

**The Iraqi occupied Territories code 1915  
A historical study of its inception, contents and  
powers**

**Prepared by**



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## **Abstract**

The British occupation of Iraq occurred at the beginning of the twentieth century after it was under Ottoman control of a period of time. The occupation administration has organized legal life and the operation of the courts in a manner appropriate to the administration of the occupation, after taking control of Basra and claimed the escape of government employee, especially employees of judicial institutions. To avoid the application of the Hague Convention of 1907 in Article (43) which stipulated that: - (If the authority of the legitimate power is effectively transferred to the hand of the occupying power, the latter shall, to the extent possible, achieve and ensure security and public order, respecting the laws in force in the country, except in cases of extreme necessity).

The occupation authority wanted to evade the application of this article and called for the escape of legal officers and the loss of court records to issue laws that suit them and to restore work in the courts and judicial institutions as they wish, And after the occupation of the first area in Iraq summoned its advisers and legal staff who accompanied the campaign and those in their colonies, especially in India and formed the legal committees to prepare laws and establish courts to work in order to maintain security and calm the situation and the first work done by these committees is the preparation of a law called (The Iraqi occupied Territories code 1915 ).

This law, which contained six sections, included sixty-three items in which the powers of judicial offices and persons included in this law were determined, This law draws most of its articles from the civil and criminal laws applied in India and the Ottoman laws and want to apply them in Iraq, but the interface of the occupation administration is difficult for the difference between the Iraqi and Indian communities.

**Key words:** Law of the Iraqi regions – Occupier.

## References

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- (3) Kamel Salman Al-Jubouri, The Iraq War 1914-1915 AD, Afaq Arabia Magazine, Issue Ten, Third Year, Baghdad, June 1978, p.
- (4) Philip Willard Ireland, Iraq: A Study of his Political Development, translated by Jaafar Khayat, Beirut, Dar Al Kashaf, 1949, p. 51.
- (5) Article Eight of Chapter Three of the Occupied Iraqi Territories Law of 1915 A.D.
- (6) Chapter Five, The Occupied Iraqi Territories Law of 1915 A.D.
- (7) According to what he called the law (Sunni Sharia), specifically the jurisprudence of Imam Abu Hanifa, given that the Ottoman state followed the provisions of this particular jurisprudence.
- (8) Gertrude Bell, Chapters from the Recent History of Iraq, translated by Jaafar al-Khayyat, Beirut, Dar al-Kutub, 1971, p. 48.
- (9) Abd al-Rahman Khader, Explanation of the Code of Principles of Criminal Trials Al-Baghdadi, its amendments and appendices, Part 1, Baghdad, Al-Syriac Press, Edition 2, 1940, p.7
- (10) Chapter Six, Article 48 of the Occupied Iraqi Territories Law of 1915 A.D.
- (11) Muzahim Amin Pachachi (1891-1982), Iraqi politician and diplomat. In 1924, he became a member of the Iraqi Constituent Assembly as a representative of Hilla
- (12) Muntaha Adhab Dhuib, previous reference, p. 299.
- (The Emirate of Al-Muntafiq, Al-Muntafak, or Al-Muntafaj (1530 AD - 1918 AD (19)
- (13) The Occupied Iraqi Territories Law of 1915 CE, Chapter Five, Clause Twenty-first.
- (14) This is how it was mentioned in the translation of the original text of the law (the Constitution), meaning: - The District Court.
- (15) The Occupied Iraqi Logic Law of 1915 CE, Chapter Two, Section Five.
- .The Occupied Iraqi Logic Law of 1915 CE, Chapter Three, Article Eight (24)
- (16) Major, D'A. C. Brownlow, Military Governor of Basrah; Report on the Military Government of .Basrah to 31 th. March 1915 p.2
- (17) Hamid Ahmad Hamdan Al-Tamimi, Basra during the British Occupation era 1914-1921, Al-Irshad Press, Baghdad, 1979 AD, p. 282 .
- (18) Major, D'A. C. Brownlow; op. Cit., p. 2 .
- (19) Ibid.; p. 3 .
- (20) The Iraqi occupied Territories code 1915, part III Criminal Matters , section .8.
  
- (21) Philip Willard Ireland, Ibid., 51 .
- 22) The Iraqi occupied Territories code 1915, part III Criminal Matters , section ,14 .
- (23) Ibid. part IV, sections, 23, 24 .
- (24) The Iraqi occupied Territories code 1915. , part IV, sections, 19, 20 .
- (25) Ibid. part IV, Mixellaneous provisions, sections, 51 .
- (26) The Iraqi occupied Territories code 1915, part III Criminal Matters , section ,8 .
- (27) Ibid. part IV, sections, 14, 20 .
- (28) Ibid. part IV, sections, 14, 19.
- (29) Farouk Saleh Al-Omar, On British Policy in Iraq 1914-1921 AD, Baghdad, Al-Irshad Press, 1977AD, p. 36.
- (30) He is one of the framers of the American Constitution, the first Minister of Finance of the

United States, and the founder of the American Central Bank, and his picture is currently shown on the US currency in denominations of 10 dollars. For more information, see: Alexander Hamilton, <https://ar.wikipedia.org/wiki>

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(33) Abd al-Rahman Nurjan al-Ayyubi, The Administrative Judiciary in Iraq, Its Present and Future, Cairo, 1965, p. 223.

(34) This statement was issued in Baghdad on the twenty-fourth day of December 1918 AD.