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# **Enrichment of world cultural heritage in Lebanon**

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Decision to create the Berytus Nutrix Legum Prize as a ‘Legal Nobel’ is an affirmation of rights and privileges

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**GULF NEWS**

When Jesuits founded the Universite Saint-Joseph (USJ) in Beirut in 1875, few imagined that Lebanon would ever gain its independence, confronted by innumerable challenges. Of course, the country thrived as a democratising entity and forged a “National Pact” in 1943 that promoted, helter-skelter, an entente between its Muslim and Christian communities. Astute leaders decided to share power and build a nation.

Of course, such an objective was idealised, even if most overlooked fundamental institutional roots that ensured long-term successes. One such “phenomenon,” and it was one in every meaning of the term, was the USJ Law School that was established 100 years ago under the leadership of Paul Huvelin from the Universite de Lyon in

France. In the event, the 1913 inauguration came long after the Berytus Nutrix Legum, Beirut's first law school that flourished under the patronage of Roman emperors as early as 231 AD and survived Justinian I's order to shut down provincial establishments for political reasons.

Regrettably, a massive earthquake in 551 AD destroyed the building that housed the "Mother of All Law Schools," as the Beirut facility was then known, on account of its preeminence as a centre of jurisprudence. Whether the destruction was a harbinger to contemporary lawyers, who cavalierly ordered the destruction of archaeological vestiges to erect modern monstrosities instead, was probably ironic too. Still, the school graduated affluent Roman citizens, many of whom added value to both western as well as eastern civilisations. Truth be told, this was not the only institution of higher learning in Lebanon, as Beirut hosted various learning centres, including the Three Doctors School as well as the American University of Beirut — both of which stood as beacons of knowledge. Still, none of these institutions focused on law, a discipline that strengthened democratisation by managing the ways societies functioned and thrived.

For nearly a century, and in as much as Lebanon built on its legacy as a centre of dialogue among nations, it was not accidental that it required the development of a legal culture. Paul Huvelin, the eminent legal historian and professor at the Faculty of Law of Lyon, who helped the Jesuits at USJ between 1913 and 1924, emphasised this point time and again. Huvelin, a specialist in the study of the earliest forms of Roman Law, knew that Beirut was the seat of the famous "School of Berytus". Equally important, the professor was part of a group of scholars led by the sociologist Emile Durkheim, whose

core beliefs centred around the notion that de-emphasised traditional social and religious ties, while it promoted organisations that encouraged coexistence. He was known for his erudition, but also for the development of commercial laws, which underscored his attention to particular Arab (and Phoenician) mercantilism. Given this Lebanese environment, both as a centre of tolerance and commerce, such an emphasis on Huvelin's part was prophetic. Over the years, the school welcomed leading jurists, like the then Chancellor Jean Ducruet and professors Choucri Cardahi, Bechara Tabbah, Emile Tyan, Nicolas Aswad, Antoine Fattal, Sobhi Mahmassani, Sami Chammas and Meline Topakian, among others.

Many of the publications authored by these legal minds, reached international audiences, including works by Cardahi on law and morality and Tyan on Sharia. Fattal's assessments of the legal status of non-Muslims throughout the Islamic World and Mahmassani's massive contributions on obligations and contracts in Sharia compared to modern legislation, stood apart too.

### Separation of powers

Naturally, Lebanese authorities perceived the law school, which also taught economics and political science, as a key foundation of the republic. Although the country practised confessional politics with a vengeance, it also encouraged the separation of powers, precisely to prevent attempts by autocrats to impose their will and deny citizens the minimum equality that was enshrined in the constitution. Notwithstanding recent drawbacks, it may be accurate to state that the very idea of the rule of law, which was a privilege developed and carefully applied in major democracies, was also rooted in the

spirit of the Lebanese, even if most were not aware of it.

Remarkably, four presidents — Camille Chamoun, Charles Helou, Elias Sarkis, Bashir Gemayel — three prime ministers — Sami Al Solh, Abdullah Yafi, Shafik Wazzan — and scores of deputies and ministers, including Hamid Franjeh, Raymond Edde, Mohsen Slim, graduated from the school. It was no accident that all fiercely defended democratic values. Others made valuable contributions too and while the paucity of genuine political discourse, coupled with unprecedented corruption, may lead one to conclude that there was no more room for the rule of law in Lebanon, existing institutions were far stronger than many assumed.

Deciding to now create the Berytus Nutrix Legum Prize as a “Legal Nobel”, with a cash prize of \$1 million (Dh3.67 million) was, therefore, not only a worthy international award, but also an affirmation of rights and privileges. Lebanese citizens desired to revive traditions that established and built bridges of coexistence between East and West. They also wished to strengthen Lebanon’s mission to contribute to the enrichment of the world cultural heritage as well as promote dialogue among civilisations. For doing so ensured that legally enshrined values of freedom and liberty became contagious.

Dr Joseph A.Kechichian is the author of *Legal and Political Reforms in Saudi Arabia* (Routledge, 2012).