarantee religious freedom and the governmental protection of Christians, including Armenians, in Syria, for example.

In this regard, Syria's Baath Party has had a dominant role in Syria's political life since at least 1963, when Amin al-Hafiz, who was a member of the Baath Party, became Syria's President.<sup>34</sup> Every Syrian President since that time, including Bashar al-Assad, has been a member of the Baath Party.<sup>35</sup> In this vein, while after Syria's parliamentary election in 2012 certain other parties (such as the Socialist Unionists, two different factions of the Communist Party of Syria, the National Vow Movement, and the Arab Socialist Union, all of which are members of the Baath Party's coalition) have held a small number of seats in the People's Council of Syria, which is the name of Syria's parliament, the majority of seats have been won by the Baath Party.<sup>36</sup> Thus, while minority political parties, virtually all of which are secular, may have a small amount of influence in Syria's political life, I could not find any evidence that any seats in the People's Council of Syria are specifically reserved for religious, ethnic, and/or linguistic minorities, nor could I find any information about the ethnic, political, and religious affiliations of the

members of that Council. At the same time, the following table contains helpful information related to election results from what were the most recent elections to the People’s Council of Syria, at the time this paper was written.

April 13, 2016 People’s Council of Syria Election Results <sup>37</sup>	
Political Group	Total of seats
Baath Arab Party	172
Independents	62
Syrian Social Nationalist Party	7
Syrian Communist Party	4
Socialist Unionists	2
Socialist Union Party	2
Haraka al-ahd al-watani (National Vow Movement)	1

Distribution of seats according to sex	
Men	217
Women	33
Percent of women	13.20%

With respect to Syria’s 2012 Constitution, that country’s diverse ethnoreligious weave seems to have had an impact on that constitution in a few different ways, including its emphasis on democratic principles. For example, the introduction of that constitution states:

The completion of this Constitution is the culmination of the people's struggle on the road to freedom and democracy. It is a real embodiment of achievements, a response to shifts and changes, evidence of organizing the march of the state towards the future, a regulator of the movement of its institutions and a source of legislation. All of this is attainable through a system of fundamental principles that enshrines independence, sovereignty and the rule of the people based on election, political and party pluralism and the protection of national unity, cultural diversity, public freedoms, human rights, social justice, equality, equal opportunities, citizenship and the rule of law, where society and the citizen are the objective and purpose to which every national effort is dedicated. Preserving the dignity of society and the citizen is an indicator of the civilization of the country and the prestige of the state.<sup>38</sup>

The 2012 constitution’s emphasis on Islam, on the one hand, and its emphasis on inclusion and democracy, on the other, are manifestations of Syria’s diverse ethnoreligious weave. At the same time, there is an asymmetrical plurality in Syria’s laws and constitutions in the sense that those entities give a privileged position to Islam, on the one hand, while attempting to affirm democracy and inclusion, on the other.<sup>39</sup>

## THE KURDS

Within this milieu, the Kurds in Syria hold a unique, yet somewhat marginalized status.<sup>40</sup> While a majority of the Kurds in Syria are Muslims, Syrian political leaders have been deeply suspicious of the desire, which many Kurds have, to establish an independent state. Syrian governments have utilized a variety of policies in their attempts to marginalize Kurds and block them from establishing an independent state.<sup>41</sup> In this effort, in 1962 the Syrian government undertook a census in Jazira province in north eastern Syria, where there is a high Kurdish population, in view of the Syrian government's concern that non-Syrian Kurds had immigrated illegally into Syria from Turkey. Kurds who were in Syria had to prove that they had lived in Syria since at least 1945. As a result of that 1962 census, approximately 120,000 Kurds who were living in Syria were deemed by the Syrian government as not qualifying for Syrian citizenship. Then, in 1963, the Syrian government began pursuing a policy which encouraged Arabs to resettle in areas where large numbers of Kurds had traditionally lived and to create an "Arab belt" in order to separate the Kurds in Syria from the Kurds in Turkey for the purpose of suppressing Kurdish nationalism.<sup>42</sup>

In the early 1970s, the Syrian government began undertaking a resettlement plan in Jazira province, which involved establishing model farms and villages populated by Arabs. The Syrian government transferred the lands on which it built the model farms from Kurdish owners to Arab owners, with the justification that the Kurds from whom the lands were being transferred had not proved their Syrian citizenship and/or residency in accordance with government policies under the 1962 census.<sup>43</sup> In 1975, the Syrian government resettled an estimated four thousand Arab families whose lands had been submerged by the construction of the Tabqa dam on the Euphrates into forty-one model farms within Syria's Kurdish region. The Syrian government suspended the Arab belt project in 1976 but did not dismantle the model villages nor return ownership of the land to the Kurds.<sup>44</sup>

At the same time, various Syrian presidential administrations have attempted to repress Kurdish identity by restricting the use of the Kurdish language in public, in schools, and in workplaces; these administrations have also banned Kurdish-language publications and prohibited celebrations of Kurdish festivities such as Nowruz, which is the traditional Kurdish New Year. The Syrian government's restrictions on the Kurdish language "stand in contrast to Syria's treatment of its other non-Arab minorities, such as the Armenians and Assyrians, who are allowed to have private schools, clubs, and cultural associations, where their respective languages are taught."<sup>45</sup> In 1967, school geography texts in Syria excluded references to Kurds in Syria, and "government registry officials began pressuring Kurds not to give their

children Kurdish first names.”<sup>46</sup> The Syrian government “also renamed Kurdish regions and villages to give them an Arab identity, many through an administrative ordinance in 1977.”<sup>47</sup> Within this context, because Armenians in Syria have not had political aspirations and demands, they have not antagonized or been looked upon with suspicion by the Syrian government, unlike the Kurds, who have been oppressed by various Syrian administrations.<sup>48</sup> At the same time, Christians in Syria, including Armenians, have a tendency to support Syria’s secular government for several reasons, including the fact that those Christians view the government as a potential safeguard against Sunni Muslim dominance.<sup>49</sup>

#### FAMILY LAW AND RELATED MATTERS

In this context, it is worth considering family law, marriage and divorce law, bequest and inheritance law (all of which are typically put under the category of “personal status law”) as they relate to Armenians and other minorities in Syria.<sup>50</sup> In view of the fact that Syria is a secular state, where different Syrians are affiliated with different religions, the Syrian parliament has provided for specialized court systems for major religious communities in Syria in order to try cases related to personal status laws.<sup>51</sup> Two such courts are Islamic courts (also known as “Sharia courts”), which hear cases involving personal status, family and inheritance disputes among Syrian Muslims and non-Syrian Muslim, who adhere to personal status laws in their own countries.<sup>52</sup> Spiritual courts (also known as “ruhiyya courts”) settle cases and other difficulties related to personal status for Christians who belong to different rites (or branches of Christianity).<sup>53</sup> The five legally-recognized Christian groups in Syria are Greek Orthodox, Syrian Orthodox, Armenian Orthodox, Protestant (also known as “Evangelical” in countries such as Syria and Lebanon), and Catholic.<sup>54</sup> According to Razi Diab, the Catholics are divided into Uniate churches which are Greek (Melkite), Syrian Catholic, Armenian Catholic, Chaldean (Nestorian), and Maronite as well as the Latin rite.<sup>55</sup> Diab states that most churches have a court of “first instance in every diocese and an appeal court in the city where the seat of the Patriarch is located.”<sup>56</sup>

On June 18, 2006, President Bashar al-Assad issued Law Number 31, year 2006, based on what had been decided by the Syrian Parliament in its session on June 13, 2006. Known as the “2006 Catholic Law of Personal Status” (CLPS), it was published in the *Syrian Official Gazette* Number 26, first part, July 2006.<sup>57</sup> This new law granted total autonomy to the Catholic Christian community in matters of personal status.<sup>58</sup> Article 280 of the new law, which is No. 33, year 2006 expressly modified the Syrian Law of Personal Status (SLPS) and stopped the application of the latter on Catholics in Syria. Article

281 of Law Number 33, year 2006 gave Catholic courts the exclusive right to look into matters related to the personal status of its members.<sup>59</sup> That law contained many innovations such as (1) granting equal inheritance rights to women and men; (2) allowing adoption, which is not possible in Islam; and (3) providing new rules for bequests and inheritance, among other matters.<sup>60</sup> According to Esther van Eijk, that 2006 law was considered revolutionary because it “granted the Catholic courts full jurisdiction in all matters of personal status.”<sup>61</sup>

However, the “exceptional position of the Catholics vis-à-vis the other Christian groups was subject to criticism.”<sup>62</sup> In this vein, many non-Catholic Christians, in particular, were discontented because the 2006 law, provided Catholics with a certain level of autonomy which the non-Catholic Christians did not have, thus creating discrimination between different Christian communities in Syria.<sup>63</sup>

As a result of this discontent about the 2006 law among non-Catholic Christians, the Catholics’ distinctive status was changed, at the expense of the Catholics, when an amendment was made on September 29, 2010 to Article 308 of the Syrian Law of Personal Status (SLPS).<sup>64</sup> The second article of the 2010 amendment states that provisions of the Syriac Orthodox Personal Status Law, Greek Orthodox Personal Status Law, and the Catholic Personal Status Law, pertaining to matters of personal status “other than those listed in the revised Article 308 are abrogated by the amendment.”<sup>65</sup> As a result, “the amendment rendered a substantial part of the 2006 CLPS inoperative,” which means that its special exceptions for Catholics with respect to “adoption, legal guardianship, paternity (or descent), for example, are no longer applicable.”<sup>66</sup> Due to this amendment, the Catholics again fall under the scope of Article 308 and thus are back within the competence of the Islamic Sharia courts, and the Catholics can no longer rely on their own courts to resolve those matters as was the case between June 18, 2006 and September 29, 2010.<sup>67</sup> In view of these and other contradictions between the 2006 and 2010 amendments, the status of the 2006 CLPS “remains unclear.”<sup>68</sup>

In a related matter, the significance of the SLPS becomes especially apparent when the jurisdictions of different religions intersect.<sup>69</sup> According to van Eijk, “When a non-Muslim woman marries a Muslim man, the SLPS will be applicable; when a Druze woman marries a Sunni Muslim man, again the SLPS will be applicable. A Christian or Jewish woman, that is, a woman who belongs to the *ahl al-kitab* (the recognized monotheistic religions) can marry a Muslim man, but it is not possible for a non-Muslim man to marry a Muslim woman, [in view of the fact that] Article 48.2 of the SLPS states that a marriage between a Muslim woman and a non-Muslim man is considered invalid (*batil*).<sup>70</sup>” If a non-Muslim man “wants to marry a Muslim woman, he

must convert to Islam.<sup>71</sup> A Christian or Jewish woman who marries a Muslim man is not required to change her religion, but the children will be automatically Muslim and the wife cannot inherit from her husband because Article 264 sub B of the SLPS states that a non-Muslim cannot inherit from a Muslim.<sup>72</sup> However, according to van Eijk, “when a woman converts to Islam and the husband does not, the marriage will be considered invalid and will be dissolved due to Article 48 paragraph 2.”<sup>73</sup> At the same time, “legally impossible marriages (such as a marriage between a Muslim woman and a Christian man) or socially unacceptable marriages can be circumvented by contracting a civil marriage abroad” (in Cyprus, for example).<sup>74</sup> One reason that these provisions within the SLPS manifest pro-Muslim preferences and contours is because they are strongly influenced by similar Ottoman laws, which preceded them.<sup>75</sup>

In this vein, the Sharia courts, which implement the SLPS, function “as national state courts and have full jurisdiction over all personal status matters involving Muslims and limited exclusive jurisdiction with regard to proof of paternity and legal guardianship over all Syrians, irrespective of their religion.”<sup>76</sup> According to van Eijk, “Syria’s plurality in family law is thus an unbalanced or asymmetrical plurality because the SLPS and the Sharia courts clearly enjoy the upper hand over the other laws and courts.”<sup>77</sup> This affects in particular non-Muslim minorities, “most notably Christians, especially when these jurisdictions intersect, for example in the event of interdenominational or interreligious marriages or when one of the (Christian) spouses converts to Islam....”<sup>78</sup> When a spouse converts to Islam “the SLPS becomes the applicable law” and the Sharia courts “are considered the competent courts.”<sup>79</sup> This also means that “when a non-Muslim father or mother converts to Islam the religious identity of the converted parent automatically devolves upon the children.”<sup>80</sup> Consequently, the converted Muslim parent “can demand full custody over the children and the Sharia courts have generally granted such requests in favor of the Muslim parent.”<sup>81</sup> The supremacy of the Muslim faith over other faiths, and with that the supremacy of the SLPS and the Sharia courts over other laws and courts are a manifestation of the asymmetrical plurality in Syria’s family law.<sup>82</sup>

On the subject of cultural and linguistic rights with respect to religious and ethnic minorities in Syria, although Arabic is the country’s official language, the government permits the teaching of Armenian, Hebrew, Syriac, Aramaic, and Chaldean as “liturgical languages.”<sup>83</sup> At the same time, “all schools in Syria are overseen by the [Syrian] government and are non-sectarian.”<sup>84</sup> However, at least some Christians and Druze operate their schools in this manner, which is consistent with the state’s curriculum.<sup>85</sup> At the same time,

there is religious instruction in Syria's schools with government-approved teachers and curricula.<sup>86</sup>

## CONCLUSION

Fortunately for Armenians and other Christians, the Islamic concept of *ahl al-kitab* (which is based on moderate Islamic interpretations of Islam's sacred texts) and the related concept of *dhimmi* (or legally protected non-Muslim minority group) have at specific periods in Islamic history protected Christians and certain other non-Muslim minority groups, with, of course, numerous horrifically tragic exceptions such as the Hamidian massacres (also known as the Armenian Massacres of 1894 through 1896) and the Armenian genocide in 1915, when *dhimmi* status was a factor which worked to the enormous harm of Armenians.<sup>87</sup>

In sharp contrast to the moderate interpretations of Islamic sacred texts and history which have, at certain times, provided a level of protection to Christians in majority-Muslim contexts, it is the periods in history when ostensibly secular governments, such as those of Hosni Mubarak and Abdel Fattah al-Sisi in Egypt, ignore both secular and moderate Islamic principles, which are intended to protect religious minorities, when Christians in such contexts face enormous danger and harm.<sup>88</sup> Needless to say, with the rise and apparently growing strength, in Iraq, Syria, and Lebanon, of Sunni Islamist groups such as ISIS, all of whom have largely or completely ignored the Islamic principles of *ahl al-kitab*, Armenians and other religious minority groups, and Muslims who disagree with these Sunni Islamist groups, have continued to face death, injury, destruction of their property, and forced exile from their homes.<sup>89</sup> Thus, Armenians and members of every other group who either oppose ISIS -- and similar groups -- or represent ideas which are in any way inconsistent with those Islamist groups face the possibility of utter destruction.<sup>90</sup> Thus, Armenians and other Christians in countries like Syria and Iraq are caught between multiple raging fires, including the flames of hostile Sunni Islamism and ostensibly secular regimes which, under pressure from such groups, at times manifest hostile policies toward Christians, including Armenians.<sup>91</sup>

In the face of onslaughts by several Islamist groups in Syria, and the large numbers of Christians, including Armenians, who are leaving that country in the face of these threats, the exodus of Armenians and other Christians from Syria and the potentially complete disappearance of Armenians and other Christians from Syria and other parts of the Middle East becomes a source of urgent concern.<sup>92</sup>

Very tragically, there have been many times in the history of Armenians, when, because of violence directed against them, Armenians have experienced

enormously painful forced migration and social dislocation.<sup>93</sup> Yet, if the situation in Lebanon remains stable, there may be reason to believe that the Armenians inside and outside Lebanon, and at least some non-Armenian Christians inside and outside Lebanon, could continue to be a source of strength and support for Armenians inside Syria, Lebanon, and other countries.

## ENDNOTES

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- <sup>1</sup> See, for example, Avedis K. Sanjian, *The Armenian Communities in Syria Under Ottoman Dominion*, Cambridge, Harvard University Press, 1965, pp. 1, 7, 9, 19-20, 50, 53-56, 141, 259.
- <sup>2</sup> David Commins and David W. Lesch, *Historical Dictionary of Syria*, Lanham, Maryland, Scarecrow Press, 2014, p. xxii.
- <sup>3</sup> Amos J. Peaslee, *Constitutions of Nations: The First Compilation in the English Language of the Texts of the Constitutions of the Various Nations of the World, Together with Summaries, Annotations, Bibliographies, and Comparative Tables*, [The Hague], [M. Nijhoff], 1956, pp. 402-403.
- <sup>4</sup> CONSTITUTIONNET, “Constitutional History of Syria” (International Institute for Democracy and Electoral Assistance (IDEA), Strömsborg SE-103 34 Stockholm, Sweden) <http://www.constitutionnet.org/country/constitutional-history-syria> (accessed January 24, 2015); Syrian Center for Political and Strategic Studies, and Syria Expert House, *Syria Transition Roadmap*, Washington, DC, Syrian Center for Political and Strategic Studies, and Syria Expert House, 2013, pp. 75-77; [http://syrianexperthouse.org/reports/Syria\\_Transition\\_Roadmap\\_\\_Full\\_en.pdf](http://syrianexperthouse.org/reports/Syria_Transition_Roadmap__Full_en.pdf) (accessed January 24, 2015).
- <sup>5</sup> Ibid.
- <sup>6</sup> John McHugo, *Syria: From the Great War to the Civil War*, London, Saqi Books, 2014, pp. 27-28; *Syria Transition Roadmap*, p. 75. [http://syrianexperthouse.org/reports/Syria\\_Transition\\_Roadmap\\_\\_Full\\_en.pdf](http://syrianexperthouse.org/reports/Syria_Transition_Roadmap__Full_en.pdf).
- <sup>7</sup> *Syrian Arab Republic: Constitution, 1973*, March 13, 1973, Chapter 1, Part 1, Article 3, Point 1 <http://www.refworld.org/docid/44d8a4e84.html> (accessed January 24, 2015). Refworld.org is a website and database which is sponsored and operated by the Refugee Status Determination Section of the Division of International Protection of the United Nations High Commissioner for Refugees: The UN Refugee Agency in Geneva, Switzerland.
- <sup>8</sup> Ibid.
- <sup>9</sup> William L. Cleveland and Martin Bunton, *A History of the Modern Middle East*, Fourth Edition, Boulder, Colorado, Westview Press, 2009, p. 325.
- <sup>10</sup> CONSTITUTIONNET (accessed January 24, 2015); Razi A. Diab, Esq., “Religion and the Law in Syria” (Arab Center for International Humanitarian Law and Human Rights Education (ACIHL) [https://www.acihl.org/articles.htm?article\\_id=26](https://www.acihl.org/articles.htm?article_id=26) (accessed September 2, 2017). See the fourth paragraph of that article. The article has no

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- page numbers; *Syria Transition*, pp. 75-77; [http://syrianexperthouse.org/reports/Syria\\_Transition\\_Roadmap\\_Full\\_en.pdf](http://syrianexperthouse.org/reports/Syria_Transition_Roadmap_Full_en.pdf) (accessed January 24, 2015).
- <sup>11</sup> Gareth Stansfield, "Political Life and the Military" in *A Companion to the History of the Middle East*, ed. Youssef M. Choueiri, Malden, Massachusetts, Blackwell Publishing, 2005, p. 366.
- <sup>12</sup> *Syrian Arab Republic: Constitution, 1973*, Preamble, <http://www.refworld.org/docid/44d8a4e84.html> (accessed January 17, 2015).
- <sup>13</sup> *Syrian Arab Republic: Constitution, 1973*, Chapter 2, Parts 1, 2, 3; Chapter 3, <http://www.refworld.org/docid/44d8a4e84.html> (accessed January 17, 2015).
- <sup>14</sup> *Syrian Arab Republic: Constitution, 2012*, February 26, 2012, Comments, <http://www.refworld.org/docid/5100f02a2.html> (accessed January 17, 2015).
- <sup>15</sup> Ignacio Alvarez-Ossorio, "Syria's Struggling Civil Society" *Middle East Quarterly*, vol. 19, no. 2 (2012): 23+. Page numbers are not available on the electronic version of this article.
- <sup>16</sup> *Ibid.*
- <sup>17</sup> Loveday Morris, "Hassan al-Nouri: The Syrian Presidential Candidate who is '100 Per Cent American-Educated' Businessman will Challenge Assad – But Does Not See Himself as Opposition" *The Independent*, June 1, 2014 <http://www.independent.co.uk/news/world/middle-east/hassan-al-nouri-the-syrian-presidential-candidate-who-is-100-per-cent-american-educated-9468473.html> (accessed August 29, 2017).
- <sup>18</sup> "Who's Who: Maher Hajjar," *The Syrian Observer*, May 13, 2014 <http://syrianobserver.com/EN/Who/27205/Whos+who+Maher+Hajjar+Presidential+Candidate> (accessed August 29, 2017). According to the Wikipedia article entitled, Maher Hajjar, he is a Sunni Muslim ([https://en.wikipedia.org/wiki/Maher\\_Hajjar](https://en.wikipedia.org/wiki/Maher_Hajjar)) (accessed August 29, 2017).
- <sup>19</sup> Associated Press in Damascus, "Bashar al-Assad Wins Re-Election in Syria as Uprising Against Him Rages On," *The Guardian*, June 4, 2014. <http://www.theguardian.com/world/2014/jun/04/bashar-al-assad-wins-reelection-in-landslide-victory> (accessed January 26, 2015).
- <sup>20</sup> *Syrian Arab Republic: Constitution, 2012*, Chapter 1, Article 3, <http://www.refworld.org/docid/5100f02a2.html> (accessed January 17, 2015).
- <sup>21</sup> For the significant role which Islam has played in Syria's political life, see Esther van Eijk, *Family Law in Syria: Patriarchy, Pluralism and Personal Status Law*, London, I.B. Tauris, 2016, pp. 40-41. For statistics regarding the approximate percentage of various religious groups in Syria see *The World Factbook*, "Syria" at <https://www.cia.gov/library/publications/the-world-factbook/geos/sy.html> (accessed August 21, 2017).
- <sup>22</sup> *Syrian Arab Republic: Constitution, 2012*, Chapter 1, Article 46, <http://www.refworld.org/docid/5100f02a2.html> (accessed January 17, 2015).
- <sup>23</sup> "Syria: Compulsory Military Service, Including Age of Recruitment, Length of Service; Occasions Where Proof of Military Service Status is Required; Whether the

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Government Can Recall Individuals Who Have Already Completed their Compulsory Military Service; Penalties for Evasion (2008-July 2014)” “1. General Information” <http://www.refworld.org/docid/54042353a.html> (accessed August 31, 2017).

<sup>24</sup> Ibid., “2. Period of Service.”

<sup>25</sup> Ibid., “3. Postponement of Service”; “4. Exemptions”; “4.1 Exemption Fees.”

<sup>26</sup> Ibid., “4.1 Exemption Fees.”

<sup>27</sup> Ahmad Khalil and Karen Leigh, “YPG’s Mandatory Military Service Rattles Kurds: A New Law Stipulates that Young Men in the Cantons of Kobani, Iفرin and Al-Jazeera Must Enlist. Now, Some Have Begun to Flee.” *News Deeply: Syria Deeply*, August 27, 2014 <https://www.newsdeeply.com/syria/articles/2014/08/27/ypgs-mandatory-military-service-rattles-kurds> (accessed August 31, 2017).

<sup>28</sup> *Syrian Arab Republic: Constitution, 1973*, <http://www.refworld.org/docid/44d8a4e84.html> (accessed January 17, 2015) and *Syrian Arab Republic: Constitution, 2012*, <http://www.refworld.org/docid/5100f02a2.html> (accessed January 17, 2015).

<sup>29</sup> The Islamic State in Iraq and Syria (ISIS), al-Qaida, the Nusra Front, and similar Sunni Islamist groups, although different from each other in certain respects, largely share a common goal of establishing Sharia (or Islamic law) in all the areas which they control and throughout the world. Typically, many members of those groups hope that eventually everyone in the world will convert to Islam and that Sharia will govern everyone, in view of these Islamists’ interpretation of Islam’s sacred texts and early Islamic history which indicate to them that Islam is the only true religion. For the members of these Islamist groups, there is no distinction in Sharia between the secular, on the one hand, and the religious, on the other, because in their minds God is all-knowing and he knows what is best for humans with respect to every aspect of their lives. In this context, all Muslims who disagree with these Islamist groups and all non-Muslims, whether or not they affiliate with a religion, have fallen short of understanding the requirements which God has placed on humanity. In this vein, at certain times some of these Sunni Islamists have exhibited a limited amount of toleration toward Muslims who disagree with them and toward non-Muslims, and at other times these Sunni Islamists have exhibited outright hostility toward such persons by killing them, injuring them, and/or seizing or damaging their property. The following are some sources which provide information and analysis of various Sunni Islamist groups: Jon Armajani, *Modern Islamist Movements: History, Religion, and Politics*, Oxford, UK, Wiley-Blackwell, 2012; Fawaz A. Gerges, *ISIS: A History*, Princeton, New Jersey, Princeton University Press, 2016; Fawaz A. Gerges, *The Far Enemy: Why Jihad Went Global*, New Edition, New York, Cambridge University Press, 2010; Joby Warrick, *Black Flags: The Rise of ISIS*, New York, Anchor Books, 2016. For information on ISIS’s persecution of Christians in Syria and Iraq, see Claire Giangravè, “Orthodox Leader Calls Moscow and Rome to Support Persecuted Christians,” *Crux*, August 21, 2017 <https://cruxnow.com/global-church/2017/08/21/orthodox-leader-calls-moscow-rome-support-persecuted-christians/> (accessed August 30, 2017).

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- <sup>30</sup> Nicola Migliorino, *(Re)Constructing Armenia in Lebanon and Syria: Ethno-Cultural Diversity and the State in the Aftermath of a Refugee Crisis*, New York, Bergahn Books, 2008, pp. 118-121. For this section, do a search in Academic Search Premier, Googlebooks, and Google Scholar under search terms as “Arab identity and religious minorities”; “Arab Identity secularism”; “Arab identity and Armenians,” etc.
- <sup>31</sup> *Syrian Arab Republic: Constitution, 1973*, Chapter 1; Part 1; Article 3, <http://www.refworld.org/docid/44d8a4e84.html> (accessed January 17, 2015).
- <sup>32</sup> *Syrian Arab Republic: Constitution, 2012*, Chapter 1; Part 1; Article 3, <http://www.refworld.org/docid/5100f02a2.html> (accessed January 17, 2015).
- <sup>33</sup> *Syrian Arab Republic: Constitution, 1973*, Chapter 1; Part 1; Article 3, <http://www.refworld.org/docid/44d8a4e84.html> (accessed January 17, 2015); *Syrian Arab Republic: Constitution, 2012*, Chapter 1; Part 1; Article 3, <http://www.refworld.org/docid/5100f02a2.html> (accessed January 17, 2015).
- <sup>34</sup> Richard Edwards, “Baath Party (Syria),” in *The Encyclopedia of the Arab-Israeli Conflict: A Political, Social, and Military History, Volume 1: A-H*, ed. Spencer C. Tucker, Santa Barbara, California, ABC-CLIO, 2008, pp. 183-185.
- <sup>35</sup> “List of Presidents of Syria,” *Wikipedia*, [https://en.wikipedia.org/wiki/List\\_of\\_Presidents\\_of\\_Syria](https://en.wikipedia.org/wiki/List_of_Presidents_of_Syria).
- <sup>36</sup> “People’s Council of Syria,” *Wikipedia*, [https://en.wikipedia.org/wiki/People%27s\\_Council\\_of\\_Syria](https://en.wikipedia.org/wiki/People%27s_Council_of_Syria) (accessed August 21, 2017).
- <sup>37</sup> Inter-Parliamentary Union Database (IPU Parline Database: Syria), *Syrian Arab Republic: Majlis Al-Chaab (People’s Assembly)*, under the subheading “Last Election,” <http://www.ipu.org/parline-e/reports/2307.htm> (accessed September 19, 2017). The address of the headquarters of the Inter-Parliamentary Union is 5, chemin du Pommier; Case postale 330; CH-1218 Le Grand-Saconnex, Geneva, Switzerland, and the Inter-Parliamentary Union has a Permanent Observer in the United Nations.
- <sup>38</sup> *Syrian Arab Republic: Constitution, 2012*, Introduction, <http://www.refworld.org/docid/5100f02a2.html> (accessed August 29, 2017).
- <sup>39</sup> Van Eijk, pp. 209-210.
- <sup>40</sup> Kerim Yildiz, *The Kurds in Syria: The Forgotten People*, London, UK, Pluto Press, 2005, pp. 91-93; Michael M. Gunter, *The Kurds: A Modern History*, Princeton, New Jersey, Markus Wiener Publishers, 2016, pp. 87-132.
- <sup>41</sup> Human Rights Watch, *Group Denial: Repression of Kurdish Political and Cultural Rights in Syria*, New York: Human Rights Watch, 2009, 10. [https://www.hrw.org/sites/default/files/reports/syria1109webwcover\\_0.pdf](https://www.hrw.org/sites/default/files/reports/syria1109webwcover_0.pdf) (accessed August 31, 2017).
- <sup>42</sup> Human Rights Watch, *Group Denial*, 10; Jordi Tejel, *Syria’s Kurds: History, Politics and Society*, London, Routledge, 2009, pp. 51-52; Yildiz, pp. 33-41.
- <sup>43</sup> Human Rights Watch, *Group Denial*, p. 11.
- <sup>44</sup> *Ibid.*
- <sup>45</sup> *Ibid.*
- <sup>46</sup> *Ibid.*

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<sup>47</sup> Ibid.

<sup>48</sup> Marine Olivesi, "Syrian Armenian Refugees Back President Assad," PRI's *The World*, April 1, 2013 [https://webcache.googleusercontent.com/search?q=cache:q2l81h3s\\_RAJ:https://www.pri.org/stories/2013-04-01/syrian-armenian-refugees-back-president-assad+&cd=4&hl=en&ct=clnk&gl=us](https://webcache.googleusercontent.com/search?q=cache:q2l81h3s_RAJ:https://www.pri.org/stories/2013-04-01/syrian-armenian-refugees-back-president-assad+&cd=4&hl=en&ct=clnk&gl=us) (accessed August 31, 2017). "PRI" stands for "Public Radio International," and its hour-long radio program entitled "The World" provides news and analysis about current events in various parts of the globe. According to PRI's website, "The World is heard on over 300 stations across North America."

<sup>49</sup> Van Eijk, p. 208.

<sup>50</sup> Maurits S. Berger, "The Legal System of Family Law in Syria," *Bulletin d'Études Orientales*, 49, 1997, p. 118.

<sup>51</sup> Diab, "Religion and the Law in Syria," in the section of that article entitled "1.4. Summary of the Syrian Judicial System," [https://www.acihr.org/articles.htm?article\\_id=26](https://www.acihr.org/articles.htm?article_id=26) (accessed August 15, 2017). This article is not dated. However, it was published during or after 2009 in view of the fact that 2009 is the most recent publication date, which that article cites for several of its sources. The address of ACIHL's office in Lyon is 29, rue Arago; 69100 Villeurbanne-Lyon; France. The address of ACIHL's office in Strasbourg is 6, avenue Charles de Gaulle; 67800 Bischheim-Strasbourg. France. For another explanation of the concept of personal status law, see Camilo Gómez-Rivas, "Women, Sharia, and Personal Status Law Reform in Egypt After the Revolution," Middle East Institute, October 1, 2011, <http://www.mei.edu/content/women-shari%E2%80%98-and-personal-status-law-reform-egypt-after-revolution> (accessed August 15, 2017). Although the article focuses on Egypt, its conceptualization of personal status law is applicable to Syria and other majority-Muslim countries.

<sup>52</sup> Diab, "Religion and the Law in Syria," in the section of that article entitled "1.4. Summary of the Syrian Judicial System," [https://www.acihr.org/articles.htm?article\\_id=26](https://www.acihr.org/articles.htm?article_id=26) (accessed August 15, 2017).

<sup>53</sup> Ibid.

<sup>54</sup> Berger, "The Legal System of Family Law in Syria," 119, n. 18.

<sup>55</sup> Diab, "Religion and the Law in Syria," in the section of that article entitled "1.4. Summary of the Syrian Judicial System," [https://www.acihr.org/articles.htm?article\\_id=26](https://www.acihr.org/articles.htm?article_id=26) (accessed August 15, 2017).

<sup>56</sup> Diab, "Religion and the Law in Syria," in the section of that article entitled "3.3. Application of The CPS [which stands for 'Code of Personal Status']," [https://www.acihr.org/articles.htm?article\\_id=26](https://www.acihr.org/articles.htm?article_id=26) (accessed August 15, 2017).

<sup>57</sup> Diab, "Religion and the Law in Syria," in the section of that article entitled "3.4. Return to the Origin: Law No. 31 Year 2006," [https://www.acihr.org/articles.htm?article\\_id=26](https://www.acihr.org/articles.htm?article_id=26) (accessed August 15, 2017).

<sup>58</sup> Ibid.

<sup>59</sup> Ibid.

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- <sup>60</sup> Ibid. See also van Eijk, p. 175; Ibrahim Ghabour's, Esq., *Introduction to Syrian Personal Status and Family Law: Syrian Legislation and Jurisprudence on Marriage, Divorce, Custody, Guardianship and Adoption for the Purpose of Immigration to the United States*, n.p.: Jura Law, an imprint of TellerBooks, 2017, also provides helpful information related to personal status and family law in Syria.
- <sup>61</sup> Van Eijk, p. 175.
- <sup>62</sup> Ibid.
- <sup>63</sup> Diab, "Religion and the Law in Syria," in the section of that article entitled "3.4. Return to the Origin: Law No. 31 Year 2006," [https://www.acihl.org/articles.htm?article\\_id=26](https://www.acihl.org/articles.htm?article_id=26) (accessed August 15, 2017).
- <sup>64</sup> Van Eijk, p. 175.
- <sup>65</sup> Ibid.
- <sup>66</sup> Ibid.
- <sup>67</sup> Ibid.
- <sup>68</sup> Ibid.
- <sup>69</sup> Ibid., p. 64.
- <sup>70</sup> Ibid., pp. 64-65.
- <sup>71</sup> Ibid., p. 65.
- <sup>72</sup> Ibid.
- <sup>73</sup> Ibid.
- <sup>74</sup> Ibid.
- <sup>75</sup> Ibid., pp. 19-25.
- <sup>76</sup> Ibid., p. 210.
- <sup>77</sup> Ibid.
- <sup>78</sup> Ibid.
- <sup>79</sup> Ibid.
- <sup>80</sup> Ibid.
- <sup>81</sup> Ibid.
- <sup>82</sup> Ibid.
- <sup>83</sup> Country Reports on Human Rights Practices for 2006, *Volume II: Report Submitted to Committee on Foreign Relations, U.S. Senate and the Committee on Foreign Affairs, U.S. House of Representatives by the Department of State in Accordance with Sections 116(d) and 502(b)B of the Foreign Assistance Act of 1961 as amended April 2008*, Washington, DC, U.S. Government Printing Office, 2008, p. 2172.
- <sup>84</sup> Ibid.
- <sup>85</sup> Ibid.
- <sup>86</sup> Ibid.
- <sup>87</sup> Migliorino, pp. 118-121; Sanjian, pp. 5-6.
- <sup>88</sup> Farhad Khosrokhavar, "Violence and the Egyptian Revolution" in *Reimagining Social Movements: From Collectives to Individuals*, Antimo L. Farro and Henri Lustiger-Thaler (eds.), Farnham, UK, Ashgate, 2014, pp. 133-134.
- <sup>89</sup> Robert Fisk, "ISIS in Syria: In the Shadow of Death, A Few Thousand Christians Remain to Defy Militants," *The Independent*, November 12, 2014

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<http://www.independent.co.uk/news/world/middle-east/isis-in-syria-in-the-shadow-of-death-a-few-thousand-christians-remain-to-defy-the-militants-9857030.html>

(accessed February 9, 2014); K. Jayalakshmi, "Iraq ISIS Crisis: Christians, Hounded Out of Mosul, Trapped in Desert and Refugee Camps," *International Business Times*, July 28, 2014, <http://www.ibtimes.co.uk/iraq-isis-crisis-christians-hounded-out-mosul-trapped-desert-refugee-camps-1458647> (accessed February 9, 2014).

<sup>90</sup> "What is Islamic State?" BBC News – Middle East, September 26, 2014 <http://www.bbc.com/news/world-middle-east-29052144> (accessed February 9, 2014).

<sup>91</sup> Loveday Morris, "Christians under Threat in Syria as Islamist Extremists Gain Influence," *Washington Post*, October 4, 2013, [http://www.washingtonpost.com/world/middle\\_east/christians-under-threat-in-syria-as-islamist-extremists-gain-influence/2013/10/03/214607ee-2a75-11e3-b141-298f46539716\\_story.html](http://www.washingtonpost.com/world/middle_east/christians-under-threat-in-syria-as-islamist-extremists-gain-influence/2013/10/03/214607ee-2a75-11e3-b141-298f46539716_story.html) (accessed February 9, 2014).

<sup>92</sup> Will Freeman, "ISIS Is Forcing Thousands of Christians From Their Homes In Iraq," *Think Progress*, July 24, 2014 <http://thinkprogress.org/world/2014/07/24/3463654/isis-iraq-christians/> (accessed February 9, 2015).

<sup>93</sup> Migliorino, pp. 1-3; 26-34.

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**Սուրիոյ Սահմանադրութիւնները Եւ Փոքրամասնութիւնները**  
(Ամփոփում)

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Ձեկոյցը կը համեմատէ եւ կը հակադրէ Սուրիոյ 1973ի եւ 2012ի սահմանադրութիւններուն տրամադրութիւնները՝ փոքրամասնութիւններուն հանդէպ: Ան հակիրճ տեղեկութիւններ կը փոխանցէ թէ՛ նախապետական եւ թէ՛ յետանկախական Սուրիոյ սահմանադրութիւններուն մասին:

Ձեկոյցը կը վերլուծէ Սուրիոյ սահմանադրութեան հինգ սկզբունքները, թէ՛ սուրիական յեղափոխութիւնը (այն, որ իշխանութեան հասցուց Պասս Կուսակցութիւնը) արաբական լայնածիր յեղափոխութեան մաս մըն է, եւ թէ՛ արաբական որբէւ պետութեան ուղղուած սպառնալիք կը վերաբերի ամբողջ արաբական աշխարհին, թէ՛ Սուրիան կը պայքարի սիոնականութեան եւ կայսերապաշտութեան դէմ, թէ՛ ազատութիւնը սրբազան իրաւունք է եւ ժողովրդավարութիւնը կառավարման իտէլական ձեւն է, եւ թէ՛ արաբական յեղափոխութիւնը մեկուսացուած երեսոյթ չէ, այլ՝ համաշխարհային շարժումի մը մէկ մասնիկը:

2012ի սահմանադրութիւնը չի յիշատակեր Պասս Կուսակցութիւնը իբրեւ «ազգին եւ ընկերութեան ղեկավար»: Ձեկոյցը կը վերլուծէ այս սահմանադրութեան տարբեր յատկանիշերը 1973ի սահմանադրութեան հինգ սկզբունքներուն եւ այլ յատկանիշերու կողքին, կը քննարկէ անոր դրոյթներուն հետեւանքները կրօնական փոքրամասնութիւններուն, ներառեալ՝ սուրիահայերուն վրայ: Ան կը վերլուծէ նաեւ արաբականութեան տարբեր՝ աշխարհիկ եւ կրօնական գաղափարախօսութիւնները, իսլամական *Ալ Ալ Քիթապ* եւ *Չիմնի* հասկացութիւնները, ու անոնց հետեւանքները՝ կրօնական փոքրամասնութիւններուն վրայ: Այս յենքին վրայ, գեկոյցը կը քննարկէ սիւննի խումբերու դերը, ինչպէս՝ Տահէշի՝ Սուրիոյ մէջ, բաղդատելով սուրիահայերուն դիմագրաւածը՝ այս խմբակցութիւններէն՝ համիտեան ջարդերուն (1894-1896) եւ Հայոց Յեղասպանութեան հետ:

Ձեկոյցը կ'եզրափակուի քննարկելով կրօնական փոքրամասնութիւններուն հաւանական ապագան Սուրիոյ եւ ընդհանրապէս Միջին Արեւելքի մէջ: